



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

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

AGENDA

OCTOBER 13, 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. BOARDS AND COMMISSIONS APPOINTMENTS

- A.** Appointments to the Planning and Zoning Commission
Queenester Nieves, CMC, Town Clerk

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 3)

A. MINUTES

1. Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk
 - a. September 9, 2020, Development Review Town Council Meeting Minutes
 - b. September 10, 2020, Town Council Meeting Minutes
 - c. September 10, 2020, Special Town Council Meeting Minutes
 - d. September 16, 2020, Special Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of September 23, 2020.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 98-2020 A Resolution of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving a Single Source Identification for Kemira Water Solutions, Inc. for a period not to exceed five years.
Dean Mealy, Purchasing Manager
2. RESOLUTION NO. 99-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for a single source contract with Kemira Water Solutions, Inc. in the annual amount of \$187,200 and a five year contract contingent upon satisfactory performance and budget authorization in the amount of \$936,000.
Dean Mealy, Purchasing Manager
3. RESOLUTION NO. 100-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Florida Superior Sand, Inc. to Furnish and Deliver Sand to PAR 3 in the Amount of \$12,000 for FY21 and \$12,000 for water crushed shell for FY21.
Dean Mealy, Purchasing Manager
4. RESOLUTION NO. 101-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Order for Fountain Maintenance Service to Mako Pools,

Inc. in the Amount of \$25,100 for FY21 and \$25,100 for FY22 based on Satisfactory Vendor Performance and Budget Approval and an overall Project Budget of \$115,907 for total contract period of FY17 to FY22.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 102-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Oracle Elevator Company for Elevator Maintenance and Inspection Services in the amount of \$7,080 for Public Works and \$2,499 for Recreation PAR 3 in the total amount of \$9,579 for FY21 and a new contract value of \$67,997.

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 103-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Order to Property Works for Vegetation and Litter Removal-Cleaning in the amount of \$42,758 for FY21 and \$42,758 for FY22 based on satisfactory performance and budget authorization for a total contract value of \$172,000.

Dean Mealy, Purchasing Manager

7. RESOLUTION NO. 104-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Award ITB No. 2021-01, Bradley Park Tidal Garden in an Amount Not-to-Exceed \$150,000.

Dean Mealy, Purchasing Manager

8. RESOLUTION NO. 105-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Change Order in the Amount of \$4,853 to Central Square (Superion) and Establishing a New Contract Value of \$119,352 for Needed Services.

Dean Mealy, Purchasing Manager

9. RESOLUTION NO. 106-2020 A Resolution Of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of ITB No. 2020-23, Phipps Ocean Park Nourishment To Weeks Marine Inc. In The Amount Of \$8,755,000.

Dean Mealy, Purchasing Manager

10. RESOLUTION NO. 107-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Amendments to the Statement of Investment Policy for the OPEB Trust Board of Trustees of the Town of Palm Beach Pursuant to Section 82-153 of the Code of Ordinances of the Town of Palm Beach; Providing an Effective Date.

Jane Le Clainche, Director of Finance

11. RESOLUTION NO. 112-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Award of Extension of Interlocal Agreement with Palm Beach County for Vehicle Maintenance for Fire Rescue in the amount of \$126,000

for FY21.

Dean Mealy, Purchasing Manager

C. OTHER

1. Request to Consider Ordinance No. 11-2020 Prior to 5:00 p.m. at a Public Hearing on October 14, 2020.

Wayne Bergman, Director of Planning, Zoning and Building

2. Status Report of Delinquent Accounts and Request for Authorization to Write-off Uncollectible Accounts.

Jane Le Clainche, Director of Finance

X. 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 on COVID-19 Infections and Hospitalizations (*written backup provided in purple folder*)

b. Report on Compliance and Enforcement, Relative to State and County Orders (*verbal report*)

c. Input from Business Community

d. Expanded Use of Tents

e. Discussion Regarding Future Public Meetings

2. Palm Beach Marina Update
H. Paul Brazil, P.E., Director of Public Works

TIME CERTAIN: 11:30 AM

a. Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive - Review of Cost Estimates of Recommended Improvements

b. RESOLUTION NO. 109-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving The Selection Committee Recommendation Of RFP No. 2020-21, Marina Marketing Services To Jacober Creative In An Amount Of \$181,500 For FY21 And \$138,000 For FY22 Contingent Upon Satisfactory Vendor Performance And Budget Authorization, And Authorize Three, One Year Extensions With Jacober Creative.

3. Town-wide Undergrounding Project

Steve Stern, Project Manager

a. Review of Project and Dashboard, Summary of Project Status

b. RESOLUTION NO. 110-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Design Services for Phase 7 and Phase 8 for Town-Wide Undergrounding to Kimley-Horn and Associates, Inc. in the Amount of \$2,387,791 with a Project Budget of \$2,587,791.

Patricia Strayer, P.E., Town Engineer

c. RESOLUTION NO. 111-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2020-20, Pre-Construction Services for Phase 5, in the Amount of \$118,200, to Burkhardt Construction, Inc.

Patricia Strayer, P.E., Town Engineer

4. Report Regarding Public Access and the Enforcement of Regulations on the Beaches Between Wells Road and Sunset Avenue.

Kirk W. Blouin, Town Manager

C. New Business

1. Consideration for ORS Study of Vegetation Height Limitations Adjacent to Existing Neighboring Structures and the Screening of Vacant Lots.

Wayne Bergman, Director of Planning, Zoning and Building

2. Discussion Regarding Landmark Notification Procedures.

Wayne Bergman, Director of Planning, Zoning and Building

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 13-2020 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, 2019, and Providing an Effective Date.

Jane Le Clainche, Director of Finance

2. ORDINANCE NO. 14-2020 An Ordinance of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 Of The Town Code Of Ordinances Relating To Personnel, At Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision III, Firefighters, By Amending Section 82-94, Retirement Age And Service Conditions For Firefighters; Amending Subdivision III, Firefighters, By Amending Section 82-98, Chapter 175 Share Accounts; Amending Subdivision III, Firefighters, By Amending Section 82-99, Deferred Retirement Option Program For Firefighters; Amending Subdivision IV, Police

Officers, By Amending Section 82-114, Retirement Age And Service Conditions For Police Officers; Amending Subdivision IV, Police Officers, By Amending Section 82-119, Deferred Retirement Option Program For Police Officers; Amending Subdivision V, General Employees And Lifeguards, By Amending Section 82-135, Amount Of Pension For Benefit Group General And Benefit Group Lifeguard; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Danielle Olson, Director of Human Resources

3. ORDINANCE NO. 15-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Amending The Town Code Of Ordinances At Chapter 74, Parks and Recreation, at Division 3, Regulation of Use of Public Beaches, Section 74-196, Presence During Closed Hours; Hours Specified to Modify the name Lake Worth to Lake Worth Beach and to Add the Public Beach from Wells Avenue South to Sunset Avenue as an Additional Beach Declared to be Closed to the Public Each Day from Sunset to Sunrise; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Nicholas Caristo, Chief of Police

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: 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.