



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

NOVEMBER 10, 2015

9:30 AM

Welcome!

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
Michael J. Pucillo, President
Richard M. Kleid, President Pro Tem
Danielle H. Moore
Penelope D. Townsend
Robert N. Wildrick

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. RECOGNITIONS

- A. Recognition of James McCartney Wearn, Retirement Board of Trustees, from May 1990 through August 2015

IV. PRESENTATIONS

- A. Presentation by The Garden Club of Palm Beach
- B. Retirement Board of Trustees Presentations by Applicants

V. COMMENTS OF MAYOR GAIL L. CONIGLIO

VI. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VIII. APPROVAL OF AGENDA

IX. CONSENT AGENDA

A. MINUTES

1. MINUTES: OCTOBER 13, 2015
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
2. MINUTES: OCTOBER 14, 2015
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
3. Approval of Major Matters Considered by the Architectural Commission at its Meeting of October 28, 2015.
John S. Page, Director of Planning, Zoning & Building

B. RESOLUTIONS

1. RESOLUTION NO. 164-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Food and Beverage Services Agreement for the Town of Palm Beach Par 3 Golf Course Between the Town of Palm Beach and PB Ocean View, Inc., and Authorizing the Town Manager to Execute the Same on Behalf of the Town.
Deferred from the October 13, 2015, Town Council Meeting
Beth Zickar, Director of Recreation
2. RESOLUTION NO. 169-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Rescinding Resolution No. 86-2015, and Awarding Bid No. 2015-28 for Exterior Painting of the Police Department Building to One Call Property Services, Inc., and Approving a Purchase Order in an Amount of \$42,799, and Establishing a Budget of \$49,250.
H. Paul Brazil, P.E., Director of Public Works
3. RESOLUTION NO. 175-2015 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, and Providing an Effective Date.
Susan A. Owens, MMC, Town Clerk
4. RESOLUTION NO. 176-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Establishing the Per Hour Fee for "Premium Days" for Special Assignment Deployments for Police and Fire-Rescue Departments; Establishing Premium Days for Which the Premium Day Per Hour Fee Shall be Charged for Special Assignment Deployments, Requiring Future Amendments to the Premium Days Program to be Approved by Resolution of the Town Council Prior to the Effective Date of Amendments, and Providing an Effective Date.
Kirk W. Blouin, Director of Public Safety
5. RESOLUTION NO. 177-2015 A Resolution of the Town Council of the

Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Design and Bid Phase Engineering Services to Kimley-Horn & Associates, Inc., in an Amount of \$55,278 for the Lake Towers Undergrounding Utilities Project, and Establishing a Design and Bid Phase Engineering Services Budget of \$60,000.

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

6. RESOLUTION NO. 178-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract Extension to G-Sky Plant Systems, Inc., in the Amount of \$27,121.93, and Establishing a Project Budget of \$28,500 for the Maintenance of the Living Wall on Worth Avenue.

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

7. RESOLUTION NO. 179-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Preliminary Design Phase Engineering Services for the Mid-Town Drainage Improvements Project to Kimley-Horn and Associates, Inc., in the Amount of \$59,973 and Establishing an Engineering Services Budget of \$67,000.

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

8. RESOLUTION NO. 180-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Pre-Construction Services for the Lake Trail Pavement Improvements from Royal Palm Way to Reef Road, to Mock, Roos & Associates, Inc., in the Amount of \$23,200, and Establishing a Pre-Construction Services Budget of \$26,000.

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

9. RESOLUTION NO. 181-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$93,810.50, 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 \$95,000.

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

10. RESOLUTION NO. 182-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing a Change Order for a 6 Month Contract Extension to Lopez Group, Inc., in the Amount of \$73,430.88 for Worth Avenue Maintenance Services, and Establishing a Budget of \$75,000.

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

11. RESOLUTION NO. 183-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Renewal of the Golf Instruction Services Agreement for the Town of Palm Beach Par 3 Golf Course Between the Town of Palm Beach and Kellie Stenzel Golf, Inc. and Authorizing the Town Manager to Execute the Same on Behalf of the Town.

