



TOWN OF PALM BEACH

Town Manager's Office

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

NOVEMBER 12, 2013

9:30 AM

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

I. CALL TO ORDER AND ROLL CALL

Mayor Gail L. Coniglio
David A. Rosow, President
Robert N. Wildrick, President Pro Tem
William J. Diamond
Richard M. Kleid
Michael J. Pucillo

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. COMMENTS OF MAYOR GAIL L. CONIGLIO

IV. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

(Another opportunity will be offered immediately after the lunch break.)

VI. APPROVAL OF AGENDA

VII. CONSENT AGENDA

A. MINUTES

1. MINUTES: OCTOBER 8, 2013
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, Town Clerk

2. MINUTES: OCTOBER 9, 2013
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, Town Clerk
3. Approval of Major Matters Considered by the Architectural Commission at its Meeting of October 23, 2013.
John Page, Director of Planning, Zoning, and Building

B. RESOLUTIONS

1. RESOLUTION NO. 165-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Agreement by and Between the Palm Beach County Supervisor of Elections and the Town of Palm Beach Relating to Vote Processing Equipment Use and Election Services; Providing an Effective Date.
Susan A. Owens, Town Clerk
2. RESOLUTION NO. 179-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Waiving the Requirement for a Formal Sealed Bid, Awarding RFQ No. 18-2014 and Approving a Contract in the Amount of \$26,249, to Cool Breeze Air Corp., for Replacement of the Air Conditioning Unit in Town Hall, and Establishing a Project Budget of \$30,000.
H. Paul Brazil, Director of Public Works
3. RESOLUTION NO. 180-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Universal Electric of Florida, Inc., and C. R. Dunn, Inc., for FY2014 Electrical Maintenance and Repair Services, in a Cumulative Total Amount Not-to-Exceed \$154,000.
H. Paul Brazil, Director of Public Works
4. RESOLUTION NO. 181-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$9,770, to Kimley-Horn and Associates, Inc., for Design Phase Engineering Services for the Pump Replacements at the A-6 Pump Station, and Establishing a Design Phase Engineering Services Budget of \$12,000.
H. Paul Brazil, Director of Public Works
5. RESOLUTION NO. 182-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in an Amount Not-to-Exceed \$81,655 to ACF Power Systems, LLC of Tampa, Florida, for the Purchase of a Baldor 300-KW Generator for the D-17 Storm Water Pump Station.
H. Paul Brazil, Director of Public Works
6. RESOLUTION NO. 183-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2014-07 and a Construction Contract to Man-Con Incorporated, for the Island Drive Pavement Repair and Resurfacing, in the Amount of

\$237,308.75, and Establishing a Total Construction Phase Budget of \$260,000.

H. Paul Brazil, Director of Public Works

7. RESOLUTION NO. 184-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$78,064.33 to Kimley-Horn and Associates, Inc., for Professional Engineering Services Associated with Groundwater Monitoring at the Town's Vegetative Landfill Sites, and Establishing a Project Budget of \$80,000.

H. Paul Brazil, Director of Public Works

8. RESOLUTION NO. 185-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Duncan Technologies, Inc., for the Purchase of Parking Meter Hardware and Software, in a Cumulative Total Amount Not-to-Exceed \$52,900.

H. Paul Brazil, Director of Public Works

9. RESOLUTION NO. 186-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract Extension to GSky Plant Systems, Inc., in the Amount of \$26,172.20, and Establishing a Project Budget of \$27,481 for the Maintenance of the Living Wall on Worth Avenue.

H. Paul Brazil, Director of Public Works

10. RESOLUTION NO. 187-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$190,279, to Palm Peterbilt Truck Centers, Inc., For the Purchase of One Peterbilt 320 Cab and Chassis with 20 CY Rear Load Packer Body, on FSA Contract 13-11-0904, and Establishing an Overall Budget of \$194,000.

H. Paul Brazil, Director of Public Works

11. RESOLUTION NO. 188-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$88,762 to Rechten International, for the Purchase of One International Workstar Cab and Chassis, and Approving a Purchase Order in the Amount of \$224,861.90 to Container Systems and Equipment Co., Inc., for the Purchase of One Super Products Camel 200 Combination Sewer Cleaning Vacuum Body Unit, on FSA Contract No. 13-11-0904, and Establishing a Total Budget of \$316,000.

H. Paul Brazil, Director of Public Works

12. RESOLUTION NO. 189-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$60,510 to Kelly Tractor, for the Purchase of One Caterpillar 277D Multi-Terrain Skidsteer Loader and Attachments, on FSA Contract No. 13-11-0904, and Establishing an Overall Budget of \$65,000.

