



TOWN OF PALM BEACH

Town Clerk's Office

ACTIONS OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, MARCH 20, 2018

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA

The following changes were made to the Agenda:

- ITEM IXV.B. (THE REPORT OF THE ADMINISTRATIVE AND PERSONNEL COMMITTEE) WAS TAKEN OUT OF ORDER AND HEAR AFTER ITEM III.
- ITEM XVI.A.1.D. RESOLUTION NO. 38-2018: A CORRECTION WAS MADE TO THE RESOLUTION SO THAT IT READ: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER INCREASE FOR AT&T AND COMCAST RELATED IMPROVEMENTS FOR THE TOWN-WIDE UTILITY UNDERGROUNDING PHASE 1 SOUTH TO WHITING-TURNER, INC., IN AN AMOUNT OF ~~\$111,824~~ \$125,146.86.
- A NEW RESOLUTION WAS ADDED FOR DISCUSSION UNDER ITEM XVI. B.

ACTION: APPROVED, AS AMENDED

IV. CERTIFICATION OF ELECTION RESULTS

- A. RESOLUTION NO. 24-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Declaring the Results of the Election Held on the 13th Day of March, 2018.

Kathleen Dominguez, Town Clerk

ACTION: APPROVED

V. RECOGNITIONS

- A. Recognition of Richard M. Kleid for His Years of Service on the Town Council from 2005 to 2018, Including Two Years of Service as the Town Council President Pro Tem and Two Years of Service as the Town Council President.

Gail L. Coniglio, Mayor

- B. Recognition of Richard Sammons for his service on the Architectural Commission from March 2012 to March 2018.

Gail L. Coniglio, Mayor

- C. Recognition of Ann Vanneck for her service on the Architectural Commission from March 2008 to March 2018.

Gail L. Coniglio, Mayor

VI. SWEARING IN OF ELECTED OFFICIALS

- A. The Honorable Judge Lisa Small
1. Lew Crampton
 2. Barbara Duna Lindsay
 3. Margaret A. Zeidman
- (Mayor Becomes the Presiding Officer)

VII. ORGANIZATIONAL ITEMS

- A. Election of Town Council President Pursuant to Section 3.01 of the Town Charter

ACTION: DANIELLE H. MOORE WAS ELECTED AS TOWN COUNCIL PRESIDENT

- B. Election of Town Council President Pro Tem Pursuant to Section 3.01 of the Town Charter

Kirk W. Blouin, Town Manager

ACTION: MARGARET A. ZEIDMAN WAS ELECTED AS TOWN COUNCIL PRESIDENT PRO TEM

VIII. PRESENTATIONS

A. Presentations by Applicants for the Architectural Commission

B. Presentations by Applicants for the Landmarks

ACTION: STAFF WAS DIRECTED TO ADD A DISCUSSION REGARDING THE ARCOM MEMBERSHIP REQUIREMENTS OF SECTION 18-166 OF THE TOWN CODE TO THE APRIL 10, 2018 TOWN COUNCIL MEETING.

IX. COMMENTS OF MAYOR GAIL L. CONIGLIO

ACTION: NONE

X. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

ACTION: NONE

XI. COMMUNICATIONS FROM CITIZENS

ACTION: STAFF WAS DIRECTED TO ADD AN ITEM THE FOLLOWING ITEM TO THE APRIL 9, 2018 BUDGET WORKSHOP AGENDA: ANNUAL DONATION TO THE PALM BEACH ISLAND CATS

XII. APPROVAL OF CONSENT AGENDA

ACTION: APPROVED

A. MINUTES

1. TOWN COUNCIL MEETING MINUTES

Kathleen Dominguez, Town Clerk

a. February 13, 2018, Town Council Meeting Minutes

b. February 14, 2018, Local Planning Agency Meeting Minutes

c. February 14, 2018, Development Review Town Council Meeting Minutes

2. Approval of Major Matters considered by the Architectural Commission at its meeting of February 28, 2018

Paul Castro, Interim Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 25-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager To Apply For and Execute the

Grant Application for the Florida Inland Navigation District Waterways Assistance Program for the Design Phase of the Town Docks Improvement Project on Behalf of the Town.

