



# TOWN OF PALM BEACH

Town Manager's Office

**TENTATIVE-  
SUBJECT TO  
REVISION**

## **TOWN COUNCIL MEETING**

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

### **AGENDA**

**TUESDAY, NOVEMBER 9, 2010**

**9:30 A.M.**

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

The progress of this meeting may be monitored by visiting the Town's website ([www.townofpalmbeach.com](http://www.townofpalmbeach.com)) and selecting "Your Government" and then selecting "Live Meeting Audio". 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 under "Agendas, Minutes, and Audio."

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.

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE

Post Office Box 2029 \* 360 South County Road \* Palm Beach, Florida 33480  
Telephone (561) 838-5410 \* Facsimile (561) 838-5411 \* [townmanager@townofpalmbeach.com](mailto:townmanager@townofpalmbeach.com)

III. PRESENTATIONS

None

IV. COMMENTS OF MAYOR JACK McDONALD

V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

VI. COMMUNICATIONS FROM CITIZENS- 3 MINUTE LIMIT PLEASE  
**(Another opportunity for communications from citizens will be offered immediately after the lunch break.)**

VII. APPROVAL OF AGENDA

VIII. CONSENT AGENDA

A. MINUTES: OCTOBER 12, 2010  
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING

B. MINUTES: OCTOBER 13, 2010  
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING

C. APPROVAL OF MAJOR MATTERS CONSIDERED BY THE ARCHITECTURAL COMMISSION AT ITS MEETING ON OCTOBER 27, 2010.

D. RESOLUTIONS

1. RESOLUTION NO. 119-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of One D6K LGP Caterpillar Track Dozer in the Amount of \$152,500. [H. Paul Brazil, Director of Public Works]

2. RESOLUTION NO. 120-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Town of Palm Beach Police Department Edward Byrne Memorial Justice Assistance Grant (JAG) Program-Florida JAG Direct Application to the Florida Department of Law Enforcement and Authorizing the Mayor to Execute the Same on Behalf of the Town. [Kirk W. Blouin, Police Chief]

3. RESOLUTION NO. 121-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract for \$25,389.60 to C3TS Consultants for the “E” Station Study, Establishing a Total Study Phase Budget of \$28,000 for Said Services, and Authorizing the Town Manager to Take Actions Necessary to Complete Said Services.  
[H. Paul Brazil, Director of Public Works]
4. RESOLUTION NO. 122-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Batallan Enterprises, Inc., DBA Propertyworks in the Amount of \$26,360 for Mowing of Town Medians and Parks for the Town of Palm Beach, Sealed Bid Number 2011-02.  
[H. Paul Brazil, Director of Public Works]
5. RESOLUTION NO. 123-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Granting an Easement Across Town Property to Florida Power & Light Company for an Electrical Transformer and Wires to Provide Service to the D-9 Storm Water Pump Station.  
[H. Paul Brazil, Director of Public Works]
6. RESOLUTION NO. 125-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a One Year Renewal to the Contract to All Florida Tree and Landscape, Inc., in the Amount of \$39,675 for Trimming of Town Coconut Palms for the Town of Palm Beach.  
[H. Paul Brazil, Director of Public Works]

E. OTHER

1. Acceptance of a Donation of Approximately \$44,000 from Jack Annan via the Palm Beach Police Foundation for the Purchase of Specialized Equipment for the Crime Scene and Evidence Unit.  
[Kirk W. Blouin, Police Chief]
2. Approval to Waive Construction Hours Regulations for the Lake Worth Inlet Dredging Project.  
[H. Paul Brazil, Director of Public Works]
3. Re-establishment of the “Hybrid Committee” for Review of Worth Avenue Commercial District Design Changes.  
[Thomas G. Bradford, Deputy Town Manager]

4. Authorization for Greenburg Traurig to Provide Federal Lobbying Services for FY11 at a Cost Not to Exceed \$33,000.  
[Peter B. Elwell, Town Manager]
5. Acceptance of a Donation of a Holiday Tree for Worth Avenue from Mr. and Mrs. Rush Limbaugh.  
[H. Paul Brazil, Director of Public Works]
6. Authorization to Immediately Begin Recruitment for a New Town Clerk. [Jane Struder, Director of Finance]

#### IX. BOARD/COMMISSION ANNUAL REPORT

- A. Planning and Zoning Commission. [Alan Golboro, Chair and John S. Page, Director of Planning, Zoning, and Building]

#### X. REGULAR AGENDA

##### A. Old Business

1. Request for Town Code Waiver to Allow Display of Centennial Banners. [Ned Barnes, Executive Director, Palm Beach Civic Association]
2. Beach Cleanup Clarification. [Peter B. Elwell, Town Manager]

##### B. New Business

1. County Budget Task Force Request for Town and Task Force to Become a Coalition Partner with the Taxpayer Action Board (TAB). [Fred Scheibl, Palm Beach County Taxpayer Action Board]

**TIME CERTAIN: 10:30 A.M.**

2. Florida Public Utilities Request for Relief from Seasonal Construction Hours Restrictions.  
[H. Paul Brazil, Director of Public Works]
3. Worth Avenue Commercial District Maintenance Program; RFP No. 2011-03. [Thomas G. Bradford, Deputy Town Manager]

**RESOLUTION NO. 129-10** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Lopez Group, Inc., as the Highest Ranked Firm Responding to RFP No. 2011-03 for the Worth Avenue Commercial District Maintenance Program Based Upon Their Proposal Totaling

\$144,573 and the Selection Committee's Recommendation Pertaining Thereto; Authorizing Staff Negotiations with Lopez Group, Inc. and Other Firms Responding to the RFP in the Order of Their Ranking Should Negotiations Be Unsuccessful with the Lopez Group, Inc. and Authorizing the Town Manager to Execute a Negotiated Contract on Behalf of the Town for the Worth Avenue Commercial District Maintenance Program Subject to the Town's Adopted Budget for Said Program and the Town Attorney's Approval of the Negotiated Contract for Legal Form and Sufficiency.

