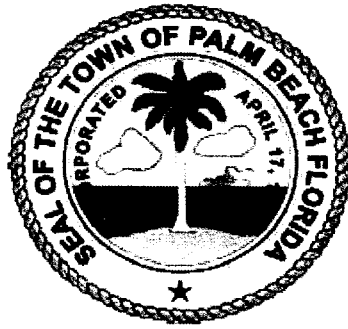




TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON AUGUST 13, 2024

I. CALL TO ORDER AND ROLL CALL (03:29)

The Town Council Meeting was called to order at 9:00 a.m. On roll call, all Town Council members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE (03:56)

Deputy Town Clerk Gayle-Gordon gave the Invocation, and Council President Lindsay led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA (04:29)

The following modifications were made to the agenda:

V.B. Thomas Mettler Memorial Scholarship Award
This item was withdrawn from the agenda

XII.B.1. Town-wide Undergrounding Project – Review of Project and Dashboard, Summary of Project Status
This item was deferred to the September 10, 2024, Town Council Meeting

XII.B.3. RESOLUTION NO. 098-2024 has been revised to read:
A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a retroactive purchase order for Phipps Ocean Park additional Bid Phase Services to Kimley-Horn and Associates, Inc. in the amount of \$273,520 approving a contingency in the amount of \$27,352 and establishing a project budget in the amount of \$300,872.
This item was revised, removed from Old Business, and placed under X.B. RESOLUTIONS as Item No. 11.

XII.C.4. Ibis Isle Security Fence Request

This item was deferred to the September 10, 2024, Town Council Meeting

XII.C.5. Palm Beach Police and Fire Foundation – Life Insurance Benefit for Police and Fire Departments TIME CERTAIN: 11:00 AM

This item was deferred to the September 10, 2024, Town Council Meeting

IV. APPROVAL OF AGENDA (06:24)

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve the agenda as amended. On roll call, the motion passed unanimously.

V. PRESENTATIONS (06:45)

A. C. Gerald Goldsmith Scholar Award

Danielle Moore, Mayor

Mayor Moore announced that Robbie LeBrun, son of Brian LeBrun, Driver/Engineer Paramedic with the Fire Rescue Department, was the recipient of the C. Gerald Goldsmith Award. She encouraged employees to have their children apply for the multiple scholarships that are available.

B. Thomas Mettler Memorial Scholarship Award

Danielle Moore, Mayor

This item was withdrawn from the agenda

C. Palm Beach Country Club Scholarship Recipients

Danielle H. Moore, Mayor

Mayor Moore announced the following recipients of the Palm Beach Country Club Scholarship: Reagan Pierre (Dionne Lightbourne – FIN), Conor O'Neill (Brandy O'Neill – PW), Andrew Loihle (Billy Loihle – REC), Celeste Davies (Donovan Davies – PW), Michael Caristo (Nicholas Caristo – PD), Leroy Glaum (Jimmy Duane – FR), Gavin Gordon (Scott Gordon – PD), Joseph Guelli (Joe Guelli – PD), Robbie LeBrun (Brian LeBrun – FR), Santos Bonfante (Willie Bonfante – FR), Lauren Foushee-Starling (Vincent Starling – PW), Brianna Molyneaux (Lauren Guzik-Molyneaux – FR), Michaela Watson (Dave Watson, PD) and Chris Marsigliano (Lance Marsigliano – PD).

D. The Palm Beach Civic Association and The Citizens' Association of Palm Beach Scholarship Awards

Danielle H. Moore, Mayor

Mayor Moore announced that Santos Bonfante, son of Willie Bonfante of the Fire Rescue Department and Lauren Foushee-Starling, daughter of Vincent Starling of the Public Works Department, were recipients of the Palm Beach Civic Association and The Citizens' Association of Palm Beach Scholarship award.

VI. BOARD AND COMMISSION PRESENTATIONS AND APPOINTMENTS (18:57)

A. Presentations by the Applicants and Appointments to the Code Enforcement Board

Kelly Churney, Acting Town Clerk

Applicants Dave Brooker, John P. Cohen, Pamela Davies, and Corrine Lagano presented their applications. Michael Saltman stated that he wished to withdraw his application as there seemed to be more qualified applicants. Jennifer Miller had originally planned to present virtually, but she had an emergency and could not participate. Herbert Barrack had informed town staff that he would be unable to attend the meeting.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve the appointment of Dave Brooker as a regular member of the Code Enforcement Board. On roll call, the motion passed unanimously.

