

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, MAY 16, 2023**

Mayor Kuretski called the meeting to order at 7:00 P.M.

Roll Call: Mayor Jim Kuretski; Councilor Ron Delaney; Councilor Malise Sundstrom; Town Manager Frank Kitzerow; Town Attorney Thomas J. Baird and Town Clerk Laura Cahill. Vice-Mayor Cheryl Schneider was absent. Councilor Cameron May arrived at 7:22 P.M.

PROCLAMATION

1. National Police Week, May 14 – 20, 2023 and Peace Officers Memorial Day, May 15, 2023 – Chief David England, Chief of Police.

The Mayor presented the proclamation to Chief England.

Chief England thanked Council and mentioned the amount of Federal, State, and County officers who had lost their lives in the line of duty. He recognized Jupiter's Major Edward K. Humphrey and Officer Bruce St. Laurent who lost their life in the line of duty. He also thanked Council for recognizing them, their family and always remembering them for their sacrifice.

2. National Public Works Week, May 21-27, 2023 - Mr. Thomas Hernandez, Director of Engineering and Public Works and Mrs. Amanda Barnes, Interim Director of Utilities.

The Mayor presented the proclamation to Ms. Barnes and Mr. Hernandez.

Mr. Hernandez recognized Engineering, Public Works, Utilities, and Parks for their efforts regarding public works functions for the Town.

Ms. Barnes thanked Council and Mr. Hernandez for including Utilities and stated the departments work together as a team.

PRESENTATION

3. Palm Beach County Office of Resilience - Megan Houston, Director of the Palm Beach County Office of Resilience.

Ms. Megan Houston gave a presentation on the Office of Resilience regarding climate threats, flooding, drainage challenges, heat effects, and sea level rise. She also mentioned the County's initiatives, sustainability department, energy efficiency, electric vehicles, resilient capital planning, vulnerability assessment, resilience action plan, sustainability certification and awards, partnership with Southeast Florida Regional Climate Compact, and State funding.

Mayor Kuretski thanked Ms. Houston for the presentation and commented on the heat index and humidity. He reminded the public to take extra precaution when working outside in the heat.

Councilor Sundstrom thanked Ms. Houston and stated that was Vice-Mayor Schneider's initiative.

PRESENTATION

4. Celebrating Jupiter's 45 years as a Council-Manager form of government this year by the Florida City and County Management Association (FCCMA) Communications Committee.

Ms. Andrea McCue, City Manager of the City of Greenacres and District VI Director for FCCMA, introduced the members of FCCMA who attended including Village Manager for Tequesta and President of Palm Beach County City Managers Association, Jeremy Allen, retired City Manager Dale Sugarman, and Andy Lukasik, former Town Manager for Jupiter and current Deputy Town Manager for Boca Raton. She presented the award to the Town on behalf of the FCCMA Board of Directors and members celebrating Jupiter's 45 years as a Council-Manager form of government.

MINUTES

5. May 2, 2023 Town Council Meeting Minutes.

Councilor Sundstrom moved to approve May 2, 2023 Town Council Meeting Minutes, as amended; seconded by Councilor Delaney; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

CONSENT AGENDA

All items listed in this portion of the agenda are considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests; in which event, the item will be removed and considered at the beginning of the regular agenda.

Councilor Delaney moved to approve the Consent Agenda, seconded by Councilor May; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

PUBLIC HEARING

6. **Ordinance 9-23, First Reading, Ritz Carlton** - *Quasi-judicial* – Amendment to an approved 284± acre Planned Unit Development (PUD) to convert a single-family dwelling to a guest cottage on a lot within Pod A, located at 612 and 614 White Pelican Way. (second reading 6/6/23)

Ex Parte:

- Councilor Sundstrom stated she spoke with Staff.

Title read by Mr. Baird.

CONSENT AGENDA

PUBLIC BUSINESS

7. **Resolution 34-23**, Approving contract award recommendation to BDI Marine Contractors LLC for Deep Injection Well (DIW) Site Improvements (W2313A) in the amount of \$608,405.
8. **Resolution 35-23**, Approving the partial release of Public Access Easement as part of the Dakota Apartment development project
9. **Resolution 48-23**, Approving the Replat titled Loxahatchee Club at Maplewood Plat No. 32 of Phase II.
10. Approving the 2023 Matching Grant Program recommendations in the amount of \$45,018.75.

