



## VILLAGE OF NORTH PALM BEACH REGULAR SESSION AGENDA

VILLAGE HALL COUNCIL CHAMBERS  
501 U.S. HIGHWAY 1

THURSDAY, FEBRUARY 27, 2020  
7:30 PM

Darryl C. Aubrey  
Mayor

Mark Mullinix  
Vice Mayor

David B. Norris  
President Pro Tem

Susan Bickel  
Councilmember

Deborah Searcy  
Councilmember

Andrew D. Lukasik  
Village Manager

Leonard G. Rubin  
Village Attorney

Jessica Green  
Village Clerk

### ROLL CALL

### INVOCATION – MAYOR

### PLEDGE OF ALLEGIANCE – VICE MAYOR

### AWARDS AND RECOGNITION

### APPROVAL OF MINUTES

1. Minutes of the Regular Session held 2/13/20

### COUNCIL BUSINESS MATTERS

#### STATEMENTS FROM THE PUBLIC, PETITIONS AND COMMUNICATIONS

Members of the public may address the Council concerning items on the Consent Agenda or any non agenda item under Statements from the Public. **Time Limit: 3 minutes**

Members of the public who wish to speak on any item listed on the Regular Session or Workshop Session Agenda will be called on when the issue comes up for discussion. **Time Limit: 3 minutes**

Anyone wishing to speak should complete a Public Comment Card (on the table at back of Council Chambers) and submit it to the Village Clerk prior to the beginning of the meeting.

#### DECLARATION OF EX PARTE COMMUNICATIONS

#### PUBLIC HEARINGS AND QUASI-JUDICIAL MATTERS

#### CONSENT AGENDA

*The Consent Agenda is for the purpose of expediting issues of a routine or pro-forma nature. Councilmembers may remove any item from the Consent Agenda, which would automatically convey that item to the Regular Agenda for separate discussion and vote.*

2. Receive for file Minutes of the General Employees Pension Board meeting held 11/7/19.
3. Receive for file Minutes of the Recreation Advisory Board meeting held 1/14/20.

## **OTHER VILLAGE BUSINESS MATTERS**

- 4. RESOLUTION – BLANKET PURCHASE ORDER FOR ANNUALS AND PLANTINGS** Approving a blanket purchase order with Precision Landscape Company of Palm Beach County, Inc. in an amount not to exceed \$50,000 for annuals and plantings for roadways, facilities and parks.
- 5. RESOLUTION – REVISIONS TO PURCHASING POLICIES AND PROCEDURES** Revising the Village's purchasing policies and procedures as set forth in the Accounting Policies and Procedures Manual for Internal Controls.

## **COUNCIL AND ADMINISTRATION MATTERS**

### **MAYOR AND COUNCIL MATTERS/REPORTS**

- 6.** Boat and RV Ordinance

### **VILLAGE MANAGER MATTERS/REPORTS**

## **REPORTS (SPECIAL COMMITTEES AND ADVISORY BOARDS)**

## **ADJOURNMENT**

If a person decides to appeal any decision by the Village Council with respect to any matter considered at the Village Council meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Village Clerk's office at 841-3355 at least 72 hours prior to the meeting date.

This agenda represents the tentative agenda for the scheduled meeting of the Village Council. Due to the nature of governmental duties and responsibilities, the Village Council reserves the right to make additions to, or deletions from, the items contained in this agenda.

***DRAFT* MINUTES OF THE REGULAR SESSION  
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA  
FEBRUARY 13, 2020**

Present:

Darryl C. Aubrey, Sc.D., Mayor  
Mark Mullinix, Vice Mayor  
David B. Norris, President Pro Tem  
Susan Bickel, Councilmember  
Deborah Searcy, Councilmember  
Andrew D. Lukasik, Village Manager  
Len Rubin, Village Attorney  
Jessica Green, Village Clerk

ROLL CALL

Mayor Aubrey called the meeting to order at 7:30 p.m. All members of Council were present. All members of staff were present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Aubrey gave the invocation and Vice Mayor Mullinix led the public in the Pledge.

AWARDS AND RECOGNITION

On behalf of the Village Council, Mayor Aubrey presented an award and proclamation to Judy Pierman.

Judy Pierman expressed thanks and appreciation to the Council and the Village of North Palm Beach.

APPROVAL OF MINUTES

The Minutes of the Regular Session held January 23, 2020 were approved as written.

STATEMENTS FROM THE PUBLIC, PETITIONS AND COMMUNICATIONS

These residents addressed the Council regarding their concerns about the Village's recreation vehicle ordinance:

John Frerking, 130 Cruiser Road South	Steve Luisi, 637 Dogwood Road
Eileen Frerking, 130 Cruiser Road South	John Baker, 852 Cinnamon Road
Catherine Garcia, 753 Anchorage Drive	Colby Briggs, 400 Oyster Road
John Samadi, 512 Marlin Road	Margaret Radanovich, 520 Inlet Road
Kathleen Wallenhorst, 909 Eucalyptus Road	Mark Wendt, 909 Laurel Road
Don Kazimir, 106 Gulfstream Road	Tamra Joyner, 541 Oyster Road
Jon Hart, 732 Cable Beach Lane	Joe Tucciarone, 525 Flotilla Road
Ryan Nagel, 136 Cruiser Road South	Greg Hoynack, 517 Lighthouse Drive
Beverly Gorman, 708 Lighthouse Drive	

CONSENT AGENDA

Councilmember Bickel moved to approve the Consent Agenda. President Pro Tem Norris seconded the motion which passed unanimously. The following items were approved:

Motion – Approving a 45-day suspension of a Golf Member for violations of the Country Club Rules and Regulations.

Motion – Final Close Out, Release of Contractual Retainage, and Payment of Application #4 for the Pool Resurfacing Project at the North Palm Beach Country Club to Family Pools, Inc. in the amount of \$48,673.

Resolution – Approving an Interlocal Agreement with Palm Beach County for the use of Grant Funds for Emergency Medical Services Equipment; approving the sole source purchase of one Gaumard Sim-Manikin at a total cost of \$21,605, and the purchase of an extended warranty at a total cost of \$3,795; and authorizing execution of the Agreement.

Resolution – Confirming and approving a proposal from Kwik Rooter, Inc. d/b/a Kwik Plumbers to perform emergency repairs to the Osborne Park Building wastewater lateral at a total cost of \$13,767.84.

Resolution – Approving an Agreement for Vote Processing Equipment use and Elections Services with the Palm Beach County Supervisor of Elections; and authorizing execution of the Agreement.

Receive for file Minutes of the Planning Commission meeting held 1/7/20.

Receive for file Minutes of the Golf Advisory Board meeting held 1/13/20.

Receive for file Minutes of the Audit Committee meeting held 1/22/20.

Receive for file Minutes of the Library Advisory Board meeting held 1/28/20.

RESOLUTION 2020-12 – AMENDMENT TO PROSPERITY HARBOR NORTH PLANNED UNIT DEVELOPMENT

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to adopt Resolution 2020-12 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING AN AMENDMENT TO THE PERIMETER LANDSCAPE PLAN FOR THE PROSPERITY HARBOR NORTH PLANNED UNIT DEVELOPMENT; PROVIDING FOR A CONDITION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Jeremy Hubsch explained the reason for the Amendment.

Councilmember Searcy asked if the landscaping had already been completed.

Mr. Hubsch stated that the landscaping had been started but not completed yet.

Councilmember Bickel asked why green island ficus plants would be included in the landscaping since they were not environmentally friendly.

Mr. Hubsch explained that the green island ficus plant was classified as a type of shrub in comparison to other types of ficus plants.

RESOLUTION 2020-12 – AMENDMENT TO PROSPERITY HARBOR NORTH PLANNED UNIT DEVELOPMENT *continued*

Councilmember Bickel recommended encouraging the installation of a variety of landscaping throughout the Village as opposed to the same types of landscaping already installed.

President Pro Tem Norris recommended having actual landscape renderings to review in future landscape applications.

Thereafter, the motion to adopt Resolution 2020-12 passed unanimously.

RESOLUTION 2020-13 – FIRE RESCUE DEPARTMENT VENTILATION FANS PURCHASE

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to adopt Resolution 2020-13 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING THE PURCHASE THREE RAM VENTILATION FANS FROM TEN-8 FIRE EQUIPMENT, INC. PURSUANT TO PRICING ESTABLISHED IN AN EXISTING LAKE COUNTY CONTRACT; AUTHORIZING AND DIRECTING THE MAYOR AND VILLAGE CLERK TO AMEND THE CAPITAL PROJECTS FUND BUDGET TO TRANSFER \$17,413.00 FROM THE CAPITAL RESERVE ACCOUNT TO THE FIRE – MACHINERY AND EQUIPMENT CAPITAL ACCOUNT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Fire Rescue Chief J.D. Armstrong explained the reasons for the ventilation fans purchase.

Mayor Aubrey asked if the fans were battery operated and utilized to remove smoke from burning structures.

Chief Armstrong stated that the fans were battery operated and that previously used gas powered fans would blow carbon monoxide back into the burning buildings.

Councilmember Searcy asked Chief Armstrong to explain the misting feature on the ventilation fans.

Chief Armstrong explained that when firefighters come out of a fire they are immediately rehabilitated and rehydrated. The fans can be fitted with a misting feature that blows water out in a fine mist to cool the firefighters during the rehabilitation process.

Thereafter, the motion to adopt Resolution 2020-13 passed unanimously.

