



SUMMARY OF ACTIONS TAKEN AT THE DECEMBER 14, 2021 TOWN COUNCIL MEETING

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

The following modifications were made to the agenda:

- 1) **Item No. VIII.B.6.**
RESOLUTION NO. 161-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Hedrick Brothers Construction Company Inc. for Modular Building Systems to House North Fire Staff during the Rehabilitation of the Station as part of Pre-Construction Services.
Deferred to the January 11, 2022 Town Council Meeting
- 2) **Item No. IX.B.**
Recognition of Kane Baker for his Service on the Shore Protection Board from December 2009 to December 2021
Addition to Board/Commission Annual Report
- 3) **Item No. IX.C.**
Recognition of James Gavigan for his Service on the Shore Protection Board from December 2015 to December 2021
Addition to Board/Commission Annual Report
- 4) **Item No. XII.D.1.**
Approval of Nominees to Serve on the Strategic Planning Board
TIME CERTAIN: 11:00 AM

- 5) **Item No. XII.D.2.**
Discussion Regarding Shore Protection Board
TIME CERTAIN: 11:30 AM

IV. APPROVAL OF AGENDA

ACTION: APPROVED AS AMENDED.

V. COMMENTS OF MAYOR DANIELLE H. MOORE

VI. COMMENTS OF TOWN COUNCIL MEMBERS

VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VIII. APPROVAL OF CONSENT AGENDA

ACTION: APPROVED

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk

October 12, 2021, Town Council Meeting
November 9, 2021, Town Council Meeting
November 10, 2021, Town Council Development Review Meeting
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of November 19, 2021.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 150-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Ten Year Renewal of the Sovereignty Submerged Lands Lease Between the Town of Palm Beach and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, for the Continued Operation of the Town Marina; Authorizing the Mayor to Sign the Lease on Behalf of the Town of Palm Beach.
Carolyn Stone, Assistant Town Manager
2. RESOLUTION NO. 151-2021 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 \$114,876 and a Project Budget of \$126,363 for Landfill Compliance and Sampling for Skees Road and Okeechobee Boulevard Landfill Facilities.
H. Paul Brazil, P.E., Director of Public Works

3. RESOLUTION NO. 153-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2021-27 Professional Engineering Services for Town of Palm Beach Facilities Assessment to Nelson Engineering Co. and Awarding a Contract for Services for the Project in the Amount of \$76,215.28 and Establishing A Project Budget of \$87,500.
Dean Mealy, Purchasing Manager
4. RESOLUTION NO. 154-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Ten-8 Fire Equipment LLC, for a Demers MXP170 Ambulance in the Amount of \$270,077 and Establishing a Project Budget of \$297,084 Utilizing the Florida Sheriffs Association Contract #FSA20-VEL14-01.
Dean Mealy, Purchasing Manager
5. RESOLUTION NO. 155-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Rechten International Trucks Inc. for the Purchase of Two Replacement Dump Trucks in the Amount of \$197,954 and Approve a Budget Contingency of \$1,954 for the Equipment Replacement Fund for this Award.
Dean Mealy, Purchasing Manager
6. RESOLUTION NO. 161-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Hedrick Brothers Construction Company Inc, for Modular Building Systems to House North Fire Staff during Rehabilitation of the Station as part of Pre-Construction Services.
Dean Mealy, Purchasing Manager

C. OTHER

1. RESOLUTION NO. 157-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the De-Designation and Designation of Tree Number Twenty-Six (26) a Caracas Fig as Historic and Specimen Tree at 174 Via Del Lago, and Providing an Effective Date.
H. Paul Brazil, P.E. Director of Public Works
2. Consideration of Waivers to Town Code for Construction Dates and Noise for Lake Worth Lagoon Channel Dredging
H. Paul Brazil, P.E., Director of Public Works

IX. BOARD/COMMISSION ANNUAL REPORT

A. Shore Protection Board Annual Report

Kane Baker, Chair

ACTION: ACCEPTED REPORT

X. COMMITTEE REPORTS

A. Report of the Ordinances, Rules and Standards Committee Meeting Held on November 8, 2021

Julie Araskog, Chair

ACTION: ACCEPTED REPORT

XI. PUBLIC HEARINGS

A. RESOLUTION NO. 158-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Abandoning an Existing Public Utility Easement within the Property Commonly Known as 369 S. Lake Drive, in the Town of Palm Beach, Florida.

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

ACTION: APPROVED

XII. REGULAR AGENDA

B. Matters Pulled From Consent Agenda: If needed

C. Old Business

1. Town-wide Undergrounding Project:

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

a. Review of Project and Dashboard, Summary of Project Status

ACTION: NONE

b. RESOLUTION NO. 156-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-01 CMAR Services, Town-Wide Overhead Undergrounding Program for all Remaining Phases and Awarding a Purchase Order for Preconstruction Services to Burkhardt Construction Inc. for Phase 6, North and South in an Amount of \$48,540.

