



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF ACTIONS TAKEN AT THE TOWN COUNCIL MEETING HELD ON TUESDAY, APRIL 10, 2012

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. PRESENTATIONS
 - A. Recognition of Jeffery W. Smith, Architectural Commission, From March 2005 Through March 2012.
 - B. Recognition of William O. Cooley, Landmarks Preservation Commission, From March 2009 Through March 2012.
 - C. Recognition of Sergio de Araujo, Firefighter Retirement Board, From October 2008, to March 2012.
 - D. Presentations by Applicants for Code Enforcement Board.
 - E. Presentations by Applicants for Investment Advisory Committee.
 - F. Presentations by Applicants for Recreation Advisory Commission.
- IV. COMMENTS OF MAYOR GAIL L. CONIGLIO
- V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER
- VI. COMMUNICATIONS FROM CITIZENS

ACTION: STAFF WAS DIRECTED TO LOOK INTO THE POSSIBILITY OF INCREASING PARKING TICKET FINES FOR OWNERS THAT ARE CONTINUALLY CITED.

ACTION: THE POLICE DEPARTMENT WAS DIRECTED TO ATTEND ANY MEETINGS BETWEEN TEMPLE EMANUEL AND THE RESIDENTS OF SEMINOLE AVENUE, AND TO COME BACK WITH POSSIBLE SOLUTIONS.

ACTION: STAFF WAS DIRECTED TO PLACE THE SEMINOLE AVENUE PARKING ISSUE ON THE MAY 8, 2012, COUNCIL MEETING AGENDA FOR FURTHER CONSIDERATION.

VII. APPROVAL OF AGENDA

ACTION: ITEM NO. VIII.E.5. (PUBLIC WORKS COMMITTEE REPORT) WAS DEFERRED TO THE MAY 8, 2012, COUNCIL MEETING.

ACTION: APPROVED, AS AMENDED ABOVE.

VIII. CONSENT AGENDA

ACTION: APPROVED, AS AMENDED ABOVE.

- A. MINUTES: MARCH 14, 2012
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING
- B. MINUTES: MARCH 14, 2012
APPROVAL OF THE MINUTES OF THE SPECIAL TOWN COUNCIL MEETING-CLOSED-DOOR SESSION-TOWN OF PALM BEACH VS LAWRENCE S. RULE, JR., LAURA RULE, M&I BANK, FSB, AND R.J.S. ELECTRIC, INC., D/B/A ELECTRIC CONNECTION
- C. APPROVAL OF MAJOR MATTERS CONSIDERED BY THE ARCHITECTURAL COMMISSION AT ITS MEETING ON MARCH 28, 2012.
- D. RESOLUTIONS
 - 1. RESOLUTION NO. 16-2012 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Bid Award #2012-15 to Southern Computer Warehouse for the Purchase of Laptop and Desktop Computers in the Amount of \$32,632.35 and Authorizing the Town Manager to Execute this Purchase on Behalf of the Town.
[Thomas G. Bradford, Deputy Town Manager]
 - 2. RESOLUTION NO. 18-2012 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving The Renewal Of The Concession Agreement For The Town Of Palm Beach Tennis Facilities Between The Town Of Palm Beach And NetResults Tennis, LLC And Authorizing The Town Manager To Execute The Same On Behalf Of The Town. [Jay Boodheshwar, Director of Recreation and Special Projects]

3. RESOLUTION NO. 23-2012 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding A Contract To Kimley-Horn & Associates, Inc., In The Amount Of \$39,310 For Town Docks 2012 Improvements, Establishing A Design And Bid Phase Budget Of \$43,200 For Said Improvements, And Authorizing The Town Manager To Take Actions Necessary To Complete Said Improvements.
[H. Paul Brazil, Director of Public Works]
4. RESOLUTION NO. 26-2012 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding A Contract To Mock, Roos & Associates, Inc., In The Amount Of \$59,919 For E-6, Bradley Park To Tangier Avenue Force Main Replacement, Establishing A Design And Bid Phase Budget Of \$65,919 For Said Improvements, And Authorizing The Town Manager To Take Actions Necessary To Complete Said Improvements. [H. Paul Brazil, Director of Public Works]
5. RESOLUTION NO. 27-2012 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding A Contract To Mock, Roos & Associates, Inc., In The Amount Of \$47,450 For The A-7 To Hammon Avenue Force Main Replacement Project, Establishing A Design And Bid Phase Budget Of \$55,000 For Said Improvements, And Authorizing The Town Manager To Take Actions Necessary To Complete Said Improvements. [H. Paul Brazil, Director of Public Works]
6. RESOLUTION NO. 30-2012 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding A Contract To Kimley-Horn And Associates, Inc., In An Amount Not To Exceed \$36,800 For The Nightingale Trail, Queen's Lane And Garden Alley Drainage Improvements Project, Establishing A Design Phase Budget Of \$42,100 For Said Improvements, And Authorizing The Town Manager To Take Actions Necessary To Complete Said Improvements.
[H. Paul Brazil, Director of Public Works]
7. RESOLUTION NO. 34-2012 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Approving an Agreement with the Palm Beach County Property Appraiser for Services and Costs and Approving an Agreement with the Palm Beach County Property Appraiser and Palm Beach County Information System Services for Assignment of Computer Data, Each Agreement Being Associated with the Non-ad Valorem Assessments to Be Implemented for the Via Fontana Underground Utilities Assessment Area and Authorizing the Mayor to Execute Each Agreement on Behalf of the Town.
[Thomas G. Bradford, Deputy Town Manager]

