



# TOWN OF PALM BEACH

Town Manager's Office

## TOWN COUNCIL MEETING

TOWN HALL  
COUNCIL CHAMBERS-SECOND FLOOR  
360 SOUTH COUNTY ROAD

### AGENDA

OCTOBER 14, 2014

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  
Robert N. Wildrick, President  
William J. Diamond, President Pro Tem  
Richard M. Kleid  
Michael J. Pucillo  
Penelope D. Townsend

#### **II. INVOCATION AND PLEDGE OF ALLEGIANCE**

#### **III. PRESENTATIONS**

- A.** Poinciana Playhouse Update.  
*Pamela Stark Thomas, National Arts Institute*
- B.** Flagler Memorial Bridge Project Update.  
*Geoffrey Parker, New Millennium Engineering*

#### **IV. COMMENTS OF MAYOR GAIL L. CONIGLIO**

#### **V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER**

#### **VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**

#### **VII. APPROVAL OF AGENDA**

## **VIII. CONSENT AGENDA**

### **A. MINUTES**

1. MINUTES: SEPTEMBER 9, 2014  
Approval of the Minutes of the Regular Town Council Meeting.  
*Staff Requests Deferral to the November 13, 2014, Town Council Meeting.*  
*Susan A. Owens, Town Clerk*
2. MINUTES: SEPTEMBER 9, 2014  
Approval of the Minutes of the Special Town Council Meeting-Closed-Door Session.  
*Susan A. Owens, Town Clerk*
3. MINUTES: SEPTEMBER 9, 2014  
Approval of the Minutes of the Special Town Council Meeting-First Budget Hearing.  
*Susan A. Owens, Town Clerk*
4. MINUTES: SEPTEMBER 10, 2014  
Approval of the Minutes of the Regular Town Council Meeting.  
*Susan A. Owens, Town Clerk*
5. MINUTES: SEPTEMBER 17, 2014  
Approval of the Minutes of the Special Town Council Meeting-Second Budget Hearing.  
*Susan A. Owens, Town Clerk*
6. Approval of Major Matters Considered by the Architectural Commission at its Meeting of September 19, 2014.  
*John S. Page, Director of Planning, Zoning and Building*

### **B. RESOLUTIONS**

1. RESOLUTION NO. 150-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Approving an Amended Funding Agreement to Memorialize the Terms and Conditions Associated with an Internal Loan to Be Provided to the Benefitting Property Owners Within the Peruvian Avenue 400 Block Streetscape Project Assessment Area.  
*Thomas G. Bradford, Deputy Town Manager*
2. RESOLUTION NO. 154-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving RFQ No. 09-2015 from SeaVee Boats; Authorizing the Issuance of a Purchase Order in an Amount of \$219,865; Establishing a Total Budget of \$234,865 Including a Contingency of \$15,000; and Authorizing a Deposit in the Amount of \$40,000 to Seavee Boats.  
*Kirk W. Blouin, Director of Public Safety*
3. RESOLUTION NO. 155-2014 A Resolution of the Town Council of the

Town of Palm Beach, Palm Beach County, Florida, Authorizing a Twelve Month Extension of the Contract, with No Changes to Terms, in an Amount Not to Exceed \$30,000.00, to EMS Management & Consultants, Inc. for Emergency Medical Services Third Party Billing Services and Authorizing the Town Manager to Execute the Same on Behalf of the Town.

*Kirk Blouin, Director of Public Safety*

4. RESOLUTION NO. 156-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of Annual Software Support and Maintenance for FY15 Upon Approval of the FY15 Budget for Cartegraph in the Amount of \$40,000.00, Sungard Public Sector in the Amount of \$94,352.36, Tyler Technologies in the Amount of \$74,519.09 and MCCI in the Amount of \$48,209.85, ESRI Inc. in the Amount of \$25,500.00, Microsoft in the Amount of \$32,885.04, and Authorizing the Town Manager to Execute the Purchases on Behalf of the Town.

*Thomas G. Bradford, Deputy Town Manager*

5. RESOLUTION NO. 157-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2014-22 and Approving a Purchase Order to Unifirst Corporation, for Uniform Rental and Cleaning Services, in the Amount of \$25,596.48, and Establishing an Overall Uniform Budget of \$30,000.

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

6. RESOLUTION NO. 158-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2014-44 and Approving a Purchase Order to Performance Property Management Services, Inc., for Curb Painting and Pavement Marking Services, in the Amount of \$84,612.19, and Establishing an Overall Project Budget of \$93,000.

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

7. RESOLUTION NO. 159-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Duncan Technologies, for Parking Kiosk Services for FY15 in an Amount of \$48,850, and Establishing a Project Budget of \$58,000.

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

8. RESOLUTION NO. 160-2014 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 Mock Roos & Associates, Inc., in an Amount of \$105,105 for Bradley Place Improvements - Royal Poinciana Way to Wells road, and Establishing an Engineering Design and Bid Phase Services budget of \$116,000.

