

**MINUTES OF THE REGULAR SESSION
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA
MARCH 9, 2017**

Present: Doug Bush, Vice Mayor
Darryl C. Aubrey, Sc.D., President Pro Tem
Robert A. Gebbia, Councilmember
Mark Mullinix, Councilmember
Samia Janjua, Interim Village Manager
Leonard Rubin, Village Attorney
Melissa Teal, Village Clerk

Absent: David B. Norris, Mayor

ROLL CALL

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Bush gave the invocation and President Pro Tem Aubrey led the public in the Pledge of Allegiance.

APPROVAL OF MINUTES

The Minutes of the Special Session held February 7, 2017 and Minutes of the Regular Session held February 23, 2017 were approved as written.

STATEMENTS FROM THE PUBLIC

Lisa Gallagher, 704 Teal Way, addressed the Council concerning an issue with absentee homeowners mooring yachts at waterfront homes that they do not occupy. Mr. Rubin confirmed that use of private docks is limited to the occupant. Vice Mayor Bush stated Village staff would investigate the matter.

CONSENT AGENDA APPROVED

President Pro Tem Aubrey moved to approve the consent agenda. Councilmember Mullinix seconded the motion, which passed unanimously. The following items were approved:

Receive for file Minutes of the Golf Advisory Board meeting held 2/22/17

Receive for file Minutes of the Library Advisory Board meeting held 2/28/17

RESOLUTION 2017-21 – FINANCIAL ADVISORY SERVICES AND BOND COUNSEL SERVICES AMENDMENTS RELATED TO COUNTRY CLUB CLUBHOUSE FINANCING

A motion was made by Councilmember Mullinix and seconded by Councilmember Gebbia to adopt Resolution 2017-21 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING AN AMENDMENT TO AN ENGAGEMENT LETTER FOR FINANCIAL ADVISORY SERVICES WITH PFM FINANCIAL SERVICES, LLC AND AN AMENDMENT TO A CONTRACT FOR BOND COUNSEL SERVICES WITH GREENSPOON MARDER, P.A. RELATING TO THE FINANCING OF THE NEW COUNTRY CLUB CLUBHOUSE TO MODIFY THE SCOPE OF SERVICES AND INCREASE THE AMOUNT OF COMPENSATION; AUTHORIZING THE MAYOR AND VILLAGE COUNCIL TO EXECUTE THE AMENDMENTS ON BEHALF OF THE VILLAGE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Janjua reported that financing for construction of the new Country Club clubhouse could not be accomplished through one tax-exempt loan, as initially planned. Mrs. Janjua explained that due to the Village's agreement with Carl Von Luger FL, LLC for restaurant and banquet services at the clubhouse, bond counsel Greenspoon Marder, P.A. determined the Village would be required to finance the project with two loans, one taxable and one tax-exempt. Mrs. Janjua stated PFM Financial Services, LLC and Greenspoon Marder, P.A. requested an increase in compensation due to the additional services provided.

Thereafter, the motion to adopt Resolution 2017-21 passed with all present voting aye.

RESOLUTION 2017-22 – COUNTRY CLUB CLUBHOUSE LOAN

A motion was made by Councilmember Mullinix and seconded by President Pro Tem Aubrey to adopt Resolution 2017-22 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING THE ISSUANCE OF ITS NON-AD VALOREM REVENUE NOTES, SERIES 2017, IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000, TO FINANCE THE COST OF CONSTRUCTING AND EQUIPPING A NEW COUNTRY CLUB CLUBHOUSE, AND THE COSTS OF ISSUANCE OF THE NOTES; PROVIDING THAT THE NOTES SHALL BE SECURED BY A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES OF THE VILLAGE; AWARDED THE NOTES TO PINNACLE PUBLIC FINANCE, INC. BY NEGOTIATED SALE IN SUBSTANTIAL ACCORDANCE WITH ITS RESPONSE TO THE VILLAGE'S REQUEST FOR PROPOSALS; APPROVING THE FORM OF A LOAN AGREEMENT BETWEEN PINNACLE PUBLIC FINANCE, INC. AND THE VILLAGE; DELEGATING TO THE APPROPRIATE VILLAGE OFFICIALS THE AUTHORITY TO APPROVE THE FINAL DETAILS OF THE NOTES AND LOAN AGREEMENT PURSUANT TO SUCH RESPONSE; AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE NOTES AND THE LOAN AGREEMENT ON BEHALF OF THE VILLAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2017-22 – COUNTRY CLUB CLUBHOUSE LOAN *continued*

Mrs. Janjua stated two proposals were received in response to the Request for Proposals for loan financing issued by the Village's financial advisor, PFM Financial Advisors, LLC. Mrs. Janjua reported the Audit Committee reviewed the proposals at its February 2, 2017 meeting and recommended proceeding with Pinnacle Public Finance, Inc. for the loans. Mrs. Janjua detailed the provisions of the two loans.

