



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF THE ACTIONS TAKEN AT THE TOWN COUNCIL MEETING HELD ON TUESDAY, JUNE 9, 2015

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. RECOGNITIONS
 - A. Recognition of W. Anthony Dowell, Code Enforcement Board from June 2009 to April 2015
- IV. PRESENTATIONS
 - A. Scholarship Provided by the Palm Beach Civic Association and the Citizens' Association of Palm Beach
Sam Dashiell, Palm Beach Civic Association and Lew Crampton, Citizens' Association of Palm Beach
- V. COMMENTS OF MAYOR GAIL L. CONIGLIO
- VI. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER
- VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

ACTION: THE PLANNING AND ZONING COMMISSION WAS DIRECTED TO REVIEW THE COMMERCIAL SIGN CODE TO DETERMINE IF ANY AMENDMENTS ARE NECESSARY
- VIII. APPROVAL OF AGENDA

ACTION: ITEM NOS. IX.B.4, 7, 8, & 9, RESOLUTION NOS. 71, 74, 75, & 76-2015, WERE PULLED FROM CONSENT AND PLACED AT THE END OF NEW BUSINESS

ACTION: ITEM NOS. XII.A.1.c AND XIII.A.1-2, RESOLUTION NO. 69-2015 AND ORDINANCE NOS. 15 & 16-2015 WERE DEFERRED TO THE JULY 14, 2015, MEETING

ACTION: ITEM NO. IX.A.3, ARCOM MINUTES, WAS REVISED TO NOTE THE CORRECT TIME STAMP ON PAGES 21, 22, 25, AND 26

ACTION: THE TITLE OF ITEM NO. IX.B.3, RESOLUTION NO. 70-2015, WAS AMENDED AS FOLLOWS:

“...and Establishing a ~~Design and Bid~~ Construction Phase Engineering Services Budget...”

ACTION: THE TITLE AND BODY OF ITEM NO. XII.B.2.d, RESOLUTION NO. 78-2015, WAS AMENDED AS FOLLOWS:

“...Awarding Bid No. 2015-32 and Approving a Contract for \$15,879,950 to Great Lakes Dredge & Dock Company...”

ACTION: APPOINTMENT OF BERNARD R. PANFEL TO THE SELECTION COMMITTEE FOR TOWN AUDIT SERVICES WAS ADDED TO THE AGENDA UNDER NEW BUSINESS

ACTION: APPROVED, AS AMENDED ABOVE

IX. CONSENT AGENDA

ACTION: APPROVED, AS AMENDED ABOVE

A. MINUTES

1. MINUTES: MAY 12, 2015
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, Town Clerk
2. MINUTES: MAY 13, 2015
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, Town Clerk
3. Approval of Major Matters Considered by the Architectural Commission at its Meeting of May 27, 2015
John S. Page, Director of Planning, Zoning, and Building

B. RESOLUTIONS

1. RESOLUTION NO. 67-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2015-16 and Approving a Purchase Order to Hydra Service, Inc., of DeBary, Florida, in the Amount of \$37,865.00 for the Replacement of a Vertical Turbine Irrigation Pump at the Palm Beach Par 3 Golf Course, and Establishing a Purchase Budget of \$41,700.
Deferred from the May 12, 2015, Town Council Meeting
Rod Gardiner, Acting Director of Recreation
2. RESOLUTION NO. 68-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2015-37 and Approving a Construction Contract to Murray Logan Construction, Inc., for the D-12 Storm Water Pump Station Electrical

Improvements Phase 1, in the Amount of \$268,000 and Establishing a Construction Phase Budget of \$295,000.

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

3. RESOLUTION NO. 70-2015 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 for the D-12 Storm Water Pump Station Electrical Improvements Phase I to Kimley-Horn & Associates, Inc., in the Amount of \$26,535, and Establishing a Design and Bid Phase Engineering Services Budget of \$30,000
H. Paul Brazil, P.E., Director of Public Works
4. RESOLUTION NO. 71-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2015-25 and Approving a Purchase Order to Bayside Coatings Incorporated, in an Amount of \$36,000 for Street Light Painting, and Establishing a Multi-Year Project Budget of \$89,835.10.
*H. Paul Brazil, P.E., Director of Public Works – **Moved to New Business***
5. RESOLUTION NO. 72-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Hulett Environmental Services, Inc. for Treatment of Lethal Yellowing Disease in Coconut Palms and Royal Palm Bug and Fertilization Treatment in Royal Palm Trees, in the Annual Amount of \$45,084 and Establishing a Project Budget of \$47,350.
H. Paul Brazil, P.E., Director of Public Works
6. RESOLUTION NO. 73-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Envirosapes Plus Inc., for Landscape Fertilization and Pest Control, in the Annual Amount of \$34,200, and Establishing an Annual Project Budget of \$40,000.
H. Paul Brazil, P.E., Director of Public Works
7. RESOLUTION NO. 74-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2015-36 and Approving a Purchase Order to TLC Diversified, Inc., for the North Fire Station Emergency Generator Replacement, in the Amount of \$169,955, and Establishing a Construction Phase Budget of \$200,000.
*H. Paul Brazil, P.E., Director of Public Works – **Moved to New Business***
8. RESOLUTION NO. 75-2015 A Resolution of the Town Council of the Town of Palm Beach County, Florida, Approving a Purchase Order for Construction Phase Engineering Services for the North Fire Station Emergency Generator Replacement to Chen Moore and Associates, Inc., in the Amount of \$18,010, and Establishing a Construction Phase

Engineering Services Budget of \$21,000.