RESOLUTION 2020-14 – FIRE RESCUE DEPARTMENT VEHICLE LEASE

A motion was made by Councilmember Searcy and seconded by Vice Mayor Mullinix to adopt Resolution 2020-14 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA ACCEPTING A PROPOSAL FROM REV FINANCIAL SERVICES, LLC FOR THE LEASE OF A FREIGHTLINER AEV TYPE I MODULE RESCUE VEHICLE (AMBULANCE) ACQUIRED FROM ETR, LLC PURSUANT TO PRICING ESTABLISHED IN AN EXISTING FLORIDA SHERIFF’S ASSOCIATION CONTRACT; AUTHORIZING

RESOLUTION 2020-14 – FIRE RESCUE DEPARTMENT VEHICLE LEASE *continued*

THE VILLAGE MANAGER TO EXECUTE THE LEASE AGREEMENT AND RELATED DOCUMENTS; DECLARING ONE RESCUE VEHICLE (AMBULANCE) AS SURPLUS PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Chief Armstrong explained the lease agreement for the new Fire Rescue vehicle.

Discussion ensued between staff and Council regarding the lease agreement and the new Fire Rescue vehicle.

Thereafter, the motion to adopt Resolution 2020-14 passed unanimously.

RESOLUTION 2020-15 – HERITAGE DAY AMUSEMENT RIDES

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Bickel to adopt Resolution 2020-15 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA ACCEPTING THE PROPOSAL SUBMITTED BY BIG FUN, INC. TO PROVIDE AMUSEMENT RIDES FOR HERITAGE DAY 2020 THROUGH 2022 AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CONTRACT FOR ON BEHALF OF THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Acting Parks and Recreation Director Stephen Poh explained and discussed the three year contract with Big Fun, Inc. for the Heritage Day amusement rides.

Thereafter, the motion to adopt Resolution 2020-15 passed unanimously.

RESOLUTION 2020-16 – VILLAGE VEHICLES LEASE AGREEMENT

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to adopt Resolution 2020-16 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING THE LEASE OF THREE NEW POLICE DEPARTMENT VEHICLES ACQUIRED FROM BARTOW FORD CO. PURSUANT TO PRICING ESTABLISHED IN AN EXISTING CHARLOTTE COUNTY CONTRACT AND EQUIPPED BY DANA SAFETY SUPPLY PURSUANT TO AN EXISTING CITY OF TAMPA CONTRACT, ONE NEW PUBLIC WORKS VEHICLE ACQUIRED FROM BARTOW FORD CO. PURSUANT TO PRICING ESTABLISHED IN EXISTING CHARLOTTE COUNTY CONTRACT, AND ONE NEW BUCKET TRUCK FOR THE PUBLIC WORKS DEPARTMENT ACQUIRED FROM ALTEC INDUSTRIES, INC. PURSUANT TO PRICING ESTABLISHED IN AN EXISTING SOURCEWELL CONTRACT; APPROVING A FIVE-YEAR LEASE AGREEMENT WITH PINNACLE PUBLIC FINANCE INC.; DECLARING FIVE EXISTING VEHICLES AS SURPLUS PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Manager Susanne Hachigian explained and discussed the new vehicles lease agreement and which vehicles would be replaced. Mrs. Hachigian discussed and explained the features and specifications of the new bucket truck for the Public Works Department.

RESOLUTION 2020-16 – VILLAGE VEHICLES LEASE AGREEMENT *continued*

Discussion ensued between Mrs. Hachigian and Council regarding the new vehicles that will be purchased and the interest rate on the new lease agreement.

Thereafter, the motion to adopt Resolution 2020-16 passed unanimously.

RESOLUTION 2020-17 – AMENDMENT TO COMPREHENSIVE PAY PLAN

A motion was made by Councilmember Bickel and seconded by President Pro Tem Norris to adopt Resolution 2020-17 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA AMENDING THE COMPREHENSIVE PAY PLAN ADOPTED AS PART OF THE FISCAL YEAR 2020 BUDGET TO INCLUDE THE POSITION OF DEPUTY POLICE CHIEF AND INCREASE THE RANGE FOR MERIT INCREASES FOR DEPUTY POLICE CHIEF AND POLICE CAPTAIN; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik explained the reasons for amending the Comprehensive Pay Plan. The Amendment was a result of the Council's consensus at a prior meeting to change Captain Coliskey's title to Deputy Chief, raise Captain Coliskey and Captain Dallesandro's base salaries by 4%, and increase the maximum potential merit increase from 5% to 7%.

Thereafter, the motion to adopt Resolution 2020-17 passed unanimously.

RESOLUTION 2020-18 – COLLECTIVE BARGAINING AGREEMENT WITH FPE

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt Resolution 2020-18 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE VILLAGE AND THE FEDERATION OF PUBLIC EMPLOYEES AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lukasik discussed and explained the changes to the Collective Bargaining Agreement with FPE. Mr. Lukasik stated that the contract would end September 30, 2022 and that it was not anticipated to have a negative impact upon the Village's adopted budget.

Thereafter, the motion to adopt Resolution 2020-18 passed unanimously.

RESOLUTION 2020-19 – COUNTRY CLUB FORCE MAIN RELOCATION AND ADA-COMPLIANT SIDEWALK INSTALLATION CONTRACT

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt Resolution 2020-19 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A CONTRACT AWARD TO D.S. EAKINS

RESOLUTION 2020-19 – COUNTRY CLUB FORCE MAIN RELOCATION AND ADA-COMPLIANT SIDEWALK INSTALLATION CONTRACT *continued*

CONSTRUCTION CORP. FOR THE RELOCATION OF A FORCE MAIN AND THE INSTALLATION OF AN ADA COMPLIANT SIDEWALK AT THE NORTH PALM BEACH COUNTRY CLUB PURSUANT TO PRICING ESTABLISHED IN AN AGREEMENT FOR MISCELLANEOUS PUBLIC WORKS PROJECTS WITH THE CITY OF PALM BEACH GARDENS AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE CONTRACT ON BEHALF OF THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Special Projects Director Chuck Huff explained and discussed the reasons for and scope of the project.

John Samadi, 512 Marlin Rd. expressed his concerns about the project.

Thereafter, the motion to adopt Resolution 2020-19 passed unanimously.

VILLAGE COUNCIL MATTERS/REPORTS

Mayor Aubrey gave an overview of Mr. Lukasik's performance evaluation scores.

A motion was made by Vice Mayor Mullinix and seconded by Councilmember Searcy to give Village Manager Lukasik a 5% salary increase retroactive for year one, a 5% salary increase retroactive for year two and a 5% salary increase for year three beginning on Mr. Lukasik's employment anniversary date.

Thereafter, the motion passed unanimously.

Mr. Lukasik thanked Council for his evaluation and salary increase. Mr. Lukasik stated that he appreciated the Council's confidence in him and he and his family enjoy living in the Village.

Mayor Aubrey asked for an update on the employee parking lot at the Country Club.

Mr. Lukasik stated that the employee parking lot had been paved and striped. Employees at Farmer's Table were instructed to use the parking lot but have had not begun doing so and staff at the Country Club were going to continue their efforts in instructing them to park in the new parking lot.

Councilmember Bickel stated that the Waterways Board was not meeting regularly and recommended reviewing the functions and mandates of the Waterways Board.

Councilmember Bickel recommended having Judy Pierman implement and lead a junior council or committee in order for the youth of the Village to get involved in the community.

Councilmember Searcy thanked and commended the Friends of the Library for their fund raising efforts at the Library book sale.

Councilmember Searcy asked if there would be a workshop to discuss various membership options at the Country Club.

VILLAGE COUNCIL MATTERS/REPORTS *continued*

Mr. Lukasik stated that he and staff would be meeting to discuss the various membership options at the Country Club and wanted to involve Farmer's Table in the process.

Councilmember Searcy recommended reviewing the functions and mandates of all of the Village's Advisory Boards and Committees.

Councilmember Searcy asked if the timing of the traffic light at the Country Club could be inspected.

Mr. Lukasik stated that there was a timing loop that was disrupted at the Country Club traffic light which has been fixed.

Councilmember Searcy stated that she would be providing information for future discussion on the timing of the Village's Council meetings. Councilmember Searcy stated that the Village has the latest start time for Council meetings than all other municipalities in Palm Beach County.

Vice Mayor Mullinix stated that Principal Theresa Stoupas would be coming to speak to the Council regarding the upcoming 10 year anniversary of The Conservatory School at North Palm Beach. Vice Mayor Mullinix asked the Council to consider giving Ms. Stoupas a letter of commendation and discussed Ms. Stoupas' background and accomplishments.

Discussion ensued between the Council regarding whether to give Ms. Stoupas a letter of commendation and establishing a guideline or policy for letters of commendation.

The Council came to consensus to give Ms. Stoupas a letter of appreciation when she comes to a future Council meeting to discuss The Conservatory School's 10 year anniversary.

Vice Mayor Mullinix asked if Council was going to address the residents who came and expressed their concerns regarding the recreation vehicle ordinance.

Mayor Aubrey stated that he would take the resident's concerns into consideration and would meet with staff to discuss and address the issues at a future workshop.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Lukasik gave an update and details regarding Seacoast Utilities' project on Northlake Boulevard.

Police Chief Richard Jenkins gave an Annual Police Report. Chief Jenkins reviewed and discussed the response time analysis, crime statistics and revenue generated by the Police Department over the past year.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:40 p.m.

