



TOWN OF PALM BEACH

Town Clerk's Office

ACTIONS OF THE TOWN COUNCIL MEETING HELD ON THURSDAY, OCTOBER 10, 2019

I. CALL TO ORDER AND ROLL CALL

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

- **ITEM NO. IX.A.1. - MINUTES OF THE SEPTEMBER 10, 2019 TOWN COUNCIL MEETING MINUTES - PAGE 20 WAS AMENDED.**
- **ITEM NO. IX.C.1. - CONSIDERATION OF WAIVERS TO TOWN CODE FOR CONSTRUCTION DATES, HOURS, AND NOISE FOR STAGING IN THE LAKE WORTH LAGOON AND CONSTRUCTION OF THE 2019 PALM BEACH HARBOR INLET MAINTENANCE DREDGING PROJECT - MEMORANDUM WAS REVISED.**
- **ITEM NO. XI.A.1. - RESOLUTION NO. 15-2019 - REVISIONS WERE MADE TO THE MEMORANDUM, PAGE 14 (SECTION 5.05) AND PAGE 38 (SECTION 18.04) OF THE GROUND LEASE AND TO EXHIBIT G.**
- **ITEM XII. - ANY OTHER MATTERS - FY2020 TENNIS FEES DISCUSSION WAS ADDED**

IV. APPROVAL OF AGENDA

ACTION: APPROVED, AS AMENDED ABOVE

V. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A. Presentations by Planning and Zoning Commission Applicants
Kathleen Dominguez, CMC, Town Clerk
- B. Presentations by Underground Utilities Task Force Applicants
Kathleen Dominguez, CMC, Town Clerk

- C. Appointments to the Planning and Zoning Commission
Kirk W. Blouin, Town Manager

ACTION: APPROVED THE APPOINTMENTS OF MICHAEL VINCENT JOHN SPAZIANI AND RICHARD SAMMONS AS REGULAR MEMBERS AND ERIC CHRISTU AS AN ALTERNATE MEMBER

- D. Appointment to the Underground Utilities Task Force
Kirk W. Blouin, Town Manager

ACTION: APPROVED THE APPOINTMENT OF ZACHARY SHIPLEY AS AN ALTERNATE MEMBER

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: THE FOLLOWING ITEMS WERE PULLED FROM CONSENT AND PLACED UNDER ITEM XI.C.:

- **ITEM NO. IX.B. 1. - RESOLUTION NO. 87-2019**
- **ITEM NO. IX. B.3. - RESOLUTION NO. 116-2019**
- **ITEM NO. IX. B.4. - RESOLUTION NO. 118-2019**
- **ITEM NO. IX. B.6. - RESOLUTION NO. 121-2019**

ACTION: APPROVED, AS AMENDED ABOVE

A. MINUTES

1. Town Council Meeting Minutes
Kathleen Dominguez, CMC, Town Clerk
 - a. September 10, 2019, Town Council Meeting Minutes
 - b. September 10, 2019, Special Town Council Meeting Minutes
 - c. September 11, 2019, Development Review Town Council Meeting Minutes
 - d. September 18, 2019, Special Town Council Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of August 28, 2019.
Josh Martin, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 87-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving the Award of Invitation to Bid No. 2019-33, to Kyle Landscape, Inc. to plant 75 palm trees in the Amount of \$67,500 from a donation of \$112,500 from the Palm Beach Civic Association, which includes all maintenance for five years of the newly installed trees currently estimated to cost \$24,000 over the 5 year period. - ***Pulled and Heard as Item No. XI.C.1.***
Dean Mealy, Purchasing Manager

2. RESOLUTION NO. 91-2019 A Resolution of The Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Invitation to Bid No. 2019-31 for Landscape Maintenance to Battallan Enterprises Inc. dba Property Works for Zone 1 in the amount of \$74,859, Zone 2 in the amount of \$84,760, Zone 4 in the amount of \$75,255 and an award to Total Maintenance Building Services Inc. for Zone 3 in the amount of \$126,929, and an overall five year contract value of \$1,899,460 based on satisfactory annual contract performance and contingent upon budget approval.

The new bid will produce cost savings of \$11,622 during the first year of the contract award.
Dean Mealy, Purchasing Manager

3. RESOLUTION NO. 116-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Town's 2020 General Election Date, Run-Off Election Date, Caucus Date, Qualifying Period, and Date of Meeting to Declare the Results of the Caucus; Providing an Effective Date. ***Pulled and Heard as Item No. XI.C.2.***
Kathleen Dominguez, CMC, Town Clerk

4. RESOLUTION NO. 118-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$104,724.50 to Woods Hole Group, for Development of a Coastal Resilience Implementation Plan, and Establishing a Task Budget of \$120,000. ***Pulled and Heard as Item No. XI.C.3.***
H. Paul Brazil, Director of Public Works

5. RESOLUTION NO. 119-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida,

Approving a Purchase Order to Duval Ford for the Purchase of Two Ford Hybrid Police Vehicles in the Amount of \$101,479, Utilizing the Florida Sheriff Contract for Vehicles.