H. Paul Brazil, P.E., Director of Public Works – Moved to New Business

9. RESOLUTION NO. 76-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Existing Purchase Order No. 141235 for Consulting Services for the Inventory of the City of West Palm Beach Water Facilities in the Town of Palm Beach, in the Amount of \$12,000 for a Revised Total Budget of \$35,000.

H. Paul Brazil, P.E., Director of Public Works – Moved to New Business

10. RESOLUTION NO. 80-2015 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 for the Nightingale Trail/La Puerta Way Undergrounding to Kimley-Horn and Associates, Inc. in the Amount of \$73,136, and Establishing an Engineering Services Budget of \$188,000.

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

C. OTHER

1. Acceptance of a Donation of \$50,000 from the Palm Beach Police Foundation for the Expansion of the Existing Town-wide Security and Surveillance System.

Kirk W. Blouin, Director of Public Safety

2. Request to Authorize Ordinances, Rules, and Standards Committee to Develop a Compact Car Ordinance.

Jay Boodheshwar, Deputy Town Manager

X. BOARD/COMMISSION ANNUAL REPORT

- A. Retirement Board of Trustees

Gerald Goldsmith, Retirement Board Chair Pro Tem

ACTION: ACCEPTED

XI. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules, and Standards Committee Meeting of May 6, 2015

Penelope D. Townsend, Chair

ACTION: ACCEPTED

- B. Report of the Finance and Taxation Committee Meeting of May 11, 2015.

Michael J. Pucillo, Chair

ACTION: ACCEPTED

XII. REGULAR AGENDA

A. Old Business

1. Town Hall Square Historic District Project
 - a. Fundraising Update
Bill Bone, Esquire
ACTION: NONE
 - b. Phase II Update
Jay Boodheshwar, Deputy Town Manager
ACTION: NONE
 - c. RESOLUTION NO. 69-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach, County, Florida, Approving a Dedication to the Public of a Parcel of Land to be Used for Public Park Purposes Consistent with and to be Incorporated as Part of Memorial Park; Providing an Effective Date.
*John C. Randolph, Town Attorney – **Deferred to July 14, 2015***
2. Discussion of Millage Rate Target for FY 2016 Budget Priorities
Thomas G. Bradford, Town Manager
ACTION: THERE WAS TOWN COUNCIL CONSENSUS, SUBJECT TO THE UPCOMING BUDGET HEARING, TO TARGET A MILLAGE RATE NO HIGHER THAN THE RATE WHEREBY HOMESTEADED PROPERTY OWNERS WOULD RECEIVE NO TAX INCREASE.
3. 2016 Election Update
Susan A. Owens, MMC, Town Clerk
ACTION: APPROVED A 7:00 P.M. START TIME FOR THE TOWN CAUCUS

B. New Business

1. Recommendations for Comprehensive Plan Updates Pursuant to F.S. 163.3191
John Page, Director of Planning, Zoning, and Building
ACTION: APPROVED
2. Coastal Update
 - a. Shoreline Review and Report on Palm Beach County's Beach Renourishment Expenditures

ACTION: NONE

- b. Public Understanding of the Performance of Coastal Projects (by Woods Hole Group)

ACTION: NONE

- c. ORDINANCE NO. 17-2015 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2014, Providing an Effective Date.
Jane Struder, Director of Finance

ACTION: APPROVED

- d. RESOLUTION NO. 78-2015 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2015-32 and Approving A Contract For \$15,879,950 To Great Lakes Dredge & Dock Company For The Construction Of The Phipps Ocean Park/Reach 7 Beach Nourishment Project, And Establishing A Construction Phase Budget Of \$16,879,950 For Said Project, Contingent Upon The Adoption Of Budget Amendment Ordinance No. 17-2015; And Authorizing The Town Manager To Execute The Purchase Order And Take Action Necessary To Effectuate Completion Of The Project.

ACTION: THE TITLE AND BODY WERE AMENDED AS FOLLOWS:

“...Awarding Bid No. 2015-32 and Approving a Contract for \$15,879,950 to Great Lakes Dredge & Dock Company...”