H. Paul Brazil, Director of Public Works

13. RESOLUTION NO. 190-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$96,336 to Duval Ford, for the Purchase of One Ford F450 Cab and Chassis with an Altec AT30 Bucket Unit, on FSA Contract No. 13-11-0904, and Establishing an Overall Budget of \$99,000.
H. Paul Brazil, Director of Public Works
14. RESOLUTION NO. 191-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$162,188 to Rechten International, for the Purchase of One International Durastar Cab and Chassis With a Peterson RS3 Loader Body, on FSA Contract No. 13-11-0904, and Establishing an Overall Budget of \$165,000.
H. Paul Brazil, Director of Public Works
15. RESOLUTION NO. 192-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Two Purchase Orders to Duval Ford, One for the Purchase of a Ford Pickup Truck in the Amount of \$26,896 and One for the Purchase of a Ford E250 Cargo Van in the Amount of \$21,317, on FSA Contract No. 13-21-0904, and Establishing an Overall Budget of \$51,000.
H. Paul Brazil, Director of Public Works
16. RESOLUTION NO. 193-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$32,957 to Applied Technology & Management, Inc., for State of Florida Department of Environmental Protection Palm Beach Island Beach Management Agreement Required Turbidity Monitoring Services for the FY2014 Mid-Town Beach Nourishment Project, and Establishing a Turbidity Monitoring Task Budget of \$35,000.
H. Paul Brazil, Director of Public Works

C. OTHER

1. Authorization to Execute Stipulated Settlement Agreement with Palm Beach County and Solid Waste Authority re: Permits and Variances for Town's Yard Trash Landfills at Okeechobee Boulevard and Skees Road.
Peter B. Elwell, Town Manager
2. Authorization for Staff to Proceed with the Assessment Process for the Streetscape Project in the 400 Block of Peruvian Avenue.
Thomas G. Bradford, Deputy Town Manager
3. Approval of Selection Committee for RFP No. 2014-09, Lease of Town-Owned Properties.
Jay Boodheshwar, Director of Recreation and Special Projects
4. Authorization to Issue RFQ for Construction Manager at Risk Continuing Services.
H. Paul Brazil, Director of Public Works

VIII. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Planning and Zoning Commission.

C. Tanner Rose, Chair

Request for Deferral (of items A, B, and C) to the November 13, 2013, Town Council Meeting Per Email Dated November 5, 2013, from Peter B. Elwell, Town Manager.

John Page, Director of Planning, Zoning, and Building

- B. Future of the Planning and Zoning Commission.

Deferred from the June 11, 2013, Town Council Meeting.

John Page, Director of Planning, Zoning, and Building

- C. Proposed Study Items for 2014.

John Page, Director of Planning, Zoning, and Building

IX. REGULAR AGENDA

A. Old Business

1. Flagler Memorial Bridge Project Update.

Pete Nissen, New Millennium Engineering

2. Town Hall Square Restoration Project Update.

a. RESOLUTION NO. 195-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in an Amount of \$125,000, to Bridges, Marsh & Associates, for the Town Hall Square Restoration Project, and Establishing a Preliminary Design Phase Budget of \$130,000.

H. Paul Brazil, Director of Public Works

B. New Business

1. **Resolutions for the Issuance of Bonds**

A. RESOLUTION NO. 194-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Issuance of Not Exceeding \$59,000,000 Town of Palm Beach, Florida Public Improvement Revenue Bonds in One or More Series for the Purpose of Financing All or a Portion of the Cost of Acquiring, Constructing, Renovating and Equipping of Components of its Capital Improvement Plan, Including, but Not Limited To, Drainage, Sanitary Sewer, Water System, Street Lighting, Street, Traffic Signal, Curb, Gutter, Sidewalk, Park, Town Hall Square and Par 3 Golf Course Improvements and Related Capital Improvements and Coastal Management Program, Including, but Not Limited To, Sea Wall Replacements, Groin Rehabilitation and Related Capital Improvements; Authorizing and Directing the Town Manager or the Finance Director to "Deem Final" the Preliminary Official Statement Relating to the Bonds for Purposes of Rule 15c2-12 of the Securities and Exchange Commission; Authorizing and

Directing the Mayor, Town Council Members, the Town Manager, the Finance Director and Other Proper Officials of the Town to Execute and Deliver Any and All Documents and Instruments and to Do and Cause to Be Done Any and All Acts and Things Necessary or Proper for Carrying out the Transactions Contemplated by this Resolution; and Providing for an Effective Date.