ACTION: APPROVED

c. RESOLUTION NO. 159-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Chen Moore and Associates for Engineering Design Services for

North County Road Drainage Improvements in the Amount of \$155,936.18 and Establishing a Project Budget of \$187,123.42.

ACTION: APPROVED

d. RESOLUTION NO. 160-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Mock Roos Consulting Engineers for Engineering Design Services for Clarke Alley Drainage Improvements in the Amount of \$59,907 and Establishing a Project Budget of \$71,888.40.

ACTION: APPROVED

D. New Business

1. Approval of Nominees to Serve on the Strategic Planning Board TIME
TIME CERTAIN: 11:00 AM

Danielle H. Moore, Mayor

ACTION: APPROVED THE NOMINATIONS OF ALFRED ALDRIDGE, ELIZABETH DOWDLE, KRISTEN KELLY FISHER, NICKI MCDONALD, PETER MCKELVY, KATHERINE OSTBERG, MICHAEL PUCILLO AND MICHAEL REITER TO SERVE ON THE STRATEGIC PLANNING BOARD

2. Discussion Regarding Shore Protection Board
TIME CERTAIN: 11:30 AM

Margaret A. Zeidman, Town Council President

ACTION: THE TOWN COUNCIL WILL NOT SUNSET THE BOARD, WILL MAKE THE APPOINTMENTS TO FILL THE CURRENT VACANCIES AT THE JANUARY 11, 2022 COUNCIL MEETING AND DIRECTED STAFF TO PROPOSE AMENDMENTS REGARDING THEIR RESPONSIBILITIES TO THE RELEVANT SECTION OF THE TOWN CODE AND BRING TO A FUTURE MEETING

3. Review of Chapter 106, Article VII - Special Events on Public Property
Jay Boodheshwar, Deputy Town Manager

ACTION: TOWN COUNCIL DIRECTED STAFF TO DRAFT CHANGES TO THE TOWN CODE TO FURTHER RESTRICT THE USE OF PUBLIC SPACES FOR SPECIAL EVENTS AND NOT APPROVE ANY PERMITS FOR LAKE DRIVE PARK OR MEMORIAL FOUNTAIN/PARK UNTIL FURTHER NOTICE

XIII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend Chapter 66 of the Town Code, Regarding Artificial Turf

ORDINANCE NO. 23-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Natural Resource Protection, Article I, in General, Section 66-2, Definitions, and Article IV, Vegetation, Division 5, Regulations, by Adding Sections 66-313, Artificial Turf Locations and 66-314, Artificial Turf Standards; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Wayne Bergman, Director of Planning, Zoning & Building

ACTION: ADOPTED

2. Proposed Ordinance to Amend Section 42-199 of the Town Code, Regarding Construction Hours

ORDINANCE NO. 26-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise, Section 42-199, Hours For Construction Work at Subsection (b) Limited, to Provide Additional Limitations on Dates and Hours of Construction; Providing for Quiet Work and Limitations to Indoor Activity; and at Subsection (c) Exceptions to Modify Subsection (4); Providing For Severability; 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. Proposed Ordinance to Amend Chapter 18 of the Town Code and the Public Works Right of Way Manual to Include Certain Construction Site Violations as “Strikes” Under the “Three Strike Program”

ORDINANCE NO. 28-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings and Building Regulations, by Creating Article VII. - Construction Site Management, and by Adding Sections 18-309 and 18-310; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Wayne Bergman, Director of Planning, Zoning and Building

ACTION: APPROVED

2. Proposed Ordinance to Amend Chapter 42 of the Town Code, Relative to Lawn Maintenance and Prohibited Acts

ORDINANCE NO. 29-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise at Section 42-197. Specific Acts Prohibited and at Section 42-230. Lawn Maintenance; Providing for Severability; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: APPROVED, AS AMENDED AT SECTION (12)(b) TO READ AS FOLLOWS: THE CURRENT ALLOWANCE OF PROPERTIES ONE ACRE OR MORE TO USE GAS POWERED LEAF BLOWERS SHALL BE ELIMINATED AS OF MAY 1, 2022 WHEN ALL LEAF BLOWERS SHALL BE PROHIBITED.

3. Proposed Ordinance to Amend Chapter 74, Article V of the Town Code to Grant Beach Access to Root Trail Residents

ORDINANCE NO. 30-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Ordinance 21-2021 at Article V. - Beach Access Closure at Section 74-281. - Limited Closure of Access from Wells Road South to Sunset Avenue, to Include a New Subsection 2 Recognizing the Right of Root Trail Property Owners to have Continuous Access to the Beach Access Area located at Root Trail; Providing for Severability; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Codification; Providing an Effective Date.

John C. Randolph, Town Attorney

ACTION: APPROVED

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT