

**ACTIONS OF THE TOWN COUNCIL MEETING
HELD ON TUESDAY, JANUARY 9, 2018**

I. CALL TO ORDER AND ROLL CALL

Mayor Gail L. Coniglio
Richard M. Kleid, President
Danielle H. Moore, President Pro Tem
Julie Araskog
Bobbie Lindsay
Margaret A. Zeidman

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

ACTION: APPROVED AS AMENDED

THE FOLLOWING ITEMS WERE MODIFIED:

- **ITEM XII.B.3. SWITCHED THE ORDER OF SUB-ITEMS B. AND C. TO C/B**
- **ITEM IX.B.1. – RESOLUTION NO. 01-2018 CORRECTION WAS MADE TO SECTION 1 LINE 7**
- **ITEM XI.A. – ORS COMMITTEE REPORT WAS REVISED**
- **ITEM XIII.B.1. – ORDINANCE NO. 01-2018 - THE LANGUAGE REGARDING THE ANNUAL SALARY FOR ELECTED OFFICIALS WAS REMOVED.**

IV. RECOGNITIONS

- A. Recognition of John Page, Director of Planning, Zoning, and Building from November 2007 to January 2018.

V. PRESENTATIONS

- A. Presentation by Applicants for the Recreation Advisory Commission
Beth Zickar, Director of Recreation

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

ACTION: NONE

VII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

ACTION: NONE

VIII. COMMUNICATIONS FROM CITIZENS

ACTION: NONE

IX. APPROVAL OF CONSENT AGENDA

ACTION: APPROVED AS AMENDED BELOW

- **ITEMS IX. A.1 AND ITEM IX.A.2. AND WERE HEARD UNDER ITEM XII. C.**

A. MINUTES

1. TOWN COUNCIL MEETING MINUTES: - **Pulled from Consent**
Kathleen Dominguez, Town Clerk
 - a. December 11, 2017, Special Town Council Meeting Minutes
 - b. December 12, 2017, Town Council Meeting Minutes
 - c. December 13, 2017, Local Planning Agency Meeting Minutes
 - d. December 13, 2017, Development Review Town Council Meeting Minutes
2. Approval of major matters considered by the Architectural Review Commission at its meeting of December 15, 2017. - **Pulled from Consent**
John S. Page, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 01-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager and Finance Director to enter into an Agreement with Bank of Montreal, To Provide the Town of Palm Beach with Credit By Way of a Corporate MasterCard Account.
Jane Struder, Director of Finance

C. OTHER

X. BOARD/COMMISSION ANNUAL REPORT

- A. Recreation Advisory Commission Annual Presentation
Matthew Smith, Chair

ACTION: ACCEPTED REPORT

XI. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting of December 7, 2017.
Bobbie Lindsay, Chair

**ACTION: ACCEPTED REPORT WITH COMMITTEE TO STUDY
DEMOLITION HOURS**

XII. REGULAR AGENDA

A. Old Business

1. Town-wide Undergrounding Project:
Steven N. Stern, Underground Utilities Project Manager

ACTION: APPROVED RESOLUTION NO. 02-2018

**ACTION: STAFF TO ADD A DISCUSSION ON OPENING UP AN
ALTERNATE MEMBER POSTION WITH SPECIFIC EXPERTISE
ON THE UNDERGROUND TASK FORCE TO THE FEBRUARY
AGENDA**

- a. Review of Project & Dashboard, Summary of Project Status
- b. Commercial Paper Update
- c. RESOLUTION NO. 02-2018 - 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 \$944,336 for Phase 3 Engineering Design Services of the Town-Wide Undergrounding of Utilities Program.

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

**ACTION: APPROVED RESOLUTION NO. 03-2018 AND
RESOLUTION NO. 04-2018**

- a. Shore Line Condition Update
- b. RESOLUTION NO. 03-2018 – 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 Applied Technology & Management, Inc. in an Amount of \$189,732 for the Breakers/Clarke Avenue/Mid-Town Detailed Design and Phase 1 Permitting, and Establishing a Task Budget of \$209,000.
- c. RESOLUTION NO. 04-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grant of Florida Department of Environmental Protection Contract No. 18PB1, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach Under the Florida Beach Management Funding Assistance Program, Specifically

Reimbursement for the 2015 Mid-Town Beach Nourishment Project, in the Amount of \$6,529,783, and Authorizing the Mayor to Execute Same on Behalf of the Town.