4. Recreation Advisory Commission Recommendations Regarding Golf and Marina. [Jay Boodheshwar, Director of Recreation]
5. Coastal Protection Matters.
  - a. Current Condition of Beaches.  
[Rob Weber, Coastal Coordinator]
  - b. Dune Restoration Project in Reaches 4, 7, and 8.
    - i. RESOLUTION NO. 128-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract for \$4,995,000 to Rio-Bak Corporation, for the Construction of the 2010-2011 Dune Restoration Project, Establishing a Total Construction Phase Budget of \$5,245,000 for Said Project, and Authorizing the Town Manager to Take Actions Necessary to Complete Said Services.  
[H. Paul Brazil, Director of Public Works]
    - ii. RESOLUTION NO. 127-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract for \$155,864.44 to Applied Technology and Management for Construction Management Services in Connection with the 2010-2011 Dune Restoration Project, Establishing a Total Construction Management Services Budget of \$171,200 for Said Project, and Authorizing the Town Manager to Take Actions Necessary to Complete Said Services.  
[H. Paul Brazil, Director of Public Works]

- c. RESOLUTION NO. 124-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract for \$403,623 to Applied Technology & Management, Inc., to Perform an Offshore Sand Search Investigation and Borrow Area Development at the Southern End of Palm Beach, Establishing a Total Budget of \$444,000 for Said Project, and Authorizing the Town Manager to Take Actions Necessary to Complete Said Services.  
[H. Paul Brazil, Director of Public Works]
- 6. Scope and Funding for Internal Audit Services for FY11.  
[Robert N. Wildrick, Town Council Member]
- 7. Annual Report on Unpaid Assessments, Fines and Authorization to Write off Certain Monies Deemed Uncollectible.  
[Jane Struder, Director of Finance]
- 8. Conceptual Consideration of Closing the Mid-Block Gap in the Royal Poinciana Way Median to Provide More Green Space and Parking.  
[John S. Page, Director of Planning, Zoning, and Building]
- 9. Request from Former Town Council Member George Matthews for “Grandfather” Status in the Town’s Health Insurance Program.  
[Danielle Olson, Director of Human Resources]

## XI. ORDINANCES

### A. Second Reading

- 1. ORDINANCE NO. 30-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town’s Budgets Adopted for the Fiscal Year Commencing October 1, 2009, Providing an Effective Date.  
[Jane Struder, Director of Finance]

### B. First Reading

None

## XII. ANY OTHER MATTERS

## XIII. ADJOURNMENT

## **PLEASE TAKE NOTE:**

- Note 1:** 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 2:** 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 3:** 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 4:** 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.

### **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

11/3/10

|                         |                                             |                  |
|-------------------------|---------------------------------------------|------------------|
| Tue 11/09/2010 09:30 AM | Town Council Meeting                        | Council Chambers |
| Wed 11/10/2010 09:30 AM | Town Council Meeting (Development Review)   | Council Chambers |
| Wed 11/10/2010 02:00 PM | Finance & Taxation Committee Meeting        | Council Chambers |
| Thu 11/11/2010 04:00 AM | VETERANS' DAY                               | TOWN HALL CLOSED |
| Fri 11/12/2010 09:00 AM | General Employee Retirement Board           | Council Chambers |
| Fri 11/12/2010 02:00 PM | Investment Advisory Committee (IAC) Meeting | Council Chambers |
| Tue 11/16/2010 09:30 AM | Planning & Zoning Commission Meeting        | Council Chambers |
| Wed 11/17/2010 09:30 AM | Landmarks Preservation Commission Meeting   | Council Chambers |
| Thu 11/18/2010 09:00 AM | Police Officers' Retirement Board           | Council Chambers |
| Fri 11/19/2010 09:00 AM | Architectural Review Commission Meeting     | Council Chambers |
| Tue 11/23/2010 01:30 PM | County Budget Task Force Meeting            | Council Chambers |
| Thu 11/25/2010 04:00 AM | THANKSGIVING DAY                            | TOWN HALL CLOSED |
| Fri 11/26/2010 04:00 AM | DAY AFTER THANKSGIVING HOLIDAY              | TOWN HALL CLOSED |

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| Mon 11/29/2010 09:00 AM | Firefighters Retirement Board Meeting | Council Chambers |
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| Mon 11/29/2010 06:00 PM | Holiday Tree Lighting | Bradley Park |
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| Tue 11/30/2010 05:30 PM | Holiday Tree Lighting | South County Road |
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| Tue 11/30/2010 06:29 PM | Holiday Tree Lighting | Worth Avenue |
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| Mon 12/06/2010 09:00 AM | Shore Protection Board Meeting | Council Chambers |
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| Tue 12/07/2010 09:00 AM | Mediation Conference: Karp Property, 1100 North Ocean Boulevard | Council Chambers |
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| Wed 12/08/2010 09:00 AM | Mediation Conference: Karp Property, 1100 North Ocean Boulevard | Council Chambers |
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| Tue 12/14/2010 09:30 AM | Town Council Meeting | Council Chambers |
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| Wed 12/15/2010 09:30 AM | Town Council Meeting (Development Review) | Council Chambers |
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