  
Jessica Green, MMC, Village Clerk



# VILLAGE OF NORTH PALM BEACH GENERAL EMPLOYEES RETIREMENT SYSTEM

c/o Benefits USA, Inc. 3810 Inverrary Blvd, Suite 303 Lauderhill, FL 33319  
(954) 730-2068, Ext. 203 - (800) 452-2454, Ext. 203 - Fax — (954) 730-0738

**November 7, 2019; 9:00 AM**  
**VILLAGE HALL CONFERENCE ROOM**  
**501 US HIGHWAY 1**  
**NORTH PALM BEACH, FL 33408**

**ROLL CALL:** The Village of North Palm Beach General Employees Retirement System was called to order at 9:03 am.

**Trustee Present:** James K Peterson, Chairman, Myrna Williams, Secretary, Jane Lerner & Paul Wieseneck

**ABSENT:** Alan Kral

**OTHERS PRESENT:** Blake Myton, SunTrust Investment Manager, Administrator's Pete Prior and Livia Giuliani

The Chairman opened the meeting and reported that the Board of Trustees along with some staff members had a special meeting to discuss the services of Benefits USA. The Chairman asked Mr. Prior to put a proposal of services together for the next meeting in February and he would like the staff members to attend this meeting along with the Attorney via teleconference. Chairman Peterson further noted that an error was made by Benefits USA in processing a refund of contributions which involved the Attorney and the fund incurred fees. He said that Benefits USA should pay the legal fees that the Attorney charged in the amount of \$795.00. Mr. Prior agreed to adjust the fee for the December billing.

## **APPROVAL OF MINUTES**

**August 6, 2019**

The Chairman asked if there were any changes, additions, or deletions to the minutes. Hearing and seeing no changes the Chairman would entertain a motion. Trustee Wieseneck moved to approve the August 6, 2019 minutes. Trustee Lerner seconded the motion and the motion passed.

## **PUBLIC COMMENTS**

There were no public comments at this time.

## **INVESTMENT REPORT QUARTER ENDING 9/30/2019**

Mr. Myton provided a brief report on the economy and reviewed the market indices stating that they are down for the fiscal year based on the performance during the last quarter of 2019.

Stocks gained in September, but most global stocks declined during the third quarter. Developed International Markets gained in September but were down for the third quarter. The emerging markets regained much of what was lost, but not enough to rescue the third quarter. US stocks gained for the month and the quarter; sector returns for the month were also solid with 10 of the 11 S&P 500 sectors in positive position. Commodities were up for the month, but down for the second straight quarter due to the decline in crude oil and agriculture. Master limited partnerships (MLPs) were also up for September, but down for the second consecutive quarter. Bond yields across the board were up higher by mid-September, but declined again by month end. The 10-year US Treasury yield declined -1.67%, down sharply from just over 2% from the beginning of the quarter. Mr. Myton reported on the performance noting that the total Fund returned 1.41% for the quarter vs. the policy benchmark of 1.19% and 4.63% for the 1-year period vs. policy benchmark of 5.63%. Total Equities returned 1.01% for the quarter and 2.69% for the 1-year period vs. the Russell 3000 of 0.42% and 1.88% respectively. Fixed income returned 2.16% for the quarter and 8.92% for the 1-year period vs. the Barclay's Bloomberg index of 2.27% and 10.30% respectively. The short-term fund returned 0.52% for the quarter and 2.20% for the 1-year period vs. the FTSE group 3-month T Bill index of 0.56% and 2.36% respectively.

Mr. Myton reported that the beginning market value at 7/1/2019 was \$16,825,544.59 the contributions totaled \$117,629.30; the withdrawals totaled \$(254,588.06); the appreciation totaled \$146,957.45; income earned \$88,265.95; resulting in a market value at 9/30/19 of \$16,923,809.23 which was a gain of \$98,264.64. Mr. Myton had nothing further to report.

**CONSENT AGENDA**

**For Approval: Warrant #5 and #6**

Benefits USA, Inc. (Administration Fee for September 2019)	1,950.00
KKJ&L (Legal Fees-Bill #24366 dated 8/31/19)	\$2,146.50
<b>Total</b>	<b>\$4,096.50</b>
Benefits USA, Inc. (Administration Fee for October 2019)	\$1,950.00
Benefits USA, Inc. (Administration Fee for November 2019)	\$1,950.00
GRS (Services Rendered through 9/30/19; Invoice #450035 dated 10/8/19)	\$977.00
KKJ&L (Legal Fees-Bill #24556 dated 9/30/19)	\$848.00
KKJ&L (Legal Fee-Bill #24755 dated 10/31/19)	\$450.00
SunTrust Bank (Q3-19 Custodian Fee-Invoice #291839 dated 10/28/19)	\$12,664.91
<b>Total</b>	<b>\$18,839.91</b>

Trustee Wieseneck moved to approve warrant #5 and Trustee Lerner seconded the motion and the motion passed.

Trustee Wieseneck moved to approve Warrant #6 and Chairman Peterson seconded the motion and the motion passed.

**For Ratification: Warrant #4**

SunTrust Bank (2 <sup>nd</sup> Qtr. 19 Custodian Fee-Invoice #290563 dated 7/26/19)	\$12,594.17
<b>Total</b>	<b>\$12,594.17</b>

Trustee Wieseneck moved to approve paid Warrant #4 and Trustee Lerner seconded the motion and the motion passed.

**Pension Payments for Approval:**

David Teal (Beneficiary payment effective 8/1/19)

Trustee Wieseneck moved to approve the beneficiary payment to David Teal and Trustee Lerner seconded the motion and the motion passed.

**NEW BUSINESS:**

**Death Benefit Forms**

The Chairman said he was unsure why these forms were created as most pension plans have a specified death benefit in place. Ms. Giuliani explained that because Ms. Teal was eligible for normal retirement but passed away prior to and there was no election made for her beneficiary. The Chairman noted that he would like a better understanding of this at the next meeting with the Attorney.

**2020 meeting dates:**

The Administrator reported on the meeting dates for 2020 as follows: 2/4/2020, 5/5/2020, 8/4/2020 and 11/2/2020.

**UNFINISHED BUSINESS**

There was no unfinished business discussed.

**REPORTS:**

**Chairman-**

The Chairman had nothing further to report.

**Secretary-**

The Secretary had nothing further to report.

**Administrator-**

**NEXT MEETING DATE:** Thursday February 4, 2020

**ADJOURN:**

Trustee Wieseneck moved to adjourn the meeting and Trustee Lerner seconded the motion and it passed. The meeting was adjourned at 10:00 am.

  
\_\_\_\_\_  
Secretary

2/11/20  
Date

# Village of North Palm Beach

## Recreation Advisory Board

### Minutes from the January 14, 2020 Meeting

#### CALL TO ORDER:

Chairman Maria Cassidy called the meeting to order at 7:00 PM.

#### ROLL CALL:

Maria Cassidy, Chair

Bob Bell

Tim Hulihan

Don Grill

Chris Cantwell, Vice Chair

Mia St. John

Paul Beach

Village Council Representative – Susan Bickel

Andy Lukasik, Village Manager

Stephen Poh, Acting Director of Parks and Recreation

#### APPROVAL OF MINUTES:

Don Grill made a motion to approve the minutes; seconded by Tim Hulihan. The motion passed 6-0.

#### PUBLIC COMMENT:

No Public Comment.

#### DIRECTOR'S REPORT:

Stephen updated the board on several park projects such as the Community Center trail grant which is its final stages of being completed with the new fitness equipment stations and the dog park renovations. Stephen also talked about the next special event upcoming which is the Hot Cars and Chili on Saturday, January 25 from 12-4pm. Stephen spoke about the new sports programs being offered such as grass volleyball, mini basketball, over 40 basketball, and Little League Baseball.

#### NEW BUSINESS:

- Andy Lukasik explained to the board that Stephen Poh is now the acting Parks and Recreation Director.
- Andy also spoke about several park projects such as piling inspections at Anchorage Park, seawall repairs at Lakeside Park, dry storage, and Lakeside Park vegetation removal.
- Andy mentioned that there is currently a new smoking legislative being looked at by the state of Florida.

#### OLD BUSINESS:

- We now have an agreement with North Palm Beach little league to run baseball at Osborne Park. Stephen explained that they are looking at starting practices in early February. They are currently taking sign-ups.

#### BOARD MEMBER COMMENTS:

- Don Grill discussed about putting up no vaping signs at Lakeside Park. Bob Bell stated that we should wait on those signs until the no smoking legislative has been discussed that way we only have to hang one sign for no smoking and vaping.
- Tim Hulihan discussed the pedestrian issue of the area behind the Public Safety Building. He recommended an additional sidewalk to better assist the walkers who use that area on a regular basis. Stephen will follow up with Public works about progress on this request.
- Don Grill mentioned about pot hole at the entrance to dry storage areas. Stephen will follow up with Public works on work order status.

#### Council Member Comments

- No Council Member comment.

#### ADJOURNMENT:

Bob Bell made a motion to adjourn the meeting; seconded by Tim Hulihan. Motion passed 6-0.  
Meeting adjourned at 7:40 PM.

Minutes respectively submitted by Stephen Poh, Acting Director of Parks and Recreation.

**VILLAGE OF NORTH PALM BEACH  
PUBLIC WORKS DEPARTMENT**

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TO: Honorable Mayor and Council  
THRU: Andrew D. Lukasik, Village Manager  
FROM: Steven J. Hallock, Director of Public Works  
DATE: February 27, 2020  
SUBJECT: **RESOLUTION – Approval of FY 2020 blanket purchase order for annuals and plantings for roadways, facilities and parks to Precision Landscape Company of Palm Beach County, Inc. for an amount not to exceed \$50,000.**

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The Public Works Department requests approval for the issuance of a blanket purchase order to Precision Landscape Company of Palm Beach County, Inc. (“Precision”) for annuals and plantings for roadways, facilities and parks.

In accordance with the Village’s purchasing policies and procedures, Council approval is required for a blanket purchase order when the aggregate fiscal year spending for a vendor is anticipated to exceed \$10,000.