VII. COMMENTS OF MAYOR DANIELLE H. MOORE (16:06)

Mayor Moore announced the following milestones: Anthony Carpentiere (PW), ten years, and Mark DeCosta (REC), five years. The following employees entered the DROP: Brian LeBrun (FR) after twenty-five years of service and Laura Deckers (FR) after eight years.

She announced that Frederike Mittner (PZB) had been awarded the "Trustee Emeritus" status from the Florida Historic Preservation at the Florida Preservation Award ceremony.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS (36:21)

Council President Lindsay reminded everyone that she and Mayor Moore would leave at 12:30 PM today.

Council Member Araskog thanked the Palm Beach Police and Fire Foundation for their generous donation, listed under the Consent Agenda.

Council Member Cooney thanked the Town staff for their work on the North Fire Station, which he recently toured. He stated that the construction was moving expeditiously and should be completed by the Fall.

Mayor Moore also participated in the Tour and said that their current trailer could be sold when the construction is completed. She also thanked the Town staff for their work on the construction.

IX. COMMUNICATIONS FROM CITIZENS -3-MINUTE LIMIT, PLEASE (39:07)

Rebecca Godwin, President and COO of Palm Beach Police and Fire Foundation, spoke about the Foundation's work.

Anita Seltzer, 44 Cocoanut Row, requested that Resolution No. 099-2024 be pulled from the Consent Agenda for discussion.

X. APPROVAL OF CONSENT AGENDA (42:10)

The following items were pulled from the Consent Agenda and heard under item no. XII.A.:

X.B.10. RESOLUTION NO. 099-2024

- X.C.1. Authorization for Road Closure for the Construction of a Private Sewer Lateral to the Town's Sanitary Sewer Main on North Lake Way Between Palmo Way (South of Closure) and Kenlyn Road (North of Closure)

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve the Consent Agenda, as amended. On roll call, the Motion passed unanimously.

A. MINUTES

1. Town Council Meeting Minutes
Kelly Churney, Acting Town Clerk
 - a. July 9, 2024, Town Council Meeting Minutes
 - b. July 10, 2024, Town Council Development Review Meeting Minutes
 - c. July 11, 2024, Special Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting on July 24, 2024
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 067-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, requesting formal approval to reject previously awarded Resolution No. 031-2024, approving the GMP to Burkhardt Construction, Inc. for Phipps Ocean Park.
Dean Mealy, II Procurement and Contract Manager

2. RESOLUTION NO. 074-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding RFQ No. 2024-20 to Coastal Protection Engineering, LLC for Coastal Consulting Services for Mid-Town Extension (Reach 5) permitting in a not-to-exceed amount of \$949,537.16, approving contingency in the amount of \$94,900 and establishing a project budget in the amount of \$1,044,437.16.
Dean Mealy, II Procurement and Contract Manager
3. RESOLUTION NO. 088-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2025-2026 Annual Funding Applications to the Florida Department of Environmental Protection Beach Management Funding Assistance Program.
H. Paul Brazil, P.E., Director of Public Works
4. RESOLUTION NO. 090-2024 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 Amendment No. 1 to Grant 23PB3, 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 Mid-Town Beach Nourishment Project, in the Amount of \$1,801,338.75, and Authorizing the Mayor to Execute Same on Behalf of the Town.
H. Paul Brazil, P.E., Director of Public Works
5. RESOLUTION NO. 091-2024 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 Amendment No. 1 to Grant 23PB4, 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 Phipps Ocean Park Beach Nourishment Project, in the Amount of \$1,471,695, and Authorizing the Mayor to Execute Same on Behalf of the Town.
H. Paul Brazil, P.E., Director of Public Works
6. RESOLUTION NO. 092-2024 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 Amendment No. 1 to Grant 24PB5, 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 Lake Worth Inlet Management Plan Implementation Project, in the Amount of \$1,052,500, and Authorizing

the Mayor to Execute Same on Behalf of the Town.
H. Paul Brazil, P.E., Director of Public Works

7. RESOLUTION NO. 095-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving the Award of RTN No. 2024-10, Municipal Agenda Items and Meeting Management Solution to CivicPlus, LLC. in the amount of \$31,909.50 for the first year of the contract and awarding future annual maintenance expenditures for additional four years of the contract in the amount of \$121,470.23, approving contingency in amount of \$7,668.99 and establishing total project amount of \$161,048.72 for a total of five-year contract, contingent on annual budget approvals and satisfactory vendor performance.
Dean Mealy, II Procurement and Contract Manager
8. RESOLUTION NO. 096-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving the award of RTN No. 2024-18, Metro E/Fiber Network to Crown Castle Fiber LLC in the amount of \$193,236.00 for first year of the contract and awarding future annual maintenance expenditures for additional four years of the contract in the amount of \$772,944.00, approving contingency in amount of \$96,618.00 and establishing total project amount of \$1,062,798.00 for a total of five-year contract, contingent on annual budget approvals and satisfactory vendor performance.
Dean Mealy, II Procurement and Contract Manager
9. RESOLUTION NO. 097-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Design and Bid Phase Engineering Services to Mock Roos and Associates, Inc., in an Amount of \$212,442 for the D-17 Stormwater Pump Station Improvements, and Establishing a Design and Bid Phase Budget of \$234,000.
H. Paul Brazil, P.E., Director of Public Works
10. RESOLUTION NO. 099-2024 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. for Mast Arm Traffic Signal Design for Sunset Avenue and Bradley Place in the amount of \$129,382.92, approving a contingency in the amount of \$19,400 and establishing a total project budget in the amount of \$148,782.92.
Dean Mealy, II Procurement and Contract Manager
This item was Pulled and discussed under XII.A.
11. RESOLUTION NO. 098-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a retroactive purchase order for Phipps Ocean Park additional Bid

Phase Services to Kimley-Horn and Associates, Inc. in the amount of \$273,520, approving a contingency in the amount of \$27,352 and establishing a project budget in the amount of \$300,872.
Dean Mealy, II Procurement and Contract Manager

C. OTHER

1. Authorization for Road Closure for the Construction of a Private Sewer Lateral to the Town's Sanitary Sewer Main on North Lake Way Between Palmo Way (South of Closure) and Kenlyn Road (North of Closure)
H. Paul Brazil, P.E., Director of Public Works
This item was Pulled and discussed under XII.A.
2. Authorization for Five (5) Day Lane Closure of South Ocean Boulevard for 195 Via Del Mar
H. Paul Brazil, P.E., Director of Public Works
3. Donation Acceptance - Palm Beach Police and Fire Foundation
Nicholas Caristo, Chief of Police

XI. PUBLIC HEARINGS (44:25)

- A. RESOLUTION NO. 089-2024 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 249 Monterey Road, in the Town of Palm Beach, Florida.
H. Paul Brazil, P.E., Director of Public Works

Director Brazil presented the details of the resolution. He said that the undergrounding had been completed in the area and the subject utility easement was no longer necessary, did not serve any public purpose, and was not necessary for public use.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve Resolution No. 089-2024. On roll call, the motion passed unanimously.

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

1. RESOLUTION NO. 099-2024 (46:42) 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. for Mast Arm Traffic Signal Design for Sunset Avenue and Bradley Place in the amount of \$129,382.92, approving a contingency in the amount of \$19,400 and

establishing a total project budget in the amount of \$148,782.92.
Dean Mealy, II Procurement and Contract Manager

Mr. Brazil presented the details of the resolution.

Council Member Cooney confirmed that the Town Council would be given the opportunity to review any proposed redesign of the intersection. He asked about the funding, and Mr. Miracle noted that the project was not part of the 5-year Capital Improvement Fund Plan. Funding for this phase of the project would be taken from the Crosswalk Improvement Project, thereby reducing that fund. He said that if signalization were necessary, there would be additional costs that had not been budgeted.

Mr. Blouin stated that the intent is to install traffic signalization at the intersection of Sunset Avenue and Bradley Place.

Public Comments

Anita Seltzer, 44 Cocoanut Row, Palm Beach, FL, thought it was important to have a clear understanding of the benefit of signalization installation. She asked whether the approval requested was preliminary and if there would be further analysis. She raised questions that she thought should be considered before committing to the purchase of a mast arm.

Mr. Blouin stated that the traffic warrant analysis was conducted, and the traffic engineers found the traffic signal warranted. Therefore, the resolution for design would allow staff to begin the purchase process since there is a significant lead time associated with ordering and receiving the mast arm.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve Resolution No. 099-2024. On roll call, the motion passed unanimously.