Beth Zickar, Director of Recreation

2. RESOLUTION NO. 26-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, to Award RFP No. 2018-10 and Approve a Purchase Order to Richard Maxwell, Inc. dba King Tree Service of South Florida, for Consulting Arborist Services, in the Amount of \$23,500 and Establishing a Project Budget of \$25,850 for FY2018. The Five Year Project Budget Shall be \$235,785, Which Includes an Annual Cost of \$47,125 and a \$23,785 Contingency, Contingent on Funding in Future Fiscal Years.

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

3. RESOLUTION NO. 27-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute a Quit Claim Easement Agreement, Attached as Exhibit "A" Between Florida Department of Transportation and the Town of Palm Beach for Access and Maintenance of Said Revetment at Sloan's Curve.

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

4. RESOLUTION NO. 28-2018 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 Chen, Moore and Associates, Inc., in the Amount of \$20,215 for the Phipps Ocean Park (North) Restroom Replacement, and Establishing a Construction Phase Engineering Budget of \$25,000.

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

5. RESOLUTION NO. 29-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Interlocal Agreement for Water Distribution System Upgrades, Rehabilitation, and Replacement with the City of West Palm Beach.

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

6. RESOLUTION NO. 30-2018 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 Mock Roos and Associates, Inc., in an Amount of \$93,000 for the D-2 and D-17 Stormwater Pump Station Improvements, and Establishing a Design and Bid Phase Budget of \$102,000.

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

7. RESOLUTION NO. 31-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County,

Florida, Amending Recreation Department Fees for the Town Docks for Fiscal Year 2018.

Beth Zickar, Director of Recreation

C. OTHER

1. Request for Approval of Payment Under Town's Supplemental Life Insurance Program

Danielle Olson, Director of Human Resources

XIII. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Landmarks Preservation Commission.

Edward Cooney, Chair

ACTION: APPROVED

XIV. COMMITTEE REPORTS

- A. Report of the February 8, 2018 Ordinances, Rules and Standards Committee Meeting.

Bobbie Lindsay, Chair

ACTION: APPROVED

- B. Report of the Administrative and Personnel Committee Meeting of March 15, 2018.

Richard M. Kleid, Chair

ACTION: APPROVED

XV. PUBLIC HEARINGS

- A. RESOLUTION NO. 32-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement Within the Properties Commonly Known as 1020 S. Ocean Boulevard and 100 Via Del Lago, in the Town of Palm Beach, Florida.

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

ACTION: APPROVED

- B. RESOLUTION NO. 33-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning Existing Public Utility Easements Within the Nightingale Trail and La Puerta Way Utility Undergrounding Project Limits, in the Town of Palm Beach, Florida.

ACTION: APPROVED

XVI. REGULAR AGENDA

A. Old Business

1. Town-wide Undergrounding Project:
Steven N. Stern, Underground Utilities Project Manager
 - a. Review of Project & Dashboard, Summary of Project Status
ACTION: NONE
 - b. RESOLUTION NO. 34-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn and Associates, Inc. in the Amount of \$1,278,500 for Phase 4 Engineering Design Services of the Town-wide Undergrounding of Utilities Program.
ACTION: APPROVED
 - c. RESOLUTION NO. 35-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for AT&T and Comcast Related Improvements for the Town-wide Utility Undergrounding Phase 1 North to Burkhardt Construction, Inc., in an Amount of \$371,200.88.
ACTION: APPROVED
 - d. RESOLUTION NO. 36-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for AT&T and Comcast Related Improvements for the Town-wide Utility Undergrounding Phase 1 South to Whiting-Turner, Inc., in an Amount of \$111,824.
ACTION: APPROVED
2. Approval of the December 12, 2017 Town Council Meeting Minutes
Julie Araskog, Town Council Member
ACTION: APPROVED, WITH AMENDMENTS
3. Business Workshop Report.
Jay Boodheshwar, Deputy Town Manager
ACTION: ACCEPTED REPORT AND SUPPORTED STAFF EFFORTS TO CONTINUE IMPROVING

PROCESSES AND PROCEDURES, COMMUNICATION WITH THE BUSINESS COMMUNITY AND THE DEVELOPMENT OF AN EXPANDED BUT SCALABLE PARKING PLAN IN COMMERCIAL AREAS.

4. Thomas G. Bradford Severance Agreement.
John C. Randolph, Town Attorney
ACTION: APPROVED
5. Discussion Regarding Potential Ordinance to Ban Single Use Plastic Bags.
Jay Boodheshwar, Deputy Town Manager
ACTION: NONE

B. New Business

1. Appointments to the Architectural Commission.
ACTION: APPROVED THE RATIFICATION OF THE APPOINTMENT OF JOHN DAVID COREY, ROBERT GARRISON, AND NIKITA ZUKOV AS REGULAR MEMBERS OF ARCOM.