Funding for this blanket purchase order is budgeted in FY 2020. The blanket purchase order amount is based on historical spending trends. The funds for the FY 2019 blanket purchase order were rolled over to this fiscal year, and the funding has now been exhausted; consequently, Staff is requesting the issuance of a new blanket purchase order for this fiscal year.

Village Staff is recommending the purchase of landscape materials from Precision because Precision is the Village’s contractor for landscape and grounds maintenance. In the past, the Village Council has approved landscape purchases from Precision as a “sole source type” purchase and waived the purchasing policies and procedures because the purchase of landscape materials from a different vendor could lead to finger pointing between the vendor and the maintenance provider in the event that there is an issue with the landscaping materials. Approval of this blanket purchase order places the responsibility squarely on Precision.

<b>Fund</b>	<b>Department/ Division</b>	<b>Account Number</b>	<b>Account Description</b>	<b>Amount</b>
General Fund	Public Works / Streets & Grounds	A7321-35222	Trees and Sod	\$50,000

The attached Resolution has been prepared and/or reviewed by the Village Attorney for legal sufficiency.

**Recommendation:**

**Village Staff requests Council consideration and approval of the attached Resolution approving the issuance of a blanket purchase order to Precision Landscape Company of Palm Beach County, Inc. at a total cost not to exceed \$50,000, with funds expended from Account No. A7321-35222 (Public Works, Streets & Grounds, Trees and Sod), in accordance with Village policies and procedures.**

**RESOLUTION 2020-\_\_\_**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A BLANKET PURCHASE ORDER WITH PRECISION LANDSCAPE COMPANY OF PALM BEACH COUNTY, INC. IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR ANNUALS AND PLANTINGS FOR ROADWAYS, FACILITIES AND PARKS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village’s Purchasing Policies and Procedures authorize the use of blanket purchase orders for materials purchased over a certain period of time not to exceed a single fiscal year; and

WHEREAS, blanket purchase orders in excess of \$10,000 require approval by the Village Council; and

WHEREAS, Village Staff is recommending approval of a blanket purchase for \$50,000 with Precision Landscape Company of Palm Beach County, Inc. for the purchase of annuals and plantings for roadways, facilities and parks because Precision is the Village’s contractor for landscape and grounds maintenance; and

WHEREAS, the Village Council determines that the adoption of this Resolution, including the waiver of any purchasing policies and procedures otherwise applicable to such purchases, is in the best interests of the Village and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA as follows:

Section 1. The foregoing recitals are ratified as true and incorporated herein.

Section 2. The Village Council hereby approves the issuance of a blanket purchase order in the amount of \$50,000 to Precision Landscape Company of Palm Beach County, Inc. for the purchase of annuals and plantings for roadways, facilities and parks, with funds expended from Account No. A7321-35222 (Public Works/Streets and Grounds – Trees and Sod).

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS \_\_\_ DAY OF \_\_\_\_\_, 2020.

(Village Seal)

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
VILLAGE CLERK

**VILLAGE OF NORTH PALM BEACH  
FINANCE DEPARTMENT**

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TO: Honorable Mayor and Council  
THRU: Andrew D. Lukasik, Village Manager  
FROM: Samia Janjua, Finance Director  
DATE: February 27, 2020  
SUBJECT: **RESOLUTION – Amendment to the Village’s purchasing policies and procedures set forth in the Accounting Policies and Procedures Manual for Internal Controls**

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At its January 22, 2020 meeting, Village Staff discussed with the Audit Committee the following recommended changes to the Village’s Purchasing Policy as set forth in the Accounting Policies and Procedures Manual for Internal Controls:

- **Purchasing Thresholds:**

The goal of any purchasing limit threshold is to provide the appropriate balance between speed and efficiency on one hand and competition, pricing, and transparency on the other. The current and proposed thresholds are provided in the table below:

Description	Current	Proposed
Bidding	\$25,000	\$50,000
Village Manager	\$10,000 ( <i>since 1991</i> )	\$25,000
Department Head	\$2,500	\$5,000
Department Supervisor or designee	\$0	\$2,500

Increasing the thresholds will:

1. Increase efficiencies relative to staff time and resources related to preparing, advertising and evaluating formal solicitations. Drafting specifications is a time-consuming, attorney-utilizing process that may only result in the receipt of one bid. Also, in some cases, depending on the project, the Village must retain an engineer to put together a formal plan before even going out for bid, which can be costly.
2. The cost to a business to respond to a form bid or RFP (when one considers the time and effort that is required) can be greatly reduced by using a less formal document, such as a request for quotations. In essence, the simpler our procurement documents (for dollar amounts below \$50,000) are to review and respond to, the more responses the Village can expect. Increased competition brings its own benefits to the Village.
3. The requested change would also serve to reduce the process time for items in this cost range by approximately one (1) month. Notification and outreach to possible bidders would not be changed from our current process or otherwise limited.
4. Recent surveys of purchasing thresholds locally (see attached) show that only a few of the County’s municipalities have thresholds as low as our current level.

- **Piggyback provision:**

The language requiring that a piggyback contract be no older than 18 months from the date of the requested purchase was removed. The Village should be able to piggyback on any existing contract that is currently in effect. The current policy already requires a “fair market value” evaluation from a secondary vendor.

- **Signature Requirement for Final Payment and Release of Retainage:**

Current Requirement	Proposed Requirement
<ul style="list-style-type: none"> <li>• Community Development Director and Village Council</li> </ul>	<ul style="list-style-type: none"> <li>• Director on Project and Village Manager</li> <li>• Village Council for projects over \$500,000</li> </ul>

- **Emergency Purchase Order Thresholds:**

Description	Current	Proposed
Department Head w/ confirmation by Village Manager	\$2,500	\$25,000
Village Manager	\$10,000	\$25,000
Village Manager w/ confirmation by Council	\$25,000	\$50,000
Village Council	\$25,000	\$50,000

- **Blanket Purchase Order:**

Description	Current	Proposed
Village Manager	\$10,000	\$25,000
Village Council consent agenda	\$10,000 - \$25,000	\$25,000-\$50,000

- **Other Changes:**

- Purchase Order requirement changed to items over \$5,000 (currently \$2,500);
- Vendor notification list reference removed (reflects current practice)
  - Demandstar & Village Website are used;
- Purchasing Requisition “in duplicate” reference removed (reflects current practice)
  - Department isn’t required to keep a copy of the requisition;
- Procedure for issuing and processing purchase order revised to reflect current practice
  - Detail of what’s printed on the PO isn’t necessary in policy (forms may change)

The Audit Committee reviewed the changes and agreed with Staff that these changes should be submitted to Council for approval. The revised policy is attached in “tracking mode” for review.

The attached Resolution has been prepared and/or reviewed for legal sufficiency by the Village Attorney.

**Recommendation:**

**Village Staff requests Council consideration and approval of the attached Resolution amending the Purchasing section of the Accounting Policies and Procedures Manual for Internal Controls in accordance with Village policies and procedures.**

## RESOLUTION 2020-\_\_\_\_\_

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, REVISING THE VILLAGE'S PURCHASING POLICY AS SET FORTH IN THE VILLAGE'S ACCOUNTING POLICIES AND PROCEDURES MANUAL FOR INTERNAL CONTROLS; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Village Staff is recommending revisions to the Village's Purchasing Policy, as set forth in the Village's Policies and Procedures Manual for Internal Controls, to: increase the purchasing thresholds; remove the eighteen-month limitation for piggyback purchases; revise the signature requirement for final payment and release of retainage; raise the emergency purchase order and blanket purchase order thresholds; and delete obsolete language that conflicts with current practices; and

WHEREAS, the Village's Audit Committee reviewed and approved the proposed revisions; and

WHEREAS, the Village Council determines that the adoption of this Resolution is in the best interests of the residents and citizens of the Village of North Palm Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA as follows:

Section 1. The foregoing recitals are hereby ratified and are incorporated herein.

Section 2. The Village Council hereby adopts the revisions to the Village's Purchasing Policy as identified in Exhibit "A" attached hereto and incorporated herein by reference. These revised procedures shall be included in the Village's Policies and Procedures Manual for Internal Controls.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

(Village Seal)

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
VILLAGE CLERK

**Purchasing Threshold Survey**  
data collected November 2019

<b>Municipality</b>	<b>Purchasing threshold</b>	<b>City Manager Threshold</b>	<b>Bid</b>
Village of North Palm Beach	\$2,500.00	\$10,000.00	\$25,000.00
Town of Jupiter	\$10,000.00	\$50,000.00	\$100,000.00
Town of South Palm Beach	N/A	\$5,000.00	\$5,000.00
Jupiter Inlet District	N/A	\$5,000.00	\$5,000.00
City Palm Beach Gardens	\$5,000.00	\$65,000.00	\$65,000.00
City of Belleglade	\$10,000.00	\$20,000.00	\$20,000.00
Town of Cloude Lake	N/A	\$1,000.00	\$1,000.00
Town of Juno Beach	\$2,500.00	\$10,000.00	\$10,000.00
City of Lake Worth	N/A	\$50,000.00	\$50,000.00
City of Atlantis	\$5,000.00	\$25,000.00	\$25,000.00
Town of Mangonia Park	\$500.00	\$200,000.00	\$200,000.00
Town of Lake Park	\$10,000.00	\$10,000.00	\$35,000.00
City of Riviera Beach	\$2,500.00	\$25,000.00	\$25,000.00
City of Greenacres	\$7,500.00	\$35,000.00	\$35,000
Town of Highland Beach	\$500.00	\$25,000.00	\$25,000
City of Boca Raton	\$7,500.00	\$100,000/\$150,000 construction	\$50,000/\$100,000 construction
Town of Palm Beach Shores	\$500.00	\$5,000.00	\$25,000

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# Purchasing

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## Objective

The primary objective of the Village's purchasing operation is to maximize the value of the dollar spent. All Village departments are responsible for accomplishing this objective by planning for future purchase needs and completing them in an economical manner.

