



TOWN OF PALM BEACH

Town Manager's Office

**TENTATIVE:
SUBJECT TO
REVISION**

TOWN COUNCIL MEETING

**TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD**

AGENDA

**TUESDAY, FEBRUARY 15, 2011
1:00 P.M.**

For information regarding procedures for monitoring or participating in Town Council meetings, please refer to the end of this agenda.

- I. CALL TO ORDER AND ROLL CALL
 - Jack McDonald, Mayor
 - David A. Rosow, Town Council President
 - Gail L. Coniglio, Town Council President Pro Tem
 - William J. Diamond, Town Council Member
 - Richard M. Kleid, Town Council Member
 - Robert N. Wildrick, Town Council Member

- II. INVOCATION AND PLEDGE OF ALLEGIANCE

- III. SWEARING IN OF ELECTED OFFICIALS
 - The Honorable Judge Kathleen Kroll

(Mayor Becomes the Presiding Officer)

- IV. CALL TO ORDER AND ROLL CALL
 - Gail L. Coniglio, Mayor
 - William J. Diamond, Town Council Member
 - Richard M. Kleid, Town Council Member
 - Michael J. Pucillo, Town Council Member
 - David A. Rosow, Town Council Member
 - Robert N. Wildrick, Town Council Member

V. ORGANIZATIONAL ITEMS

- A. Election of the Town Council President
Pursuant to Section 3.01 of the Town Charter

(Town Council President Becomes the Presiding Officer)

- B. Election of the Town Council President Pro Tem
Pursuant to Section 3.01 of the Town Charter

VI. PRESENTATIONS

- A. Recognition of Joanna Golino, Landmarks Preservation Commission, From
March 2009 Through July 2010.
- B. Recognition of Charles S. Roberts, Landmarks Preservation Commission, From
March 2007 Through November 2010.

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

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

X. APPROVAL OF AGENDA

XI. CONSENT AGENDA

- A. MINUTES: JANUARY 11, 2011
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING
- B. MINUTES: JANUARY 12, 2011
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING
- C. APPROVAL OF MAJOR MATTERS CONSIDERED BY THE
ARCHITECTURAL COMMISSION AT ITS MEETING ON
JANUARY 26, 2011.

D. RESOLUTIONS

1. RESOLUTION NO. 5-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Three Year Enterprise License Agreement with ESRI in the Amount of \$25,495 per Year Which Will Provide the Town with Unlimited License Use and Support of ESRI Enterprise Software and Authorizing the Town Manager to Execute this Purchase on Behalf of the Town.
[Thomas G. Bradford, Deputy Town Manager]
2. RESOLUTION NO. 8-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Removal of a Historic or Specimen Tree from a Property Located Within the Town of Palm Beach; 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]
3. RESOLUTION NO. 10-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Contractual Service Specialists Agreement Between the Town of Palm Beach and Kenneth A. Scheppke, M.D., P.A., as Medical Director and Authorizing the Town Manager to Execute the Same on Behalf of the Town. [Kirk W. Blouin, Police Chief]
4. RESOLUTION NO. 13-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Hy-Byrd Inc, as the Highest Ranked Firm and M.T. Causley Inc. as the Second Highest Firm Responding to RFP No. 2010-28 for Plan Review and Inspection Services Based upon Their Proposals and the Selection Committee's Recommendations Pertaining Thereto; Authorizing Staff Negotiations with Hy-Byrd Inc. and M.T. Causley Inc. and Other Firms Responding to the RFP in the Order of Their Ranking Should Negotiations Be Unsuccessful with Hy-Byrd Inc. And/or M.T. Causley Inc., and Authorizing the Town Manager to Execute a Negotiated Contract on Behalf of the Town for Plan Review and Inspection Services Subject to the Town's Adopted Budget for Said Program and the Town Attorney's Approval of the Negotiated Contract for Legal Form and Sufficiency.
[John S. Page, Director of Planning, Zoning, and Building]

