



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF THE ACTIONS TAKEN AT THE REGULAR TOWN COUNCIL MEETING HELD ON TUESDAY, MARCH 8, 2016

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

ACTION: THE FOLLOWING AMENDMENTS WERE MADE:

- **ITEM NO. XI.B.6., COUNTY INFRASTRUCTURE SURTAX PROPOSAL, WAS SET FOR AN 11:00 A.M. TIME CERTAIN**
- **ITEM NO. VIII.B.2., RESOLUTION NO. 28-2016, WAS PULLED FROM THE CONSENT AGENDA AND PLACED AT THE END OF NEW BUSINESS**
- **ADDITIONAL BACK-UP WAS PROVIDED FOR ITEM NOS. XI.A.2.a., CONSIDERATION OF APPEALS PROCESS, AND XI.B.6., COUNTY INFRASTRUCTURE SURTAX PROPOSAL**

ACTION: APPROVED, AS AMENDED ABOVE

- IV. PRESENTATIONS

- A. Town Beautification Project
Alexander C. Ives, President of the Preservation Foundation of Palm Beach
ACTION: CONCEPTUALLY APPROVED PROJECT, AUTHORIZED PRESERVATION FOUNDATION TO WORK WITH STAFF TO FINALIZE PLANS, AND REQUESTED PRESERVATION FOUNDATION REPORT BACK WITH FURTHER PROJECT DETAILS AS THEY BECOME AVAILABLE
- B. Presentations by Applicants for Architectural Commission
ACTION: NONE
- C. Presentations by Applicants for Landmarks Preservation Commission
ACTION: NONE
- D. Presentations by Applicants for Retirement Board of Trustees
ACTION: NONE

- V. COMMENTS OF MAYOR GAIL L. CONIGLIO
ACTION: NONE

VI. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

ACTION: NONE

VII. COMMUNICATIONS FROM CITIZENS

ACTION: NONE

VIII. APPROVAL OF CONSENT AGENDA

ACTION: APPROVED, AS AMENDED ABOVE

A. MINUTES

1. MINUTES: FEBRUARY 9, 2016
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
2. MINUTES: FEBRUARY 10, 2016
Approval of the Minutes of the Special Town Council Meeting
Susan A. Owens, MMC, Town Clerk
3. Approval of Major Matters Considered by the Architectural Commission at its Meeting of February 24, 2016
John S. Page, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 27-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$177,953 to Rechten International Trucks, Inc., for the Purchase of One (1) International Durastar Cab and Chassis With a Peterson RS3 Crane Body on Florida Sheriff's Association Contract No. 15-13-0904, and Establishing an Overall Budget of \$178,500.
H. Paul Brazil, P.E., Director of Public Works
2. RESOLUTION NO. 28-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$20,320, to Burkhardt Construction, Inc., for Pre- Construction Management Services for the Lake Trail Pavement Improvements Project and Establishing a Pre-Construction Phase Budget of \$26,000.
*H. Paul Brazil, P.E., Director of Public Works – **Item Pulled and Placed under New Business***
3. RESOLUTION NO. 29-2016 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 and an Agreement with the Tax Collector of Palm Beach County for Services and

Costs Associated with the Non-Ad Valorem Assessments to be Implemented for the Nightingale/La Puerta Way Underground Utilities Assessment Area and Authorizing the Mayor to Execute the Agreements on Behalf of the Town.

Jay Boodheshwar, Deputy Town Manager

4. RESOLUTION NO. 30-2016 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 and an Agreement with the Tax Collector of Palm Beach County for Services and Costs Associated with the Non-Ad Valorem Assessments to be Implemented for the Lake Towers Underground Utilities Assessment Area and Authorizing the Mayor to Execute the Agreements on Behalf of the Town.

Jay Boodheshwar, Deputy Town Manager

5. RESOLUTION NO. 31-2016 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 and an Agreement with the Tax Collector of Palm Beach County for Services and Costs Associated with the Non-Ad Valorem Assessments to be Implemented for the Town Hall Square Historic District Assessment Area and Authorizing the Mayor to Execute the Agreements on Behalf of the Town.

Jay Boodheshwar, Deputy Town Manager

6. RESOLUTION NO. 32-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works, Engineering Division, Standards Applicable to Public Rights-of-Way, Amending Chapter XII-Miscellaneous Provisions Regarding Construction Parking; Providing an Effective Date.

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

7. RESOLUTION NO. 33-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Terminating the Agreement with Evolvtec; and Awarding an Agreement to Auxis, LLC in the Amount of \$120,000 for the Provision of Information Technology Support Services for the Office of Information Technology, as Outlined in RFQ No. 19-2016; and Authorizing the Town Manager to Execute Said Agreement on Behalf of the Town.

