



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF ACTIONS TAKEN AT THE TOWN COUNCIL MEETING HELD ON TUESDAY, JUNE 10, 2014

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. PRESENTATIONS
 - A. The Honorable Jeff Clemons, Florida Senate, District 27.
 - B. The Honorable Bill Hager, Florida House of Representatives, District 89.
 - C. Scholarship Provided by the Palm Beach Civic Association and the Citizens' Association of Palm Beach.
Ned Barnes, Palm Beach Civic Association, and Bruce Heyman, Citizens' Association of Palm Beach
 - D. Update on Royal Poinciana Playhouse.
Pamela Stark Thomas, Executive Director, National Arts Institute
ACTION: FURTHER UPDATE TO BE GIVEN IN NOVEMBER.
- IV. COMMENTS OF MAYOR GAIL L. CONIGLIO
- V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER
ACTION: REQUESTED ORS COMMITTEE REVIEW HEDGES ORDINANCE.
- VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE
- VII. APPROVAL OF AGENDA
ACTION: ITEM NO. X.A., RESOLUTION NO. 81-2014 WAS DEFERRED TO THE JULY 15, 2014, TOWN COUNCIL MEETING.
ACTION: ITEM NO. XI.B.3., REQUEST FOR TEMPORARY ROAD CLOSURE AT 109 ROYAL PALM WAY, WAS WITHDRAWN FROM THE AGENDA.
ACTION: APPROVED, AS AMENDED ABOVE.
- VIII. CONSENT AGENDA
ACTION: APPROVED.

A. MINUTES

1. MINUTES: MAY 13, 2014
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, Town Clerk
2. MINUTES: MAY 14, 2014
Approval of the Minutes of the Regular-Development Review Town Council Meeting.
Susan A. Owens, Town Clerk
3. MINUTES: MAY 14, 2014
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, Town Clerk
4. Approval of Major Matters Considered by the Architectural Commission at its Meeting of May 28, 2014.
John S. Page, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 67-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Agreement Between the Town of Palm Beach and Phillips & Jordan, Inc., for Emergency Disaster Debris Removal, Reduction and Disposal Services, Pursuant to the Solid Waste Authority of Palm Beach County Contract No. 13-249, and Authorizing the Town Manager to Execute the Same on Behalf of the Town for Use as a Backup to Other Town Executed Contracts
H. Paul Brazil, P.E., Director of Public Works
2. RESOLUTION NO. 68-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of the Contract to Supply Unleaded and Diesel Fuel through the Southeast Florida Governmental Purchasing Cooperative Group RFP 14-A-035 to MacMillan Oil Co. of Florida, Inc.
Jane Struder, Finance Director
3. RESOLUTION NO. 76-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing Sole Source Procurement and the Purchase of Zoll X Series Manual Monitor/Defibrillators in the Amount of \$247,960.72 from Zoll Medical Corporation.
Kirk Blouin, Director of Public Safety

4. RESOLUTION NO. 77-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Hulett Environmental Services, Inc., for Treatment of Lethal Yellowing Disease in Coconut Palms and Royal Palm Bug and Fertilization Treatment for Royal Palm Trees in the Amount of \$45,084, and Establishing a Project Budget of \$47,350.
H. Paul Brazil, P.E., Director of Public Works
5. RESOLUTION NO. 78-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Universal Electric of Florida, Inc., and C. R. Dunn, Inc., for Electrical Maintenance and Repair Services in a Cumulative Total Amount Not-To-Exceed \$154,000.
H. Paul Brazil, P.E., Director of Public Works
6. RESOLUTION NO. 79-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Preliminary Design Services to Kimley-Horn and Associates, Inc., in an Amount of \$54,360 for the Signalization and Mast Arm Upgrades and Establishing a Design Phase Budget of \$61,000.
H. Paul Brazil, P.E., Director of Public Works
7. RESOLUTION NO. 80-2014 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 & Associates, Inc., in an Amount of \$23,480 for the Roadway Improvements on Queens Lane, and Establishing a Design and Bid Phase Budget of \$25,000.
H. Paul Brazil, P.E., Director of Public Works
8. RESOLUTION NO. 86-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving GFA Inc. as a Plan Review and Inspection Firm from the Original List of Respondents to RFP No. 2010-28, in Addition to Hybryd Inc. and MT Causley Inc. Based Upon Their Proposal and the Selection Committee's Recommendations Pertaining Thereto; Authorizing Staff Negotiations with GFA Inc., and Authorizing the Town Manager to Execute a Negotiated Contract on Behalf of the Town for Plan Review and Inspection Services, Subject to the Town's Adopted Budget for Said Program and the Town Attorney's Approval of the Negotiated Contract for Legal Form and Sufficiency.
John S. Page, Director of Planning, Zoning and Building

C. OTHER

1. Ratification of Town Manager Peter B. Elwell's Selection of Professionals

to Assist the Town in Opposing the Proposed Lake Worth Inlet Deepening and Widening Project, and Appropriation of \$200,000 from the General Fund Contingency.

Peter B. Elwell, Town Manager

2. Authorization for Continued Town Participation in the Palm Beach County Urban County Program for FY2015-FY2017.

Peter B. Elwell, Town Manager

3. Authorization to Reject All Bid Submittals for Bid No. 2014-16, Maintenance of the Peruvian Avenue 400 Block Streetscape Project Improvements.

Thomas G. Bradford, Deputy Town Manager

4. Approval of Landmarks Preservation Commission Attendance Exception for Nikita Zukov.

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

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Retirement Board of Trustees.

Raymond W. Snow, Retirement Board Chair

ACTION: ACCEPTED REPORT.