## Responsibilities of Finance Department

- Maintain an up to date vendor list.
- Process purchase requisitions.
- Prepare and issue purchase orders.
- Pay vendor invoices.
- Manage Purchasing Card Program

## Responsibilities of Village Clerk

- Receive bids and proposals
- Record bids and proposals at time designated in the competitive solicitation
- Maintain bid files.

## Responsibilities of Operating Departments

- Obtain prices on comparable items.
- Search for new sources of goods and services and provide these vendor names to the Finance Department
- Provide complete information on items to be purchased on the purchase requisitions and reference the budget line item description.
- Provide appropriate documentation with purchase requisitions as required.
- Plan for purchases to minimize emergency purchases.
- Prepare technical specifications and competitive solicitations as needed.
- Evaluate and recommend competitive solicitation awards including facilitating evaluation committees as needed.
- Determine if sufficient funds are available in the budgeted line item.
- Attempt to use the Finance Department's vendor list as a minimum for all quote requirements.
- Manage contracts for your area of responsibility ensuring that vendors provide purchased goods, equipment and/or services in accordance with contract terms and prices.
- Resolve vendor performance issues as needed.

## Responsibilities of Village Manager

- Advertise for bids.

# Purchasing Policy

## Determining Purchasing Methods:

- a. All purchases that are budgeted to exceed ~~\$25,000~~50,000 on either an annual basis or span across fiscal years such as a “multi-year” contract:
  1. Must be formally advertised in a newspaper of general circulation with the advertisement being no less than fourteen (14) days prior to the opening of bids.
  2. Must be awarded on a sealed bid basis by vote of Village Council.
  3. ~~The vendors list will be used as a minimum notification list of available vendors for the purposes of soliciting bids.~~ All competitive solicitations shall be loaded onto the North Palm Beach website and shall be posted on Demand Star for wide distribution to possible vendors.
- b. All purchases having an estimated cost between ~~\$2,500~~5,000 and ~~\$25,000~~50,000:
  1. Require three (3) quotations. A written quote from each vendor is to be attached to the requisition. Where a written quote is not available and on approval of the Village Manager, a memorandum from the Department Head documenting the three (3) verbal quotes is required. No hand-written quotes will be accepted.
  2. All purchases in excess of ~~\$2,500~~5,000 and up to ~~\$10,000~~25,000 shall be authorized by the Department Head, Finance Director, and Village Manager.
  3. All purchases in excess of ~~\$10,000~~25,000 and up to ~~\$25,000~~50,000 shall be brought to the Village Council on Consent Agenda for approval.
- c. Purchases having an estimated cost of up to ~~\$2,500~~5,000, unless otherwise described in this manual:
  1. Do not require bids or three (3) quotes; however, Department Heads are encouraged to obtain the most cost-effective price.
  2. Shall be authorized by Department Heads. The Department Head may authorize, in writing, a member of the department/division to purchase items under \$2,500.
- d. Exceptions – In certain instances exceptions to the above may exist and purchases may be accomplished using alternate methods:
  1. Through the use of the emergency purchase provisions as provided for in the Emergency Purchases section of this manual.
  2. When annual contracts exist, i.e. gas, oil, tires, office supplies, etc.
  3. When requirements imposed by federal, state, or county grants provide different regulations.
  4. When the Village Manager deems it appropriate to use procedures of more formality than set out above.
  5. When the Village Council waives the purchasing rules and regulations.
- e. The purchase of bulk motor and diesel fuel necessary to operate Village vehicles and the purchase of inventory and goods for resale or distribution to the public shall not be subject to the rules and regulations set forth herein and may be approved by the Village Manager and/or the Finance Director.
- f. Expenditures for utilities, advertising, subscriptions, registration fees, training, travel, seminars and lectures, performing artists and entertainers, membership dues, uniform allowances, license or maintenance renewals for existing software, and similar products or services for which competitive procurement is either not available or wholly impracticable shall not be subject to the rules and regulations set forth herein and may be approved by the Village Manager and/or the Finance Director.

# Initiating a Purchase

## Purchase Requisition

A purchase requisition must be completed, and submitted to the Finance Department with the appropriate documentation attached. Where equipment is covered by maintenance contracts, requests for service may be made directly by the respective department. Copies of all approved maintenance agreements shall be submitted to the Finance Department at the beginning of each fiscal year. An annual purchase order that shall not exceed one year will be issued, if required by the vendor.

## Requisition Preparation

Procedure to process regular requisitions:

- a. Print each requisition ~~in duplicate~~ and give the following:
    1. Department account number.
    2. Date of requisition.
    3. Suggested vendor name and address.
    4. Village delivery location.
    5. Quantity.
    6. A complete, detailed description of the item(s) to be purchased along with a budget line reference.
    7. Estimated net cost of line items of goods and services.
    8. Estimated cost of shipping and handling.
    9. Signature of department head which indicates department head's approval of purchase.
  - b. When necessary, bid documentation, i.e. telephone bids, requests for quotations, etc. should be attached to the purchase requisition.
- ~~e.~~—Purchase requisition originals are to be sent to the Finance Department.
- ~~d.c.~~ ~~Second copy is kept in the requesting department's file.~~
- ~~e.d.~~ Upon receiving the requisition, Finance will determine the availability of funds in the department's account. If the funds are available, preparation and processing of the purchase order will be completed and forwarded to the Village Manager for final authorization.
- ~~f.c.~~ Requisitions over ~~\$25,000~~\$50,000 will be subject to the bidding process. Once the Village Council awards the bid to a vendor, the operating department must prepare and forward to the Finance Department the purchase order requisition along with a copy of the bid documentation and the adopted resolution.
- ~~g.f.~~ The Village's purchasing policy allows management to "piggyback" on:
1. Current federal supply schedules, U.S. General Services Administration (GSA) or any other federal agency contracts;
  2. Current cooperative purchase contracts; and
  3. Other state and local government contracts for labor and materials, providing those government contracts identify those specific services or materials required and the government contract is ~~both currently in effect, active and no older than 18 months from the date of the requested purchase.~~
- If the "piggyback" provision is to be utilized, the operating department will obtain a verbal quote from a secondary qualified vendor to verify the "fair market" value of the item or services sought. If this quote is significantly lower, staff will go through the normal purchasing/bidding procedures. The verbal quote verification procedure will be indicated as part of the back-up material for the purchase.
- ~~h.g.~~ In the event the "piggy-back" provision is utilized and a "change" in services, outside the scope of the government contract is required, that change will be treated as a "change order" in accordance with this policy.

## **Purchasing Procedures, Bids, Contracts, Vendor Selection, etc.**

### Formal Bidding

Formal bids are required for purchases in excess of ~~\$25,000~~50,000.

### Writing Specifications

Upon submitting a request for formal bidding, the department should also transmit desired specifications to be included as a part of the bidding process.

Care should be taken to design specifications so that they are not so narrow as to limit competition unnecessarily. Department heads have the responsibility for complying with this guideline.

### Identifying Suppliers

Operating departments are responsible for maintaining a comprehensive, updated list of suppliers of various products frequently purchased by that department. It is the Village's policy to award to the lowest qualified bidder offering merchandise conforming to pre-defined specifications.

### Sealed Bid Opening

All bids/proposals shall be submitted to the Village Clerk's Office. All sealed bids are to be opened at the exact time, date and place specified in the bid package. A bid package contains: (1) notice to bidders; (2) complete bid specifications and (3) contract documents, if appropriate. All bids are to be opened publicly with tabulation being made available to all vendors participating. Formal bids are to be checked for proper submission of any required bid deposits, bonds, etc. All sealed bids will be opened by a bid board consisting of the Village Manager or his or her designee, the Department Head concerned and a representative from the Clerk's Office. After evaluation, a recommendation will be made by the Village Manager for transmittal to the Village Council.

### Sole Source Items

"Sole source purchases are the acquisition of goods and services that for all practical purposes can only be obtained from a single vendor, usually because of limited technology, technological compatibility with existing systems, goods or services already in use by the Village or other unique qualities of the goods or services that preclude a competitor's price comparison." All sole source purchases will be documented by a memo from a Department Head justifying why the purchase is sole source. Every reasonable effort must be made to locate competitive suppliers. Only the Village Manager may certify an item as sole source. Approval of sole source purchases over ~~\$10,000~~25,000 is to be made by the Village Council.

### Contracts, Retainage, Change Orders, & Payment

- a. The Village Manager is authorized to sign contracts on behalf of the Village that involve expenditures for goods and services that are line items within the Village budget and do not exceed ~~ten~~twenty-five thousand (~~\$10,000~~25,000). Prior to execution of contracts, the Village Manager shall first comply with the purchasing regulations adopted by the Village Council and have the contracts reviewed by the Village Attorney for legal sufficiency.
- b. Contracts for over ~~\$10,000~~25,000 must be approved by the Village Council.
- c. The annual contracts awarded by Palm Beach County, the State of Florida and the Palm Beach County Cooperative Purchasing Council, and other governmental agencies for labor and materials are accepted by the Village in accordance with their terms.

- d. The American Institute of Architecture, AIA Document G702-1992, Application and Certificate for Payment, is the form that is completed by the Contractor and Certified by the Architect/Engineer as part of their payment request. This form shows the Original Contract amount then the progression of payments previously paid, retainage, current request and balance of contract to complete the Project. The percentage of retainage is specified in the Agreement that is executed by the Village and the Contractor. A standard of ten percent (10%) will be used unless adjusted by the Mayor and Council.