ACTION: APPROVED THE RATIFICATION OF THE APPOINTMENT OF DANIEL FLOERSHIMER AS AN ALTERNATE MEMBER OF ARCOM.
2. Appointments to the Landmarks Preservation Commission.
ACTION: APPROVED THE RATIFICATION OF THE REAPPOINTMENT OF JACQUELINE ALBARRAN AND JOHN T. GANNON AS REGULAR MEMBERS TO THE LANDMARKS PRESERVATION COMMISSION.
3. Coastal Update:
 - a. Shoreline Condition Update
 - b. RESOLUTION NO. 37-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract for \$1,742,200 to West Construction, Inc., for the Construction of the Mid-Town Beach Groin Construction Project, Establishing a Construction Phase Budget of \$1,950,000 for Said Project, and Authorizing the Town Manager to Execute the Purchase Order and Take Action Necessary to Effectuate

Completion of the Project.

ACTION: APPROVED

c. RESOLUTION NO. 38-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Coastal Engineering Construction Administration and Support Services to Aptim, Inc., in an Amount of \$47,100, and Establish a Task Budget of \$55,000, for the Mid-Town Beach Groin Construction Project.

ACTION: APPROVED

d. RESOLUTION NO. 39-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Permit Required Sea Turtle Nighttime Monitoring and Nest Relocation To D.B. Ecological, Inc., in an Amount of \$23,100, and Establishing a Task Budget of \$31,350, for the Mid-Town Beach Groin Construction Project.

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

ACTION: APPROVED

4. Appointment of the Town's Representative to the Citizens' Committee on Airport Noise (CCAN).

Gail L. Coniglio, Mayor

ACTION: APPROVED THE APPOINTMENT OF JULIE ARASKOG TO THE CCAN

5. RESOLUTION NO. 40-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Urging the United States Congress and the Florida Legislature to Enact a Prohibition on the Sale of Semiautomatic Assault Weapons and Their Associated High Capacity Magazines for Civilian Use.

Bobbie Lindsay, Town Council Member

ACTION: APPROVED, WITH THE INCLUSION OF THE LANGUAGE OF BUMPSTOCKS

C. Matters Pulled From Consent Agenda: *NONE*

XVII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 02-2018 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida,

Amending The Town Code of Ordinances At Section 2-636. – Shore Protection Board Created; Appointments; Terms; Qualifications; Advisory Function; Requirements; Officers; Procedure; (A) Generally Eliminating The Option For One of The Members To Be A Nonresident of The Town Having A Special Skill As It Relates To Shore Protection.

John C. Randolph, Town Attorney

ACTION: ADOPTED

B. First Reading

1. ORDINANCE NO. 05-2018 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings and Building Regulation, of the Town Code of Ordinances at Section 18-112 of Article II, Division 5, Prohibition on Demolition to Provide for a Prohibition of Demolition of Structures During the Period of the Year Commencing on the Monday Prior to Thanksgiving of Each Year and Ending the Monday After Easter of the Following Year; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: APPROVED, WITH THE FOLLOWING AMENDMENTS:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 18, BUILDINGS AND BUILDING REGULATION, OF THE TOWN CODE OF ORDINANCES AT SECTION 18-112 OF ARTICLE II, DIVISION 5, PROHIBITION ON DEMOLITION, TO PROVIDE FOR A PROHIBITION OF DEMOLITION OF STRUCTURES ~~DURING THE PERIOD OF THE YEAR COMMENCING ON THE MONDAY PRIOR TO THANKSGIVING OF EACH YEAR AND ENDING THE MONDAY AFTER EASTER OF THE FOLLOWING YEAR;~~ DURING THE PERIOD OF THE YEAR COMMENCING ON THE MONDAY PRIOR TO THANKSGIVING EACH YEAR AND ENDING ON MARCH 31ST OF THE FOLLOWING YEAR INCLUDING GOOD FRIDAY, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

XVIII. ANY OTHER MATTERS

**ACTION: STAFF TO UPDATE THE TOWN COUNCIL ABOUT
STREAMLINING THE ADMINISTRATIVE AND PERSONNEL
COMMITTEE HEARING PROCESS AT THE NEXT MEETING**

XIX. ADJOURNMENT