

REVISED

4:50 pm, Jan 07, 2022

TENTATIVE:
SUBJECT TO
REVISION



TOWN OF PALM BEACH

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

JANUARY 11, 2022

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

Danielle H. Moore, Mayor
Margaret A. Zeidman, President
Bobbie Lindsay, President Pro Tem
Julie Araskog
Ted Cooney
Lew Crampton

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A. Presentations By the Applicants and Appointments to the Shore Protection Board**

Pat Gayle-Gordon, Acting Town Clerk

VI. COMMENTS OF MAYOR DANIELLE H. MOORE

VII. COMMENTS OF TOWN COUNCIL MEMBERS

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

IX. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. Town Council Meeting Minutes

Pat Gayle-Gordon, Acting Town Clerk

December 7, 2021, Special Town Council Meeting

December 10, 2021, Special Town Council Meeting

December 14, 2021, Town Council Meeting

December 15, 2021, Town Council Development Review Meeting

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of December 17, 2021.

Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 161-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Hedrick Brothers Construction Company Inc. for Modular Building Systems to House North Fire Staff during Rehabilitation of the Station as part of Pre-construction Services in the Amount of \$534,449 for a total Purchase Order of \$1,393,208.

Dean Mealy, Purchasing Manager

2. RESOLUTION NO. 001-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standard Applicable to Public Rights of Way and Easements, by Changing the Title and Amending Chapter XII, Miscellaneous Provisions, Construction Parking.

Wayne Bergman, Director of Planning, Zoning and Building

3. RESOLUTION NO. 002-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2022-08, A-7 Pump Station Improvement to TLC Diversified, Inc. in the Amount of \$333,000 and Establishing a Project Budget of \$383,000.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 003-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-05, Prequalification of General Utility Project Vendors to the Following Four Firms: D.S. Eakins Construction Corporation, Johnson-Davis Inc., TLC Diversified Inc. and Hinterland Group, Inc.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 004-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-06, Prequalification of General Utility Project Vendors to the following four Firms: Murray Logan Construction, LLC, TLC Diversified, Inc., Kiewit Infrastructure South Co., and Hinterland Group, Inc.

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 005-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Piggyback Contract to Convergent Technologies for Public Safety Camera System in the Amount of \$200,000.

Dean Mealy, Purchasing Manager

C. OTHER

1. Updated Request from the Palm Beach Navy SEAL Evening of Tribute

Jay Boodheshwar, Deputy Town Manager

2. Annual Report from Palm Beach Island Cats

David Levitt, Palm Beach Island Cats

X. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Recreation Advisory Commission

Nicholas Coniglio, Chair

XI. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on December 8, 2021

Lew Crampton, Chair

1. Proposed Conversion of Twelve (12) 2-Hour Parking Spaces on the 200/300 Block of Worth Avenue to 30-Minute Parking Spaces

Jay Boodheshwar, Deputy Town Manager

XII. REGULAR AGENDA

- A. **Matters Pulled From Consent Agenda: If needed**

- B. **Old Business**

1. COVID-19 Situation Update

Kirk W. Blouin, Town Manager

a. COVID-19 Monthly Report
Darrel Donatto, Fire Rescue Chief

b. RESOLUTION NO. 010-2022 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 February 8, 2022, 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. 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. 006-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing Modification No. 1 to State Grant of Florida Division of Emergency Management Contract No. H0374, Between the State of Florida Division of Emergency Management and the Town of Palm Beach Under the FEMA Disaster Declaration No. 4337 for Hurricane Irma, Specifically Reimbursement for Utility Protection Measures Within the Town Utility Undergrounding Project in the Modified Amount of \$8,062,242.74, Authorizing the Town Manager to Execute Same on Behalf of the Town, and Authorizing the Town Manager to Execute Future Modifications on Behalf of the Town.

3. Update from John Potts Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts

TIME CERTAIN: 3:00 PM

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

4. North Fire Station Renovation Update

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

5. Discussion Regarding Meeting Options for the Retirement Board of Trustees

Margaret A. Zeidman, Town Council President

C. New Business

1. Proposed New Benefit for Public Safety Personnel Provided by the Palm Beach Police and Fire Foundation

RESOLUTION NO. 015-2022 A Resolution of The Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Agreement With The Palm Beach First Responder's Foundation, Inc. to Establish A Retirement Plan for The Town of Palm Beach

Police Department and Fire Department Employees that will be Funded and Maintained by the Foundation; Approving the Terms of the Retirement Plan; Authorizing the Mayor to Execute the Agreement on Behalf of the Town Council; Providing For Severability; Providing For Full Force And Effectiveness; Providing For Repeal Of Conflicting Resolutions; And Providing an Effective Date.

TIME CERTAIN: 11:00 AM

Kirk W. Blouin, Town Manager

2. Florida Power and Light's (FPL) Request for Waiver of Construction Limitations in the Right-of Way Between December 1, 2021 and May 1, 2022

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

3. Request from Contractor to Restart Work at 1191 North Lake Way

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

4. Discussion Regarding Additional Modifications to Construction and Landscaping Hours During the Holiday Season

Bobbie Lindsay, Council President Pro Tem

5. Discussion Regarding Potential Resolution Requesting that the State of Florida Allow Non-Agricultural Communities to Enact Local Policies to Regulate Chemical Applications

Bobbie Lindsay, Council President Pro Tem

XIII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend Chapter 18 of the Town Code and the Public Works Right of Way Manual to Include Certain Construction Site Violations as "Strikes" Under the "Three Strike Program"

ORDINANCE NO. 28-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings and Building Regulations, by Creating Article VII. - Construction Site Management, and by Adding Sections 18-309 and 18-310; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Wayne Bergman, Director of Planning, Zoning and Building

2. Proposed Ordinance to Amend Chapter 42 of the Town Code, Relative to Lawn Maintenance and Prohibited Acts

ORDINANCE NO. 29-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise at Section 42-197. Specific Acts Prohibited and at Section 42-230. Lawn Maintenance; Providing for Severability; Providing for Repeal

of Ordinances in Conflict Herewith; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

3. Proposed Ordinance to Amend Chapter 74, Article V of the Town Code to Grant Beach Access to Root Trail Residents

ORDINANCE NO. 30-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Ordinance 21-2021 at Article V. - Beach Access Closure at Section 74-281. - Limited Closure of Access from Wells Road South to Sunset Avenue, to Include a New Subsection 2 Recognizing the Right of Root Trail Property Owners to have Continuous Access to the Beach Access Area located at Root Trail; Providing for Severability; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Codification; Providing an Effective Date.

John C. Randolph, Town Attorney

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.