Jay Boodheshwar, Deputy Town Manager

8. RESOLUTION NO. 34-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Extension of an Agreement Between the Town of Palm Beach and AT&T

in the Amount of \$1,644.50 per Month, for a Maximum of 24 Months, for the Provision of Telephone Service Circuits and Related Service Components for the Town's Cisco Phone System; and Authorizing the Town Manager to Execute Said Agreement on Behalf of the Town.
Jay Boodheshwar, Deputy Town Manager

C. OTHER

1. Request to Consider Ordinance No. 4-2016 Prior to 5:00 p.m. at a Public Hearing
John S. Page, Director of Planning, Zoning and Building
2. Retirement Board of Trustees Appointments
William P. Hanes, Pension Administrator
3. Town Square - Acceptance of Donation-Accelerated Capital Improvement Program - Phase 2
H. Paul Brazil, P.E., Director of Public Works

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Landmarks Preservation Commission Annual Report
Edward Austin Cooney, Chair

ACTION: ACCEPTED REPORT

X. COMMITTEE REPORTS

- A. Report of the Finance and Taxation Committee Meeting of February 8, 2016
Michael J. Pucillo, Chair

ACTION: ACCEPTED REPORT

- B. Report of the Ordinances, Rules, & Standards Committee Meeting of February 4, 2016

Danielle H. Moore, Co-Chair

ACTION: AMENDED PAGE 3, LINE 15, TO READ, "...subject to"

ACTION: ACCEPTED REPORT, AS AMENDED ABOVE

XI. REGULAR AGENDA

- A. Old Business

1. Consideration of Request to Expand the Area to be Provided with Tabby Sidewalks North and South of the Town Square Historic District along South County Road
Patti Sans, Greater South County Road Association

ACTION: DIRECTED STAFF TO PREPARE COST ESTIMATES, REQUESTED GREATER SOUTH COUNTY ROAD ASSOCIATION (GSCRA) MEET WITH ALL PROPERTY OWNERS IN THE PROPOSED IMPROVEMENT AREAS TO DETERMINE THEIR INTEREST IN THE PROJECT AND IN FINANCING IT, AND REQUESTED GSCRA REPORT BACK TO THE TOWN COUNCIL ON THEIR FINDINGS

2. Proposed Townwide Underground Utilities Project
Thomas G. Bradford, Town Manager

- a. Consideration of an Appeals Process

ACTION: DIRECTED STAFF TO BRING THE PROPOSED ORDINANCE FORWARD AT THE APRIL 12, 2016, MEETING, SUBJECT TO PASSAGE OF THE MARCH 15, 2016, UNDERGROUNDING REFERENDUM

- b. Ratification of the Selection Committee's Recommendation for RFQ No. 2016-07 Professional Engineering Services for the Town-Wide Undergrounding of Utilities Program
H. Paul Brazil, P.E., Director of Public Works

ACTION: APPROVED

- c. Approval of Engagement of Peter Brandt, Esq., for Negotiation of Engineering Services Contract and Funding Allocation Request

ACTION: APPROVED, SUBJECT TO THE PASSAGE OF THE MARCH 15, 2016, UNDERGROUNDING REFERENDUM

- d. Communications Update
Rick Asnani, Cornerstone Solutions, Inc.

ACTION: NONE

B. New Business

1. Appointments to the Architectural Commission
John S. Page, Director of Planning, Zoning and Building

ACTION: ALEXANDER C. IVES AND MICHAEL B. SMALL WERE APPOINTED AS REGULAR MEMBERS; AND, JOHN DAVID COREY, BETSY SHIVERICK, AND MAISIE GRACE WERE APPOINTED AS ALTERNATE MEMBERS

2. Appointments to the Landmarks Preservation Commission
John S. Page, Director of Planning, Zoning and Building

ACTION: JACQUELINE ALBARRAN, PAGE LEE HUFTY, AND RICHARD RENE SILVIN WERE APPOINTED AS REGULAR MEMBERS; AND, ANNE FAIRFAX WAS APPOINTED AS AN ALTERNATE MEMBER