E. OTHER

1. Authorization to Fill Parks and Streets Supervisor Position.
[H. Paul Brazil, Director of Public Works]
2. Authorization to Fill Equipment Operator III/Sanitation Position. [H. Paul Brazil, Director of Public Works]
3. Authorization to Replace Three (3) Part-Time/No Benefits Code Enforcement Officer Positions with One (1) Full Time Code Enforcement Officer Position.
[Kirk W. Blouin, Director of Public Safety]
4. Authorization to Fill Tennis Supervisor Position.
[Jay Boodheshwar, Director of Recreation and Special Projects]
5. Approval of Public Works Committee Report for the Committee's Meeting on March 6, 2012.
[Michael J. Pucillo, Town Council Member] - *Item Was Deferred to the May 8, 2012, Council meeting*
6. Investment Advisory Committee Appointments.
[Jane Struder, Director of Finance]

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Architectural Commission. [Robert Vila, Chair, and John Page, Director of Planning, Zoning, and Building]

ACTION: ACCEPTED

X. REGULAR AGENDA

- A. Old Business - None

- B. New Business

1. Consideration of Scheduling an Attorney/Client Session Regarding 332 South County Road LLC vs Town of Palm Beach, in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, Case No. 502011CA002343XXXXMBAY. Discussion of this Matter to Begin Immediately Following the Regular Town Council Meeting on April 11, 2012, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida. Attorney/Client Session Attendees: Mayor Gail L. Coniglio; Town Council Members David A. Rosow, Robert N. Wildrick, William J. Diamond, Richard M. Kleid, Michael J. Pucillo; Town Manager Peter B. Elwell; Attorney John C. Randolph and Attorney Joanna

M. O'Connor; and Court Reporter from Ley & Marsaa Court Reporters, Inc. [John C. Randolph, Town Attorney]

ACTION: APPROVED

It was noted for the record that the meeting would commence at the earlier of the end of the morning half of the April 11, 2012, meeting, or after the 2:00 p.m. time certain item that afternoon.

2. Proposal from the Par 3 Foundation, Inc., Regarding the Clubhouse and Signage at the Par 3 Golf Course.

[Jay Boodheshwar, Director of Recreation and Special Projects]

TIME CERTAIN: 11 A.M.

ACTION: APPROVED

3. Coastal Management Items.

- a. FDEP's Proposed Beach Management Agreement.

[Peter B. Elwell, Town Manager]

- b. RESOLUTION NO. 31-2012 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding A Contract To Woods Hole Group In The Amount Of \$127, 711 For Comprehensive Review Of The Shore Protection Board's Long Term Coastal Management Program; Approving A Task Budget Of \$150,000 For This Work; And Authorizing The Town Manager To Execute The Contract On Behalf Of The Town To Effectuate Said Coastal Engineering Services.

[H. Paul Brazil, Director of Public Works]

ACTION: APPROVED

- c. RESOLUTION NO. 32-2012 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding A Contract To Coastal Planning & Engineering, Inc. (A Shaw Group Company), In The Amount Of \$37,396 For Review Of The Groin Rehabilitation Plan; Approving A Task Budget Of \$43,000 For This Work; And Authorizing The Town Manager To Execute A Purchase Order On Behalf Of The Town To Effectuate Said Coastal Engineering Services.

[H. Paul Brazil, Director of Public Works]

ACTION: APPROVED

4. Application for a Waterways Assistance Program Grant from the Florida Inland Navigation District for Planning and Design of a Lake Worth Lagoon Dredging Project.
[H. Paul Brazil, Director of Public Works]
ACTION: APPROVED
5. Code Enforcement Board Appointments.
[Kirk W. Blouin, Director of Public Safety]
ACTION: THE FOLLOWING WERE APPOINTED AS REGULAR MEMBERS: LARRY OCHSTEIN, CYNTHIA VAN BUREN, AND JAMES M. BALLENTINE
ACTION: THE FOLLOWING WAS APPOINTED AS AN ALTERNATE MEMBER: W. ANTHONY DOWELL
6. Recreation Advisory Commission Appointments.
[Jay Boodheshwar, Director of Recreation and Special Projects]
ACTION: THE FOLLOWING WERE APPOINTED AS REGULAR MEMBERS: DANIEL MCDONNELL AND TIMOTHY O'HARA
ACTION: THE FOLLOWING WERE APPOINTED AS ALTERNATE MEMBERS: G. ELLEN HOWE AND ROBERTA MAMBRINO