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

9. RESOLUTION NO. 161-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Engineering Design and Bid Phase Services to Chen

Moore & Associates, Inc., in the Amount of \$71,030 for the Ridgeview Drive, Cherry Lane, and West Indies Drive Drainage Improvements, and Establishing an Engineering Design and Bid Phase Services Budget of \$120,000.

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

### **C. OTHER**

1. Appointment of "Blue Ribbon" Panel  
Per PERC Ordinance Appendix "A" Section 1.003.  
*Danielle Olson, Director of Human Resources*
2. Authorization of a Selection Committee  
for Paving and Roadway Improvements Contractors.  
*H. Paul Brazil, P.E., Director of Public Works*
3. Authorization of a Selection Committee  
for Signalization and Mast Arm Upgrades and Final Design  
*H. Paul Brazil, P.E., Director of Public Works*
4. Authorization of Request for Qualifications (RFQ)  
for Construction Management at Risk Services  
for the D-4 and D-10 Pump Station Improvements.  
*H. Paul Brazil, P.E., Director of Public Works*
5. Waiver of Charitable Solicitation Permit Fees and Late Fees  
for Four Arts King Library.  
*Jane Struder, Director of Finance*

## **IX. REGULAR AGENDA**

### **A. Old Business**

1. Appeal of Town Code, Chapter 10, Section 10-45,  
Dangerous Dog Determination - "Titan," Case No. 14-000675  
(per letter dated May 27, 2014 from Julie Leever).  
*Deferred from the June 10, 2014, Town Council Meeting.*  
*Kirk Blouin, Director of Public Safety*
2. Memorial Fountain Project Update and Consideration of  
Other Possible Improvements in Town Hall Square.  
*Peter B. Elwell, Town Manager*
3. FPL Hardening, Utility Undergrounding, and Street Lighting Matters.  
TIME CERTAIN: 2:00 PM
  - a. Hardening.  
*FPL Representatives*
  - b. Undergrounding.  
*Thomas G. Bradford, Deputy Town Manager.*

c. Street Lighting.  
*H. Paul Brazil, P.E., Director of Public Works*

d. RESOLUTION NO. 162-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Engineering Design and Bid Phase Services for Town-wide Street Light Replacements-Phase 2 in the Amount of \$109,030 to Mock Roos & Associates, Inc., and Establishing an Engineering and Design and Bid Phase Services Budget of \$122,000.

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

e. RESOLUTION NO. 163-2014 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 Erdman Anthony of Florida, Inc., in an Amount of \$180,310 for the Street Lighting Upgrades on South Ocean Boulevard from Sloan's Curve to Lake Avenue, and Establishing a Design and Bid Phase Budget of \$197,500.

*H. Paul Brazil, Director of Public Works*

## **B. New Business**

### **1. Coastal Protection Matters.**

a. Mid-Town Beach Renourishment, Phipps/Reach 7 Partial Beach Nourishment, Reach 8 Dune Restoration, and other Coastal Protection Project Updates.

b. Request for Waivers to Town Code for Construction Dates, Hours, and Noise for Staging in Lake Worth Lagoon.

c. Update on North Ocean Boulevard Seawall Replacement.

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

### **2. Evaluation of Town Manager Peter B. Elwell's Performance During 2013-2014.**

*Peter B. Elwell, Town Manager*

### **3. Adoption of 2014-2015 Goals and Objectives for Town Manager Peter B. Elwell.**

*Peter B. Elwell, Town Manager*

## **X. ORDINANCES**

### **A. Second Reading**

#### **1. ORDINANCE NO. 13-2014 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Designating an Official Town Seal; Providing for Penalties for Unauthorized Use; Providing for Severability; Providing for Repeal of Ordinances in Conflict;**

Providing for Codification; Providing for an Effective Date.

a. RESOLUTION NO. 165-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing Authority for Town Staff to Use Representations of the Town Seal on Promotional Merchandise, Work Clothing Purchased Directly by the Employee, and Providing the Authority for the Town Manager to Approve the Use of Representations of the Town Seal by Employees in Certain Circumstances.

*Thomas G. Bradford, Deputy Town Manager*

2. ORDINANCE NO. 15-2014 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 54 of the Town Code of Ordinances Relating to Historical Preservation at Article II, Landmarks Preservation Commission, Section 54-41, Appeals and Review, to Provide for Appeals by Letter Based upon the Record; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

*Thomas G. Bradford, Deputy Town Manager*

## **B. First Reading**

1. ORDINANCE NO. 14-2014 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 106, Streets, Sidewalks and Other Public Places; at Article II, Streets; Section 106-46 Relating to Street Repair or Lighting on Petition of Property Owners; Requiring 67% of Property Owners to Affirmatively Approve the Petition with 100% of the Cost of Improvements to Be Borne by Petitioning Property Owners; providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

*Deferred from the September 9, 2014, Town Council Meeting.*

*Thomas G. Bradford, Deputy Town Manager*

2. ORDINANCE NO. 16-2014 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 Florida 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 2012 Edition, and National Fire Protection Association Life Safety Code - N.F.P.A. 101, Florida 2012 Edition; Providing for Severability; Repealing All Ordinances or Parts of Ordinances in Conflict Herewith; Providing for Codification; and Providing for an Effective Date.