REGULAR AGENDA

PUBLIC HEARING

11. **Zoning Text Amendments** – Applicant initiated amendments to the Abacoa Town Center subdistrict of the Mixed-Use Zoning District to increase density, reduce the commercial core requirement and establish new workforce housing requirements.

Mr. Donaldson Hearing, on behalf of the applicant Aries Land Acquisitions, LLC, discussed the three elements of the request for establishing appropriate residential density in Town Center, which included providing additional residential ground floor area; workforce housing; and a provision to balance the amendments. He explained the zoning text amendment would amend the Town Center subdistrict; balance the residential and non-residential land use; modify the core commercial requirement from 30 to 25 percent; and enhance the workforce housing program. He stated six percent of the additional units would be workforce housing for a total of 71 units.

Mr. Hearing gave a brief presentation which encompassed Abacoa Development of Regional Impact (DRI) history; existing entitlements; proposed plan; decrease in density and traffic; increase in critically needed residential and workforce housing; public multi-purpose use elements; public parking garages; how to build and sustain businesses while providing housing; increase shopping in Town Center; subsidizing units; and local business support.

Mr. Garret Watson, Town Principal Planner, discussed the provided packet which included increases in workforce housing plus letters from the business development board (BDB) and local businesses in support of the application. He explained how the zoning text amendment would modify the 21 acres of the referenced commercial core and the whole subdistrict. He stated the Planning and Zoning Commission recommended denial while Staff did not make a recommendation.

Mr. Watson explained the three key policy decisions which would need to be made were the reduction of the commercial core; the increase in density in the Town Center subdistrict; and an introduction of a special workforce housing provision in exchange for the first two policy decisions. He stated if Council supported the project they could direct Staff to prepare an ordinance for first reading or to take back the new requests to the Planning and Zoning Commission. He noted without Council's support the subdistrict plan and site plan amendment would not move forward as well as the application.

REGULAR AGENDA

PUBLIC HEARING

11. Zoning Text Amendments

Mayor Kuretski said he liked the way Staff framed the topics and would like to review further.

Councilor Sundstrom noted the Applicant had done a lot of work and appreciated their efforts. She discussed a memo received on the day of the Council meeting, stating that workforce housing would be doubled, and noted how it was hard to know market conditions *around workforce housing*. She explained Council needed to become more educated on the subject. LC 6/6/23

Mr. Hearing said the recent changes to State tax laws allowed the Applicant to increase the number of affordable workforce housing units.

Mr. Todd Fabbri, Richmand Group of Florida, stated the Governor recently signed the Live Local Act which allowed for partial tax exemption on those units while providing a reduction in real estate taxes.

Councilor Sundstrom asked about the new State and County assistance, the plan to enforce the associated project's workforce housing component, and the proposed distribution of units, given that many professions didn't qualify for the majority of the units being discussed. LC 6/6/23

Mr. Fabbri explained the marketing plan would be committed to promoting the units to the workforce of Jupiter. He said in terms of balance they put in as many units that economically made sense.

Mayor Kuretski asked about the lessons learned from the Barcelona project.

Stephanie Thoburn, Assistant Director of Planning and Zoning, said the lesson learned from Barcelona, were they needed to have a third-party reviewer to look at income qualifications and enforcement of those thresholds.

Mayor Kuretski said he never imagined adding more residential units in that area but had an open mind. He stated concern for keeping the workplaces in Town by mitigating the distance residents traveled to work.

Council Delaney agreed and said he was open to the idea of residential and mixed use but needed more time to get with Staff.

Councilor May said he had met with Applicant and pushed for more workforce housing to be added. He noted his appreciation for the project for figuring out a way to allow people to live and work within the Town.

Councilor Sundstrom stated she was open to the proposal. She raised concern regarding the residents of Jupiter getting the best deal and would like to look at past workforce housing projects to make sure the residents would benefit and not lead to unintended consequences.

