



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

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

AGENDA

FEBRUARY 14, 2017

9:30 AM

Welcome!

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

I. CALL TO ORDER AND ROLL CALL

Mayor Gail L. Coniglio
Michael J. Pucillo, President
Richard M. Kleid, President Pro Tem
Bobbie Lindsay
Danielle H. Moore
Margaret A. Zeidman

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. CERTIFICATION OF ELECTION RESULTS

- A. RESOLUTION NO. 08-2017** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Declaring the Results of the Election Held on the 7th Day of February 2017.

Gail L. Coniglio, Mayor

V. RECOGNITIONS

- A.** Recognition of Michael J. Pucillo for His Years of Service on the Town Council from 2011-2017, Including Two Years of Service as the Town Council President.

Gail L. Coniglio, Mayor

- B.** Recognition for Service for John T. Gannon, Landmarks Preservation Commission, from May 2014 through December 2016

John S. Page, Director of Planning, Zoning and Building

VI. SWEARING IN OF ELECTED OFFICIALS

- A.** A. The Honorable Judge Lisa Small
1. Gail L. Coniglio
 2. Danielle Hickox Moore
 3. Julie K. Araskog

(Mayor Becomes the Presiding Officer)

VII. ORGANIZATIONAL ITEMS

- A.** 1. Election of Town Council President
Pursuant to Section 3.01 of the Town Charter

(Town Council President Becomes the Presiding Officer)

2. Election of Town Council President Pro Tem
Pursuant to Section 3.01 of the Town Charter
Thomas G. Bradford, Town Manager

VIII. COMMENTS OF MAYOR GAIL L. CONIGLIO

IX. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

X. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

XI. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. TOWN COUNCIL MEETING MINUTES
Susan A. Owens, MMC, Town Clerk

- a. Minutes of the November 8, 2016, Regular Meeting
- b. Minutes of the December 13, 2016, Regular Meeting
- c. Minutes of the January 6, 2017, Special Town Council Meeting
- d. Minutes of the January 10, 2017, Regular Meeting
- e. Minutes of the January 10, 2017, Closed-Door Session

2. LOCAL PLANNING AGENCY MEETING MINUTES
John S. Page, Director of Planning, Zoning and Building

- a. Minutes of the November 9, 2016, LPA Meeting
- b. Minutes of the December 14, 2016, LPA Meeting
- c. Minutes of the January 11, 2016, LPA Meeting
- 3. DEVELOPMENT REVIEW MEETING MINUTES
John S. Page, Director of Planning, Zoning and Building
 - a. Minutes of the November 9, 2016, Regular Meeting
 - b. Minutes of the December 14, 2016, Regular Meeting
 - c. Minutes of the January 11, 2017, Regular Meeting
- 4. Approval of Major Matters Considered by the Architectural Commission at its Meeting on January 25, 2017.
John S. Page, Director of Planning, Zoning & Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 09-2017 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Authorizing and Approving a Purchase Order to Duval Ford in the Amount of \$147,390 for the Purchase of Four (4) 2017 Ford Interceptor Police Rated Utility Vehicles as Recommended by Staff; and Establishing a Total Budget of \$149,000; and Providing an Effective Date.
Kirk W. Blouin, Director of Public Safety
- 2. RESOLUTION NO. 10-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing a Contract Renewal with Howroyd Wright Employment Agency, Inc. DBA AppleOne Employment Services, to Provide Temporary Employment Services, and Authorizing the Town Manager to Take Actions Necessary to Complete Said Services.
Jane Struder, Director of Finance
- 3. RESOLUTION NO. 11-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Continued Services of Greenberg Traurig, LLP, to Represent the Town for Coastal Management Lobbying Services at a Cost Not to Exceed \$30,000 Annually.
Thomas G. Bradford, Town Manager
- 4. RESOLUTION NO. 12-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Continued Services of Foley & Lardner, LLP, to Represent the Town for Coastal Management Lobbying Services at a Cost Not to Exceed \$60,000 Annually.
Thomas G. Bradford, Town Manager
- 5. RESOLUTION NO. 13-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Continued Services of Ballard Partners to Represent the Town for

General Lobbying Services at a Cost Not to Exceed \$50,000 Annually.

Thomas G. Bradford, Town Manager

6. RESOLUTION NO. 14-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute an Interlocal Agreement Between the Town of Palm Beach and Palm Beach County Relating to Information Technology Services Installation of a Fiber Data Circuit; Approving the Installation of a New Fiber Circuit by Palm Beach County Information Technology Services in the Amount of \$10,625.50 With Recurring Charges of \$50.00 per Month or \$600.00 Annually for Network Services; Approving the Purchase of a Cisco Router from CDW-G in the Amount of \$1,488.70; and the Total Estimated Amount of \$12,714.20; Establishing a Budget of \$17,714.20 for Said Purchases; and Authorizing the Town Manager to Execute Said Purchases on Behalf of the Town.

