



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF THE ACTIONS TAKEN AT THE REGULAR TOWN COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 9, 2016

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. RECOGNITIONS
 - A. Recognition of Penelope D. Townsend, Town Council, from February 2014 to February 2016.
Gail L. Coniglio, Mayor
 - B. Recognition of Robert N. Wildrick for His Seven Years of Service on the Town Council, Including Two Years of Service as Town Council President Pro Tem and One Year of Service as Town Council President.
Gail L. Coniglio, Mayor
- IV. SWEARING IN OF ELECTED OFFICIALS
 - A. The Honorable Judge Lisa Small
 1. Richard M. Kleid
 2. Bobbie Lindsay
 3. Margaret A. Zeidman
(Mayor Became the Presiding Officer)
- V. ORGANIZATIONAL ITEMS
 - A. Election of Town Council President Pursuant to Section 3.01 of the Town Charter
ACTION: COUNCIL MEMBER PUCILLO WAS ELECTED TOWN COUNCIL PRESIDENT

(Town Council President Pucillo Became the Presiding Officer)
 - B. Election of Town Council President Pro Tem Pursuant to Section 3.01 of the Town Charter
Thomas G. Bradford, Town Manager
ACTION: COUNCIL MEMBER KLEID WAS ELECTED TOWN COUNCIL PRESIDENT PRO TEM

VI. PRESENTATIONS

- A. Report on the Town Square Dedication Ceremony and Related Matters
Bill Bone, Esquire, Centennial Commission President

ACTION: THE LANDMARKS PRESERVATION COMMISSION WAS DIRECTED TO STUDY MR. BONE'S REQUEST TO RENAME THE TOWN HALL HISTORIC DISTRICT, TO RECEIVE PUBLIC INPUT REGARDING SAME, AND TO REPORT BACK TO THE TOWN COUNCIL WITHIN 90 DAYS OF THE COMMISSION'S NEXT MEETING

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

ACTION: NONE

VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

ACTION: NONE

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

ACTION: NONE

X. APPROVAL OF AGENDA

ACTION: ITEM NO. XI.B.6., RESOLUTION NO. 16-2016, WAS PULLED FROM THE CONSENT AGENDA

ACTION: COUNCIL PRESIDENT PUCILLO WANTED IT NOTED FOR THE RECORD THAT THE TOWN RECEIVED \$121,441.91 FROM THE INSURANCE COMPANY TOWARDS THE PURCHASE OF THE AMBULANCE REFERENCED IN ITEM NO. XI.B.2., RESOLUTION NO. 10-2016

ACTION: ITEM NO. XVI.A.3., ORDINANCE NO. 3-2016, WAS SET FOR AN 11:00 A.M. TIME CERTAIN AND THE PRESENTER'S NAME WAS AMENDED TO ROBERT "SCHEF" WRIGHT, ESQ.

ACTION: APPROVED, AS AMENDED ABOVE

XI. CONSENT AGENDA

ACTION: APPROVED, AS AMENDED ABOVE

A. MINUTES

1. MINUTES: JANUARY 12, 2016
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
2. MINUTES: JANUARY 12, 2016
Approval of the Minutes of the Special Town Council Meeting
Susan A. Owens, MMC, Town Clerk

3. MINUTES: JANUARY 13, 2016
Approval of the Minutes of the Local Planning Agency Meeting
Susan A. Owens, MMC, Town Clerk
4. MINUTES: JANUARY 13, 2016
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
5. MINUTES: JANUARY 15, 2016
Approval of the Minutes of the Town Council Workshop Meeting
Susan A. Owens, MMC, Town Clerk
6. Approval of Major Matters Considered by the Architectural Commission at its Meeting of January 27, 2016
John S. Page, Director of Planning, Zoning & Building

B. RESOLUTIONS

1. RESOLUTION NO. 09-2016 A Resolution of the Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving an Interlocal Agreement Between Palm Beach County and The Town of Palm Beach for the Reimbursement of Emergency Medical Services (EMS) Grant Equipment and Authorizing the Application for Funds from the Palm Beach County EMS Program in the Amount of \$14,000 and Establishing a Budget of \$14,000 in Fiscal Year 2016 to be Used for the Purchase of Nine (9) Knox Medvault Systems and Eleven (11) Knox Key Secure Systems for the Improvement and Expansion of EMS Services for the Town; and Authorizing the Town Manager to Execute this Purchase on Behalf of the Town; Such Funds Shall Not Supplant Existing EMS Budget.
Kirk W. Blouin, Director of Public Safety
2. RESOLUTION NO. 10-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Purchase of One (1) Ford F450 Type 1 Medium Duty Ambulance Spec #1 Purchase in Accordance With Florida Sheriff's Association Bid No. 15-11-0116 with NFPA Department Ambulance Required Equipment in the Amount of \$267,420.10 and Establishing a Total Budget of \$294,162.11.
Kirk W. Blouin, Director of Public Safety
3. RESOLUTION NO. 11-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing a Contract Extension to Batallan Enterprises DBA Property Works, in the Amount of \$25,200 for the Maintenance of the Bed on the Southern Boulevard Traffic Circle and the Circular Beds on Royal Poinciana Way, and Establishing a Project Budget of \$30,240.

