

REVISED

4:22 pm, Feb 08, 2021

TENTATIVE:
SUBJECT TO
REVISION



TOWN OF PALM BEACH

TOWN COUNCIL MEETING MEETING TO BE HELD ELECTRONICALLY

Click here to Participate:

<https://zoom.us/j/92127927406>

AGENDA

FEBRUARY 9, 2021

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

Gail L. Coniglio, Mayor
Margaret A. Zeidman, President
Bobbie Lindsay, President Pro Tem
Julie Araskog
Lew Crampton
Danielle H. Moore

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

- V. COMMENTS OF MAYOR GAIL L. CONIGLIO**
- VI. COMMENTS OF TOWN COUNCIL MEMBERS**
- VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**
- VIII. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)**

A. MINUTES

- 1. Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk
 - a. January 12, 2021, Town Council Meeting Minutes
 - b. January 13, 2021, Local Planning Agency Meeting Minutes
 - c. January 13, 2021, Town Council Development Review Meeting Minutes
 - d. January 15, 2021, Special Town Council Meeting Minutes
- 2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of January 27, 2021.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 018-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to GHD Inc. for the Lake Worth Inlet Sand Transfer Plant Integrity Assessment in the amount of \$141,710 and a Project Budget of \$155,000.
Dean Mealy, Purchasing Manager
- 2. RESOLUTION NO. 019-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to L.J. Power Inc. for the Purchase of a Towable Generator in the amount of \$77,900 and a Project Budget of \$85,000.
Dean Mealy, Purchasing Manager

C. OTHER

- 1. Approval of Town Manager Performance Evaluation
Kirk W. Blouin, Town Manager
- 2. Budget Calendar for the FY22 Budget Process
Jane Le Clainche, Director of Finance
- 3. Authorization for a Lane Closure and Waiver to Town Code for Construction Hours for the Florida Department of Transportation Landscape Installation at Southern Bridge.
H. Paul Brazil, P.E., Director of Public Works
- 4. Accept Donation of Firearms from Anonymous Donor for Purchase of Equipment and/or Other Services for the Police Department.

Nicholas Caristo, Chief of Police

IX. BOARD/COMMISSION ANNUAL REPORT

- A.** Annual Report of the Investment Advisory Committee (written report only).
Chris Storkerson, Chair

X. COMMITTEE REPORTS

- A.** Report of the Business and Administrative Committee Meeting Held on January 7, 2021.
Lew Crampton, Chair

XI. PUBLIC HEARINGS

- A.** RESOLUTION NO. 020-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Designation and/or the De-Designation of the Historic/Specimen Trees at 501 North Lake Way, 386 Hibiscus Ave, Crescent Park and Corner of Miraflores and North Lane Way, Providing an Effective Date.
H. Paul Brazil, P.E., Director of Public Works

XII. REGULAR AGENDA

B. Matters Pulled From Consent Agenda: If needed

C. Old Business

1. COVID-19 Update
Kirk W. Blouin, Town Manager

TIME CERTAIN: 10:30 AM

a. Report on COVID-19 Infections, Hospitalizations and Vaccines
Darrell Donatto, Fire Rescue Chief

b. Compliance with Emergency Order and Mandates
Nicholas Caristo, Police Chief

c. Discussion About Town-Wide Curfew

d. Discussion About March Public Meetings

e. RESOLUTION NO. 021-2021 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Concurring With The Request Of The Town's Chief Of Police, To Extend The Chief's Declaration Of The Existence Of A State Of Emergency Within The Corporate Limits Of The Town To March 2, 2021, Unless Earlier Terminated By The Chief Of Police, At Which Time The Town Council Will Address The Need For Any Extension Of The Declaration Of Emergency; Providing For An Effective Date.

2. Palm Beach Marina Update
H. Paul Brazil, P.E., Director of Public Works

TIME CERTAIN: 11:00 AM

- a. Update on Progress of Project Construction
 - b. RESOLUTION NO. 022-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Purchase Order No. 200662 to Murray Logan Construction Inc., in the Amount of \$138,685.20, for Materials, Labor and Installation Associated with the Electrical and Low Voltage Conduit for the Town Marina Project, and Approving a Task Budget of \$150,000.
 - c. Update on Conceptual Landscaping Design for Lake Drive Park.
3. Town-wide Undergrounding Project
H. Paul Brazil, P.E., Director of Public Works
 - a. Review of Project and Dashboard, Summary of Project Status
 - b. RESOLUTION NO. 023-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement and Use Agreement Between the Town of Palm Beach and Florida Power & Light (FPL) at 1060 North Lake Way for Access, and Maintenance of FPL Equipment.
 - c. RESOLUTION NO. 024-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute Easements and Use Agreements Between the Town of Palm Beach and Florida Power & Light (FPL) Upon Town Owned Land Located at 360 South Ocean Boulevard, Town of Palm Beach Parking Lot on Australian Avenue, 359 South County Road, and 400 South County Road.
 4. 2021 Reach 7/Phipps Ocean Park Beach Nourishment Project Update.
H. Paul Brazil, P.E., Director of Public Works

D. New Business

1. RESOLUTION NO. 025-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2021-01, Retail Study for the Town of Palm Beach to Yard and Company in the Amount of \$94,500 and a Project Budget of \$113,000 and to Approve Source of Funding from Private Donations in the Amount of \$103,000.
Dean Mealy, Purchasing Manager
2. Legal Requirements (Post COVID-19) for Public Meetings (verbal report).
John C. Randolph, Town Attorney
3. Re-Appointment of Town Manager Pursuant to Section 4.02(b) of

the Town Charter from February 10, 2021 through February 8, 2022.

Kirk W. Blouin, Town Manager

4. Approval of 2021 Town-wide Goals

Kirk W. Blouin, Town Manager

5. Presentation by Town Attorney Regarding the Declaration of Use Agreement Between the Town of Palm Beach and the Mar-A-Lago Club.

John C. Randolph, Town Attorney

XIII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 02-2021 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 74 Of The Town Code Of Ordinances At Article I, Section 74-1 To Delete Subsection (b) Thereof Relating To Alternate Members, Thereby Deleting The Requirement For Alternate Members And Providing For A Seven Member Board As Defined In Subparagraph (a) Of Section 74-1; Further Amending New Subsection (f) To Delete Any Reference To Alternate Members; Providing For Severability; Providing For Repeal Of Any Ordinances In Conflict Herewith; Providing For Codification; Providing for an Effective Date.

Jay Boodheshwar, Deputy Town Manager

2. ORDINANCE NO. 03-2021 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 74 Of The Town Code Of Ordinances Titled Administration At Article X, Shore Protection Board At Section 2-636, Deleting In Its Entirety Subsection (b) Thereof Relating To Alternate Members So As To Delete The Requirement For Alternate Members, Requiring Only A Seven Member Board As Provided In Subsection (a); Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday 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 Wednesday 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 Technology (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 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. 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.