Jay Boodheshwar, Deputy Town Manager

7. RESOLUTION NO. 15-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Richard Maxwell, Inc. DBA King Tree Service, for Consulting Arborist Services, in the Annual Amount of \$44,200, and Establishing an Annual Project Budget of \$48,865.

H. Paul Brazil, P.E., Director of Public Works

8. RESOLUTION NO. 16-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Design and Bid Phase Engineering Services to Kimley-Horn and Associates, Inc., in an Amount of \$95,080 for the E-1, E-2, E-4 and G-1 Sanitary Station Improvements, and Establishing a Design and Bid Phase Budget of \$106,000.

H. Paul Brazil, P.E., Director of Public Works

9. RESOLUTION NO. 17-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2017-07 and Approving a Construction Contract to Johnson-Davis, Inc., for the Ocean Outfalls Abandonment Project, in the Amount of \$499,312 and Establishing a Construction Phase Budget of \$510,000.

H. Paul Brazil, P.E., Director of Public Works

10. RESOLUTION NO. 18-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Construction Phase Engineering Services to A.D.A. Engineering, Inc., in an Amount of \$28,376.25 for the Ocean Outfall Abandonments, and Establishing a Construction Phase Budget of \$30,000.

H. Paul Brazil, P.E., Director of Public Works

11. RESOLUTION NO. 19-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Zimmerman Tree Service, for Palm Tree Trimming in the Amount of \$108,235 and Establishing a Project Budget

of \$119,055.

H. Paul Brazil, P.E., Director of Public Works

12. RESOLUTION NO. 20-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving and Authorizing Execution of a National Pollutant Discharge Elimination System Fourth Cycle Permit Interlocal Agreement with the Northern Palm Beach County Improvement District.

H. Paul Brazil, P.E., Director of Public Works

13. RESOLUTION NO. 21-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Resolution No. 45-2016 Previously Approved by the Town Council on April 13, 2016, Which Resolution is Recorded in O.R. Box 28261, Page 0280, Copy of Which is Attached, Correcting Said Resolution to Attach the Correct Exhibits.

H. Paul Brazil, P.E., Director of Public Works

C. OTHER

1. Budget Calendar for FY18 Budget Process
Jane Struder, Director of Finance
2. Town of Palm Beach Underground Utility Project Dashboard
Jane Struder, Director of Finance
3. Ratification of the Selection Committee's Recommendation for RFQ No. 2017-01 Professional Engineering Services for the D-14 Pump Station Improvements.

H. Paul Brazil, P.E., Director of Public Works

4. Extension of Waiver to Town Code for Extended Construction Hours and Work During Season for Water Main Relocation by The City of West Palm Beach.

H. Paul Brazil, P.E., Director of Public Works

5. Authorization for the Public Works Committee to Study Support of Beach Clean Up Activities, and Public Beach Access Improvement Agreements.

H. Paul Brazil, P.E., Director of Public Works

XII. BOARD/COMMISSION ANNUAL REPORT

- A. Investment Advisory Committee Annual Presentation
Michael F. Andrews, Ph.D., Chair

XIII. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules, & Standards Committee Meeting of January 12, 2017
Bobbie Lindsay, Chair

XIV. REGULAR AGENDA

A. Old Business

1. Recreation Center and Seaview Park Improvements
Beth Zickar, Director of Recreation
TIME CERTAIN: 10:30 A.M.

a. Business Plan Update

- b. RESOLUTION NO. 22-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Approving a Purchase Order in the amount of \$33,088 to Hedrick Brothers Construction, Inc., for Pre-Construction Phase Services for the Seaview Park and Palm Beach Recreation Center Improvements and Establishing a Pre-Construction Phase Budget of \$80,000.

Beth Zickar, Director of Recreation

B. New Business

1. Consideration of Ban on Use of Leaf Blowers in the Town of Palm Beach
TIME CERTAIN: 11:30 A.M.

Jay Boodheshwar, Deputy Town Manager

2. Consideration of Approval of a Navy Seal Demonstration Using a Helicopter in Conjunction with a Charitable Solicitation Permit

Rebecca Williams and Hector Delgado

3. Coastal Update:
H. Paul Brazil, Director of Public Works

a. Shore Line Condition Update

C. Matters Pulled From Consent Agenda: If needed

XV. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 04-2017 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 70, Offenses by Creating a new Section 70-9 Entitled Balloons and Sky Lanterns Release; Providing for the Prohibition on the Release of Balloons and Sky Lanterns Within the Town; Providing Definitions Regarding the Same; Providing for Severability; Providing for Codification; Providing an Effective Date; and for Other Purposes.
Jay Boodheshwar, Deputy Town Manager
2. ORDINANCE NO. 05-2017 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Section 2-567. Of The Town Code Of Ordinances Relating To The Creation Of An Investment Advisory Committee; Amending Subsection (G) Thereof So As To Include In The Duties Of The Investment Advisory

