



TOWN OF PALM BEACH

Town Clerk's Office

SUMMARY OF ACTIONS TAKEN AT THE TOWN COUNCIL MEETING HELD ON AUGUST 10, 2021

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. MODIFICATIONS TO THE AGENDA
ACTION: ITEM NOS. X.A, X.A.a, AND X.A.c ARE DEFERRED TO THE SEPTEMBER 14, 2021, TOWN COUNCIL MEETING
- IV. APPROVAL OF AGENDA
ACTION: AGENDA APPROVED, AS AMENDED
- V. PRESENTATIONS
 - A. Legislative Update
TIME CERTAIN 9:45 A.M.
Bobby Powell, Jr., Florida State Senator
ACTION: NONE
 - B. Scholarship Awards provided by the Rotary Club of Palm Beach Foundation
Danielle H. Moore, Mayor
ACTION: NONE
 - C. Scholarship Awards provided by the Palm Beach Country Club Foundation
Danielle H. Moore, Mayor
ACTION: NONE

- D. Scholarship Award provided by the Palm Beach Civic Association and Citizens' Association of Palm Beach
Allison Tardonia, Vice President of Membership and Sponsorship, Palm Beach Civic Association and Fred Aldridge III, Co- Chair/Treasurer, Citizens' Association of Palm Beach

ACTION: NONE

VI. COMMENTS OF MAYOR DANIELLE H. MOORE

VII. COMMENTS OF TOWN COUNCIL MEMBERS

VIII. COMMUNICATIONS FROM CITIZENS -3 MINUTE LIMIT PLEASE

IX. APPROVAL OF CONSENT AGENDA

ACTION: APPROVED, AS AMENDED WITH ITEM NUMBERS. IX.B.3, IX.B.5 AND IX.C.2 PULLED AND HEARD AS ITEM NUMBERS. XI.A.1, XI.A.2 AND XI.A.3 RESPECTIVELY.

A. MINUTES

1. Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk

July 14, 2021, Local Planning Agency Meeting Minutes
July 14, 2021, Town Council Development Review Meeting Minutes

The following meeting minutes are being deferred to the September 14, 2021, Town Council meeting.

July 13, 2021, Town Council Regular Business Meeting
July 15, 2021, Town Council Special Meeting, Proposed FY22 Budget
July 27, 2021, Town Council Special Meeting, Covid-19

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meetings of July 28-29, 2021.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 072-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Designation of Ten (10) Additional Trees as Historic and Specimen Trees in Lake Drive Park, Providing an Effective Date.
H. Paul Brazil, P.E., Director of Public Works
2. RESOLUTION NO. 081-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Flowbird North America in the Amount of \$97,740 for Parking Kiosk Upgrades to Thirty-Six (36) Parking Kiosks Previously Purchased from Cale America, Inc.

Jay Boodheshwar, Deputy Town Manager

3. RESOLUTION NO. 082-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2021-16, Permitting Software for the Building Enterprise Fund to Tyler Technologies, Inc., in the Amount of \$249,785 for Implementation and Training, \$74,030 for One-Time License Fees and Five Year Annual Maintenance Contract of \$351,000 for a Total Five year Contract Award of \$674,815, Pending Successful Vendor Performance and Budget Authorization.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 083-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Invitation to Bid No. 2021-14, Tree Trimming to a Primary, Secondary, and Tertiary vendor in the Annual Amount of \$166,850 and a Proposed Five-Year Award in the Amount of \$855,250 Contingent upon Satisfactory Vendor Performance and Budget Authorization.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 084-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Aegion/Insituform Technologies, LLC for Lining of Sewer Pipes Within the A5 and A6 Basins From the National Cooperative Buyboard in the Amount of \$442,974.50 and Establish a Project Budget of \$487,271.

