



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, JANUARY 11, 2011

9:30 A.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 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. PRESENTATIONS

- A. Recognition of Joanna Golino, Landmarks Preservation Commission, From March 2009 Through July 2010.
- B. County Commission on Ethics. [Alan Johnson, Executive Director of the County Commission on Ethics]

- 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 14, 2010
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING
 - B. MINUTES: DECEMBER 14, 2010
APPROVAL OF THE MINUTES OF THE SPECIAL TOWN COUNCIL MEETING CLOSED-DOOR SESSION
 - C. MINUTES: DECEMBER 15, 2010
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING
 - D. MINUTES: JANUARY 7, 2011
APPROVAL OF THE MINUTES OF THE SPECIAL TOWN COUNCIL MEETING
 - E. APPROVAL OF MAJOR MATTERS CONSIDERED BY THE ARCHITECTURAL COMMISSION AT ITS MEETING ON DECEMBER 17, 2010.
 - F. RESOLUTIONS
 - 1. RESOLUTION NO. 3-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Designation of Historic or Specimen Trees from Properties Located Within the Town of Palm Beach; Adding Newly Designated Historic or Specimen Trees; Providing for the Recording of Said Designations; 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]

2. RESOLUTION NO. 4-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Mathews Consulting, Inc., in the Amount of \$36,028 for the A-39 and A-41 Sanitary Pump Stations Improvements, Establishing a Design and Bid Phase Budget of \$40,000 for Said Improvements, and Authorizing the Town Manager to Take Actions Necessary to Complete this Phase of Said Improvements. [H. Paul Brazil, Director of Public Works]
3. RESOLUTION NO. 7-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Professional Design Consultant Fee Proposal with Bridges, Marsh & Assoc. In an Amount Not to Exceed \$65,000 for Possible Alterations and Renovations in Conjunction with the Worth Avenue Improvement Project and Authorizing the Town Manager to Execute the Same on Behalf of the Town. [Thomas G. Bradford, Deputy Town Manager]

G. OTHER

1. Approval to Use CM at Risk for Force Main Project.
[H. Paul Brazil, Director of Public Works]
2. Approval of Preservation Foundation Request to Waive Parking Fees at Phipps Ocean Park for Centennial Event on January 15, 2011.
[Jay Boodheshwar, Director of Recreation]

IX. REGULAR AGENDA

A. Old Business

1. Report from Publix Regarding Possible Temporary Store.
[William Rayburn, Director of Asset Management, Publix]
2. Foreclosure of Code Enforcement Liens.
[John C. Randolph, Town Attorney]
3. Staff Update Regarding Proposed Restaurant on Peanut Island.
[John S. Page, Director of Planning, Zoning, and Building]

B. New Business

1. Update from Palm Beach Island Cats. [David Leavitt and Jeff Giangrande]

2. Request for Permission to Use Scaffolding in Town Right-of-Way at 205 Royal Palm Way. [Mike McKnight, Prodigy Contracting Group]
3. RESOLUTION NO. 6-11 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing D.S. Eakins Construction Corporation, Foster Marine Contractors, the Whiting-Turner Contracting Company, Murray Logan Construction, Inc., and Johnson-Davis, Inc., to Receive Bid Packages for Projects Meeting the Scope of Work of RFQ No. 2011-04. [H. Paul Brazil, Director of Public Works]

X. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 31-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 86, Planning, Section 86-90, Standards, at Subsections (c) and (d); Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. Amending Town Code at Chapter 86, Planning, Section 86-90, Standards, at Subsections (c) and (e).
[Thomas G. Bradford, Deputy Town Manager]
2. ORDINANCE NO. 32-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 94, Sales, Articles II, III and IV; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
[Thomas G. Bradford, Deputy Town Manager]
3. ORDINANCE NO. 33-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 98, Secondhand Goods, Article II, Secondhand Dealers, by Deleting Sections 98-32 and 98-33 in Their Entirety; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
[Thomas G. Bradford, Deputy Town Manager]
4. ORDINANCE NO. 34-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 106, Streets, Sidewalks and Other Public Places, at Article V, Section 106-158, Relating to the Prohibition of Bicycle Riding on Sidewalks Within Commercial Zoning Districts; Amending Article VIII, Section 106-291, Relating to Certificate of

Compliance; and Section 106-292, Relating to Standards for Newsrack and Modular Newsracks Including Maintenance, Installation and Locations; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
[Thomas G. Bradford, Deputy Town Manager]

5. ORDINANCE NO. 35-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 18, Buildings and Building Regulations; Article III, Architectural Review; Division 2, Architectural Commission; Section 18-169, Removal Provisions; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
[Thomas G. Bradford, Deputy Town Manager]
6. ORDINANCE NO. 36-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 110, Subdivisions, So as to Modify the Term "Building Official" Used Throughout to "Director of Planning, Zoning & Building"; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. [Thomas G. Bradford, Deputy Town Manager]

B. First Reading

None

XI. ANY OTHER MATTERS

XII. 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**

1/5/11

Tue 01/11/2011 09:30 AM	Town Council Meeting	Council Chambers
Wed 01/12/2011 09:30 AM	Town Council Meeting - Development Review	Council Chambers
Wed 01/12/2011 02:00 PM	Water Committee Meeting	Council Chambers
Wed 01/12/2011 03:00 PM	Joint Meeting with City of Lake Worth and Other Municipalities re: Lake Worth Sewer Utility Issues	Palm Beach State College Room NS 129 4200 Congress Ave
Mon 01/17/2011 04:00 AM	MARTIN LUTHER KING, JR. HOLIDAY	TOWN HALL CLOSED
Tue 01/18/2011 09:30 AM	Planning & Zoning Commission Meeting	Council Chambers
Wed 01/19/2011 09:30 AM	Landmarks Preservation Commission Meeting	Council Chambers
Thu 01/20/2011 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Mon 01/24/2011 11:00 AM	County Budget Task Force	Council Chambers
Tue 01/25/2011 10:00 AM	ORS Meeting	Council Chambers
Wed 01/26/2011 09:00 AM	Architectural Commission (ARCOM) Meeting	Council Chambers
Thu 01/27/2011 09:00 AM	Shore Protection Board Meeting	Council Chambers
Wed 02/09/2011 09:30 AM	Landmarks Preservation Commission Meeting	Council Chambers

Thu 02/10/2011 09:00 AM	Police Officers' Retirement Board	Council Chambers
-------------------------	-----------------------------------	------------------

Fri 02/11/2011 09:00 AM	General Employee Retirement Board	Council Chambers
-------------------------	-----------------------------------	------------------

Fri 02/11/2011 02:00 PM	Investment Advisory Committee Meeting	Council Chambers
-------------------------	---------------------------------------	------------------

Tue 02/15/2011 09:30 AM	Town Council Meeting	Council Chambers
-------------------------	----------------------	------------------

Wed 02/16/2011 09:30 AM	Town Council Meeting - Development Review	Council Chambers
-------------------------	---	------------------