



TOWN OF PALM BEACH

TOWN MANAGER'S OFFICE

**TENTATIVE:
SUBJECT TO
REVISION**

TOWN COUNCIL MEETING

**EMERGENCY OPERATIONS CENTER (EOC)
THIRD FLOOR, CENTRAL FIRE-RESCUE STATION
355 SOUTH COUNTY ROAD**

AGENDA

MARCH 9, 2010

9:30 A.M.

For information regarding procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

The progress of this meeting may be monitored by visiting the Town's website (www.townofpalmbeach.com) and selecting "Live Meeting Audio" under the "Your Government" tab. If you have questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting under "Agendas , Minutes, and Audio."

No written materials received after 5:00 p.m. on the Thursday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council. Written materials received after 5:00 p.m. on Thursday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. PRESENTATIONS

- A. Recognition of Thomas M. Youchak, Architectural Commission, From March 2004 Through November 2009.
- B. Information About the US Census [Pedro M. Guilarte, Partnership Specialist, US Department of Commerce-US Census Bureau]
- C. Presentations by Applicants for Architectural Commission.
- D. Presentations by Applicants for Landmarks Preservation Commission.

IV. COMMENTS OF MAYOR JACK McDONALD

V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE
(Another opportunity for communications from citizens will be offered immediately after the lunch break.)

VII. APPROVAL OF AGENDA

VIII. CONSENT AGENDA

- A. MINUTES: FEBRUARY 9, 2010
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING
- B. MINUTES: FEBRUARY 9, 2010
APPROVAL OF THE MINUTES OF THE SPECIAL TOWN COUNCIL MEETING-ATTORNEY/CLIENT SESSION-TOWN OF PALM BEACH VS THE UNITED STATES OF AMERICA
- C. MINUTES: FEBRUARY 10, 2010
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING
- D. MINUTES: FEBRUARY 10, 2010
APPROVAL OF THE MINUTES OF THE SPECIAL TOWN COUNCIL MEETING ATTORNEY/CLIENT SESSION-MENGONI VS TOWN OF PALM BEACH
- E. APPROVAL OF MAJOR MATTERS CONSIDERED BY THE ARCHITECTURAL COMMISSION AT ITS MEETING ON FEBRUARY 24, 2010.
- F. RESOLUTIONS

1. RESOLUTION NO. 26-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adding Newly Designated Historic or Specimen Trees from Properties Located Within the Town of Palm Beach; Providing for the Recording of Said Designations; and Providing That a Copy of this Resolution Be Recorded in the Public Records of Palm Beach County, Florida.
[H. Paul Brazil, Director of Public Works]
2. RESOLUTION NO. 29-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to D.B. Ecological Services, Inc, for Sea Turtle Monitoring for the Town of Palm Beach, Sealed Bid Number 2007-21.
[H. Paul Brazil, Director of Public Works]
3. RESOLUTION NO. 30-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Purchase of Three (3) Police Patrol Vehicles as Previously Considered and Approved by the Town Council During the FY2010 Budget Process and Including in the Town's Equipment Replacement Program.
[Kirk W. Blouin, Police Chief]
4. RESOLUTION NO. 31-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Murray Logan Construction for D-9 Storm Water Pump Station Improvements Establishing a Construction Phase Budget for Said Improvements, and Authorizing the Tow Manager to Take Actions Necessary to Complete Said Improvements.
[H. Paul Brazil, Director of Public Works]
5. RESOLUTION NO. 32-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Kimley-Horn and Associations for the D-10 Storm Water Pump Station Design Services for the Town of Palm Beach.
[H. Paul Brazil, Director of Public Works]
6. RESOLUTION NO. 34-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Execution of a Maintenance Contract Between Bolo Corporation and the Town of Palm Beach Providing Service and Maintenance to the License Plate Reader (LPR) System Located in the Town of Palm Beach, Florida.
[Kirk W. Blouin, Police Chief]
7. RESOLUTION NO. 36-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Recreation Department Fees for Fiscal Year 2010.

[Jay Boodheshwar, Director of Recreation]

G. Other

1. Approval of Settlement in the Matter of Mengoni vs Town of Palm Beach.
[John C. Randolph, Town Attorney]
2. Approval of FY11 Budget Calendar. [Jane Struder, Director of Finance]
3. Acceptance of a Donation from the Palm Beach Police Foundation in the Amount of \$70,000 for a New Weapons System.
[Kirk W. Blouin, Police Chief]
4. Approval of Certificate of Correction of the Non-Ad Valorem Assessment Roll for the Worth Avenue Improvement Project.
[Thomas G. Bradford, Deputy Town Manager]

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Architectural Commission. [William P. Feldkamp, Chair and John S. Page, Director of Planning, Zoning, and Building]

X. COMMITTEE REPORTS

- A. Finance and Taxation Committee Meeting of February 18, 2010.
[Robert N. Wildrick, Town Council Member]
- B. Ordinances, Rules, and Standards Committee Meeting of February 26, 2010.
[William J. Diamond, Town Council Member]

XI. REGULAR AGENDA

A. Old Business

1. Island Cats Report Regarding Status of Funds and Fundraising Plan.
[David Leavitt]

B. New Business

1. Investment Policies. [Jane Struder, Director of Finance]

TIME CERTAIN: 11:00 A.M.

