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

JANUARY 12, 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

P.O. Box 2029 * 360 South County Road * Palm Beach, Florida 33480
Telephone (561) 838-5410 * Facsimile (561) 838-5411 * townmanager@townofpalmbeach.com

III. PRESENTATIONS

A. Preservation Foundation Donation for Town Hall Renovation.
[John Mashek, Chairman of The Preservation Foundation of Palm Beach]

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: DECEMBER 16, 2009
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING

B. MINUTES: DECEMBER 17, 2009
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING

C. MINUTES: JANUARY 8, 2010
APPROVAL OF THE MINUTES OF THE SPECIAL TOWN COUNCIL MEETING

D. APPROVAL OF MAJOR MATTERS CONSIDERED BY THE ARCHITECTURAL COMMISSION AT ITS MEETING ON DECEMBER 18, 2009.

E. RESOLUTIONS

1. RESOLUTION NO. 2-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Mathews Consulting, Inc., for Force Main Design Services Between Sanitary Sewage Pumping Stations A-7 and A-39 for the Town of Palm Beach. [H. Paul Brazil, Director of Public Works]

2. RESOLUTION NO. 3-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Corzo Castella Carballo Thompson Salman, P.A. for the Tangier Avenue Storm Drainage Design Services for the Town of Palm Beach. [H. Paul Brazil, Director of Public Works]

3. RESOLUTION NO. 4-10 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 the Laurian Lane Storm Drainage Improvements for the Town of Palm Beach.
[H. Paul Brazil, Director of Public Works]

4. RESOLUTION NO. 5-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Corzo Castella Carballo Thompson Salman, P.A. for the North Lake Way Drainage Improvements Between El Dorado Lane and Plantation Road for the Town of Palm Beach.
[H. Paul Brazil, Director of Public Works]

5. RESOLUTION NO. 6-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Assessing a Lien Against the Property at 112 Caribbean Avenue, Palm Beach, Florida 33480, in the Amount of $3,764.86, Together with Interest at Eight Percent Compounded Unless Paid Within Thirty Days after Publication of this Resolution; Providing an Effective Date.
[John C. Randolph, Town Attorney]

6. RESOLUTION NO. 8-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Contract with Applied Technology & Management, Inc., for Mid-Town Beach Cumulative Assessment.
[H. Paul Brazil, Director of Public Works]

7. RESOLUTION NO. 9-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Purchase of Four (4) Ford Ranger Pick-up Trucks.
[H. Paul Brazil, Director of Public Works]

8. RESOLUTION NO. 10-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Procurement of D-9 Storm Water Pump Station Pumps, a Fund 307 Project, for the Town of Palm Beach.
[H. Paul Brazil, Director of Public Works]

F. Other

1. Approval of Worth Avenue Association's Request to Implement Zone Parking on Worth Avenue. [Thomas G. Bradford, Deputy Town Manager]

2. Approval of Change Order for the Purchase of a Freightliner M2 Utility Truck and Re-Allocation of Funds for Four (4) Trash Truck Dump Bed Transfers. [H. Paul Brazil, Director of Public Works]

IX. BOARD/COMMISSION ANNUAL REPORT

A. Investment Advisory Committee. [Dr. Michael Andrews, Chairman and Jane Struder, Director of Finance]

X. REGULAR AGENDA

A. Old Business

1. Worth Avenue Improvement Project Maintenance Responsibility. [Thomas G. Bradford, Deputy Town Manager]

2. Bond Issue for Accelerated Capital Improvement Program and Refinancing of Outstanding Town Debt.

a. RESOLUTION NO. 13-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Issuance of Not Exceeding $77,000,000 Town of Palm Beach, Florida Public Improvement Revenue Bonds in One or More Series for the Purpose of Refunding All or a Portion of the Town's Revenue Bonds, Series 2003B (Capital Improvement Project), Public Improvement Revenue Note, Series 2008 and Public Improvement Revenue Note, Series 2009 and Financing or Refinancing All or a Portion of the Cost of Acquiring, Constructing, Renovating and Equipping Components of its Capital Improvement Plan Relative to Certain Drainage, Sanitary Sewer and Water System Improvements, Street Lighting, Signage and Other Road Improvements, Public Capital Improvements Within the Worth Avenue Commercial District and Capital Improvements to the Par 3 Golf Course; Authorizing and Directing the Town Manager or the Finance Director to "Deem Final" the Preliminary Official Statement Relating to the Bonds for Purposes of Rule 15c2-12 of the Securities and Exchange Commission; Authorizing and Directing the Mayor, Town Council Members, the Town Manager, the Finance Director and Other Proper Officials of the Town to Execute and Deliver Any and All Documents and Instruments and to Do and Cause to Be Done Any and All Acts and Things Necessary or Proper for Carrying out the Transactions Contemplated by this Resolution; and Providing for an Effective Date. [Jane Struder, Director of Finance]

b. RESOLUTION NO. 14-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Supplementing Town Resolution No. 13-10 to Authorize the Negotiated Sale of Town of Palm Beach, Florida Public Improvement Revenue and Refunding Bonds, Series 2010A (Capital Improvement Project) and Town of Palm Beach, Florida