2. Authorization of Road Closure for the Construction of a Private Sewer Lateral to the Town's Sanitary Sewer Main on North Lake Way Between Palmo Way (South of Closure) and Kenlyn Road (North of Closure) (1:03:08)
H. Paul Brazil, P.E., Director of Public Works

Director Brazil presented this item. He stated that the necessary work could not be performed without the road closure. He stated that it would be approximately 4-5 days, and the closure would be coordinated with the undergrounding project.

Council Member Araskog asked who would be overseeing the project. Mr. Brazil said the Public Works Department would oversee everything

required under the right-of-way permit.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to authorize the road closure. On roll call, the Motion passed unanimously.

B. Old Business

1. Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status
H. Paul Brazil, P.E., Director of Public Works
This item was deferred to the September 10, 2024, Town Council Meeting.

2. RESOLUTION NO. 093-2024 (1:07:24) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a purchase order to Government Finance Officers Association for Enterprise Resource Planning Implementation Advisory Services in a not-to-exceed amount of \$151,250.

Dean Mealy, II Procurement and Contract Manager

Bob Miracle, Deputy Town Manager, introduced Government Finance Officers Association (GFOA) Officers Eva Olsaker and LaKisha McCrary, who provided a brief presentation.

Mses. Olsaker and McCrary provided an update on the GFOA's role and the Town of Palm Beach Enterprise Resource Planning Initiative. They also provided a project scope and some components of the services that will be provided, looking at the Town's staffing expectations and best practices.

Council Member Crampton asked Mr. Miracle if he would lead this project. Mr. Blouin said all team members would be invested in the process.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve Resolution No. 093-2024. On roll call, the motion passed unanimously.

3. RESOLUTION NO. 098-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a retroactive purchase order for Phipps Ocean Park additional Bid Phase Services to Kimley-Horn and Associates, Inc.

Dean Mealy, II Procurement and Contract Manager

This item was revised and moved to the Consent Agenda.

C. New Business

1. Palm Beach Gardeners' & Landscapers' Association vs. Town of Palm Beach (1:22:34)

Joanne O'Connor, Town Attorney

Town Attorney Joanne O'Connor provided an update regarding this item. There was a brief discussion.

Clerk's Note: A break was taken at 10:26 a.m., and the meeting reconvened at 10:31 a.m.

2. Update Regarding State Road A1A Road Closure (1:30:12)

Nicholas Caristo, Chief of Police

Town Manager Kirk Blouin stated that Town Attorney O'Connor had sent a letter to the United States Secret Service (USSS). He expressed the reason for sending the letter regarding road closures.

Police Chief Caristo provided an update regarding the mandated closure of State Road A1A. He explained the collaborative measures being taken along with the professionals from West Palm Beach and Palm Beach County. Palm Beach County Traffic Management has been working with Palm Beach, tweaking traffic signalization to assist with traffic flow on and off the island. Chief Caristo said that while the town awaits a response from the United States Secret Service, he has also communicated with the Palm Beach Sheriff's Office (PBSO) Command Staff since they are in charge of detail. They have been asked to move vehicles over rather than to inconvenience the traffic flow, and they are also working on navigation mapping. Chief Caristo said it has been evident that they are helping as much as they can with traffic flow. He requested that the Coast Guard revert to the bridge opening schedules as they were when President Trump was sitting President. They agreed to do so if the Maritime security zone is enacted.

Council Member Araskog appreciated everyone's work with the Town to manage traffic. She raised concerns about safety.

Council President Pro Tem Crampton asked when staff expected a response from the USSS. Mr. Blouin was unsure, but he said if a response is not received, legal research would have to ensue to determine options the Town may be able to exercise.

Council Member Moran encouraged Attorney O'Connor and Mr. Blouin to begin the research while awaiting a response from USSS.

Police Chief Caristo stated the command center at Mar-a-Lago is staffed 24 hours a day, seven days a week, to allow emergency vehicles to pass without delay.

Fire Chief Sean Baker stated that when barricades were set up, the Fire Department took the largest truck out with the Florida Department of Transportation (FDOT) to ensure it could pass through the area. The truck has traversed there several times to ensure accessibility. He said there may be delays even though the Fire Department can pass through.

Council President Lindsay thanked staff for everything they are doing to keep traffic flowing. She said the concerns are important, and she thought it was a good idea to begin the research process. She also thought that activating the Maritime Security Zone would be much appreciated.