5. RESOLUTION NO. 14-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Agreement Between the Town of Palm Beach and the Palm Beach County Board of Commissioners for an Urban Area Security Initiative Grant in the Amount of \$50,000; and Authorizing the Town Manager to Execute the Same on Behalf of the Town.
[Jay Boodheshwar, Director of Recreation]
6. RESOLUTION NO. 15-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Pre-Construction Phase Contract to Burkhardt Construction, Inc., in the Amount of \$49,950 and Establishing a Pre-Construction Phase Budget of \$85,000 for (Construction Program Management) Construction Management at Risk Services for the D-15 (D-6 and D-7 Pump Station Improvements) and Authorizing the Town Manager to Enter into an Agreement Necessary to Complete this Phase of Said Improvements.
[H. Paul Brazil, Director of Public Works]
7. RESOLUTION NO. 16-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Establishing a Not to Exceed Pre-Construction Phase Budget of \$25,000 for the Force Main Projects Within the Accelerated Capital Improvement Program.
[H. Paul Brazil, Director of Public Works]
8. RESOLUTION NO. 18-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract Increase to D. B. Ecological Services, Inc. for Sea Turtle Nesting Monitoring Associated with the 2010-2011 Dune Restoration Project in Reaches 7 and 8, Establishing a New Contract Amount of \$141,48 from \$133,480. [H. Paul Brazil, Director of Public Works]

E. OTHER

1. North Ocean Boulevard Seawall—Authorization for Repairs and Plans for Permitting. [H. Paul Brazil, Director of Public Works]
2. Approval of Modified Directional Boring Pipe Impacts at Bradley Park and Lake Trail. [H. Paul Brazil, Director of Public Works]
3. Worth Avenue Phase I Close-Out With Savings Overall and Change Order Approval for Architect Mark Marsh.
[H. Paul Brazil, Director of Public Works]

4. Waiver of Construction Prohibition During Winter Months to Allow Pre-Construction Activities for Pendleton Avenue Project.
[H. Paul Brazil, Director of Public Works]
5. Approval of Budget Calendar for Preparation and Approval of the FY12 Budget. [Jane Struder, Director of Finance]
6. Approval of Selection Committee Substitution for Force Main CM-at-Risk Contract. [H. Paul Brazil, Director of Public Works]
7. Approval of Centennial Related Requests from the Greater South County Road Association. [Jay Boodheshwar, Director of Recreation]
8. Approval of Publix Use of Right-of-Way During Winter Months for Utility Relocation and Other Pre-Construction Activities.
[H. Paul Brazil, Director of Public Works]

XII. BOARD/COMMISSION ANNUAL REPORT

- A. Investment Advisory Commission. [Michael Andrews, Chair and Jane Struder, Director of Finance]

XIII. COMMITTEE REPORTS

- A. Water Committee Meeting of January 12, 2011.
[David A. Rosow, Town Council President]
- B. Ordinances, Rules, and Standards Committee Meeting of January 25, 2011.
[William J. Diamond, Town Council Member]
- C. Public Works Committee Meeting of February 1, 2011.
[Gail L. Coniglio, Mayor]

XIV. REGULAR AGENDA

- A. Old Business
 1. Update Regarding Proposed Restaurant on Peanut Island.
[Gail L. Coniglio, Mayor]
 2. Recommendation to Demolish the Casa Bendita Gazebo.
[H. Paul Brazil, Director of Public Works]