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 121-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Ratifying the Fiscal Year 2019-22 Collective Bargaining Agreement Between the Town and the International Association of Fire Fighters, Local #2928. **Pulled and Heard as Item No. XI.C.4.**

Danielle Olson, Director of Human Resources

7. RESOLUTION NO. 124-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing the Construction Phase Budget for the 400 Worth Avenue Infrastructure Improvements in the Amount of \$160,000 for a Revised Budget of \$1,565,294.

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

C. OTHER

1. Consideration of Waivers to Town Code for Construction Dates, Hours, and Noise for Staging in the Lake Worth Lagoon and Construction of the 2019 Palm Beach Harbor Inlet Maintenance Dredging Project

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

X. COMMITTEE REPORTS

- A. Report of the Public Safety Committee Meeting Held on September 9, 2019
Margaret A. Zeidman, Chair

ACTION: ACCEPTED

XI. REGULAR AGENDA

A. Old Business

1. RESOLUTION NO. 15-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Ground Lease Agreement between the Town of Palm Beach, Florida (Town) and CRE Fund at Okeechobee Boulevard, LLC (Tenant), subject to certain Guaranties by AHS Residential, LLC (Guarantor) for property consisting of approximately 28.38 acres located outside of the Town's boundaries at 5976 Okeechobee Boulevard, West Palm Beach, Florida (Property).

TIME CERTAIN: 10:30 AM

Dean Mealy, Purchasing Manager

ACTION: APPROVED, AS AMENDED UNDER ITEM III.

2. Town-wide Undergrounding Project:

- a. Review of Project and Dashboard, Summary of Project Status
Steven Stern, Project Manager

ACTION: NONE

- b. RESOLUTION NO. 120-2019 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 \$1,850,002 for Phase 6 Engineering Design Services for the Town-Wide Undergrounding of Utilities Program.
Patricia Strayer, P.E., Town Engineer

ACTION: APPROVED

3. Town Marina Project Update:
TIME CERTAIN: 11:15 AM
H. Paul Brazil, P.E., Director of Public Works

ACTION: NONE

B. New Business

1. RESOLUTION NO. 122-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Strongly Encouraging the State Legislature to Approve Senate Bill 182, And Any Companion House Bills Relating To The Preemption of Recyclable And Polystyrene Materials By Amending Section 403.7033 And Section 500.90, Florida Statutes, Repealing The Preemption Of Local Laws Regarding The Use Or Sale Of Single-Use Plastic Bags and Polystyrene Materials.
Jay Boodheshwar, Deputy Town Manager

ACTION: APPROVED

2. RESOLUTION NO. 123-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, (The "Town"), Approving the Form and Authorizing the Execution and Delivery of a Loan Agreement; Authorizing and Approving the Issuance of a Bond by the Town in Connection with said Loan Agreement Relative to the Current Refunding of a Portion of the Town's Public Improvement Revenue and Refunding Bonds, Series 2010A (Capital Improvement Program); Authorizing the Execution and Delivery of an Escrow Deposit Agreement; Pledging Pledged Revenue to Repay the Bond; Authorizing the Proper Officials of the Town to do all Other Things Deemed Necessary or Advisable in Connection with the Loan Agreement and said

Bond; and Providing for an Effective Date.
Jane Le Clainche, Director of Finance

ACTION: APPROVED

C. Matters Pulled From Consent Agenda:

1. RESOLUTION NO. 87-2019

ACTION: APPROVED

2. RESOLUTION NO. 116-2019

ACTION: APPROVED, WITH THE FOLLOWING REVISED DATES:

**TOWN CAUCUS SCHEDULED FOR TUES., DEC. 3, 2019 AT 7:00 P.M. WITH
THE QUALIFYING PERIOD ENDING ON WED., DEC. 4, 2019 AT 5:00 P.M.**

3. RESOLUTION NO. 118-2019

ACTION: APPROVED

4. RESOLUTION NO. 121-2019

ACTION: APPROVED

XII. ANY OTHER MATTERS

1. FY2020 TENNIS FEES DISCUSSION

**ACTION: STAFF INSTRUCTED TO FREEZE THE TENNIS FEES AT
THE FY2019 RATES AND BRING BACK MORE OPTIONS TO
CONSIDER FOR COSTS AT THE NOVEMBER 12, 2019, TOWN
COUNCIL MEETING.**

XIII. ADJOURNMENT