*Kirk Blouin, Director of Public Safety*

3. ORDINANCE NO. 17-2014 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 2,

Administration, Article IX, Shore Protection Board, Section 2-615(c), Frequency of Meetings; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

*Peter B. Elwell, 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](http://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

10/8/14

|                         |                              |                  |
|-------------------------|------------------------------|------------------|
| Mon 10/13/2014 01:00 PM | Special Town Council Meeting | Council Chambers |
|-------------------------|------------------------------|------------------|

---

|                         |                      |                  |
|-------------------------|----------------------|------------------|
| Tue 10/14/2014 09:30 AM | Town Council Meeting | Council Chambers |
|-------------------------|----------------------|------------------|

---

|                         |                                         |                  |
|-------------------------|-----------------------------------------|------------------|
| Wed 10/15/2014 09:30 AM | Town Council Meeting-Development Review | Council Chambers |
|-------------------------|-----------------------------------------|------------------|

---

|                         |                                           |                  |
|-------------------------|-------------------------------------------|------------------|
| Thu 10/16/2014 09:30 AM | Landmarks Preservation Commission Meeting | Council Chambers |
|-------------------------|-------------------------------------------|------------------|

---

|                         |                                |                  |
|-------------------------|--------------------------------|------------------|
| Thu 10/16/2014 02:00 PM | Code Enforcement Board Meeting | Council Chambers |
|-------------------------|--------------------------------|------------------|

---

|                         |                                        |                  |
|-------------------------|----------------------------------------|------------------|
| Tue 10/21/2014 09:30 AM | Planning and Zoning Commission Meeting | Council Chambers |
|-------------------------|----------------------------------------|------------------|

---

|                         |               |                  |
|-------------------------|---------------|------------------|
| Wed 10/22/2014 09:00 AM | ARCOM Meeting | Council Chambers |
|-------------------------|---------------|------------------|

---

|                         |                                |                  |
|-------------------------|--------------------------------|------------------|
| Thu 10/23/2014 09:00 AM | Shore Protection Board Meeting | Council Chambers |
|-------------------------|--------------------------------|------------------|

---

|                         |                                        |                  |
|-------------------------|----------------------------------------|------------------|
| Wed 11/05/2014 09:00 AM | Recreation Advisory Commission Meeting | Council Chambers |
|-------------------------|----------------------------------------|------------------|

---

|                         |               |                  |
|-------------------------|---------------|------------------|
| Tue 11/11/2014 04:00 AM | VETERANS' DAY | TOWN HALL CLOSED |
|-------------------------|---------------|------------------|

---

|                         |                                           |                  |
|-------------------------|-------------------------------------------|------------------|
| Wed 11/12/2014 09:30 AM | Town Council Meeting - Development Review | Council Chambers |
|-------------------------|-------------------------------------------|------------------|

---

|                         |                      |                  |
|-------------------------|----------------------|------------------|
| Thu 11/13/2014 10:00 AM | Town Council Meeting | Council Chambers |
|-------------------------|----------------------|------------------|

---

|                         |               |                  |
|-------------------------|---------------|------------------|
| Fri 11/14/2014 09:00 AM | ARCOM Meeting | Council Chambers |
|-------------------------|---------------|------------------|

---

|                         |                                           |                   |
|-------------------------|-------------------------------------------|-------------------|
| Wed 11/19/2014 09:30 AM | Landmarks Preservation Commission Meeting | Council Chambers  |
| Thu 11/20/2014 02:00 PM | Code Enforcement Board Meeting            | Council Chambers  |
| Fri 11/21/2014 09:00 AM | Retirement Board Meeting                  | Council Chambers  |
| Thu 11/27/2014 04:00 AM | THANKSGIVING DAY                          | TOWN HALL CLOSED  |
| Fri 11/28/2014 04:00 AM | DAY AFTER THANKSGIVING                    | TOWN HALL CLOSED  |
| Mon 12/01/2014 05:30 PM | Holiday Tree Lighting                     | Bradley Park      |
| Tue 12/02/2014 05:30 PM | Holiday Tree Lighting                     | South County Road |
| Tue 12/02/2014 06:29 PM | Holiday Tree Lighting                     | Worth Avenue      |
| Tue 12/09/2014 09:30 AM | Town Council Meeting                      | Council Chambers  |
| Wed 12/10/2014 09:30 AM | Town Council Meeting - Development Review | Council Chambers  |