



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF THE ACTIONS TAKEN AT THE REGULAR TOWN COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 13, 2018

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
ACTION: APPROVED, AS PRINTED
- IV. ORGANIZATIONAL ITEMS
 - A. Kirk W. Blouin - Proposed Professional Employment Agreement as Town Manager.
ACTION: APPROVED WITH AMENDMENTS
 - B. Thomas G. Bradford - Professional Employment Agreement Dated December 9, 2014.
ACTION: APPROVED WITH AMENDMENTS
- V. PRESENTATIONS
 - A. Recognition of Thomas G. Bradford, Town Manager, for his service to the Town from May 1, 2000 to February 13, 2018.
 - B. Presentations by Code Enforcement Board Applicants.
 - C. Presentation by Palm Beach Island Cats.
- VI. COMMENTS OF MAYOR GAIL L. CONIGLIO
ACTION: NONE

VII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER
ACTION: A DISCUSSION ABOUT BUFFERING ISSUES FOR HOMES BEING DEMOLISHED AND EXOTIC PLANT PROTECTION WAS ADDED UNDER ANY OTHER MATTERS

VIII. COMMUNICATIONS FROM CITIZENS

IX. APPROVAL OF CONSENT AGENDA
ACTION: THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA AND PLACED UNDER ITEM XIII.C.1.

- ITEM IX.A.1 - RESOLUTION NO. 10-2018
- ITEM IX.A.2. - RESOLUTION NO. 11-2018
- ITEM IX.C.5. - BUDGET CALENDAR FOR FY19 BUDGET PROCESS

ACTION: THE FOLLOWING ITEMS WERE WITHDRAWN AND/OR DEFERRED:

- ITEM IX.C.1. - WITHDRAWN
- ITEM IX.C.4 - DEFERRED TO THE FEBRUARY 14, 2018 TOWN COUNCIL MEETING

A. MINUTES

1. TOWN COUNCIL MEETING MINUTES:
Kathleen Dominguez, Town Clerk
 - a. January 9, 2018, Town Council Meeting Minutes
 - b. January 10, 2018, Development Review Town Council Meeting Minutes
2. January 12, 2018, Special Town Council Meeting Minutes
3. Approval of major matters considered by the Architectural Commission at its meeting of January 24, 2018.

B. RESOLUTIONS

1. RESOLUTION NO. 10-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Approving a One Year Contract with the Option to Renew for up to Two (2) Additional Annual Periods with Colliers International South Florida, LLC, for Commercial Real Estate Brokerage Services, and Authorizing the Town Manager to Execute the Contract on Behalf of the Town.
Jay Boodheshwar, Deputy Town Manager
PULLED FROM CONSENT AND PLACED UNDER ITEM X. C. 1.

2. RESOLUTION NO. 11-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Purchase of One 2018 Pierce Custom Pumper and One 2018 Pierce Aerial Ladder with NFPA Department Required Equipment, from Pierce Manufacturing, Inc., for the Amount of \$1,064,613.00, Which Includes a One Hundred Percent (100%) Pre-Payment Discount of \$55,998.00, in Accordance with Florida Sheriff's Association Bid 16-Vef12.0, Specification No. 9 And 19, and the Transfer of \$19,613 from the Equipment Replacement Fund Contingency, and Hereby Establishing a Total Budget of \$1,079,613.00.

Kirk W. Blouin, Director of Public Safety

PULLED FROM CONSENT AND PLACED UNDER ITEM X. C. 1.

3. RESOLUTION NO. 12-2018 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 Mock, Roos & Associates, Inc., in an Amount of \$33,190 for the D-4 Stormwater Pump Station Outfall Rehabilitation, and Establishing a Construction Phase Engineering Budget of \$37,000.

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

4. Elevator Maintenance and Repair Services

a. RESOLUTION NO. 13-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Rescinding Resolution No. 174-2017 Awarding the US Communities Contract Number PC Genrl-201414653-00, and Cancelling a Purchase Order to KONE Inc., For Elevator Maintenance and Repair Services, in the Amount of \$12,600, and Establishing an Overall Project Budget of \$35,000.

b. RESOLUTION NO. 14-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFQ Number 27-2017 to Oracle Elevator Company, and Issuing a Purchase Order for Elevator Maintenance, Inspections, and Repair Services, in the Amount of \$40,460, and Establishing an Overall Project Budget of \$89,880.