Mayor Moore stated that she and the staff are doing everything that they can to mitigate the issues associated with traffic on the island. She said that until the USSS decides, this session will be for information only. She was empathetic to the level of frustration.

Council Member Cooney asked about other contingencies besides traffic signal sequencing. Mr. Blouin responded.

Police Chief Caristo stated that in case of an oncoming hurricane, all roads would be reopened for evacuation purposes.

Public Comments

Nader Kazeminy, 100 Worth Avenue, Palm Beach, FL, spoke about the issue. He offered his ideas for managing traffic flow.

Fred Wright, Palm Beach Towers, spoke about the bicycle path underneath the north bridge and the water problems in Palm Beach. Mr. Wright also thought access gates should be installed with a toll for entering the Town of Palm Beach.

Dragana Connaughton, 267 Merrain Road, spoke about Mar-a-Lago being a homestead rather than a business. She wondered if there was a code that would prohibit a business being run out of the home at Mar-a-Lago.

3. Commercial Motion Picture Application (2:11:17)
Kirk W. Blouin, Town Manager

Town Manager Kirk Blouin introduced this item and stated this request was for filming in and around the views along Worth Avenue.

Council Member Moran was not interested in allowing the filming requested. Council Member Araskog agreed.

Council Member Cooney was interested in looking for ways to manage increased pressure from outside groups while protecting the quality of life in Palm Beach.

Jessie Cohen, a producer representing the applicant Julie Vos, stated they were a small crew. She explained that all their equipment would be handheld, and 90% of the filming would be photography.

Council Member Cooney thought that, in the interest of fairness, the Town Council needed to better manage these types of requests. Council Member Moran agreed.

A motion was made by Council Member Moran and seconded by Council Member Araskog to deny the application. On roll call, the motion passed unanimously.

Following a brief discussion about technology and the video applications being submitted, Attorney O'Connor advised the Town Council to consider looking at an ordinance if they desired to disallow any commercial filming in the Town.

Mr. Blouin stated that if the Town Council agreed, this item could be added to next month's council agenda for discussion.

4. Ibis Isle Security Fence Request
H. Paul Brazil, P.E., Director of Public Works
This item was deferred to the September 10, 2024, Town Council Meeting.
5. Palm Beach Police and Fire Foundation - Life Insurance Benefit for Police and Fire Departments
TIME CERTAIN: 11:00AM
Joanne O'Connor, Town Attorney
This item was deferred to the September 10, 2024, Town Council Meeting.

XIII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend the Town Code at Chapter 77 Relative to the Public Employees Relations Commission ("mini-PERC") (2:23:29)

ORDINANCE NO. 026-2024 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Ordinance No. 6-80, Appendix A - Public Employee Relations To The Town Code Pursuant To The Provisions Of Section 447.603 Florida Statutes, Chapter 77-343, By Amending Section 1.006 To Provide For The Completion And Retention Of Membership Authorization Forms, The Revocation Of Membership In Employee Organizations And Providing For Certain Exemptions Thereto; By Amending Section 1.007 To Expand The Definition Of Public Safety Employees; By Amending Section 1.008 To Modify The Required Financial Statements From Audited Statements To Those Prepared By A Licensed Independent Certified Public Accountant; And By Amending Section 1.021 To Provide New Prohibitions On Unions Or Their Representatives Offering Compensation Or Things Of Value To Public Officers, As Defined By Florida Ethics Law; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Joanne O'Connor, Town Attorney

Attorney O'Connor read Ordinance No. 026-2024 by title only.

No one indicated a desire to speak.

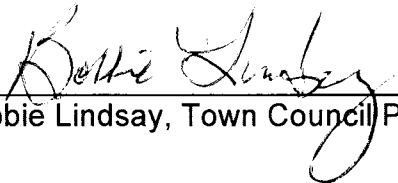
A motion was made by Council Member Araskog and seconded by Council Member Moran to adopt Ordinance No. 026-2024 on the second reading. On roll call, the motion passed unanimously.

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

A motion was made by Council Member Araskog and seconded by Council Member Moran to adjourn the meeting at 11:29 AM. On roll call, the motion passed unanimously.

APPROVED:


Bobbie Lindsay, Town Council President

ATTEST:


Pat Gayle-Gordon, Deputy Town Clerk
9/10/2024
Date