Senior Managing Consultant Laura Howe, PFM Financial Advisors, LLC, and Attorney Skip Miller, Greenspoon Marder, P.A. responded to Council questions concerning pre-payment terms and interest rates.

Discussion ensued regarding the percentage of clubhouse space allocated to taxable and non-taxable uses. Mr. Miller suggested that upon completion of the clubhouse building, if the non-taxable space was larger than projected, the Village could approach Pinnacle regarding a partial re-financing of the loan.

Thereafter, the motion to adopt Resolution 2017-22 passed with all present voting aye.

RESOLUTION 2017-23 – SATELLITE COLLECTION VEHICLES PURCHASE

A motion was made by Councilmember Mullinix and seconded by Councilmember Gebbia to adopt Resolution 2017-23 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING THE PURCHASE OF SIX SATELLITE COLLECTION VEHICLES FOR USE BY THE PUBLIC WORKS DEPARTMENT; AUTHORIZING THE CONCURRENT COMPETITIVE PURCHASE OF SIX KUBOTA DIESEL RTV-X900 CHASSIS FROM RIDGE EQUIPMENT COMPANY PURSUANT TO AN EXISTING FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES CONTRACT FOR CAB AND CHASSIS TRUCKS AND OTHER FLEET EQUIPMENT AND THE SOLE SOURCE PURCHASE OF COLLECTION RETROFIT COMPONENTS FROM THE KRUIS COMPANY; AUTHORIZING AND DIRECTING THE MAYOR AND VILLAGE CLERK TO AMEND THE CAPITAL PROJECTS FUND BUDGET TO TRANSFER \$255,330.00 FROM THE CAPITAL RESERVE ACCOUNT TO THE SANITATION-AUTOMOTIVE CAPITAL ACCOUNT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Janjua stated that a prototype satellite collection vehicle had been evaluated by the Public Works staff, who requested changes to the retrofit components to improve the efficiency of the vehicles. Mrs. Janjua reported the new vehicles, including retrofit components, would cost \$42,555.00 each, for a total cost of \$255,330.00 for six vehicles.

Special Projects Manager Chuck Huff reviewed some of the modifications requested by staff.

Thereafter, the motion to adopt Resolution 2017-23 passed with all present voting aye.

RESOLUTION 2017-24 – FLORIDA EDUCATION INVESTMENT TRUST FUND

A motion was made by Councilmember Mullinix and seconded by Councilmember Gebbia to adopt Resolution 2017-24 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING PARTICIPATION IN THE FLORIDA EDUCATION INVESTMENT TRUST FUND AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE PUBLIC AGENCY ADDENDUM TO THE TRUST FUND AGREEMENT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Janjua stated the Village's Financial Advisor recommended the loan proceeds for construction of the Country Club clubhouse be invested in the Florida Education Investment Trust Fund (FEITF) in order to provide liquidity until a formal draw schedule for the project has been developed, at which time PFM Financial Advisors, LLC will develop an investment recommendation to ladder out the funds to come due as needed. Mrs. Janjua reported that FEITF is a permitted investment within the guidelines of the Village's investment policy and PFM's recommendation was reviewed and approved by the Audit Committee at its March 6, 2017 meeting.

Lesley Allison, PFM Senior Marketing Representative, responded to Council questions.

Thereafter, the motion to adopt Resolution 2017-24 passed 3-1, with Councilmember Gebbia, President Pro Tem Aubrey and Vice Mayor Bush voting aye, and Councilmember Mullinix voting nay.

VILLAGE COUNCIL MATTERS/REPORTS

Councilmember Gebbia noted proposed legislation pre-empting home rule authority regarding the regulation of telecommunications and business tax receipts and urged members of Council and the public to contact their representatives.

Councilmember Mullinix suggested the Village consider issuing an RFP for landscape design or architectural services for the purpose of reviewing plans for projects such as the U.S. Highway 1 median plantings and Anchorage Park Phase II.

Councilmember Mullinix suggested staff consider including vinyl or composite materials as permissible for bulkhead construction.

Vice Mayor Bush noted this meeting would be his last, full meeting as a member of the Council, and expressed his appreciation to the residents for allowing him to represent them; to the staff for doing an amazing job; and to his Council colleagues for their wonderful, consensus-building leadership.

VILLAGE MANAGER MATTERS

Police Chief Jenkins gave a presentation regarding traffic and speeding concerns on Westwind Drive. Council consensus was to install temporary speed humps and defer to implementation of the Village's Master Plan with regard to future traffic calming improvements.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:10 p.m.


Melissa Teal, MMC, Village Clerk