3. Review of Mercer Report on Compensation and Benefits for Public Safety Personnel
Gary Lawson, The Mercer Group, Inc.
ACTION: DEFERRED TO THE APRIL 12, 2016, MEETING
4. Designation of Voting Delegate & Alternate(s) to the Palm Beach County League of Cities, Inc.
Thomas G. Bradford, Town Manager
ACTION: APPROVED THE DESIGNATION OF MAYOR CONIGLIO AS VOTING DELEGATE AND ALL TOWN COUNCIL MEMBERS AS ALTERNATES. MAYOR CONIGLIO WAS FURTHER AUTHORIZED TO ASSIGN WHICH ALTERNATE SHALL VOTE ON HER BEHALF, AS NEEDED
5. Coastal Update
H. Paul Brazil, P.E., Director of Public Works
 - a. Shoreline Condition Update
ACTION: NONE
6. Palm Beach County Infrastructure Surtax Proposal
Gail L. Coniglio, Mayor
ACTION: AUTHORIZED MAYOR CONIGLIO TO CONTINUE TO PRESS PALM BEACH COUNTY COMMISSIONERS TO VET THE PROPOSED PROJECT LIST AND MAKE SURE THAT ALL PROJECTS ARE NECESSARY AND BENEFIT THE ENTIRE COUNTY, TO RECOMMEND BOND FUNDING FOR INFRASTRUCTURE PROJECTS WHERE POSSIBLE, AND TO RECOMMEND THAT THE SCHOOL BOARD'S SURTAX PROPOSAL BE UNCOUPLED FROM THE COUNTY'S
7. Consideration of Funding the Design of the Proposed North County Road Tree Initiative (NCRTI) \$12,500.
Thomas G. Bradford, Town Manager
ACTION: APPROVED
8. Time Extension - 1290 North Ocean Boulevard
John S. Page, Director of Planning, Zoning and Building
ACTION: DEFERRED TO THE MARCH 9, 2016, MEETING
9. Consideration of Formal Solicitation for Sale of Approximately 5.9 Acres of the 28.5 Acres of Town Property Located at 5976 Okeechobee Blvd.
Jay Boodheshwar, Deputy Town Manager
ACTION: APPROVED CONTINUING WITH THE CURRENT PROCEDURE, AND ONLY CONSIDERING PROPOSALS UPON

RECEIPT

C. Matters Pulled From Consent Agenda:

1. RESOLUTION NO. 28-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$20,320, to Burkhardt Construction, Inc., for Pre- Construction Management Services for the Lake Trail Pavement Improvements Project and Establishing a Pre-Construction Phase Budget of \$26,000.

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

ACTION: APPROVED

XII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 01-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 90 of the Town of Palm Beach Code of Ordinances, Titled "Public Improvements" by Amending Section 90-104 of the Town of Palm Beach Code of Ordinances Titled "Powers of the District" to Clarify the Palm Beach Municipal Services Special District's Authority With Regard to Ad Valorem Taxation; Amending Section 90-141, Titled "Taxing Power Not Pledged" to Provide That Assessments Imposed Pursuant to the Provisions of Chapter 90 to Fund Project Cost of Local Improvements May be Used by the Town to Pay and Secure General Obligation Bonds, Notes or Other Obligations of the Town Issued Under Chapter 166 of the Florida Statutes, the Florida Constitution, and Other Provisions of Florida Law to Fund Project Cost of Local Improvements; Providing for Codification; Providing for Full Force and Effect; and Providing an Effective Date.

John C. Randolph, Town Attorney

ACTION: ADOPTED

2. ORDINANCE NO. 02-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 102, Solid Waste; Article II Collection; Division 3, Rates, Charges, Billing Procedure; at Section 102-103 Collection of Delinquent Charges; and Section 102-105, Billing for Charges; Notice of Delinquency; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jane Struder, Director of Finance

ACTION: ADOPTED

3. ORDINANCE NO. 03-2016 An Ordinance of the Town Council, of the

Town of Palm Beach, Palm Beach County, Florida, Granting to Florida Public Utilities Company, its Successors and Assigns, a Non-Exclusive Franchise for a Period of 25 Years to Sell, Distribute, Transport, and Transmit Natural or Mixed Gas in the Town of Palm Beach, Florida; Prescribing the Terms and Conditions Under Which Said Franchise May be Exercised; Making Findings; Providing Severability; Providing an Effective Date Upon Final Passage; and Repealing Prior Ordinances.

Thomas G. Bradford, Town Manager

ACTION: ADOPTED

B. First Reading

1. ORDINANCE NO. 05-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 78, Peddlers and Solicitors; Article III, Charitable Solicitations; Division 2, Permit, Section 78-105, Fees, to Provide an Exemption Provision for Organizations Which Receive Financial Support From the Town Through its Budgeting Process; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Susan A. Owens, MMC, Town Clerk

ACTION: APPROVED

2. ORDINANCE NO. 06-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 10, Animals; Article I, In General; Section 10-10, Temporary Permits; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification: Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: APPROVED

XIII. ANY OTHER MATTERS

ACTION: COUNCIL PRESIDENT PUCILLO DIRECTED TOWN MANAGER BRADFORD TO HAVE COMMUNICATIONS CONSULTANT RICK ASNANI MEET WITH GERRY FRANK TO DISCUSS HIS CONCERNS

XIV. ADJOURNMENT