



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, OCTOBER 8, 2013

9:30 AM

For information regarding procedures for monitoring or participating in Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Mayor Gail L. Coniglio
David A. Rosow, President
Robert N. Wildrick, President Pro Tem
William J. Diamond
Richard M. Kleid
Michael J. Pucillo

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. PRESENTATIONS

- A. Update on Royal Poinciana Theatre
[Pamela Stark Thomas and Adam Munder]
- B. Presentations by Applicants for the Planning and Zoning Commission
- C. Demonstration of Town's New Website
[Jay Boodheshwar, Director of Recreation and Special Projects]

IV. COMMENTS OF MAYOR GAIL L. CONIGLIO

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

1. MINUTES: SEPTEMBER 10, 2013
Approval of the Minutes of the Town Council Meeting.
2. MINUTES: SEPTEMBER 10, 2013
Approval of the Minutes of the Special Town Council Meeting.
3. MINUTES: SEPTEMBER 11, 2013
Approval of the Minutes of the Town Council Meeting.
4. MINUTES: SEPTEMBER 11, 2013
Approval of the Minutes of the Special Town Council Meeting.
5. MINUTES: SEPTEMBER 18, 2013
Approval of the Minutes of the Special Town Council Meeting.
6. Approval of Major Matters Considered by the Architectural Commission at its Meeting on September 25, 2013.

B. RESOLUTIONS

1. RESOLUTION NO. 164-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding A Contract in an Amount not to Exceed \$47,000 to Murphy Stillings, LLC, To Provide Historic Preservation Consulting Services, Establishing a Budget for Said Services, and Authorizing the Town Manager to Take Actions Necessary to Complete Said Services.
[John Page, Director of Planning, Zoning, and Building]
2. RESOLUTION NO. 166-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFP No. 2013-44 to Citigroup Global Markets, Inc. as Sole Senior Manager for Debt Underwriting Services.
[Jane Struder, Director of Finance]

3. RESOLUTION NO. 167-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of Additional Eden Software Modules for FY14 from Tyler Technologies in the Amount of \$71,460 and Establishing a Project Budget of \$75,000 and Authorizing the Town Manager to Execute the Purchases on Behalf of the Town. [Thomas G. Bradford, Deputy Town Manager]
4. RESOLUTION NO. 168-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute a Quit Claim Deed and Easement Agreements Between 184 Bradley Place, Parc Regent and the Town of Palm Beach for Access and Maintenance of Said Utilities and Lake Trail. [H. Paul Brazil, Director of Public Works]
5. RESOLUTION NO. 169-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders in the Aggregate Amount of \$66,800.12 to Waste Management, Inc., for Compacted Garbage Collection, and Establishing a Project Budget of \$70,000. [H. Paul Brazil, Director of Public Works]
6. RESOLUTION NO. 170-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Piggy-Back Contract for Dissolved Sulfide Reduction and Odor Control Services at the S-2 Pump Station, in the Amount of \$129,000 and Establishing a Project Budget of \$154,800. [H. Paul Brazil, Director of Public Works]
7. RESOLUTION NO. 171-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in an Amount Not-to-Exceed \$35,900, to Kimley-Horn and Associates, Inc., for Design, Bid, and Construction Phase Engineering Services for Site Improvements at S-2 Pump Station Project, and Establishing a Design, Bid, and Construction Phase Engineering Services Budget of \$38,000. [H. Paul Brazil, Director of Public Works]
8. RESOLUTION NO. 172-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$34,160, to Kimley-Horn & Associates, Inc., for Site Remediation Closure Assistance for the Pump Station A-39 Soil Contamination Remediation Project, and Establishing a Project Budget of \$37,500. [H. Paul Brazil, Director of Public Works]

9. RESOLUTION NO. 173-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Existing Purchase Order 131432 for Pavement Restoration of Via Marina for the A-7 to Hammon Avenue Force Main Replacement Project, in the Amount of \$96,937 and Increasing the Construction Phase Budget by \$100,000 for this Project. [H. Paul Brazil, Director of Public Works]
10. RESOLUTION NO. 174-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2013-45 and a Construction Contract to Johnson-Davis Inc., for the Stormwater Corrugated Metal Pipe Abandonment, in the Amount of \$99,900, and Establishing a Construction Phase Budget of \$110,000. [H. Paul Brazil, Director of Public Works]
11. RESOLUTION NO. 175-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in an Amount Not-to-Exceed \$9,996 to Mock, Roos & Associates, Inc., for Construction Phase Engineering Services for Stormwater Corrugated Metal Pipe Abandonment, and Establishing a Construction Phase Engineering Services Budget of \$11,000. [H. Paul Brazil, Director of Public Works]
12. RESOLUTION NO. 176-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFQ 03-2014 and a Construction Contract to Universal Electric of Florida, Inc. for the Electrical Repairs to the Australian, Brazilian and Peruvian Docks, in the Amount of \$99,849, and Establishing a Construction Phase Budget of \$110,000. [H. Paul Brazil, Director of Public Works]
13. RESOLUTION NO. 177-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$241,630 to Coastal Planning & Engineering, Inc., a Chicago Bridge & Iron Company, for U.S. Army Corps of Engineers Required Reach 8 Environmental Impact Statement Supplemental Engineering and Environmental Professional Services. [H. Paul Brazil, Director of Public Works]