B. New Business

1. County Budget Task Force Items.
[Thomas G. Bradford, Deputy Town Manager]
 - a. RESOLUTION NO. 11-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Urging All Palm Beach Citizens and the Elected Officials and Leadership of Various Palm Beach County Governmental Bodies to Do All Things Within Their Power to Bring the Palm Beach County Sheriff's Office and the Palm Beach County School District under the Oversight of the Office of Inspector General to Facilitate Prudent and Restrained Budget Governance with Reduced Fraud and Waste; Setting Forth Instructions for Distribution of this Resolution; providing an Effective Date.
 - b. Request to Town Council for New Mayor Gail Coniglio to Fight Any Weakening of the Voter Approved Inspector General Ordinance.
 - c. Request to Town Council for Continuation of the Task Force and its Work and Any New Direction for the Coming Year.
 - d. Request to Town Council to Fill a Vacancy on the County Budget Task Force Due to a Resignation.
2. Recreation Advisory Commission Recommendations Regarding Privatization Studies for the Recreation Center and Tennis Facilities.
[Jay Boodheshwar, Director of Recreation]
3. Special Olympics Pro-Am Golf Tournament at the Par 3 Golf Course.
[Jay Boodheshwar, Director of Recreation]
4. All Town Centennial Celebration on April 17, 2011.
[Jay Boodheshwar, Director of Recreation]
5. Proposal for a Green Market to be Held Within the Royal Poinciana Plaza.
[Thomas G. Bradford, Deputy Town Manager]
6. Parking on Clarke Avenue. [H. Paul Brazil, Director of Public Works]
7. Use of Public Beach Accesses by Private Beach Cleaners.
[H. Paul Brazil, Director of Public Works]

XV. ORDINANCES

A. Second Reading

None

B. First Reading

1. ORDINANCE NO. 7-11 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Granting to Florida Power & Light Company, its Successors and Assigns, an Electric Franchise, Imposing Provisions and Conditions Relating Thereto, Providing for Monthly Payments to the Town of Palm Beach, and Providing for an Effective Date. [Thomas G. Bradford, Deputy Town Manager]

XVI. ANY OTHER MATTERS

XVII. ADJOURNMENT

PLEASE TAKE NOTE

- 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 in preparation for that meeting. 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.
- The progress of this meeting may be monitored by visiting the Town's website (www.townofpalmbeach.com) and selecting "Your Government" and then selecting "Live Meeting Audio". 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."
- 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 proceedings. 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.
- 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.
- 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.
- 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**

2/10/11

Tue 02/15/2011 01:00 PM	Town Council Meeting	Council Chambers
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Wed 02/16/2011 09:30 AM	Town Council Meeting - Development Review	Council Chambers
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Thu 02/17/2011 02:00 PM	Code Enforcement Board Meeting	Council Chambers
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Fri 02/18/2011 09:00 AM	Firefighters Retirement Board of Trustees Meeting	Council Chambers
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Mon 02/21/2011 04:00 AM	PRESIDENTS' DAY	TOWN HALL CLOSED
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Tue 02/22/2011 09:30 AM	Planning & Zoning Commission Meeting	Council Chambers
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Wed 02/23/2011 09:00 AM	Architectural Commission Meeting	Council Chambers
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Thu 02/24/2011 09:00 AM	Shore Protection Board Meeting	Council Chambers
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Mon 02/28/2011 12:00 PM	County Budget Task Force Meeting	Council Chambers
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Wed 03/02/2011 09:00 AM	Recreation Advisory Commission Meeting	Council Chambers
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Tue 03/08/2011 09:30 AM	Town Council Meeting	Council Chambers
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Wed 03/09/2011 09:30 AM	Town Council Meeting - Development Review	Council Chambers
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Tue 03/15/2011 09:30 AM	Planning & Zoning Commission Meeting	Council Chambers
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Wed 03/16/2011 09:30 AM	Landmarks Preservation Commission	Council Chambers
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Thu 03/17/2011 02:00 PM	Code Enforcement Board Meeting	Council Chambers
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Wed 03/23/2011 09:00 AM	Architectural Commission Meeting	Council Chambers
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Thu 03/24/2011 09:00 AM	Shore Protection Board Meeting	Town Council Chambers
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Tue 04/12/2011 09:30 AM	Town Council Meeting	Council Chambers
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Wed 04/13/2011 09:30 AM	Town Council Meeting - Development Review	Council Chambers
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