Dean Mealy, Purchasing Manager

C. OTHER

1. Request to Consider Ordinance Nos. 19-2021 and 20-2021 at a Public Hearing Prior to 5:00 p.m.

Wayne Bergman, Director of Planning, Zoning and Building

2. Request from the Children's Home Society, Relative to the Charitable Solicitation Ordinance

Jay Boodheshwar, Deputy Town Manager

X. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on Thursday, July 1, 2021

Julie Araskog, Committee Chair

ACTION: DEFERRED TO THE SEPTEMBER 14, 2021, TOWN COUNCIL MEETING

- a. Recommendations Regarding Modifications to Construction Hours

Jay Boodheshwar, Deputy Town Manager

ACTION: DEFERRED TO THE SEPTEMBER 14, 2021, TOWN COUNCIL MEETING

b. Recommendations Regarding the Addition of Synthetic Turf Regulations in the Town Code

Wayne Bergman, Director of Planning, Zoning and Building

ACTION: REFERRED BACK TO THE ORS COMMITTEE FOR ADDITIONAL REVIEW

c. Discussion Regarding Application of Existing Regulations Pertaining to Native Plants

Wayne Bergman, Director of Planning, Zoning and Building

ACTION: DEFERRED TO THE SEPTEMBER 14, 2021, TOWN COUNCIL MEETING

B. Report of the Business and Administrative Committee Meeting Held on Thursday, July 8, 2021

Lew Crampton, Committee Chair

ACTION: ACCEPTED REPORT

a. RESOLUTION NO. 059-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Master Fee Schedule by Modifying Parking Placard and Metered Parking Fees, and Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: APPROVED

XI. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

1. RESOLUTION NO. 082-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2021-16, Permitting Software for the Building Enterprise Fund to Tyler Technologies, Inc., in the Amount of \$249,785 for Implementation and Training, \$74,030 for One-Time License Fees and Five Year Annual Maintenance Contract of \$351,000 for a Total Five year Contract Award of \$674,815, Pending Successful Vendor Performance and Budget Authorization.

Dean Mealy, Purchasing Manager

ACTION: APPROVED

2. RESOLUTION NO. 084-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Aegion/Insituform Technologies, LLC for Lining of Sewer Pipes Within the A5 and A6 Basins From the National Cooperative Buyboard in the Amount of \$442,974.50 and Establish a Project Budget of \$487,271.

Dean Mealy, Purchasing Manager

ACTION: APPROVED

3. Request from the Children's Home Society, Relative to the Charitable Solicitation Ordinance.

Jay Boodheshwar, Deputy Town Manager

ACTION: GRANTED REQUEST FOR WAIVER OF TWO-EVENT LIMIT

B. Old Business

1. COVID-19 Update

Kirk W. Blouin, Town Manager

- a. COVID-19 Monthly Report

Darrel Donatto, Fire Rescue Chief

ACTION: NONE

- b. Discussion Regarding Board, Commission, and Committee Meeting Format and Participation

ACTION: DUE TO THE RESURGENCE OF THE COVID-19, ALL TOWN BOARDS, COMMISSIONS AND COMMITTEES WILL MEET VIRTUALLY FOR THE MONTH OF AUGUST. THIS DECISION WILL BE RE-VISITED AT THE SEPTEMBER COUNCIL MEETING. IF THE SITUATION GETS WORSE, THE COUNCIL PRESIDENT WILL MAKE A DECISION IN CONSULTATION WITH THE TOWN MANAGER REGARDING PUBLIC MEETINGS ON OR BEFORE SEPTEMBER 10, 2021.

- c. RESOLUTION NO. 093-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring with the Request of the Town's Chief of Police, to Extend the Chief's Declaration of the Existence of a State of Emergency within the Corporate Limits of the Town to September 14, 2021, Unless Earlier Terminated by the Chief of Police, at Which Time the Town Council will Address the Need for any Extension of the Declaration of Emergency; Providing for an Effective Date.

ACTION: APPROVED

2. Town-wide Undergrounding Project:

TIME CERTAIN 1:30P.M.

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

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

ACTION: NONE

- b. RESOLUTION NO. 086-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Phase 4 South GMP, Town-Wide Overhead Utility Undergrounding Project to Burkhardt Construction, Inc. in the Amount of \$10,873,182 and Establishing a Project Budget of \$11,960,500.

ACTION: APPROVED

c. RESOLUTION NO. 087-2021 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. for the Town- Wide Overhead Utility Undergrounding Project, Phase 4 South Construction Phase Services in the Amount of \$333,659 and Establishing a Project Budget of \$383,659.

ACTION: APPROVED

d. RESOLUTION NO. 088-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2021-05, Town-Wide Overhead Utility Undergrounding Project Phase 5 South to Wilco Electric, LLC in the Amount of \$6,629,360.64 and Establishing a Project Budget of \$7,623,764 and Award Phase 5 North to C R Dunn, Inc. in the Amount of \$6,416,941.56 and Establishing a Project Budget of \$7,379,502.