B. RESOLUTION NO. 196-2013 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Supplementing Town Resolution No. 194-2013 To Authorize The Negotiated Sale Of Town Of Palm Beach, Florida Public Improvement Revenue Bonds, Series 2013 (Capital Improvement And Coastal Management Program); Approving The Form Of And Authorizing The Distribution Of A Preliminary Official Statement In Connection With The Series 2013 Bonds; Authorizing The Execution And Delivery Of An Official Statement In Connection With The Offering Of The Series 2013 Bonds; Authorizing The Execution And Delivery Of A Bond Purchase Agreement; Requiring Compliance Within Certain Statutory Requirements; Authorizing The Purchase Of A Bond Insurance Policy And/Or Reserve Account Credit Facility If Deemed Cost Effective; Authorizing And Directing The Town Manager And Finance Director To Determine Certain Other Details Of Said Series 2013 Bonds Within The Parameters Set Forth Herein; Authorizing The Proper Officials To Do All Other Things Deemed Necessary Or Advisable In Connection With The Issuance, Sale And Delivery Of Said Series 2013 Bonds; And Providing For An Effective Date.

Jane Struder, Director of Finance

2. Consideration of Additional Funding for the Interlocal Agreement to Jointly Pursue a Complaint against Florida Public Utilities Company (FPUC) for Non-Payment of Franchise Fees.

Thomas G. Bradford, Deputy Town Manager

3. Town Hall Audio/Visual System and Potential Televising of Town Council Meetings.

H. Paul Brazil, Director of Public Works

4. Update re: U.S. Army Corps of Engineers Proposed Deepening and Widening Project for Lake Worth Inlet and Port of Palm Beach.

H. Paul Brazil, Director of Public Works

5. Harbour House Request for (a) Waiver to Town Code for Construction During Season and (b) Temporary Use of Phipps Ocean Park Beach Access.

H. Paul Brazil, Director of Public Works

6. Annual Report Re: Delinquent Accounts.

Jane Struder, Director of Finance

X. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 20-2013 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, Zoning; Article X, On-Street Parking Permits; Division 2, Residential Districts; Section 134-2296, Issuance of Special Parking Permits upon Application, to Include a New Subparagraph (D) to Provide for the Issuance of Temporary Group Permits; Amending Division 3, Residential Districts Adjacent to Commercial Districts; Section 134- 2328, Temporary Group Permits, to Provide for an Application Fee; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Request for Deferral to the February 11, 2014, Town Council Meeting Per Memo Dated September 27, 2013, from Thomas G. Bradford, Deputy Town Manager.

Thomas G. Bradford, Deputy Town Manager

XI. ANY OTHER MATTERS

XII. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: No written materials received after 5:00 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 5:00 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 Systems (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: A summary of the actions taken at Town Council meetings can be viewed on the Town's website after 5 p.m. on the Friday following the Town Council meeting.

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.

**Town of Palm Beach
Meeting Schedule**

11/6/13

Tue 11/12/2013 09:00 AM	Veterans Day Ceremony	Wall of Honor-Memorial Park
Tue 11/12/2013 09:30 AM	Town Council Meeting	Council Chambers
Wed 11/13/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
Wed 11/13/2013 01:00 PM	Town Council Meeting - PUD 5	Society of the Four Arts Auditorium
Fri 11/15/2013 09:00 AM	Architectural Commission Meeting	Council Chambers
Tue 11/19/2013 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
Wed 11/20/2013 09:30 AM	Landmarks Preservation Commission Meeting	Council Chambers
Thu 11/21/2013 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Fri 11/22/2013 09:00 AM	Retirement Board of Trustees Meeting	Council Chambers
Fri 11/22/2013 02:00 PM	Investment Advisory Committee Meeting	Council Chambers
Mon 11/25/2013 09:00 AM	Shore Protection Board Meeting	Council Chambers
Thu 11/28/2013 04:00 AM	THANKSGIVING DAY	TOWN HALL CLOSED
Fri 11/29/2013 04:00 AM	DAY AFTER THANKSGIVING	TOWN HALL CLOSED

Mon 12/02/2013 05:30 PM	Holiday Tree Lighting	Bradley Park
Tue 12/03/2013 05:30 PM	Holiday Tree Lighting	South County Road
Tue 12/03/2013 06:29 PM	Holiday Tree Lighting	Worth Avenue
Tue 12/10/2013 09:30 AM	Town Council Meeting	Council Chambers
Wed 12/11/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
Thu 12/12/2013 09:00 AM	Architectural Commission Meeting	Council Chambers
Tue 12/17/2013 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
Wed 12/18/2013 09:30 AM	Landmarks Preservation Commission Meeting	Council Chambers
Thu 12/19/2013 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Tue 12/24/2013 04:00 AM	CHRISTMAS EVE	TOWN HALL CLOSED
Wed 12/25/2013 04:00 AM	CHRISTMAS DAY	TOWN HALL CLOSED
Tue 12/31/2013 04:00 AM	NEW YEAR'S EVE	TOWN HALL CLOSED