B. New Business

1. Appointment of one (1) Alternate Member to the Recreation Advisory Commission.

Beth Zickar, Director of Recreation

ACTION: RATIFIED THE APPOINTMENT OF KRISTEN SCHONWALD-VILA AS AN ALTERNATE MEMBER

2. Presentation of Redesigned Town Website

Jay Boodheshwar, Deputy Town Manager

ACTION: NONE

3. Proposed Strategies for the Recruitment of a Town Manager

Thomas G. Bradford, Town Manager

ACTION: APPROVED THE APPOINTMENT OF KIRK BLOUIN AS TOWN MANAGER SUBJECT TO NEGOTIATION OF EMPLOYMENT TERMS AND D.R.O.P. RELATED PLAN WITH TOWN ATTORNEY JOHN RANDOLPH AND PENSION BOARD ATTORNEY JIM LINN

ACTION: APPROVED THE FOLLOWING TIMELINE FOR THE EVALUATION AND REAPPOINTMENT OF THE TOWN MANAGER AS FOLLOWS:

- **EVALUATION TO OCCUR 60 DAYS PRIOR TO CONTRACT RENEWAL EXCLUDING THE MONTHS OF JANUARY AND FEBRUARY**
- **EVALUATIONS ARE TO BE DISTRIBUTED IN OCTOBER**
- **PERFORMANCE EVALUATED IN NOVEMBER**
- **CONTRACT RENEWED IN DECEMBER**

- a. Report of the President
- b. National Search
- c. Promotion from Within
- d. Transition
- e. Discussion on the Timing of the Annual Evaluation of the Town Manager and the Annual Reappointment of the Town Manager.
Bobbie Lindsay, Town Council Member

4. Approval of Town Sponsorship of Worth Avenue Association Special Event Proposal for Fork to Fashion event on February 21, 2018.

Beth Zickar, Director of Recreation

ACTION: APPROVED

5. RESOLUTION NO. 05-2018 A Resolution of The Town Council of The Town of Palm Beach, Florida, Opposing Legislative Efforts To Impede The Constitutional Right Florida's Citizens Have Enjoyed For Nearly 50 Years To Govern Themselves Under Municipal Home Rule Powers; Opposing The Legislature's Persistent Intrusion Into Local Finances, Which Are Necessary To Provide Financial Stability And Essential Services Uniquely Required By Municipal Residents And Local Businesses; Directing City Administration To Transmit A Certified Copy Of This Resolution To The Florida League Of Cities, The Palm Beach County Legislative Delegation And Any Other Interested Parties; Providing For Conflicts; Providing For Severability; And Providing An Effective Date.

Gail L. Coniglio, Mayor

ACTION: APPROVED

C. Matters Pulled From Consent Agenda: If needed

1. TOWN COUNCIL MEETING MINUTES:

Kathleen Dominguez, Town Clerk

ACTION: DEFERRED TO THE FEBRUARY 13, 2018 TOWN COUNCIL MEETING

- a. December 11, 2017, Special Town Council Meeting Minutes
- b. December 12, 2017, Town Council Meeting Minutes
- c. December 13, 2017, Local Planning Agency Meeting Minutes
- d. December 13, 2017, Development Review Town Council Meeting Minutes

2. Approval of major matters considered by the Architectural Review Commission at its meeting of December 15, 2017.

John S. Page, Director of Planning, Zoning and Building

ACTION: APPROVED

XIII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 34-2017 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 82-67, United States Internal Revenue Code Qualification; Providing for Severability;

Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
Thomas G. Bradford, Town Manager

ACTION: APPROVED

B. First 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; ~~Further Amending Section 3.08 Compensation So As To Provide Compensation For Elected Officials In The Amount of One Dollar Per Year~~; Providing For Codification; Providing For Severability; Providing For Effective Date.

Thomas G. Bradford, Town Manager

ACTION: APPROVED, AS AMENDED ABOVE

2. 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 and/or (B) Alternate Members – To Delineate One of The Members ~~or Alternate Members May Be A Nonresident of The Town Provided Said Member or Alternate Member Has A Special Skill As It Relates To Shore Protection.~~

Thomas G. Bradford, Town Manager

ACTION: DENIED, STAFF TO BRING BACK A NEW ORDINANCE AT THE FEBRUARY 13, 2018 TOWN COUNCIL MEETING AMENDING THE TOWN CODE AT SECTION 2-636(a) TO REMOVE THE NON-RESIDENT LANGUAGE

3. 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.
TIME CERTAIN: 11:00 A.M.
Jay Boodheshwar, Deputy Town Manager

ACTION: DEFERRED TO THE JANUARY 10, 2018 TOWN COUNCIL MEETING.

XIV. ANY OTHER MATTERS

ACTION: STAFF TO DRAFT A MEMO FROM THE TOWN COUNCIL PRESIDENT ADDRESSING THE ISSUE OF BOARD AND COMMISSION MEMBERS LEAVING MEETINGS BEFORE ADJOURNMENT WITHOUT AN EXCUSE OR TRUE EMERGENCY

ACTION: STAFF TO MONITOR FDOT'S CONSTRUCTION LIGHTING FROM THE SOUTHERN BOULEVARD BRIDGE REPLACEMENT PROJECT

XV. ADJOURNMENT