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

4. RESOLUTION NO. 12-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Zimmerman Tree Service, for Palm Tree Trimming in the Amount of \$97,272 and Establishing a Project Budget of \$107,000.
H. Paul Brazil, P.E., Director of Public Works
5. RESOLUTION NO. 13-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Richard Maxwell, Inc., DBA King Tree Service, for Consulting Arborist Services, in the Annual Amount of \$43,750 and Establishing an Annual Project Budget of \$48,125.
H. Paul Brazil, P.E., Director of Public Works
6. RESOLUTION NO. 16-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2016-18 and Approving a Construction Contract to American Lighting and Signalization, Inc., for the Signalization and Mast Arm Improvements at the Sunrise Avenue and Sunset Avenue Intersections on North County Road, in the Amount of \$1,041,476, and Establishing a Construction Phase Budget of \$1,200,000.
*H. Paul Brazil, P.E., Director of Public Works – **Item was Pulled from Consent***
7. RESOLUTION NO. 17-2016 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 and Associates, Inc., for the Lake Trail Pavement Improvements in the Amount of \$246,130 and Establishing a Construction Phase Engineering Services Budget of \$270,000 Including Contingency.
H. Paul Brazil, P.E., Director of Public Works
8. RESOLUTION NO. 19-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Mock, Roos and Associates, Inc., for the Atlantic Avenue, Everglades Avenue, and Dunbar Road Drainage Improvements in the Amount of \$89,605 and Establishing a Design and Bid Phase Budget of \$100,000.
H. Paul Brazil, P.E., Director of Public Works
9. RESOLUTION NO. 20-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Pre-Construction Management Services for the Nightingale Trail/La Puerta Way Undergrounding Project to Burkhardt Construction, Inc., in the Amount of \$20,680, and Establishing a Pre-Construction Phase

Services Budget of \$30,000.
H. Paul Brazil, P.E., Director of Public Works

10. RESOLUTION NO. 22-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Grant Writing and Administration Services Agreement to In Rem Solutions, Inc. at a Rate of \$150 Per Hour; and Authorizing the Town Manager to Execute Said Agreement on Behalf of the Town.
Jay Boodheshwar, Deputy Town Manager

11. RESOLUTION NO. 24-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Supporting and Encouraging Development of the Chain of Lakes Blueway Trail Project Which Includes Improvements to the Chain of Lakes, the Ocean to Lake Trails Initiative and Development of a Boat Lift at the C51 Canal S155 Control Structure; Providing an Effective Date; and for Other Purposes.
Thomas G. Bradford, Town Manager

C. OTHER

1. Rejection of Bid No. 2016-09 for Construction Contract for the Lake Trail Pavement Improvements – Accelerated Capital Improvement Program – Phase 2
H. Paul Brazil, P.E., Director of Public Works
2. Budget Calendar for FY17 Budget Process
Jane Struder, Director of Finance

XII. BOARD/COMMISSION ANNUAL REPORT

- A. Investment Advisory Committee Annual Presentation
Michael F. Andrews, Ph.D., Chair

ACTION: ACCEPTED REPORT

XIII. COMMITTEE REPORTS

- A. Report of the Finance and Taxation Committee Meeting of January 4, 2016.
Michael J. Pucillo, Chair

ACTION: ACCEPTED REPORT

- B. Report of the Ordinances, Rules & Standards Committee Meeting of January 7, 2016.
Danielle H. Moore, Co-Chair

ACTION: ACCEPTED REPORT

XIV. PUBLIC HEARINGS

- A. RESOLUTION NO. 08-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating, Abandoning, and Rededicating a Portion of an Existing Public Utility Easement Within the Property Commonly Known as 250 Palmo Way, in the Town of Palm Beach, Florida.