Beth Zickar, Director of Recreation

12. RESOLUTION NO. 184-2015 A Resolution of the Town Council of the

Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of a S530 T4 Bobcat Skid-Steer Loader at a Cost of \$26,598.90 From Clark Equipment Company, dba Bobcat Company for use at the Par 3 Golf Course, and Authorizing the Town Manager to Execute the Purchase on Behalf of the Town.

Beth Zickar, Director of Recreation

C. OTHER

1. Authorize the Temporary Relocation of the Holiday Tree at Town Hall Square

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

2. Authorize Issuance of Request for Proposals for a Grants Administrator

Jay Boodheshwar, Deputy Town Manager

3. Florida Department of Transportation Southern Boulevard Bridge Project

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

a. Authorize the Town Manager to Execute a Landscape Maintenance Memorandum of Agreement with the Florida Department of Transportation for the Southern Boulevard Bridge Project

b. Authorize the Town Manager to Execute a Decorative Lighting Locally Funded Agreement with the Florida Department of Transportation for the Southern Boulevard Bridge Project

c. Authorize the Town Manager to Execute a Decorative Lighting Maintenance Memorandum of Agreement with the Florida Department of Transportation for the Southern Boulevard Bridge Project

4. Status Report of Delinquent Accounts

Jane Struder, Director of Finance

5. Authorize the Planning & Zoning Commission to Study a Potential Revision to the Zoning Ordinance Requiring All Ground Based Transformers to be Screened

John S. Page, Director of Planning, Zoning and Building

X. REGULAR AGENDA

A. Old Business

1. Revisit of Issues Assigned to the Planning and Zoning Commission

Penelope D. Townsend, Town Council Member

B. New Business

1. Consideration of Scheduling an Attorney/Client Session Immediately Following the Regular Town Council Meeting on **Thursday, November 12, 2015**, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida, to Discuss the Following Matters:

1. 224 Atlantic, LLC vs Town of Palm Beach
Case No. 502015CA004478XXXXMB(AY)

2. 224 Atlantic, LLC vs Town of Palm Beach
Case No. 502015CA004622XXXXMB(AY)

3. 224 Atlantic, LLC vs Town of Palm Beach
Case No. 502015CA005761XXXXMB(AY)

4. 224 Atlantic, LLC vs Town of Palm Beach
Case No. 502015CA008921XXXXMB(AY)

All Pending in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida. Attorney/Client Session Attendees: Mayor Gail L. Coniglio, Town Council President Michael J. Pucillo, Town Council President Pro Tem Richard M. Kleid, Town Council Members Danielle Hickox Moore, Penelope D. Townsend, Robert N. Wildrick, Town Manager Thomas G. Bradford, Town Attorneys John C. Randolph and Kelly A. Gardner, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters.

John C. Randolph, Town Attorney

2. Request for Waiver of Charitable Solicitation Permit Application Fees from The Society of the Four Arts King Library.

Susan A. Owens, MMC, Town Clerk

3. Underground Utilities Task Force (UUTF) Discussion

TIME CERTAIN: 10:00 A.M.

Thomas G. Bradford, Town Manager

a. Discussion with Underground Utilities Task Force Members Regarding Timeline for the March 15, 2016, Referendum.

Jeffrey Smith, Chair and Wilbur Ross, Vice Chair

b. Consideration of Motion to Designate the UUTF as a defacto "Citizens Oversight Committee" during the design and construction phases of the underground conversion project, in addition to their current duties, should the voters approve the undergrounding referendum on March 15, 2016.

c. Consideration of Changes to the March 15, 2016, Referendum Ballot Language to Provide Clarity and Avoidance of Confusion.

4. Coastal Update

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

a. Shoreline Condition Update

b. Discussion of Long-Term Coastal Management Program Budget

5. Authorize the Town Manager to Negotiate an Interlocal Agreement with the City of West Palm Beach for Rehabilitation of the Shared Wastewater Force Main from I-95 and North Congress Avenue to the East Central Regional Wastewater Treatment Plant

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

6. Update on the Planning Efforts for the Town Hall Square Celebration

TIME CERTAIN 1:00 P.M.