X. PUBLIC HEARINGS

- A. RESOLUTION NO. 81-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning a Portion of an Existing Public Utility Easement Within the Property Commonly Known as Lot 6 Ocean Lane, in the Town of Palm Beach, Florida.

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

ACTION: DEFERRED.

XI. REGULAR AGENDA

- A. Old Business

1. Flagler Memorial Bridge Project Update.

TIME CERTAIN: 11:00 AM

Geoffrey Parker, New Millennium Engineering

ACTION: NONE.

2. Town Hall Square Project

TIME CERTAIN: 11:30 AM

ACTION: APPROVED THE SIX ACTIONS LISTED IN THE

TOWN MANAGER'S BACKUP MEMORANDUM OF JUNE 5, 2014, AND REMANDED BACK TO THE LANDMARKS PRESERVATION COMMISSION.

- a. Project Update.
- b. Appeal of Landmarks Preservation Commission COA #016-2014, Town Hall Square Modifications, by Attorney Manuel Kushner representing Mr. Orator Woodward and the John L. Volk Foundation.

ACTION: DENIED THE APPEAL AS MOOT.

(Depending upon the action(s) taken under item XI.A.2.b immediately above, the Town Council may or may not consider items XI.A.2.c1., XI.A.2.c2., and XI.A.2.d. immediately below.)

- c.1. RESOLUTION NO. 84-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Manager at Risk Contract to Burkhardt Construction, Inc., for the Town Hall Square Project, in the Amount of \$5,630,336.44, and Establishing a Construction Management Phase Budget of \$5,845,000.

ACTION: POSTPONED INDEFINITELY.

- c.2. RESOLUTION NO. 89-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Alternative 1, Street Lighting Improvements, in the Amount of \$255,000 and Alternative 2, Central Fire Station Slab Replacement, in the Amount of \$45,500 to Burkhardt Construction, Inc., for the Town Hall Square Project, Increasing Resolution 84-2014 Construction Management Phase Budget to \$6,145,500

ACTION: POSTPONED INDEFINITELY.

- d. RESOLUTION NO. 85-2014 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 Kimley Horn & Associates, Inc., for the Town Hall Square Project, in the Amount of \$233,715.50 and Establishing a Construction Phase Engineering Services Budget of \$270,000.

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

ACTION: POSTPONED INDEFINITELY.

- 3. Consideration of Design and Bid Phase Services Contracts for the Street Lighting Upgrades and Utility Undergrounding Projects on South Ocean

Boulevard from Sloan's Curve to Lake Avenue.

- a. RESOLUTION NO. 73-2014 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 Erdman Anthony of Florida, Inc., in an Amount of \$180,310 for the Street Lighting Upgrade on South Ocean Boulevard from Sloan's Curve to Lake Avenue, and Establishing a Design and Bid Phase Budget of \$200,000.

ACTION: DEFERRED TO THE SEPTEMBER 9, 2014, TOWN COUNCIL MEETING.

- b. RESOLUTION NO. 74-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Evaluating Undergrounding of Overhead Lines to Erdman Anthony of Florida, Inc., in an amount of \$24,065 for the Street Lighting Upgrade Project on South Ocean Boulevard from Sloan's Curve to Lake Avenue, and Establishing an Evaluation Budget of \$26,500.

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

ACTION: DEFERRED TO THE SEPTEMBER 9, 2014, TOWN COUNCIL MEETING.

4. Coastal Protection Matters

- a. Update on Current Conditions and Ongoing Actions.

ACTION: NONE.

- b. Reach 3 Roadway Protective Seawall Project: Alternative Proposed by Affected Residents.

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

ACTION: APPROVED MOTION TO ALLOW PROPERTY OWNERS TO BE RESPONSIBLE FOR MAINTENANCE OF THEIR OWN SEAWALL.

B. New Business

1. Off-Island Town-Owned Real Estate Matters.

- a. Inventory and Planning Update.

ACTION: NONE.

- b. RESOLUTION NO. 88-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Lease Agreement between the Town and RG Towers, LLC for

Use of a Portion of Town Property for a Wireless Communications Tower and Authorizing the Town Manager to Execute the Same on Behalf of the Town.

Jay Boodheshwar, Director of Recreation and Special Projects

ACTION: APPROVED.

2. Residents' Request for Curb and Gutter on Via Marina.
H. Paul Brazil, P.E., Director of Public Works

ACTION: NONE. SUGGESTED RESIDENTS CONTACT DEPUTY TOWN MANAGER THOMAS BRADFORD ABOUT THE USE OF AN ASSESSMENT FOR THE PROJECT.

3. Request for Temporary Road Closure at 109 Royal Palm Way.
H. Paul Brazil, P.E., Director of Public Works

ACTION: WITHDRAWN.

4. Appeal of Town Code, Chapter 10, Section 10-45, Dangerous Dog Determination - "Martini," Case No. 14-000721 (per letter dated May 22, 2014, from Maya Johnson).
Kirk Blouin, Director of Public Safety

ACTION: DENIED APPEAL.

5. Appeal of Town Code, Chapter 10, Section 10-45, Dangerous Dog Determination - "Titan," Case No. 14-000675 (per letter dated May 27, 2014 from Julie Leever).
Kirk Blouin, Director of Public Safety

ACTION: DEFERRED TO THE OCTOBER 14, 2014, TOWN COUNCIL MEETING.

6. Discussion of Background Checks for Applicants to Town Boards/Commissions.
William Diamond, Town Council President Pro Tem

ACTION: NONE.

XI. ORDINANCES

XII. ANY OTHER MATTERS

XIII. ADJOURNMENT