

REVISED

10:30pm, Oct 07, 2016

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

OCTOBER 10, 2016

10:30 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

Mayor Gail L. Coniglio
Michael J. Pucillo, President
Richard M. Kleid, President Pro Tem
Bobbie Lindsay
Danielle H. Moore
Margaret A. Zeidman

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. PRESENTATIONS

A. Presentations by Applicants for Planning and Zoning Commission
John S. Page, Director of Planning, Zoning and Building

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 CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. MINUTES: SEPTEMBER 12, 2016
Approval of the Minutes of the Special Town Council Workshop Meeting
Susan A. Owens, MMC, Town Clerk
2. MINUTES: SEPTEMBER 13, 2016
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
3. MINUTES: SEPTEMBER 13, 2016
Approval of the Minutes of the Special Town Council Meeting-Budget Hearing #1
Susan A. Owens, MMC, Town Clerk
4. Approval of Major Matters Considered by the Architectural Commission at its Meeting of September 28, 2016
John S. Page, Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 187-2016 A Resolution of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Declaring Zoning In Progress Relating To Zoning Items Under Study By The Town As Enumerated On Exhibit "A" Attached Hereto; Requiring That No Building Permits Or Business Tax Receipts Be Issued By The Department Of Planning, Zoning And Building During The Period That Zoning Is In Progress For Any Project In Contravention Of Any Proposal Under Study; Providing An Effective Date.
John S. Page, Director of Planning, Zoning & Building
2. RESOLUTION NO. 188-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Palm Beach County For Maintenance And Repair of Fire Rescue Fleet Apparatus in an Amount Not To Exceed an Established Budget of \$117,600.
Kirk W. Blouin, Director of Public Safety
3. RESOLUTION NO. 190-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Extending the Terms of the Current Support Agreement Resolution 33-2016, with Auxis, LLC. in the Amount of \$120,000 for the Provision of Information Technology Support Services for the Office of Information Technology as Outlined in RFQ No. 19-2016; and Authorizing the Town Manager to Execute Said Agreement on Behalf of the Town.
Jay Boodheshwar, Deputy Town Manager

4. RESOLUTION NO. 191-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2016-47 and Approving a Construction Contract to Murray Logan Construction, Inc., for the E-8 Wastewater Ejector Rehabilitation Improvements, in the Amount of \$228,000 and Establishing a Construction Phase Budget of \$245,000.

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

5. RESOLUTION NO. 192-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Repealing Section 105.1.1, Of The Town's Administrative Amendments to the Florida Building Code, Chapter 1, Which Requires That There Be Only One Primary Contractor Per Job Site.

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

C. OTHER

1. Police Department HVAC Retrofit Project Update.
H. Paul Brazil, P.E., Director of Public Works
2. Authorization of Ordinance, Rules and Standards Committee to Study Amending the Town Code of Ordinances Relative to the Issuance of Charitable Solicitation Permits
Susan A. Owens, MMC, Town Clerk
3. Authorization for the Finance and Taxation Committee to Study Pension Alternatives
Thomas G. Bradford, Town Manager
4. Approval to Expend Town Funds for Removal of Derelict Vessel.
Thomas G. Bradford, Town Manager

IX. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules, & Standards Committee Meeting of September 8, 2016
Bobbie Lindsay, Chair
- B. Report of the Public Works Committee Meeting of September 15, 2016
Danielle Moore, Chair

X. REGULAR AGENDA

A. Old Business

1. Update on Par 3 Golf Course Clubhouse Maintenance and Improvement Reserves Approved Projects and Request to Add Additional Project and Funding.
Beth Zickar, Director of Recreation
2. Informational Update on Jurisdictional Transfer of the Building Board of Adjustment and Appeals
John S. Page, Director of Planning, Zoning & Building

B. New Business

1. Appointments to the Planning and Zoning Commission
John S. Page, Director of Planning, Zoning and Building
2. Town Contribution to the Society of the Four Arts Capital Fund for the King Library
Richard M. Kleid, President Pro-Tem
3. Zika Virus Response Plan
Jay Boodheshwar, Deputy Town Manager
4. Coastal Update:
H. Paul Brazil, P.E., Director of Public Works
 - a. Shore Line Protection Update
 - b. RESOLUTION NO. 193-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to D.B. Ecological Services, Inc., for Permit Required Sea Turtle Nesting Monitoring, in the Amount Of \$177,780, and Establishing a Project Budget Of \$200,000.
 - c. Waivers to Town Code for Construction Dates, Hours, and Noise for Staging in the Lake Worth Lagoon.
5. RESOLUTION NO. 189-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn and Associates, Inc., for Consulting Services for the Town-Wide Undergrounding of Utilities Program: Master Plan Finalization in the Amount of \$40,067.
H. Paul Brazil, P.E., Director of Public Works