### Change Orders

A Change Order is a written instrument prepared by the Contractor, certified by the Architect/Engineer and approved by the Village stating their agreement to the following:

- a. Actual change in work required.
- b. The dollar amount of the adjustment and its effect on the Contract's Total Sum.
- c. The extent of the adjustment and how it will affect the Contract's timeframe.
- d. If a lump sum payment is necessary, the request must be properly itemized and supported by sufficient substantiating data to permit evaluation. All parties involved must mutually accept the adjustment(s) as presented.
- e. Unit prices stated in the Contract Documents or subsequently agreed upon must be mutually acceptable to all parties involved.
- f. If costs are to be determined, all parties must agree upon a mutually acceptable fixed or percentage fee.

### Change Order Process

- a. All proposed change orders must be approved by the Village Engineer (if involved in the project), the Department Head overseeing the project, and the Village Manager.
- b. The Village Manager has the authority to approve change orders under ~~\$10,000~~25,000 that are within the original scope of the project and that do not exceed the original budget line item for the project; however, the Village Council will be notified of any such change orders for their approval and ratification at the next scheduled Council Meeting.
- c. All change orders in excess of ~~\$10,000~~25,000 must be brought to the Village Council for approval.
- d. If exigent circumstances exist requiring immediate action and a delay would adversely impede the project operationally, the Village Manager can with written documentation, authorize a change order in excess of the ~~\$10,000~~25,000. The Village Manager will be responsible for immediately reporting this Change Order at the next scheduled Council Meeting for ratification.

### Construction Manager at Risk Contracts

Except as provided herein, the foregoing Policies and Procedures are not applicable to the procurement of Construction Manager at Risk Contracts. Construction Manager Contracts shall comply with the following rules:

- a. If the Village Manager determines that a Construction Manager at Risk contract is the appropriate method of procurement for any construction project, then the Village will prepare a Request for Qualifications in accordance with all applicable statutory requirements.
- b. The Village shall publicly announce in a uniform and consistent manner the fact that Construction Manager at Risk Services are required. The announcement shall include a general description of the project, procedures for obtaining the Request for Qualifications, and the time within which interested construction management firms may submit qualification statements.
- c. The Village Manager or his or her designee shall establish criteria, procedures and standards for the evaluation of construction management proposals, weighted for the particular project. Evaluation factors shall include, but not be limited to: Successful Experience of the Firm Managing Construction Projects; Qualifications/Experience of the Team; Scheduling, Cost Control and Quality Assurance; Approach to Establishing a Guaranteed Maximum Price; Approach to the Construction Program and Past Performance/References.

- d. An Evaluation Committee, selected by the Village Manager, shall evaluate all responsive qualification statements in accordance with the criteria established in the Request for Qualifications.
- e. The Village Manager and Village Attorney shall negotiate a contract for Construction Management at Risk Services for Village Council's consideration and award.
- f. A Guaranteed Maximum Price shall be established by the Construction Manager utilizing procedures established in the Contract, which will be presented to Village Council for its consideration and approval as an amendment to the Contract.
- g. Change Orders, if required, shall be approved by the Village Manager and reported to the Village Council at the next Village Council Meeting. Change Orders that significantly alter the design provided for in the original contract documents shall require approval of Village Council prior to execution.
- h. In the case of a valid public emergency, the Village Manager may suspend the procedures specified herein, and authorize negotiations of a Construction Manager at Risk Contract with the best qualified firm available at that time.

### Design-Build Contracts

Except as provided herein, the foregoing Policies and Procedures are not applicable to the procurement of design-build contracts. Design-build contracts shall comply with the following rules:

- a. If the Village Manager determines that a design-build contract is the appropriate method of procurement for any construction project, a design criteria package for the design and construction of the project shall be prepared and sealed by a design criteria professional either employed or retained by the Village. The design criteria professional shall meet the requirements of subsection (2) of Section 287.055(2), Florida Statutes (Consultants' Competitive Negotiation Act). If the Village enters into a professional services contract for preparation of the design criteria package, the selection of the design criteria professional shall comply with subsections (4) and (5) of Section 287.055, Florida Statutes.
- b. The design criteria package shall specify performance-based criteria for the project, including but not limited to the legal description of the site; survey information concerning the site; interior space requirements; material quality standards; schematic layout and conceptual design criteria for the project; cost or budget estimates; design and construction schedules; site development requirements; provision for utilities, stormwater retention and disposal; and parking requirements.
- c. A design criteria professional who has been selected to prepare the design criteria package shall not be eligible to render services under a design-build contract executed pursuant to the design-build criteria package.
- d. The Village shall publicly announce in a uniform and consistent manner the fact that design-build services are required. The announcement shall include a general description of the project, procedures for obtaining the request for proposals, and the time within which interested design-build firms may submit proposals.
- e. The Village Manager or his or her designee shall establish criteria, procedures, and standards for the evaluation of design-build contract proposals, weighted for the particular project, and shall solicit competitive proposals pursuant to the prepared design criteria package from qualified design-build firms for the project under consideration. In addition to price, evaluation factors shall include, but not be limited to, ability of professional personnel; past performance; ability to meet time and budget requirements; location of firm; and recent, current and projected work loads.
- f. For each public construction project involving the award of a design-build contract, the Village Manager may initiate a two-step process whereby firms first submit qualification statements. The Village Manager or, at the Manager's option a selection committee selected by the Village Manager, shall evaluate qualification statements in accordance with published criteria, including, but not limited to, past experience; availability; and the qualifications of key personnel and (provided that at least three (3) qualification statements have been submitted) select no fewer than three (3) qualified design-build firms from which competitive proposals shall be solicited based on the design criteria package. This step is not mandatory and the Village Manager may forego the pre-qualification process.

- g. The Village Manager or, at the Manager's option, an evaluation committee selected by the Village Manager, shall evaluate the proposals in accordance with the criteria set forth the solicitation and recommend to the Village Council no fewer than three (3) qualified design-build firms in order of preference. The Village Council may require public presentations and shall rank the firms. The Village Manager, in consultation with the Village Attorney, shall then commence negotiations with the top-ranked firm.
- h. Should the Village Manager be unable to negotiate a satisfactory contract with the top-ranked firm, negotiations shall be formally terminated in writing and negotiations commenced with the second-ranked firm. Should the Village Manager be unable to negotiate a satisfactory contract with the second-ranked firm, negotiations shall be formally terminated in writing and negotiations commenced with the third-ranked firm. Should the Village Manager be unable to negotiate a satisfactory contract with any of the selected firms, additional firms shall be selected in accordance with the foregoing procedures and negotiations shall continue until a contract is reached.
- i. The Village Manager shall consult with the design criteria professional who prepared the package concerning evaluation of the proposals, approval of detail work and drawings for the project and compliance of project construction.
- j. Each contract for design-build services shall contain a prohibition against contingent fees as required by law.
- k. In the case of a valid public emergency, the Village Manager may suspend the procedures specified herein, and authorize negotiations of a design-build contract with the best qualified design-build firm available at that time.

## **Contract Payment Process**

### Certificates for Payment

An Architect and/or an Engineer will be engaged on all professionally bid projects which are new or structurally reengineered. In those instances:

- a. The Architect/Engineer will, within seven days after receipt of the Contractor's Application for Payment, either issue to the Village a Certificate for Payment, with a copy to the Contractor, or notify the Contractor and the Village in writing of the Architect/Engineer's reasons for withholding certification in whole or in part.
- b. The issuance of a Certificate for Payment will constitute a representation by the Architect/Engineer to the Owner that the work has progressed to the point indicated and that the quality of the Work is in accordance with the Contract Documents. It will further constitute a representation that the Contractor is entitled to payment in the amount certified.

### Final Completion & Final Payment

- a. Upon receipt of written notice that the work is ready for final inspection and acceptance and upon receipt of a final Application for Payment, the Architect/Engineer will promptly make such inspection and, when the Architect/Engineer finds the work acceptable under the Contract Documents and the Contract fully performed, the Architect/Engineer will promptly issue a final Certificate for Payment.
- b. Neither final payment nor any remaining retained percentage shall become due until the Contractor submits to the Architect/Engineer:
  - 1. an affidavit that payrolls, bills for materials and equipment and other indebtedness connected with the work have been paid or otherwise satisfied,
  - 2. a certificate evidencing that insurance required by the Contract Documents to remain in force after final payment is currently in effect and will not be cancelled or allowed to expire until at least 30 days prior to written notice has been given to the Village,
  - 3. a written statement that the Contractor knows of no substantial reason that the insurance will not be renewable to cover the period required by the Contract Documents,
  - 4. consent of surety, if any, to final payment,

5. if required by the Village, other data establishing payment or satisfaction of obligations.

NOTE: Contractor's application for payment (partial or final) for repairs or maintenance to "existing" systems and infrastructure can be authorized by the Village Department Head for which those repairs/maintenance was authorized.

- c. Acceptance of final payment by the Contractor, a Subcontractor or material supplier shall constitute a waiver of claims by that payee except those previously made in writing and identified by that payee as unsettled at the time of final Application for Payment.
- d. The Certificate of Completion and the Application for Final Payment forms must be completed. The Application for Final Payment requests the release of the retainage and requires the ~~following signatures: Director managing the project and the Village Manager to sign off upon completion of the project.~~
  1. ~~For Projects \$10,000 or less, the Director managing the project and the Village Manager will sign off upon completion of the project.~~
  2. ~~Projects from \$10,001 to \$100,000 The Director managing the project along with the Director of Community Development and the Village Manager will sign off upon completion of the project.~~
  3. ~~Projects exceeding \$100,000 requires the same signature authority as item #2 and will be forwarded to the Mayor and Council for final closeout and release of contractual retainage.~~
  1. Projects exceeding \$500,000 will be forwarded to the Mayor and Council for final closeout and release of retainage.