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

ACTION: APPROVED, SUBJECT TO THE CONDITION THAT THE OWNER SHALL PAY ALL FEES RELATED TO IMPLEMENTING THE VACATING, ABANDONMENT, AND REDEDICATION, INCLUDING BUT NOT LIMITED TO RECORDING FEES

XV. REGULAR AGENDA

A. Old Business

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

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

ACTION: COUNCIL MEMBER ZEIDMAN REQUESTED THAT THE CONSULTANT PROVIDE THE PUBLIC WITH DATA ILLUSTRATING THE ENHANCED RELIABILITY OF UNDERGROUND VERSUS OVERHEAD UTILITIES

- b. Consideration of an Appeals Process for Assessments

ACTION: TOWN MANAGER BRADFORD AND TOWN ATTORNEY RANDOLPH WERE DIRECTED TO PREPARE A DRAFT ASSESSMENT APPEALS PROCESS FOR THE TOWN COUNCIL'S CONSIDERATION

- c. RESOLUTION NO. 23-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Rescinding Resolution No. 50-2015; Reestablishing the Underground Utilities Task Force; Memorializing the Citizens Oversight Function of the Underground Utilities Task Force During the Design and Construction Phases of the Proposed Project; Providing for an Eighth Seat on the Underground Utilities Task Force and Providing for Method of Appointment; Providing An Effective Date.

ACTION: APPROVED

- d. Appointment to Underground Utilities Task Force

ACTION: HARRY WOLIN WAS APPOINTED TO THE UNDERGROUND UTILITIES TASK FORCE

B. New Business

1. 2016 Legislative Update
Gail L. Coniglio, Mayor

ACTION: TOWN COUNCIL AUTHORIZED MAYOR CONIGLIO TO TAKE WHATEVER STEPS SHE DEEMS NECESSARY TO OPPOSE PENDING LEGISLATION REGARDING MUNICIPAL ELECTION DATES AND THE FIREFIGHTER & PARAMEDIC CANCER DISABILITY PRESUMPTION

2. Consideration of Proposal by the Palm Beach Civic Association and Palm Beach Police Foundation to Underwrite a Compensation and Benefit Study for Town of Palm Beach Public Safety Personnel
J. Patterson Cooper and Ned Barnes, Palm Beach Civic Association and John Scarpa and Tim Moran, Palm Beach Police Foundation

ACTION: APPROVED THE PROPOSAL AND ACCEPTED THE DONATION TO UNDERWRITE THE STUDY

3. Potential Landscape Maintenance Agreement Palm Beach Towers Condominium Association, Inc., 44 Cocoanut Row, Palm Beach
H. Paul Brazil, P.E., Director of Public Works

ACTION: AUTHORIZED STAFF TO PREPARE A DRAFT LANDSCAPE MAINTENANCE AGREEMENT THAT WOULD BE SUBJECT TO APPROVAL BY THE TOWN, THE APPROPRIATE ADVISORY COMMISSIONS, AND THE TOWN ATTORNEY

4. Consideration of Approving Finance and Taxation Committee Review of Refunding of 2010 Revenue Bonds Series A and B for Annual Debt Service Savings Due to Recent Drop in Interest Rates
Jane Struder, Director of Finance

ACTION: APPROVED

5. Coastal Update
H. Paul Brazil, P.E., Director of Public Works

- a. Shoreline Protection Update

ACTION: NONE

- b. RESOLUTION NO. 25-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Graham County land Company, LLC, for the 2016 Dune Restoration Truck Haul Project, Per Bid No. 2016-

02, in the Amount of \$522,802, and Establishing a Total Task Budget of \$575,000.

ACTION: APPROVED

- c. Authorization to Bid Dune Plantings for Mid-Town and Phipps Ocean Park Beach Nourishment Projects

ACTION: APPROVED

- 6. Parking Control Efforts Related to Increased Construction Activity
Jay Boodheshwar, Deputy Town Manager

ACTION: CONCEPTUALLY APPROVED THE PARKING CONTROL INITIATIVES UNDER DEVELOPMENT

The Following Item was Pulled from the Consent Agenda:

- 7. RESOLUTION NO. 16-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2016-18 and Approving a Construction Contract to American Lighting and Signalization, Inc., for the Signalization and Mast Arm Improvements at the Sunrise Avenue and Sunset Avenue Intersections on North County Road, in the Amount of \$1,041,476, and Establishing a Construction Phase Budget of \$1,200,000.

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

ACTION: APPROVED

XVI. ORDINANCES

A. First 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 and Richard Miller, Esquire

ACTION: APPROVED

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: APPROVED

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.

TIME CERTAIN: 11:00 A.M.

~~Thomas G. Bradford, Town Manager~~ Robert "Schef" Wright, Esq.

ACTION: APPROVED

XVII. ANY OTHER MATTERS

XVIII. ADJOURNMENT