C. OTHER

1. Authorization to Consider Ordinance No. 5-2013 and Ordinance No. 6-2013 prior to 5:00 p.m. at Both Public Hearings.
[John Page, Director of Planning, Zoning, and Building]

IX. REGULAR AGENDA

A. Old Business

1. Potential Lease of Town Property Located at 627 North Dixie Highway in Downtown West Palm Beach.
[Peter B. Elwell, Town Manager]
2. Coastal Financing Items
TIME CERTAIN: 1:30 PM
 - a. Interactive Chart re: Program Financing.
[Jane Struder, Director of Finance]
 - b. RESOLUTION NO. 178-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$39,860, to Coastal Planning & Engineering, Inc., a Chicago Bridge & Iron Company, for Professional Services Related to Alternative Coastal Assessment Methodologies.
[Peter B. Elwell, Town Manager]

B. New Business

1. Worth Avenue Association's Request for Permission to Hold a "100 Years of Fashion" Event on Worth Avenue and in Hibiscus Plaza. [Thomas G. Bradford, Deputy Town Manager]
2. U. S. Army Corps of Engineers Request for Waiver of Town Code Restrictions re: Construction Dates, Hours, and Noise for Staging in the Lake Worth Lagoon.
[H. Paul Brazil, Director of Public Works]
3. Appeal of Removal from the Investment Advisory Committee - Mr. William John Mikus. [Jane Struder, Director of Finance]
4. Status Report on the Potential Lake Worth Dredging Project.
[William J. Diamond, Town Council Member]

5. Proposed Health Insurance Premium Rates for Calendar Year 2014. [Danielle Olson, Director of Human Resources]
6. Planning and Zoning Commission Appointments. [John Page, Director of Planning, Zoning, and Building]

X. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 16-2013 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 V, General Employees And Lifeguards, By Amending Section 82-139, Deferred Retirement Option Plan For Members Of Benefit Group General And Benefit Group Lifeguard; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. [Danielle Olson, Director of Human Resources]
2. ORDINANCE NO. 17-2013 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 130 Of The Town Code Of Ordinances, Vehicles For Hire; Article II, Taxicabs And Limousines; Division 2, Certificate Of Public Convenience And Necessity And Permit; Section 130-64, Permit Fee, So As To Require A Transfer Fee Of \$100.00, Or As May Be Subsequently Amended By Resolution Of The Town Council, For The Transfer Of A Vehicle Registered Under A Certificate Of Public Convenience To A New Owner; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. [Thomas G. Bradford, Deputy Town Manager]
3. ORDINANCE NO. 18-2013 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; Article III, Architectural Review; Division 2, Architectural Commission, At Section 18-166, To Provide That In The Event There Are, In The Discretion Of The Town Council, No Bona Fide Applicants To Fill The Positions Of Registered Architects In The State Of Florida, The Town May Solicit And Appoint Architects Registered Outside The State Of Florida To Fill One Of The Architect Seats; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. [John C. Randolph, Town Attorney]

4. ORDINANCE NO. 19-2013 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 54, Historical Preservation; Article II, Landmarks Preservation; Section 54-36, To Provide That In The Event There Are, In The Discretion Of The Town Council, No Bona Fide Applicants To Fill The Positions Of Registered Architects In The State Of Florida, The Town May Solicit And Appoint Architects Registered Outside The State Of Florida To Fill One Of The Architect Seats; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. [John C. Randolph, Town Attorney]

B. First Reading

1. ORDINANCE NO. 20-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134, Zoning; Article X, On-Street Parking Permits; Division 2, Residential Districts; Section 134-2296, Issuance of Special Parking Permits upon Application, to Include a New Subparagraph (D) to Provide for the Issuance of Temporary Group Permits; Amending Division 3, Residential Districts Adjacent to Commercial Districts; Section 134- 2328, Temporary Group Permits, to Provide for an Application Fee; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. [Thomas G. Bradford, Deputy Town Manager]

XI. ANY OTHER MATTERS

XII. ADJOURNMENT

PLEASE TAKE NOTE:

- 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.
- The progress of this meeting may be monitored by visiting the Town's website (www.townofpalmbeach.com) and selecting "Your Government" and then selecting "Audio (Live and Archived)." 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.
- 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.
- 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.
- 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.
- 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.