Public Improvement Revenue Bonds, Series 2010B (Worth Avenue Commercial District Project); Approving the Form of and Authorizing the Distribution of a Preliminary Official Statement in Connection with the Series 2010 Bonds; Authorizing the Execution and Delivery of an Official Statement in Connection with the Offering of the Series 2010 Bonds; Authorizing the Execution and Delivery of a Bond Purchase Agreement; Requiring Compliance Within Certain Statutory Requirements; Authorizing the Purchase of a Bond Insurance Policy And/or Reserve Account Credit Facility If Deemed Cost Effective; Authorizing and Directing the Town Manager and Finance Director to Determine Certain Other Details of Said Series 2010 Bonds Within the Parameters Set Forth Herein; Authorizing the Proper Officials to Do All Other Things Deemed Necessary or Advisable in Connection with the Issuance, Sale and Delivery of Said Series 2010 Bonds; and Providing for an Effective Date.
[Jane Struder, Director of Finance]

B. New Business

1. Consideration of Scheduling an Attorney/Client Session Regarding State of Florida Department of Transportation vs Town of Palm Beach, et al, Case No. 50 2009 CA 035248 XXIX MB AN, Fifteenth Judicial Circuit Court, Palm Beach County, Florida to Discuss this Matter Immediately Following this Regular Town Council Meeting in the Administrative Conference Room, 360 South County Road, Palm Beach Florida. Attorney/Client Session Attendees: Mayor Jack McDonald; Town Council President David A. Rosow; Town Council President Pro Tem Gail Coniglio; Town Council Members William J. Diamond; Richard M. Kleid; and Robert N. Wildrick; Town Manager Peter B. Elwell; Town Attorney John C. Randolph; Attorney H. Adams Weaver; and Ley & Marsaa Court Reporters.
[John C. Randolph, Town Attorney]

2. Proposed Landscape Plan and Fundraising Project at 240 Park Avenue.
[H. Paul Brazil, Director of Public Works]

3. Proposed Modification of Golf Fee Schedule and Procedures.
[Jay Boodheshwar, Director of Recreation]

   a. RESOLUTION NO. 12-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Recreation Department Fees for Fiscal Year 2010.

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 21-09 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 10, Animals, Article I, in General, Section 10-1, Definitions, Regarding Domesticated Household Pets or Domesticated Animals and Livestock; 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. 23-09 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 42-196, Providing a Definition for a Considerable Number of Persons; 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

None

XII. ANY OTHER MATTERS

XIII. 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 lease 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

1/6/10

Tue 01/12/2010 09:30 AM	Town Council Meeting	EOC
Wed 01/13/2010 09:30 AM	Town Council Meeting (Development Review)	EOC
Mon 01/18/2010 04:00 AM	MARTIN LUTHER KING, JR. DAY	TOWN HALL CLOSED
Tue 01/19/2010 09:30 AM	Planning & Zoning Commission Meeting	EOC
Wed 01/20/2010 09:30 AM	Landmarks Preservation Commission Meeting	EOC
Thu 01/21/2010 02:00 PM	Code Enforcement Board Meeting	EOC
Fri 01/22/2010 09:00 AM	Shore Protection Board Meeting	EOC
Tue 01/26/2010 09:30 AM	Ordinances, Rules, and Standards (ORS) Committee Meeting	EOC
Wed 01/27/2010 09:00 AM	Architectural Commission (ARCOM) Meeting	EOC
Tue 02/02/2010 07:00 AM	Election Day	Precincts
Tue 02/09/2010 09:30 AM	Town Council Meeting	EOC
Wed 02/10/2010 09:30 AM	Town Council Meeting (Development Review)	EOC
Thu 02/11/2010 09:00 AM	Police Officers' Retirement Board Meeting	EOC

Fri 02/12/2010 09:00 AM	General Employees Retirement Board Meeting	EOC
Mon 02/15/2010 04:00 AM	PRESIDENTS' DAY	TOWN HALL CLOSED
Tue 02/16/2010 09:30 AM	Planning & Zoning Commission Meeting	EOC
Wed 02/17/2010 09:30 AM	Landmarks Preservation Commission Meeting	EOC
Thu 02/18/2010 02:00 PM	Code Enforcement Board Meeting	EOC
Fri 02/19/2010 02:00 PM	Firefighters' Retirement Board Meeting	EOC
Wed 02/24/2010 09:00 AM	Architectural Commission (ARCOM) Meeting	EOC
Thu 02/25/2010 09:00 AM	Shore Protection Board Meeting	EOC
Wed 03/03/2010 09:00 AM	Recreation Advisory Commission Meeting	Recreation Center
Tue 03/09/2010 09:30 AM	Town Council Meeting	EOC
Wed 03/10/2010 09:30 AM	Town Council Meeting (Development Review)	EOC