Committee The Obligation To Act As A Citizen Oversight Committee In Regard To The One-Cent Surtax Enacted By Law; To Review The Revenues and Expenditures Of Said Surtax Proceeds By The Town And To File An Annual Report To The Town In Regard To The Committee's Duties As A Citizen Advisory Committee; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

John C. Randolph, Town Attorney

3. ORDINANCE NO. 06- 2017 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending The Town Code of Ordinances at Chapter 2, Administration, Article X, Shore Protection Board at Section 2-636, so as to Create Term Limits and so as to Provide for The Appointment of Alternate Members; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

John C. Randolph, Town Attorney

B. First Reading

1. ORDINANCE NO. 07-2017 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 Relating to Personnel, at Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision I, in General, by Amending Section 82-20, Reserve for Member Contributions; Amending Section 82-134, Retirement Age and Service Conditions for Benefit Group General and Benefit Group Lifeguard; Amending Section 80-135, Amount of Pension for Benefit Group General and Benefit Group Lifeguard; Providing for Severability; Amending Section 82-139, Deferred Retirement Option Program for Members of Benefit Group General and Benefit Group Lifeguard; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

a. Consideration of Motion to direct current and future fiscal year savings from Ordinance No. 7-2017 to the Pension Fund to reduce unfunded liability of the Pension Fund.

Jane Struder, Director of Finance

2. ORDINANCE NO. 21-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending The Town Code of Ordinances at Chapter 42, Environment; Article V, Noise; Section 42-230, Lawn Maintenance Equipment Noise, so as to Modify the Title; to Provide that Lawn Maintenance Shall be Limited to the Hours of Construction Work at Section 42-199; to Define the Hours and Days, of Operation of Lawn Maintenance Equipment, Providing Certain Exceptions; Providing for Sound Level Meter Measurements; Providing for Definition of Lawn Maintenance Equipment; Providing a Prohibition of Large Scale Landscape Installation on Saturdays; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

XVI. ANY OTHER MATTERS

XVII. ADJOURNMENT

XVIII. FUTURE MEETINGS

PLEASE TAKE NOTE:

- Note 1:** No written materials received after 3:30 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 3:30 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.
- Note 2:** The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. 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.
- Note 3:** 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.
- Note 4:** 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 5:** 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 6:** All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

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 Any citizen is entitled to be heard concerning any matter under

FROM CITIZENS: the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

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

2/8/17

Main Town Calendar

Town Council Meeting-Regular Business

February 14, 9:30 AM -5:00 PM @ Council Chambers

[More Details](#)

Town Council Meeting-Development Review

February 15, 9:30 AM @ Council Chambers

[More Details](#)

Landmarks Preservation Commission (LPC) Meeting

February 16, 9:30 AM @ Council Chambers

[More Details](#)

Code Enforcement Board Meeting

February 16, 2:00 PM

[More Details](#)

Investment Advisory Committee Meeting

February 17, 2:30 PM @ Council Chambers

[More Details](#)

Presidents' Day-Town Hall Offices Closed

February 20, All Day

[More Details](#)

Architectural Commission (ARCOM) Meeting

February 22, 9:00 AM @ Council Chambers

[More Details](#)

Shore Protection Board Meeting

February 23, 9:00 AM

[More Details](#)

Commencement of Lights Out for Sea Turtles

March 1, All Day

[More Details](#)

Recreation Advisory Commission Meeting

March 1, 9:00 AM

[More Details](#)

Ordinances, Rules, and Standards Committee Meeting

March 2, 10:00 AM @ Council Chambers

[More Details](#)

Retirement Board Meeting

March 3, 9:00 AM @ Council Chambers

[More Details](#)

Underground Utilities Task Force (UUTF) Meeting

March 7, 9:00 AM @ Council Chambers

[More Details](#)

Town Council Meeting-Regular Business

March 14, 9:30 AM - 5:00 PM

[More Details](#)

Town Council Meeting-Development Review

March 15, 9:30 AM @ Council Chambers

[More Details](#)

Landmarks Preservation Commission (LPC) Meeting

March 16, 9:30 AM @ Council Chambers

[More Details](#)

Code Enforcement Board Meeting

March 16, 2:00 PM @ Council Chambers

[More Details](#)

Planning and Zoning Commission Meeting

March 21, 9:30 AM

[More Details](#)

Architectural Commission (ARCOM) Meeting

March 22, 9:00 AM @ Council Chambers

[More Details](#)

Shore Protection Board Meeting

March 23, 9:00 AM

[More Details](#)

Underground Utilities Task Force (UUTF) Meeting

April 4, 9:00 AM @ Council Chambers

[More Details](#)

Ordinances, Rules, and Standards Committee Meeting

April 6, 9:30 AM @ Council Chambers

[More Details](#)

Town Council Meeting-Development Review

April 12, 9:30 AM @ Council Chambers

[More Details](#)