C. Matters Pulled From Consent Agenda: If needed

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 11-2016 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, Administrative; Article V, Code Enforcement; Division 3, Procedure Section 2-439, Citation Fine Schedule, so as to Add Section 14-35 Relating to Drone Usage, as a Class II Violation; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. (*Deferred from 07/12/16 TCM*)
Kirk Blouin, Director of Public Safety
2. ORDINANCE NO. 18-2016 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, Offenses; Section 74-196, "Presence During Closed hours; Hours Specified"; Providing for

Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

B. First Reading

1. ORDINANCE 19-2016 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 18, Buildings And Building Regulations: At Section 18-201, Preliminary Sketch; Site Plan; Final Plan, Subsection (B), By Clarifying That Architectural Commission Applications Shall Be Made On A Standard Town Form, That Major Projects And Minor Projects With Notice Applications Must Be Submitted At Least 35 Days In Advance Of The Architectural Commission Meeting, That Revisions To Certain Applications Must Be Submitted At Least 15 Days In Advance Of The Architectural Meeting, And Correcting Cross-Reference Section Numbers; At Subsection (C) By Clarifying That Architectural Commission Applications Shall Be Made On A Standard Town Form, That Minor Projects With No Notice Must Be Submitted At Least 15 Days In Advance Of The Architectural Commission Meeting, And Correcting Cross-Reference Section Numbers; At Section 18-202, Notice; Photographs, Subsection (1) And (2), By Requiring That A Graphic Depiction Of Each Major Project And Minor Project With Notice Be Included In The Notice And That Notices Be Mailed To Nearby Property Owners At Least 25 Days In Advance Of The Architectural Commission Meeting, And Requiring Applicants To Provide An Affidavit Verifying Compliance With Notice Provisions; And At Section 18-203, Referral Of Plans To Commission, Requiring That The Architectural Commission Shall Act On Applications Within 40 Days Of Filing Deadlines; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

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

2. ORDINANCE NO. 20-2016 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; Article II, Beaches and Aquatic Activities; Division 2 Fishing, to Include a New Section 74-164 Titled Shark Fishing; Prohibiting Shark Fishing or Chumming Within Three Hundred Feet North and South of the Municipal Beach and Beach Access Points; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing for an Effective Date.

Jay Boodheshwar, Deputy Town Manager

3. ORDINANCE NO. 22-2016 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, 2015, Providing an Effective Date.

Jane Struder, Director of Finance

XII. ANY OTHER MATTERS

XIII. ADJOURNMENT

PLEASE TAKE NOTE:

- Note1:** 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.
- Note2:** 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.
- Note3:** 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.
- Note4:** 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.
- Note5:** 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.
- Note6:** 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

10/5/16

Mon 10/10/2016 09:30 AM	Town Council Meeting	Council Chambers
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Thu 10/13/2016 09:30 AM	Local Planning Agency (LPA) Meeting	Council Chambers
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Thu 10/13/2016 09:45 AM	Town Council Meeting-Development Review	Council Chambers
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Fri 10/14/2016 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
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Wed 10/19/2016 09:30 AM	Landmarks Preservation Commission (LPC) Meeting	Council Chambers
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Thu 10/20/2016 02:00 PM	Code Enforcement Board Meeting	Council Chambers
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Wed 10/26/2016 09:00 AM	Architectural Commission Meeting (ARCOM)	Council Chambers
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Thu 10/27/2016 09:00 AM	Shore Protection Board Meeting	Council Chambers
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Tue 11/01/2016 09:00 AM	Underground Utilities Task Force Meeting	Council Chambers
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Wed 11/02/2016 09:00 AM	Recreation Advisory Commission Meeting	Council Chambers
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Thu 11/03/2016 09:30 AM	ORSCommittee Meeting	Council Chambers
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Tue 11/08/2016 09:30 AM	Town Council Meeting	Council Chambers
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Wed 11/09/2016 09:30 AM	Town Council Meeting-Development Review	Council Chambers
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