## Purchase Orders

### Use of Purchase Orders

A purchase order should be used for the purchase of a single item over ~~\$2,500~~\$5,000 that is not purchased on a regular basis. This would include all purchases not covered by a blanket purchase order. All purchases that are budgeted to exceed ~~\$25,000~~\$50,000 on an annual basis or span across fiscal years such as a "multi-year" contract surpass the Village's bid threshold and will be bid prior to the beginning of the fiscal year. Exceptions are outlined in the Purchasing Policy "Determining Purchasing Methods" section, as well as in the Emergency Purchases section.

### Procedure for Issuing a Purchase Order

- a. All purchase orders will be issued by the Finance Department.
- b. All purchase orders will be sequentially numbered.
- c. ~~The purchase order is prepared in triplicate.~~
  1. ~~The original~~Vendor copy is delivered directly to the vendor.
  2. ~~The second~~Purchasing copy is retained by the Finance Department for account encumbrance and is attached to the requisition original.
  3. ~~The third~~Department copy is sent to the Department Head or the requisitioning department.
- e.
- d. ~~The purchase order is printed giving the following information:~~
  1. ~~Purchase order number.~~
  2. ~~Vendor code number.~~
  3. ~~Vendor name.~~
  4. ~~Vendor address.~~
  5. ~~Vendor contact person.~~
  6. ~~Vendor telephone number.~~
  7. ~~Vendor fax number.~~
  8. ~~Department account number.~~

- ~~9. Requisition number.~~
- ~~10. Date of purchase order.~~
- ~~11. Required delivery date.~~
- ~~12. Terms~~
- ~~13. F.O.B. point~~
- ~~14. Destination shipping point.~~
- ~~15. Quantity ordered.~~
- ~~16. Vendor proprietary stock number (if any).~~
- ~~17. Generic description of goods or services ordered.~~
- ~~18. Unit price.~~
- ~~19. Extension~~
- ~~20. Net total of goods and services ordered.~~
- ~~21. Allowable shipping charges.~~
- ~~22. A box checking an original or confirming purchase order.~~
- ~~23. Signature of responsible Village official.~~

### How Purchase Orders are processed

- ~~a. The original copy is delivered directly to the vendor.~~
- ~~b.a. The second copy is retained by the Finance Department for account encumbrance and is attached to the requisition original.~~
- ~~c.a. The third copy is sent to the Department Head or the requisitioning department.~~

### Cancellation of a Purchase Order

All cancellations of orders must be made by forwarding to the Finance Department the receiving copy of the purchase order with the word "VOID" printed across the face of said copy. The Department Head should sign and date all voided purchase orders, as well as provide a brief reason for the void.

### Expediting Orders

Once the Finance Department has issued a purchase order, no follow-up work is done on the order by Finance. It will be the responsibility of the operating department to expedite orders.

### Back Orders of Partial Payments

When several items are ordered, the supplier may deliver only a portion of the quantity requested. The supplier may then advise you that the remainder of the order has been back ordered. The Department Head should retain the copy of the purchase order until all items are delivered. Should the vendor invoice the Village for the partial order delivered, the following partial payment procedures should be followed:

- a. When the invoice is received, the department head should forward the invoice to the Finance Department with his or her approval of the partial payment. Notations should be made on the invoice that the order is "INCOMPLETE" and the purchase order number circled, or noted if it is not mentioned on the invoice. The Finance Department will use this as authority for partial payment. Documentation must be sent to the Finance Department indicating which items have been received before the Finance Department makes the payment on such invoice.
- b. The department copy of the purchase order remains in the department until the entire order is filled, invoiced, or balance canceled.

### Blanket Purchase Orders

Blanket purchase orders can be requested from the Finance Department for the purchase of materials, supplies, parts and similar items over a certain period of time not to exceed a single fiscal year. Examples include, but are not limited

to, office supplies, computer supplies, uniforms, firearms and firearm accessories, badges and specialized public safety equipment, hardware store purchases, tires, tubes, and batteries.

A blanket purchase order may be in any amount up to ~~\$10,000~~25,000 and must be approved by the Department Director, the Finance Director, and the Village Manager. No single item pursuant to a blanket purchase order shall exceed ~~\$2,500~~5,000. Blanket purchase orders in excess of ~~\$10,000~~25,000 shall be approved by the Village Council, provided, however, that blanket purchase orders in excess of ~~\$10,000~~25,000 and up to ~~\$25,000~~50,000 shall be placed on the Consent Agenda.

### Split Purchases (Pyramiding)

Split purchases, or pyramiding, is defined as issuing more than one purchase order on the same product with the intent of circumventing these regulations and/or budget limitations within an unreasonably short time period such that the totals of the purchase orders equal an amount greater than that authorized by these regulations. **Split purchases are prohibited.**

## **Emergency Purchases**

### General Policy

True emergencies do occur as a result of parts, supplies, and labor needed to repair equipment and facilities that are needed to provide services for the health, welfare and safety of the public. Anticipating needs in advance, whenever possible, will hold emergency purchases to a minimum and allow the use of standard procedures.

### Procedure

- a. Emergency purchases between ~~\$05,000~~ to ~~\$2,500~~25,000, mark invoice "EMERGENCY PURCHASE". The invoice must be submitted to and approved by the Department Head, subject to confirmation by Village Manager.
- b. Emergency purchases of more than ~~\$2,500~~25,000 and up to ~~\$25,000~~50,000, mark invoice "EMERGENCY PURCHASE", and contact the Village Manager for approval, subject to confirmation by the Village Council.
- c. Emergency purchases over ~~\$25,000~~50,000 are not to be made without the approval of the Village Council.

## **Purchasing Cards**

Recognizing the advent of automated internet supply vendors and the occasional time sensitive procurements, the utilization of a Village purchasing card is both necessary and required. The Finance Department shall maintain one purchasing card per department to be utilized in select cases in accordance with the existing purchasing regulations. Any department needing to use the purchasing card shall request in writing, to the Finance Director, the intended use of the card, the amount and the account number(s) to be charged. All requests must be approved by the department head prior to sending it to the Finance Department. If the request meets all applicable purchasing regulations and the departmental funds are available, the Finance department will obligate the Village for the purchase by use of the Village's purchasing card. The department making the purchasing request shall be responsible for providing invoices (receipts) or other acceptable documentation to the Finance Department immediately upon receipt. All invoices (receipts) shall be initialed with the account number(s) to be charged.

## **Sales Tax Exemption**

Village purchases are exempt from Florida sales tax. When making purchases, the vendor will be provided with the sales tax exemption number.

## **Contract Management and Oversight**

Operating Departments are responsible to manage contracts funded by their budget or in their area of responsibility. Each contract shall be assigned one person as the contract manager of that contract. Contract Management and Oversight includes:

1. Verification that vendor provides goods and/or services as ordered.  
Is the item the same brand, size, and package?  
Were the services performed by the individual identified in the contract or was the process for substitution followed?
2. Were the operating and maintenance manuals and warranties received? Provide information to Public Works, or Other Department who may be involved in any future repairs, if appropriate.
3. Were the goods or services delivered timely?
4. Was training included and provided in accordance with contract?
5. Were goods or services invoiced accurately? Note that vendors are always allowed to invoice at a lower price than in the contract allowing them to pass through any additional discounts available but vendors are not allowed to invoice at a higher than contract price.
6. Was there a request for additional goods or services? If yes, was the change order process followed?
7. Was contract completed by the end of the fiscal year? If not, the Contract Manager is responsible to notify the Finance Department of the need to roll over the purchase order into the next fiscal year.
8. Were assets purchased as part of the Contract? If yes, the Contract Manager is responsible to ensure that the Finance Department receives the Serial Number or other identifying information to include in the Village's assets.

Anytime there is an accident involving a vendor or a dispute with a vendor, the Contract Manager should engage the assistance of the Department Head

**VILLAGE OF NORTH PALM BEACH  
VILLAGE MANAGER'S OFFICE**

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TO: Honorable Mayor and Council  
FROM: Andrew D. Lukasik, Village Manager  
DATE: February 27, 2020  
SUBJECT: **COUNCIL DISCUSSION ITEM** – Boat and RV Ordinance

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The Mayor has requested that a discussion item related to the Boat/RV Ordinance be placed on the agenda.

The discussion will be related to 1) the review of suggested changes to the Code (as provided by Mr. Frerking in the attached document) and 2) a request to provide those found in violation of the Ordinance by the Special Magistrate with additional time to comply as those suggested changes to the Code are reviewed by staff and Council.

MEMORANDUM

To: Village Council, Mayor

From: Recreational Vehicle Owners of North Palm Beach

February 18, 2020

Re: Village Ordinance Sec 18-35

**Village Clerk**

**FEB 19 2020**

**Received**

Proposed changes.

Sec. 18-35.1.(3) – Seventy-two hours in one month is not a reasonable period of time to allow a resident to load and unload an RV for one trip and it prohibits anyone from taking more than one trip a month. Therefore, the once a month has been deleted in order to allow a family to have multiple 72 hour periods, nonconsecutively, in order to load and unload. As an example, a family could take 72 hours to load, go camping, return, and have another 72 hour period to unload. And they could go camping again in the same month using another 72 hour period each time to load and unload.