Bill Bone, Palm Beach Centennial Commission Chairman

7. Appeal of Denial of Special Event Permit for the Proposed Eau Palm Beach Marathon

Thomas G. Bradford, Town Manager

8. Appointment to Retirement Board of Trustees

William P. Hanes, Pension Administrator

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 27-2015 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Rescinding Ordinance No. 19-2015 in its Entirety; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Susan A. Owens, MMC, Town Clerk

2. ORDINANCE NO. 28-2015 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 34, Elections, to Provide a New Article IV, Municipal Election Date and Election Qualifying Period for Years When the Town Holds its Municipal Elections Concurrently with Presidential Preference Primary Elections; Providing for a Run-Off Election if Necessary; Providing for an Adjustment in Terms; Directing the Town Clerk to Transmit a Certified Copy of this Ordinance to the Palm Beach County Supervisor of Elections; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Susan A. Owens, MMC, Town Clerk

3. ORDINANCE NO. 29-2015 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 70, Offenses, to Include a New Section 70-10 Entitled "Attachment of Hammocks or Other Objects To Public Property Prohibited"; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Kirk W. Blouin, Director of Public Safety

B. First Reading

1. ORDINANCE NO 30-2015 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 2, Administration; Article V, Code Enforcement; Division 3, Procedure; Section 2-439, Citation Fine Schedule, So As to Add Section 70-9 Relating to Sleeping, Camping in Public Places, Sleeping in Vehicle, and Section 70-10 Relating to Attachment of Hammocks or Other Objects to Public Property, as Class II Violations; Adding Section 106-160, Under Chapter 106, Streets, Sidewalks and Other Public Places, Relating to Maintenance of Parkway Strips, as a Class I Violation; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an

Effective Date.

John C. Randolph, Town Attorney

XII. ANY OTHER MATTERS

XIII. 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:** 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.

**Town of Palm Beach
Meeting Schedule**

11/4/15

Tue 11/10/2015 09:30 AM	Town Council Meeting	Council Chambers
Wed 11/11/2015 04:00 AM	VETERANS' DAY	TOWN HALL CLOSED
Thu 11/12/2015 10:00 AM	Town Council Meeting-Development Review	Council Chambers
Mon 11/16/2015 09:00 AM	ARCOM Meeting	Council Chambers
Mon 11/16/2015 01:00 PM	PERC Meeting	Chambers Conf. Room
Tue 11/17/2015 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
Wed 11/18/2015 09:30 AM	Landmarks Preservation Commission Meeting	Council Chambers
Thu 11/19/2015 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Thu 11/19/2015 02:00 PM	Finance and Taxation Committee Meeting	EOC
Fri 11/20/2015 09:00 AM	Retirement Board Meeting	Council Chambers
Fri 11/20/2015 02:30 PM	Investment Advisory Committee Meeting	Council Chambers
Thu 11/26/2015 04:00 AM	THANKSGIVING HOLIDAY	TOWN HALL CLOSED
Fri 11/27/2015 04:00 AM	DAY AFTER THANKSGIVING HOLIDAY	TOWN HALL CLOSED

Mon 11/30/2015 06:00 PM	Holiday Tree Lighting	Bradley Park
Tue 12/01/2015 09:00 AM	Underground Utilities Task Force Meeting	Council Chambers
Tue 12/01/2015 05:30 PM	Holiday Tree Lighting	TBD
Tue 12/01/2015 06:29 PM	Holiday Tree Lighting	Worth Avenue
Thu 12/03/2015 07:00 PM	Town Caucus	Council Chambers
Mon 12/07/2015 09:30 AM	Special Town Council Meeting to Call the Election/ Results of the Caucus	Council Chambers
Mon 12/07/2015 02:00 PM	Ordinances, Rules, and Standards Committee Meeting	Council Chambers
Tue 12/08/2015 09:30 AM	Town Council Meeting	Council Chambers
Wed 12/09/2015 09:30 AM	Town Council Meeting (Development Review Matters)	Council Chambers