ACTION: APPROVED, AS AMENDED ABOVE AND CONTINGENT UPON SECOND READING AND APPROVAL OF BUDGET AMENDMENT ORDINANCE NO. 17-2015 AND STAFF SUBMITTAL OF THE REQUIRED PROJECT DOCUMENTATION TO PALM BEACH COUNTY FOR POSSIBLE 20% PROJECT COST REIMBURSEMENT

ACTION: STAFF WAS DIRECTED TO PROVIDE A PLAN AT THE JULY 14, 2015, MEETING FOR PURSUING AVAILABLE COST-SHARING OPTIONS FOR COASTAL MANAGEMENT PROJECTS

- e. Authorization of Selection Committee for Construction Phase Engineering Services for Phipps Ocean Park Beach Nourishment

ACTION: APPROVED

- f. RESOLUTION NO. 79-2015 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing State Grant Of FDEP Contract No. 15PB2, Between The State Of Florida Department Of Environmental Protection And The Town Of Palm Beach Under The Bureau Of Beaches And Coastal Systems Florida Beach Management Funding Assistance Program For South End Palm Beach Restoration, Specifically Environmental Impact Statement For Reach 8, And Authorizing The Town Council President To Execute Same On Behalf Of The Town.

ACTION: APPROVED

- g. EIS Status Report
H. Paul Brazil, P.E., Director of Public Works

ACTION: STAFF WAS DIRECTED TO CONTINUE WORKING WITH THE APPLICABLE PARTIES TO REFINE THE EIS'S SCOPE OF WORK AND IDENTIFY COST EFFICENCIES IN AN EFFORT TO MOVE THE EIS FORWARD

3. Waiver to Town Code for Extended Construction Hours for Water Main Investigation / Replacement by the City of West Palm Beach and Approval of the Partial Closure of the Intersection of Island Road / Island Drive

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

ACTION: APPROVED

4. Waiver to Town Code for Extended Construction Hours for Gas Main Construction by Florida Public Utilities Company (FPU)

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

ACTION: APPROVED

5. RESOLUTION NO. 77-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc., for Continued Professional Engineering Services of the Lake Worth Lagoon Waterway Project, in an Amount Not-to-Exceed \$34,549, and establishing a Federal Permitting and Construction Plans and Specifications Task Budget of \$39,000.

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

ACTION: APPROVED

6. Request to Close Bradley Place from Atlantic Avenue to Wells Road for Water Main Replacement

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

ACTION: APPROVED, SUBJECT TO THE CITY OF WEST PALM BEACH AGREEING TO USE ITS BEST EFFORTS, INCLUDING USING EXTENDED WORK HOURS, TO COMPLETE THE PROJECT AS SOON AS POSSIBLE

The Following Four Items were Pulled from the Consent Agenda:

7. RESOLUTION NO. 76-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Existing Purchase Order No. 141235 for Consulting Services for the Inventory of the City of West Palm Beach Water Facilities in the Town of Palm Beach, in the Amount of \$12,000 for a Revised Total Budget of \$35,000.
H. Paul Brazil, P.E., Director of Public Works

ACTION: APPROVED

8. RESOLUTION NO. 71-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2015-25 and Approving a Purchase Order to Bayside Coatings Incorporated, in an Amount of \$36,000 for Street Light Painting, and Establishing a Multi-Year Project Budget of \$89,835.10.
H. Paul Brazil, P.E., Director of Public Works

ACTION: APPROVED

9. RESOLUTION NO. 74-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2015-36 and Approving a Purchase Order to TLC Diversified, Inc., for the North Fire Station Emergency Generator Replacement, in the Amount of \$169,955, and Establishing a Construction Phase Budget of \$200,000.
H. Paul Brazil, P.E., Director of Public Works

ACTION: APPROVED

10. RESOLUTION NO. 75-2015 A Resolution of the Town Council of the Town of Palm Beach County, Florida, Approving a Purchase Order for Construction Phase Engineering Services for the North Fire Station Emergency Generator Replacement to Chen Moore and Associates, Inc., in the Amount of \$18,010, and Establishing a Construction Phase Engineering Services Budget of \$21,000.
H. Paul Brazil, P.E., Director of Public Works

ACTION: APPROVED

The Following Item was Added under Approval of the Agenda:

11. Appointment of Bernard R. Panfel to the Selection Committee for Town Audit Services.

ACTION: APPROVED

XIII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 15-2015 An Ordinance of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Amending The Town Code of Ordinances At Chapter 114 Taxation, Article II, Local Business Tax, At Section 114-43 Schedule, So As To Amend The Fees Delineated For Each Business, Profession Or Occupation; Providing For Severability; Providing For Repeal of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

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

ACTION: DEFERRED TO THE JULY 14, 2015, MEETING

2. ORDINANCE NO. 16-2015 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 XIII, Moveable Fixtures in the Right-of-Way; at Section 106-291, Certificate of Compliance Required; at Section 106-292, Standards for Newsrack and Modular Newsracks Including Maintenance, Installation and Locations; at Section 106-293, Prohibited Locations; at Section 106-294, Insurance and Indemnification; at Section 106-296, Enforcement; at Section 106-297, Appeals; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: DEFERRED TO THE JULY 14, 2015, MEETING

B. First Reading

1. ORDINANCE 18-2015 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinance at Chapter 62, Marine Structures; Article II, Bulkheads, Seawalls and Groins on Atlantic Ocean, at Sections 62-36, 62-37 and 62-38; and Amending Article III, Bulkhead and Pierheads on Lake Worth, Section 62-72; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

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

ACTION: APPROVED

XIV. ANY OTHER MATTERS – None

XV. ADJOURNMENT