Sec. 18-35.1.(5) – An RV should be permitted electrical hookup in order to maintain refrigeration and dehumidifier, if necessary. We allow boats to be hooked up to shore power and electric cars to be recharged. Electricity to an RV should be no different.

Sec. 18-35.1.(6) – The length requirement has been changed to 34 feet and the height requirement has been changed to 13 ½ feet. None of the surrounding municipalities have a height and length requirement except for Palm Beach Gardens that requires the height not to exceed the height of the building on the lot.

Sec. 18-35.1.(7) - The U.S. Environmental Protection Agency states that the average weight of a car in 2018 was 4,094 pounds. The average camper weighs 5,200 pounds. This section we believe is not necessary.

Sec. 18-35.1.(8) – Propose changing visually to properly and then lay out the required screening. With the changes being proposed portions of the recreational vehicle will not be required to be visually screened.

Delete the word opaque. With the prohibition against chain link fencing, in our opinion there is no need to use the word opaque which has already been shown to be a problematic in its interpretation. In addition, an engineer has stated that the wind load on an opaque fence is much more significant than one that is not opaque. In addition, the wind force on a six foot gate is much less than the wind force on an eight foot gate. See next paragraph for proposed height of all screening, including the gate, at six feet.

Propose height of screening to be 6 feet. This is the allowable fence height. Full screening on the sides would require hedging instead of fencing and many residents would not have allowable space for hedging. We would argue that boats do not need to be fully screened from their neighbors (only their hulls) and therefore the same should apply to recreational vehicles. The mass of a canvassed T-top we believe is no more visually noticeable than that of a recreational vehicle above 6 feet. Last, we would argue that many homes are now being torn down and replaced with large two-story homes. The newer homes have a much larger footprint and are towering over the backyards of the original residences. Some of us and our neighbors, in the interest of our privacy, have had to landscape our yards to obscure our two-story neighbors. With respect to RVs, "the village council finds that, as a matter of fact, recreational equipment...are customary accessory uses..." and therefore residents buying into our Village should expect to see recreational vehicles. You would not expect someone to buy a waterfront home and then complain about boats in the canal. In buying into the Village, you buy into the lifestyle and that which is permissible. People have purchased in the Village for years in order to have their boats and RVs next to their home. For those that object, there are many other communities that may better fit their lifestyle choice. Please refer to the screening requirements of our neighboring municipalities in the body of the code.

Attachment: Code Sec. 18-35 with proposed changes.

**Sec. 18-35.1. - Recreational vehicles and trailers; parking on residential property restricted in R-1 and R-2 residential zoning districts.**

Recreational, campers, and camping equipment in the form of travel and/or camping trailers, motor homes, personal use recreational use trailers including motorcycle and all terrain vehicle trailers and vans, designed and used exclusively as temporary living quarters for recreation, for camping, for travel and for other personal recreation use, shall be parked in the side or rear yard, or within completely enclosed garages on sites containing a single family or duplex residence, subject to the following conditions:

(1)

A maximum of two (2) pieces of such equipment, inclusive of those provided for in section 18-35 at a time shall be permitted on a site, excluding those stored within a completely enclosed garage. No more than one (1) recreational vehicle shall be permitted on site.

(2)

Such parking shall be limited to such equipment owned or leased by and for the use of the occupant of the site.

(3)

The location for such parked equipment shall be in the rear yard at least five (5) feet from the rear property line, or in the side yard not projecting beyond the front building line. Equipment, including equipment owned by a guest of an occupant, may be temporarily parked on the site from the front building line to the paved street or alleyway (including the swale/rights-of-way as long as no portion extends into any sidewalk or street) for a period of time not to exceed seventy-two (72) hours at one time in any thirty (30) day period unless prohibited by section 18-34.1.

(4)

Such equipment shall, at all times, be currently registered and licensed as required by the laws of the State of Florida and, if applicable, shall display a current registration sticker and have attached a current vehicle license plate.

(5)

When parked on the site, such equipment shall not be used for living or sleeping quarters or for housekeeping or storage purposes and shall not have attached thereto any water, sewer, ~~electric~~ or gas service connection, ~~except for the purpose of recharging a vehicle's storage batteries.~~

(6)

Such equipment shall not exceed the maximum length, width, height and weight permitted under applicable provisions of the motor vehicle laws of the State of Florida; provided, however, the maximum length of the equipment exclusive of the trailer shall not exceed thirty ~~(30)~~ (34) feet and the maximum height shall not exceed ten ~~(10)~~ (13 ½) feet .

***[Surrounding municipalities:***

***Lake Park – no height or length requirement***

***Palm Beach Gardens – “Vehicle height. The height of the RV or watercraft, in its parked or stored position, shall not exceed the height of the principal building on the lot.”***

***Jupiter - no height or length requirement]***

(7)

Such equipment shall be securely affixed to the ground or removed immediately upon the issuance of a hurricane or tropical storm warning by a recognized government agency so that it will not be a hazard or menace during high winds or hurricanes.

(8)

All such equipment, when parked on site shall be visually properly screened from the view of abutting properties, street rights-of-way, and alleyways. The line of sight shall be from the edge of abutting properties, street rights-of-way and alleyways closest to the site.

(a)

Screening shall be in the form of a properly anchored opaque wall, fence, or gate (meeting all building code requirements) or an opaque hedge. Walls, gates or fences shall be constructed in accordance with section 45-36(D), and the use of chain link fencing with windscreens is prohibited. Hedges or other living vegetation shall be planted in the ground on the property on which the equipment is located and shall be of sufficient height to screen such equipment to a height of 6 feet. If screening requires vegetation greater than four (4) feet in height, vegetation shall be planted a minimum of four (4) feet at grade and shall reach a sufficient height to screen such equipment within two (2) years. Vegetation shall be maintained at all times so as not to encroach onto neighboring properties or rights-of-ways.

***[Surrounding municipalities:***

***Lake Park - Buffering and screening. The RV and watercraft shall be properly screened. Proper buffering and screening requires blocking the RV or watercraft from direct view from all sides; however, the area providing ingress and egress for the RV or watercraft to and from the lot is not required to be screened. Buffering or screening shall be accomplished by a masonry wall or fences, as well as dense hedge planting. Fences and walls shall be installed at a height of six feet. The use and maintenance of screening materials shall, at all times, comply with all provisions of this subdivision. The hedge materials used for screening purposes shall be maintained at least six feet in height above finished grade within 24 months after planting. The hedge materials used for screening purposes shall be at least three feet high above finished grade at planting.***

***Jupiter – recreational vehicles, boats, boat trailers, or utility trailers parked in a side corner yard require screening from view of the right-of-way abutting the side corner property line and the front yard property line. Such screening shall consist of a six-foot-high opaque fence and gate, landscaping (a minimum of four feet in height at time of installation) or other screening material that is architecturally compatible with the principal building. No screening of recreational vehicles, boats, boat trailers, or utility trailers, parked in a side corner yard, shall be required across a permitted driveway. If there is no driveway in a side corner yard, then the longest length of the above vehicles, boats and trailers must be parked parallel to the house.***

***Palm Beach Gardens - Buffering and screening. The RV and watercraft shall be properly screened. Proper buffering and screening requires blocking the RV or watercraft from direct view from all sides; however, the area providing ingress and egress for the RV or watercraft to and from the lot is not required to be screened. Buffering or screening shall be accomplished by a masonry wall or fences, as well as dense hedge planting. Fences and walls shall be installed at a height of six feet. The use and maintenance of screening materials shall, at all times, comply with all provisions of this subdivision. The hedge***

***materials used for screening purposes shall be maintained at least six feet in height above finished grade within 24 months after planting. The hedge materials used for screening purposes shall be at least three feet high above finished grade at planting.]***

(9)

All such equipment and the associated parking areas shall be kept in a clean, neat and presentable condition. Such equipment shall not be inoperable, wrecked, junked, partially dismantled or abandoned. Major repairs or overhauling shall not be conducted on the site.

(10)

The village council finds that, as a matter of fact, recreational equipment and camping equipment are customary accessory uses of the land in R-1 and R-2 zoning districts in the village.

(11)

Such parked equipment shall not be used in the course of any commercial activity. For this purpose, commercial activity shall include any type of business or activity which is conducted on or off the subject premises.

(12)

Any person seeking to store on his or her property equipment that does not meet the dimensional requirements of subsection (6) above or the setback from the rear property line required by subsection (3) above may file an application for a special exception on a form supplied by the community development department.

(a)

An applicant seeking an exception to the dimensional requirements shall be required to demonstrate that due to the size, shape or physical configuration of the property and the location of the equipment, the applicant meets all non-dimensional requirements of this section, including, but not limited to, setbacks and required screening. An applicant seeking an exception to the rear setback requirement shall be required to demonstrate that due to the size, shape or physical configuration of the property, there is no suitable alternate storage location on the property and the applicant meets all other requirements of this section including, but not limited to, required screening.

(b)

The application shall, at a minimum, be accompanied by a survey demonstrating the precise location proposed for storage of the equipment relative to adjacent properties and rights-of-way, and a site plan showing the proposed screening material, including all walls, fences, gates and landscaping.

(c)

The community development department shall review the application to ensure it is complete and prepare the necessary documentation for review by the planning commission. The planning commission shall review the application at a public hearing and forward a recommendation of approval, approval with conditions or denial to the village council. The village council shall conduct a public hearing and approve, approve with conditions or deny the application. The village council's final determination shall be set forth in a written order.

(d)

The procedure and notice requirements for consideration of the special exception application shall be as set forth in sections 45-16.2(e) and (f) of the village code. (Ord. No. 2016-07, § 4, 9-8-16; Ord. No. 2019-06, § 3, 7-11-19)