



TOWN OF PALM BEACH

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

DECEMBER 14, 2021

9:30 AM

Welcome

For information regarding this agenda and the procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Danielle H. Moore, Mayor
Margaret A. Zeidman, President
Bobbie Lindsay, President Pro Tem
Julie Araskog
Ted Cooney
Lew Crampton

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

- 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 (SEE NOTE 5)

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

X. COMMITTEE REPORTS

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

Julie Araskog, Chair

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

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
 - 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.
 - 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.
 - 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.

D. New Business

1. Approval of Nominees to Serve on the Strategic Planning Board
TIME CERTAIN: 11:00 AM
Danielle H. Moore, Mayor
2. Discussion Regarding Shore Protection Board
TIME CERTAIN: 11:30 AM
Margaret A. Zeidman, Town Council President
3. Review of Chapter 106, Article VII - Special Events on Public Property
Jay Boodheshwar, Deputy Town Manager

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

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

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

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

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

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Wednesday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.

Note 2: The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.

Note 3: If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

Note 5: Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.

Note 6: All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.