

REVISED

11:26 am, Dec 09, 2019

TENTATIVE:
SUBJECT TO
REVISION



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

**TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD**

AGENDA

DECEMBER 10, 2019

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

Gail L. Coniglio, Mayor
Danielle H. Moore, President
Margaret A. Zeidman, President Pro Tem
Julie Araskog
Lew Crampton
Bobbie Lindsay

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

A. Lunch Recess from 12:30 to 1:30 P.M.

V. DECLARATION OF TOWN CAUCUS RESULTS

A. RESOLUTION NO. 146-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Declaring the Results of the Town Caucus; Naming Therein The Candidates Nominated; Declaring Said Nominees To Be Qualified Candidates And Elected Without Opposition; Establishing The Terms Of Office For Said Candidates; And Declaring That No Municipal Candidate Questions Will Appear On The March 17, 2020, Town Of Palm Beach General Election Ballot.

Kathleen Dominguez, CMC, Town Clerk

VI. RECOGNITIONS

A. Recognition of Kenneth Walker for his service on the Planning and Zoning Commission from October 2016 to September 2019.

Josh Martin, Director of Planning, Zoning and Building

VII. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

A. Presentations by Shore Protection Board Applicants

Kathleen Dominguez, CMC, Town Clerk

B. Appointments to the Shore Protection Board

Kathleen Dominguez, CMC, Town Clerk

VIII. COMMENTS OF MAYOR GAIL L. CONIGLIO

IX. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

X. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

XI. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. Town Council Meeting Minutes

Kathleen Dominguez, CMC, Town Clerk

a. November 12, 2019, Town Council Meeting Minutes

b. November 13, 2019, Town Council Development Review Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of November 22, 2019.

Josh Martin, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 126-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing

the Town of Palm Beach, Ex Post Facto, to Submit an Application for the FY 2019 Presidential Residence Protection Assistance (PRPA) Grant for Reimbursement of Applicable Law Enforcement Personnel Overtime Expenses incurred during the Grant Period; and Authorizing the Town Manager and Staff to Execute all Documents Necessary on Behalf of the Town of Palm Beach.

Nicholas Caristo, Chief of Police

2. RESOLUTION NO. 144-2019 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Cigna, Inc., in an Amount not to Exceed \$800,000 to Provide Stop Loss Coverage, and Authorizing the Town Manager to Take Actions Necessary to Effectuate this Contract.

Danielle Olson, Director of Human Resources

3. RESOLUTION NO. 145-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach, County, Florida, Approving and Adopting the 2020 revised Palm Beach County Local Mitigation Strategy Plan; Providing an Effective Date; and For Other Purposes.

Jay Boodheshwar, Deputy Town Manager

4. RESOLUTION NO. 147-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc., in the Amount of \$188,051.94 for Construction Phase Coastal Engineering Support Services for Phipps Ocean Park Beach Nourishment and Dune Restoration and Establishing a Task Budget of \$228,000, Contingent Upon Award of the U.S. Army Corps Of Engineers Award of the Palm Beach County Federal Shore Protection Project Mid-Town Segment.

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

5. RESOLUTION NO. 148-2019 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving Final Payment for the City Of West Palm Beach Joint Transmission Pipeline Improvements in the Amount of \$472,045.86.

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

6. RESOLUTION NO. 149-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to M & M Asphalt Maintenance dba All County Paving for the Phase 2 Resurfacing Project in the Amount of \$409,736.50, and establishing a Project Budget of \$471,196.

Dean Mealy, Purchasing Manager

7. RESOLUTION NO. 150-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders for Engineering Design Services to Kimley-Horn and Associates for Drainage Pump Station D-12, and Wastewater Pump Stations A-6 and E-6 and to Mock-Roos and Associates for Drainage Pump Station D-8 and Wastewater Pump Station E-5, in the amount of \$404,177, and a Project Budget of \$425,000

Dean Mealy, Purchasing Manager

8. RESOLUTION NO. 151-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2019-36, Water Feasibility Study to Kimley-Horn and Associates and Authorize the Town Manager and Town Staff to Facilitate Negotiations for Scope and Price Proposal.

Dean Mealy, Purchasing Manager

9. RESOLUTION NO. 152-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Award for the Comprehensive Zoning Code Reform to the Congress of the New Urbanism in an Amount Not-To-Exceed \$249,900.

Josh Martin, Director of Planning, Zoning and Building

10. RESOLUTION NO. 154-2019 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Construction Agreement with the Florida Department of Transportation (FDOT) for Work Associated with the Town Marina Project to be Constructed within the FDOT Right-of-Way.

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

C. OTHER

1. Consider Request to Vacate and Abandon Unused Road Right-of-Way at Ibis Island Road

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

2. Approval of Cost-of-Living Pay Adjustment Policy

Danielle Olson, Director of Human Resources

XII. APPEALS

- A. Palm Beach Hotel Appeal of Garbage Collection

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

XIII. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Shore Protection Board

E. Llwyd Ecclestone, Jr., Chair

XIV. REGULAR AGENDA

A. Old Business

1. Town-wide Undergrounding Project

Steven Stem, Project Manager

TIME CERTAIN: 2:00 P.M.

- a. Review of Project and Status Summary

2. Discussion Regarding Landmark Notification Procedures

Josh Martin, Director of Planning, Zoning and Building

3. Proposed Changes to Special Event Ordinance

Kathleen Dominguez, CMC, Town Clerk

4. Public Parking Program for Town-owned Peruvian Parking Lot and 100 Block of Sunrise Avenue

Jay Boodheshwar, Deputy Town Manager

5. Ficus Benjamina Removal Program Special Pick-Up

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

B. New Business

1. Coastal Resilience Implementation Plan Discussion

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

TIME CERTAIN: 11:00 AM

2. RESOLUTION NO. 153-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation to Award RFP No. 2020-01, Mandel Recreation Center Fitness Center and Wellness Program Coordinator to Health Fitness Corporation in the Annual Amount of \$181,593, and a Proposed Three-Year Award in the Amount of \$544,779 based on Satisfactory Performance and Subsequent Budget Approval.

The Town negotiated a Best and Final Cost Savings of \$6,386 Annually, and \$19,158 for a Three-Year Contract Award.

Carolyn Stone, Director of Business Development and Operations

C. Matters Pulled From Consent Agenda: If needed

XV. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 39-2019 An Ordinance of The Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 of the Town Code of Ordinances Relating to Personnel, At Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision I, in General, by Amending Section 82-54, Credited Service; Loss of Credited Service; Reinstatement of Credited Service.; Amending Subdivision II, Reserve Accounts, by Amending Section 82-80, Member Contributions; Amending Subdivision III, Firefighters, by Amending Section 82-94, Retirement Age and Service Conditions for Firefighters; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Danielle Olson, Director of Human Resources

B. First Reading

1. ORDINANCE NO. 40-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134, Article X. – On-Street

Parking Permits, at Section 134-2296(c) and Section 134-2327(2); Relating to Issuance of Decals and Visitor/Service Permits; Allowing for the Issuance of Eight Decals and Visitor/Service Permits Instead of the Four Currently Allowed; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

2. ORDINANCE NO. 41-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 74 of the Town Code of Ordinances, Parks And Recreation, Article II, Beaches And Aquatic Activities, Division 3, Regulation of Use of Public Beaches, At Section 74-191, So As To Include the Beach from Sunset Avenue To Wells Road And Beaches Defined By The Town Which Provides That No Person Shall Take Any Animal Upon Said Beaches; Providing For Severability; Providing For Repeal of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

XVI. ANY OTHER MATTERS

XVII. 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 Thursday 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 Thursday 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.