XI. ORDINANCES

- A. Second Reading - None
- B. First Reading

1. ORDINANCE NO. 6-2012 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 Of The Town Code Of Ordinances Relating To Personnel, At Article II, Employee Benefits, Division 2, Retirement System, Amending Subdivision I, In General, By Amending Section 82-51, General, As Amended By Ordinance No. 4-2012, Adopted March 13, 2012; By Amending Section 82-52, Definitions; By Amending Section 82-54, Credited Service; Loss Of Credited Service; Reinstatement Of Credited Service; By Amending Section 82-56, Benefit Groups; By Amending Section 82-59, Transfer Of Service Between Town Plans; By Amending Section 82-63, Amount Of Post-Retirement Redetermination Of Pensions; By Amending Section 82-65, Allowance Of Interest; Rates Of Interest; By Amending Section 82-66, Refund Of Member's Accumulated Contributions; By Amending Section 82-69, Administrative Expenses; By Amending Section 82-70, Assignments Prohibited; By Amending Section 82-72, Rollover Distributions; By Amending Section 82-73, Method Of Making Payments; Amending Subdivision II, Reserve Accounts, By Amending Section 82-80, Reserve For Member Contributions; By Amending Section 82-83, Reserve For Undistributed

Investment Income; By Deleting Section 82-85, Plans And Assets Segregated; By Deleting Section 82-86, Chapters 175 And 185, Florida Statutes; Amending Subdivision III, Firefighters, By Deleting Section 82-90, Firefighter Board Of Trustees; By Deleting Section 82-91, Term Of Office; Oath Of Office; Vacancy; By Deleting Section 82-92, Officers, Administrative Services; By Deleting Section 82-93, Investment Limitations; By Amending Section 82-94, Retirement Age And Service Conditions; By Amending Section 82-95, Amount Of Pension; By Amending Section 82-96, Optional Forms Of Payment Of A Pension; By Deleting Section 82-97, Supplemental Pension Distributions; By Amending Section 82-98, Chapter Share Accounts; By Amending Section 82-99, Deferred Retirement Option Program; By Amending Section 82-100, Disability Retirement; By Amending Section 82-102, Continuation Subject To Re-Examination; Return To Employment; Effect Of Gainful Employment; By Amending Section 82-103, Death After Retirement; Automatic Survivor Pension To Minor Children And/Or Surviving Spouse; By Amending Section 82-104, Death While An Employee Of The Town; Automatic Survivor Pension To Minor Children And/Or Spouse; By Amending Section 82-105, Elective Survivor Pension; Amending Subdivision IV , Police Officers, By Deleting Section 82-110, Police Officer Board Of Trustees; By Deleting Section 82-111, Term Of Office; Oath Of Office; Vacancy; By Deleting Section 82-112, Officers, Administrative Services; By Deleting Section 82-113, Investment Limitations; By Amending Section 82-114, Retirement Age And Service Conditions; By Amending Section 82-115, Amount Of Pension; By Amending Section 82-116, Optional Forms Of Payment Of A Pension; By Deleting Section 82-117, Supplemental Pension Distributions; By Amending Section 82-119, Deferred Retirement Option Program; By Amending Section 82-120, Disability Retirement; By Amending Section 82-122, Continuation Subject To Re-Examination; Return To Employment; Effect Of Gainful Employment; By Amending Section 82-123, Death After Retirement; Automatic Survivor Pension To Minor Children And/Or Surviving Spouse; By Amending Section 82-124, Death While An Employee Of The Town; Automatic Survivor Pension To Minor Children And/Or Spouse; By Amending Section 82-125, Elective Survivor Pension; Amending Subdivision V, General Employees And Lifeguards, By Deleting Section 82-130, General Employee Board Of Trustees; By Deleting Section 82-131, Term Of Office; Oath Of Office; Vacancy; By Deleting Section 82-132, Officers, Administrative Services; By Amending Section 82-134, Retirement Age And Service Conditions; By Amending Section 82-135, Amount Of Pension; By Amending Section 82-136, Optional Forms Of Payment Of A Pension; By Deleting Section 82-137, Supplemental Pension Distributions; By Amending Section 82-139, Deferred Retirement Option Program; By Amending Section 82-140, Disability Retirement; By Amending Section 82-143, Death After Retirement; Automatic Survivor Pension To Minor Children And/Or Surviving Spouse; By Amending Section 82-144, Death While An Employee Of The Town; Automatic Survivor Pension To Minor Children And/Or Spouse; Amending Section 82-145, Elective Survivor Pension; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

[Peter B. Elwell, Town Manager]

ACTION: APPROVED

XII. ANY OTHER MATTERS

XIII. ADJOURNMENT