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

C. OTHER

1. Request for the Ordinances, Rules and Standards Committee to Review the Intersection Line of Site Policy of the Town.

Julie Araskog, Town Council Member

ACTION: WITHDRAWN

2. Accept Donation of \$150,000 from the Palm Beach Police Foundation for the Purchase of Equipment and/or Services as deemed Appropriate Following Established Purchasing Procedures.
Kirk W. Blouin, Director of Public Safety
3. Request to Consider Ordinance No. 04-2018 Prior to 5:00 pm. at a Public Hearing.
Paul Castro, Zoning Administrator
4. Upmarkets Report on Status of Playhouse.
Alexander Patterson, Upmarkets
ACTION: DEFERRED TO THE TOWN COUNCIL MEETING ON FEBRUARY 14, 2018
5. Budget Calendar for FY19 Budget Process
Jane Struder, Director of Finance
PULLED FROM CONSENT AND PLACED UNDER ITEM X. C. 1.

X. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Investment Advisory Committee
Dr. Michael Andrews, Chair
ACTION: REPORT ACCEPTED

XI. COMMITTEE REPORTS

- A. Report of the January 11, 2018 Public Works Committee Meeting.
Margaret A. Zeidman, Chair
ACTION: REPORT ACCEPTED

XII. PUBLIC HEARINGS

- A. RESOLUTION NO. 15-2018 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 Property Commonly Known as 89 Middle Road, in the Town of Palm Beach, Florida.
H. Paul Brazil, P.E., Director of Public Works
ACTION: APPROVED
- B. RESOLUTION NO. 16-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Designation and/or the De-Designation of the Historic/Specimen Trees at 300 El Brillo, 1255 and 1265 South Ocean Boulevard and Bradley Park, Providing an Effective Date.
H. Paul Brazil, P.E., Director of Public Works
ACTION: APPROVED

XIII. 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.
 - b. RESOLUTION NO. 17-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute a Maintenance Memorandum Agreement with the Florida Department of Transportation for the Town-wide Overhead Utility Undergrounding Phase 1 South Landscaping.
ACTION: APPROVED
 - c. RESOLUTION NO. 18-2018 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 \$422,223 for Phases 3, 4 and 5 Easement Assistance of the Town-Wide Undergrounding of Utilities Program.
ACTION: APPROVED
 - d. Ratification of the Selection Committee's Recommendation for RFQ No. 2018-04 Construction Manager at Risk for the Town-Wide Overhead Utility Undergrounding Phase 2-South.
ACTION: APPROVED
 - e. Ratification of the Selection Committee's Recommendation for RFQ No. 2018-03 Construction Manager at Risk for the Town-Wide Overhead Utility Undergrounding Phase 2-North.
ACTION: APPROVED
 - f. Selection Committee Recommendation for Utility Easement Acquisition Services.
ACTION: APPROVED
2. Town Council Meeting Minutes:
 - a. Switching from Summary/Discussion Format to Verbatim Minutes
ACTION: APPROVED KEEPING THE CURRENT MEETING MINUTES FORMAT. STAFF AUTHORIZED TO RESEARCH OPTIONS FOR ADDING TIME STAMPS TO DISCUSSIONS AND MOTIONS FOR EACH AGENDA ITEM.
 - b. Approval of the December Town Council Meeting Minutes:
 - i. December 11, 2017 Special Town Council Meeting Minutes
ACTION: APPROVED, AS AMENDED

ii. December 12, 2017 Town Council Meeting Minutes

ACTION: DEFERRED TO THE MARCH 20, 2018 TOWN COUNCIL MEETING

iii. December 13, 2017 Local Planning Agency Meeting Minutes

ACTION: APPROVED, AS AMENDED

iv. December 13, 2017 Development Review Town Council Meeting Minutes

Kathleen Dominguez, Town Clerk

ACTION: APPROVED, AS AMENDED

B. New Business

1. Windsor Court Right-of-Way Condition Assessment.

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

ACTION: STAFF AUTHORIZED TO PROCEED WITH STUDY UNDER THE CONDITION THAT THE RESIDENTS WILL PAY FOR THE STUDY

2. Discussion on Provision of Alternate Members to the Underground Utilities Task Force.

Gail L. Coniglio, Mayor

ACTION: NO ALTERNATE MEMBERS

3. Appointment to the Code Enforcement Board.

Kirk W. Blouin, Director of Public Safety

ACTION: APPROVED THE RATIFICATION OF THE APPOINTMENT OF LINDA WARTOW AS ALTERNATE MEMBER TO THE CODE ENFORCEMENT BOARD

4. RESOLUTION NO. 19-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2018-14 for the D-14 Stormwater Pump Station Rehabilitation - Phase 2 and Approving a Construction Contract to Murray Logan Construction, Inc., in the Amount of \$4,024,680 and Establishing a Construction Phase Budget of \$4,250,000.

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

ACTION: APPROVED

5. Coastal Update:

a. Shoreline Condition Update.

b. RESOLUTION NO. 20-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Professional Coastal Engineering Services to Gahagan

& Bryant Associates, Inc., in an Amount of \$26,240 for the Sand Transfer Plant Feasibility Study, and Establishing a Task Budget of \$30,000.