- a. RESOLUTION NO. 33-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting a New Investment Policy for the Town; Rescinding Resolution No. 23-01, as Amended; Providing an Effective Date.
- b. ORDINANCE NO. 7-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 2 of the Town Code of Ordinances Relating to Administration, at Article VIII, Investment Policy, as Amended, in its Entirety; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
- c. RESOLUTION NO. 35-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Amendments to the Statement of Investment Policy for the OPEB Trust Board of Trustees of the Town of Palm Beach Pursuant to Section 82-153 of the Code of Ordinances of the Town of Palm Beach; Providing an Effective Date.

2. Request for Permission for Commercial Establishments to Display Sale Signs During the Remainder of the Current Winter Season. [Patti Sans, President, Greater South County Road Association and William Cummings, President, Royal Poinciana Way Association]

TIME CERTAIN: 10:45 A.M.

3. Proposed Royal Poinciana Way Car Show.
[Thomas G. Bradford, Deputy Town Manager]

4. RESOLUTION NO. 28-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Kimley-Horn and Associates for a Sewage Force Main Subaqueous Crossing and Sewage Pump Station Analysis for the Town of Palm Beach. [H. Paul Brazil, Director of Public Works]

5. Strategic Plan—Annual Review of Implementation.
[John S. Page, Director of Planning, Zoning, and Building]

6. Non-action of Landmarks Preservation Commission.
[Richard M. Kleid, Town Council Member]
7. Landmarks Preservation Commission Appointments.
[John S. Page, Director of Planning, Zoning, and Building]
8. Architectural Commission Appointments.
[John S. Page, Director of Planning, Zoning, and Building]

XII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 5-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 of the Town Code of Ordinances at Subdivision IV, Police Officers, Section 82-110(c), Police Officer Board of Trustees, to Provide for Quarterly Meetings; Amending Section 82-111, Term of Office, to Provide for Staggered Terms; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. [William Hanes, Pension Administrator]
2. ORDINANCE NO. 6-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2009, Providing an Effective Date.
[Jane Struder, Director of Finance]

B. First Reading

1. ORDINANCE NO. 8-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 22, Businesses, Article V, Entertainment Establishments, at Section 22-273 So as to Include, in Addition to the Reference to Residential Districts, a Reference to Residential Units Within 500 Feet in Any Direction of the Entertainment Establishment; Amending Section 22-274 So as to Modify the Reference to Building to the Premises in Which Said Activities Are Conducted, Amending Section 22-275 to Also Reference the Premises as Opposed to the Confines of a Building; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
[John C. Randolph, Town Attorney]

2. ORDINANCE NO. 9-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 of the Town Code of Ordinances at Subdivision III, Firefighters, Section 82-90(c), Firefighter Board of Trustees, to Provide for Quarterly Meeting; Amending Section 82-91, Term of Office, to Provide for Staggered Terms; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
[William P. Hanes, Administrator for the Firefighter Board of Trustees]

XIII. ANY OTHER MATTERS

XIV. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1: If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceeding. For such purpose, he/she 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.
- Note 2: Disabled persons who need an accommodation in order to participate in the Town Council meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 3: Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- Note 4: A summary of the actions taken at Town Council meetings can be viewed on the Town's website after 5 p.m. on the Friday following the Town Council meeting.

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings", subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens", subject to the three minute limitation.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.

Town of Palm Beach Meeting Schedule

3/3/10

Tue 03/09/2010 09:30 AM	Town Council Meeting	EOC
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Wed 03/10/2010 09:30 AM	Town Council Meeting (Development Review)	EOC
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Tue 03/16/2010 09:00 AM	Planning & Zoning Commission Meeting	EOC
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Wed 03/17/2010 09:30 AM	Landmarks Preservation Commission Meeting	EOC
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Thu 03/18/2010 02:00 PM	Code Enforcement Board Meeting	EOC
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Fri 03/19/2010 09:00 AM	Shore Protection Board Meeting	EOC
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Wed 03/24/2010 09:00 AM	Architectural Commission (ARCOM) Meeting	EOC
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Mon 03/29/2010 09:00 AM	Ordinances, Rules, and Standards Committee Meeting	EOC
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Tue 04/06/2010 01:30 PM	Special Town Council Meeting re: Long Term Financial Plan and Pensions	EOC
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Tue 04/13/2010 09:30 AM	Town Council Meeting	EOC
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Wed 04/14/2010 09:30 AM	Town Council Meeting (Development Review)	EOC
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Thu 04/15/2010 02:00 PM	Code Enforcement Board Meeting	EOC
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Tue 04/20/2010 09:30 AM	Planning & Zoning Commission Meeting	EOC
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Wed 04/21/2010 09:30 AM	Landmarks Preservation Commission Meeting	EOC
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Thu 04/22/2010 09:00 AM	Shore Protection Board Meeting	EOC
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Wed 04/28/2010 09:00 AM	Architectural Commission (ARCOM) Meeting	EOC
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Wed 05/05/2010 09:00 AM	Recreation Advisory Commission Meeting	Recreation Center
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Tue 05/11/2010 09:30 AM	Town Council Meeting	EOC
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Tue 05/11/2010 06:00 PM	Police Memorial Day	Memorial Park
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Wed 05/12/2010 09:30 AM	Town Council Meeting (Development Review)	EOC
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