REGULAR AGENDA

PUBLIC HEARING

11. Zoning Text Amendments

Councilor Delaney mentioned this was the largest opportunity for workforce housing in Jupiter but needed more time to reflect.

Mayor Kuretski stated his concern over the reduction of commercial core but said Council was open to pivot from the original retail vision for the space.

Councilor May said he would like to see annual parameters in place to ensure the units were being used for the workforce and not being sublet out.

Mayor Kuretski asked Staff to come back to Council with an outline of how an ordinance could be structured.

Ryan Witkowski, owner of Stadium Grill and Abacoa resident, brought a signed letter from other owners in Abacoa who supported the proposed project. He mentioned the struggle he faced in terms of staffing the restaurants and supported workforce housing in Abacoa Town Center. He also stated his concern over adding more retail or commercial use would add to the existing challenges for the businesses in the area.

Mr. Watson said Staff would take the direction given by Council which was to look at lessons learned previously, see what the tax benefits were that led to the increase in units, and what the impacts would be on the Town and come back.

Mayor Kuretski said he did not expect the ordinance to be complete for the next Council Meeting. He stated four weeks should be enough time for Staff to come back for another Roundtable and if Council agrees then an ordinance could be written.

Mr. Hearing thanked the Council.

REPORTS

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

TOWN ATTORNEY

- Sperry property appeal – Mr. Baird stated the Town received an appeal from the Sperry property owner which was approximately 90 pages. He stated Staff and his office had three weeks to write a response, then Council would need to set a hearing date to hear the appeal.
- Mediation regarding the Jupiter soccer case – Mr. Baird stated he and the Town Manager attended the mediation.

Mayor Kuretski and Mr. Baird discussed the appeal process for the Sperry property.

REPORTS

TOWN MANAGER

- Mediation regarding the Jupiter soccer case – Mr. Kitzerow mentioned the mediation for the Jupiter soccer case.
- Proclamations – Mr. Kitzerow recognized Public Works, Utilities, and the Police department for how much they do and thanked them for their hard work.
- Police Community Services award dinner - Mr. Kitzerow mentioned the dinner would be at the Community Center this Friday at 6 PM. He noted the Mayor would be the key note speaker.

REPORTS

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR SUNDSTROM

- Attending Board and Committee meetings – Councilor Sundstrom stated she was continuing to go to the board and committee meetings to see how they operate and how they could get recommendations to Council. She mentioned she recently attended the Police Pension Board and Historic Resources Board (HRB) meetings. She stated the HRB meeting included discussion about the local historic designation for the old Town Hall and also how the board had ideas regarding the Town's 100th anniversary. She noted the Art Committee wanted to wrap utility boxes.
- Police Community Services award dinner – Councilor Sundstrom stated she planned to attend.

COUNCILOR MAY

- Police Community Services award dinner – Councilor May stated he wanted to attend but would be on duty.

COUNCILOR DELANEY

- Police Community Services award dinner – Councilor Delaney stated he planned to attend.

MAYOR KURETSKI

- Public Works proclamation – Mayor Kuretski stated the proclamation encompassed more than just the Public Works department and they should be included in the proclamation as well.
- Wrapping utility boxes – Mayor Kuretski mentioned Port Saint Lucie utility boxes were nicely wrapped and that he didn't notice the utility boxes around Town. He stated he was supportive of the idea because they looked nice in Port Saint Lucie.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS
MAYOR KURETSKI

- Projects funded in the State budget – Mayor Kuretski stated two of the Town's projects had been funded in the State budget. He mentioned he received a call from Senator Gayle Harrell who stated the Governor would be processing the budget earlier this year and recommended the Town reach out to the Governor's office to lobby and make sure projects do not get line item vetoed.

Mr. Kitzerow stated the Assistant Town Manager, Kate Moretto was working on that and was in contact with the lobbyist as well.

Councilor Sundstrom mentioned letting Council know if there was anything they could help with.

ADJOURNMENT- 9.22 P.M.

Laura Cahill, Town Clerk