

REVISED

9:03 am, Dec 08, 2020

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 8, 2020

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. PRESENTATIONS

- A.** Presentation of the Award for the Employee of the Year.
Gail L. Coniglio, Mayor

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

VII. COMMENTS OF TOWN COUNCIL MEMBERS

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

IX. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk
 - a. November 10, 2020, Town Council Meeting Minutes
 - b. November 13, 2020, Local Planning Agency Meeting Minutes
 - c. November 13, 2020, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of November 20, 2020.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 123-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Order to Dana Safety Supply, Inc. in the amount of \$35,000 and a Five Year Award of \$175,000 Contingent Upon Satisfactory Performance and Budget Authorization for Installation of Municipal Vehicle Equipment.
Dean Mealy, Purchasing Manager
2. RESOLUTION NO. 135-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of Invitation To Bid No. 2020-19 And Approve A Purchase Order To The Green Experts, Inc. as the Primary Awardee and Total Maintenance Environmental Services Inc. as the Secondary Awardee For The Maintenance Of Beds At Southern Boulevard And Royal Poinciana Way In The Annual Amount Of \$32,000 And A Projected Five Year Award Of \$165,000 Contingent Upon Satisfactory Performance And Budget Approval.
Dean Mealy, Purchasing Manager
3. RESOLUTION NO. 136-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to NeoGov to Support Human Resources for Recruitment, On-Boarding, Performance Management and a New Services Consisting of eForms and Learn in the Annual Amount of \$58,090 for FY21 and a Proposed Five Year Award in the Amount of

\$369,800 Contingent Upon Satisfactory Performance and Budget Approval.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 137-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida approving a Purchase Order to Watch Guard in the Amount of \$115,415 and a Project Budget of \$120,415.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 138-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Orlando Freightliner in the Amount of \$174,405 and a Project Budget of \$180,000.

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 140-2020 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 Contract No. 21PB6, 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 the 2020-2021 Phipps Ocean Park Beach Nourishment Project, in the Amount of \$975,000, and Authorizing the Mayor to Execute Same on Behalf of the Town.

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

7. RESOLUTION NO. 142-2020 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Increasing Purchase Order No. 190332 to Baird and Associates, Inc., in the Amount of \$55,000, for Consulting Services Associated with the Lake Drive Park Improvements Project, Thereby Increasing the Purchase Order from \$1,756,229.25 to \$1,811,229.25.

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

X. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Shore Protection Board (written report only).

E. Llwyd Ecclestone, Chair

XI. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on Tuesday, November 3, 2020.

Lew Crampton, Chair

XII. REGULAR AGENDA

- A. **Matters Pulled From Consent Agenda: If needed**

- B. **Old Business**

1. COVID-19 Update

Kirk W. Blouin, Town Manager

TIME CERTAIN: 11:00 AM

- a. Report from Fire-Rescue Chief on COVID-19 Infections, Hospitalizations and Vaccines
 - b. Report from Town Attorney Regarding Town Limitations on Emergency Orders (*verbal report*)
 - c. Discussion About Town-Wide Curfew
 - d. RESOLUTION NO. 145-2020 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 January 12, 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.
 - e. Request from Royal Poinciana Plaza for Outdoor Soul Cycle
 - f. Update on Temporary Retail and Outdoor Seating Program
2. Town-wide Undergrounding Project:
Steve Stern, Project Manager

- a. Review of Project and Dashboard, Summary of Project Status
- b. Consideration of Issuance of GO Bonds for Town-wide Undergrounding Project.
Jane LeClainche, Director of Finance

TIME CERTAIN: 11:30 AM

- c. RESOLUTION NO. 129-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning Existing Public Utility Easements within Phase 2 North Utility Undergrounding Project Limits, in the Town of Palm Beach, Florida.
Patricia Strayer, P.E., Town Engineer

- d. RESOLUTION NO. 143-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of the Guaranteed Maximum Price to Burkhardt Construction Inc. for Phase 4 North and Via Marila Drainage Improvement Project in the Amount of \$5,101,393.06 and Establish a Project Budget of \$5,300,000.
Dean Mealy, Purchasing Manager

e. RESOLUTION NO. 144-2020 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 \$324,309 and a Project Budget of \$340,000 for Phase 4 North Construction Phase Services for Town-Wide Undergrounding of Utilities.

Dean Mealy, Purchasing Manager

3. Recommendation by the Business and Administrative Committee on Proposed Modifications and Changes to Chapter 134, Zoning, Related to Supplemental Off-Site Shared Parking.

Wayne Bergman, Director of Planning, Zoning and Building

4. Review of Boards and Commissions, Relative to Total Members and Ratio of Regular and Alternate Positions.

Jay Boodheshwar, Deputy Town Manager

5. RESOLUTION NO. 146-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Authorization for an Extension of Time for Environmental Reviews and an Extension of Rent Payments for the Property Located at 5976 Okeechobee Boulevard with Okeechobee Boulevard LLC (AHS).

Kirk W. Blouin, Town Manager

TIME CERTAIN: 10:30 AM

C. New Business

1. RESOLUTION NO. 139-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Audio Visual Innovations, Inc. in the Amount of \$97,658.52 and a Project Budget of \$105,000.

Jay Boodheshwar, Deputy Town Manager

2. Planning and Zoning Commission Recommendation to Hire a Retail Strategy Consultant

Wayne Bergman, Director of Planning, Zoning and Building

XIII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 17-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 46, Fire Prevention And Protection, Amending Article III, "Fire Prevention", In Accordance With Florida State Statute 633.202 And 633.208 The "Florida Fire Prevention Code" Adopted By The State Of Florida Fire Marshal In Chapter 69A-60 Of The Florida Administrative Code With Local Amendments, National Fire Protection Association Fire Code - N.F.P.A. 1, Florida 2018 Edition, And National Fire Protection Association Life Safety Code - N.F.P.A. 101, Florida 2018 Edition; Providing For Severability; Repealing All Ordinances Or Parts Of

Ordinances In Conflict Herewith; Providing For Codification; And
Providing For An Effective Date.

Darrel Donatto, Fire Rescue Chief

XIV. ANY OTHER MATTERS

- A. Public Access and Use of Beaches Between Wells Road and Sunset Avenue.

Kirk W. Blouin, Town Manager

TIME CERTAIN: 1:30 PM

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.