ACTION: DENIED

c. RESOLUTION NO. 21-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to D. B. Ecological Services, Inc., for Permit Required Sea Turtle Nesting Monitoring, in the Amount of \$177,780, and Establishing a Project Budget of \$200,000.

ACTION: APPROVED

d. RESOLUTION NO. 22-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for Construction Phase Coastal Engineering Support for Lake Worth Lagoon Waterway Access Dredging Project to Applied Technology & Management, Inc., in an Amount of \$26,240 from \$74,668 to \$104,048, and Establishing a New Task Budget of \$115,000.

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

ACTION: APPROVED

C. Matters Pulled From Consent Agenda: If needed

1. RESOLUTION NO. 10-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Approving a One Year Contract with the Option to Renew for up to Two (2) Additional Annual Periods with Colliers International South Florida, LLC, for Commercial Real Estate Brokerage Services, and Authorizing the Town Manager to Execute the Contract on Behalf of the Town.

Jay Boodheshwar, Deputy Town Manager

ACTION: DENIED, STAFF TO PUT OUT FOR ANOTHER RFP FOR BROKERAGE SERVICES FOR A LONG TERM GROUND LEASE THAT IS SPECIFIC TO THE OKEECHOBEE PROPERTY

2. RESOLUTION NO. 11-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Purchase of One 2018 Pierce Custom Pumper and One 2018 Pierce Aerial Ladder with NFPA Department Required Equipment, from Pierce Manufacturing, Inc., for the Amount of \$1,064,613.00, Which Includes a One Hundred Percent (100%) Pre-Payment Discount of \$55,998.00, in Accordance with Florida Sheriff's Association Bid 16-Vef12.0, Specification No. 9 And 19, and the Transfer of \$19,613 from the Equipment Replacement Fund Contingency, and Hereby Establishing a Total Budget of \$1,079,613.00.

Kirk W. Blouin, Director of Public Safety

ACTION: APPROVED

3. Budget Calendar for FY19 Budget Process
Jane Struder, Director of Finance

ACTION: APPROVED, AS AMENDED

XIV. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 01-2018 An Ordinance of the Town Council of The Town of Palm Beach, Palm Beach County, Florida, Amending The Town Charter At Section 3.01, Town Council: Composition. Modifying the Dates of the Election of the President And President Pro Tem; Providing For Codification; Providing For Severability; Providing For Effective Date.

Thomas G. Bradford, Town Manager

ACTION: ADOPTED

2. ORDINANCE NO. 03-2018 An Ordinance of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code of Ordinances At Chapter 42, Environment, Article V, Noise; Amending Section 42-198, Relating To The Operation of Certain Machinery; Expanding The Period Of The Year During Which There Is A Prohibition On The Operation Of Said Machinery; Providing For Additional Prohibitions; Amending Section 42-199, Hours For Construction Work, At Subsection (B) So As To Expand The Limitations On The Months, Dates And Times During Which Construction Work May Be Undertaken; Amending Section 42-230, Lawn Maintenance Equipment Noise, So As To Provide That Lawn Maintenance Shall Be Limited To The Hours Outlined For Construction Work Set Forth In Section 42-199; Providing Exceptions For The Operation Of Lawn Maintenance Equipment By Residents, And For Golf Course Maintenance Equipment; Providing Regulations Relating To The Operation Of Leaf Blowers, And Prohibiting The Commencement of Large Scale Landscape Installation At Any Time on Saturdays; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: ADOPTED

B. First 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: APPROVED

XV. ANY OTHER MATTERS

1. Burns vs. TOPB

ACTION: APPROVED, TOWN ATTORNEY WAS DIRECTED TO SUBMIT THE SETTLEMENT PROPOSAL IN RESPONSE TO THE COMPLAINT

2. Board/Commission Applications

ACTION: STAFF IS NO LONGER REQUIRED TO KEEP A COPY OF A BOARD APPLICANT'S DRIVER'S LICENSE OR VOTER'S REGISTRATION CARD ON FILE WITH THE APPLICATION. APPLICANTS ARE STILL REQUIRED TO SHOW PROOF TO THE TOWN CLERK.

3. Thomas G. Bradford's Severance and Contract

ACTION: TOWN ATTORNEY WAS DIRECTED TO WORK WITH PRESIDENT KLEID AND TOWN MANAGER BLOUIN TO RENEGOTIATE TOM BRADFORD'S SEVERANCE PACKAGE AND CONSULTANT SERVICES AGREEMENT

3. Buffering Issues with Homes Under Demolishment

ACTION: STAFF TO ADDRESS THE ISSUE OF LEAVING EXOTIC PLANT MATERIAL THAT SERVES AS A BUFFER TO NEIGHBORS IN PLACE DURING DEMOLITION AND CONSTRUCTION OF NEW HOMES WITH ARCOM

XVI. ADJOURNMENT