ACTION: APPROVED

e. RESOLUTION NO. 089-2021 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. for Town-Wide Overhead Utility Undergrounding Project, Phase 5 South Construction Phase Services in the Amount of \$334,159 and Establishing a Project Budget of \$384,159.

ACTION: APPROVED

f. RESOLUTION NO. 090-2021 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. for the Town- Wide Overhead Utility Undergrounding Project, Phase 5 North Construction Phase Services in the Amount of \$334,157 and Establishing a Project Budget of \$384,157.

ACTION: APPROVED

g. RESOLUTION NO. 091-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Burkhardt Construction, Inc. for Construction Management Services for Phase 5 North and South in the Amount of \$1,919,800 and Establishing a Project Budget of \$2,158,800.

ACTION: APPROVED

3. Request for Direction Regarding Completion of Retail Study
Jay Boodheshwar, Deputy Town Manager

ACTION: DEFERRED TO THE SEPTEMBER 14, 2021, COUNCIL MEETING AND REFERRED TO THE PLANNING & ZONING COMMISSION TO PROVIDE INPUT FOR COUNCIL CONSIDERATION.

4. FY22 Proposed Budget Update

a. RESOLUTION NO. 092-2021 A Resolution of the Town Council of the Town

of Palm Beach, Palm Beach County, Florida, Adopting the Town Marina and Building Enterprise Fund Reserve Policies; Providing an Effective Date.

Jane Le Clainche, Director of Finance

ACTION: APPROVED

5. Request to Amend the Long-term Ground Lease of 5976 Okeechobee Boulevard, West Palm Beach, Florida, to AHS Residential

TIME CERTAIN 11:00 A.M.

Janis Cheezem, Akerman LLP

a. RESOLUTION NO. 094-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Amended and Restated 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 29.38 Acres Located Outside of the Town's Boundaries at 5976 Okeechobee Boulevard, West Palm Beach, Florida (Property).

Kirk Blouin, Town Manager

ACTION: APPROVED, SUBJECT TO THE TOWN MANAGER'S RE-NEGOTIATIONS REGARDING WHEN PAYMENT OF THE FIRST 50% OF THE BROKERAGE COMMISSION IS DUE

6. Overview and Update Regarding the City of West Palm Beach Expert Panel Review of City's Management of Cyanotoxins in Raw Water Supply

TIME CERTAIN 10:30 A.M.

John Potts, Senior Consultant, Kimley-Horn and Associates

ACTION: NONE

C. New Business

1. Discussion Regarding the Maximum Number of Residential Permit Parking Decals/Visitor Passes Permitted

Jay Boodheshwar, Deputy Town Manager

ACTION: STAFF DIRECTED TO MAKE CONTACT WITH AFFECTED NEIGHBORS TO SEEK RESOLUTION TO CONCERNS REGARDING THE POTENTIAL ABUSE OF RPP REGULATIONS. STAFF DIRECTED TO RETURN TO COUNCIL AT A FUTURE DATE WITH ADDITIONAL DATA AND DRAFT LANGUAGE TO ADDRESS VERIFIED CONCERNS

2. Request to Have the Ordinances, Rules and Standards Committee Study Sec. 42-230 - Lawn Maintenance, Relative to Hours, Equipment and Noise

Jay Boodheshwar, Deputy Town Manager

ACTION: REFERRED TO ORS COMMITTEE

XII. ORDINANCES

A. Second Reading

1. Amendment to the Town Charter Regarding Town Caucus and Qualifying Dates

ORDINANCE NO. 018-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Charter at Section 5.03, Relating to Qualifications, to Modify the Date to Qualify for Election to the First Tuesday of December of Each Year or on a Date at Least Ninety-Five (95) Days Prior to the March Election Date, Whichever Comes First; Further Amending the Town Code of Ordinances at Chapter 34, Elections at Article II, Candidate, Division 2, Caucus, Section 34-56, Calling and Notice of Election to be Consistent with Section 5.03 of the Town Charter, Providing that the Date of the Town Caucus be Held on the First Tuesday of December of Each Year or on a Date at Least Ninety-Five (95) Days Prior to the March Election Date, Whichever Comes First; Providing for Severability; Providing for Codification; Providing for an Effective Date.

Queenester Nieves, CMC, Town Clerk

ACTION: ADOPTED

XIII. ANY OTHER MATTERS

XIV. ADJOURNMENT