



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**

**SEPTEMBER 14, 2021**

**9:30 AM**

To Participate via Zoom, please click on the link below:  
<https://us06web.zoom.us/j/87384113262>

## **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**

Danielle H. Moore, Mayor  
Margaret A. Zeidman, President  
Bobbie Lindsay, President Pro Tem  
Julie Araskog  
Ted Cooney  
Lew Crampton

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

### **III. MODIFICATIONS TO THE AGENDA**

### **IV. APPROVAL OF AGENDA**

**V. PRESENTATIONS**

**A. Legislative Update**

**TIME CERTAIN: 9:45 AM**

*Brian Mast, U.S. Congressman for the 18th District of Florida*

**B. Presentation by the Palm Beach County Supervisor of Elections Regarding the Upcoming Elections and Senate Bill 90**

*Wendy Sartory Link, Palm Beach County Supervisor of Elections*

**VI. BOARDS AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS**

**A. Presentations by the Applicants and Appointments to the Planning and Zoning Commission**

*Queenester Nieves, CMC, Town Clerk*

**VII. COMMENTS OF MAYOR DANIELLE H. MOORE**

**VIII. COMMENTS OF TOWN COUNCIL MEMBERS**

**IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**

**X. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)**

**A. MINUTES**

**1. Town Council Meeting Minutes**

*Queenester Nieves, CMC, Town Clerk*

July 13, 2021, Town Council Meeting

July 15, 2021, Special Town Council Meeting - Proposed FY22 Budget

July 27, 2021, Special Town Council Meeting - COVID-19

August 10, 2021, Town Council Meeting

August 11, 2021, Local Planning Agency Meeting

August 11, 2021, Town Council Development Review Meeting

**2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of August 25, 2021.**

*Wayne Bergman, Director of Planning, Zoning and Building*

**B. RESOLUTIONS**

**1. RESOLUTION NO. 085-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Consent to Deemed Assignment of Investment Advisory Agreement(s) with PFM Asset Management, and Authorizing the Town Manager to Execute all Documents Necessary on Behalf of the Town.**

*Jane Le Clainche, Director of Finance*

**2. RESOLUTION NO. 105-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Designating**

Town Depositories for Fiscal Year 2022 Pursuant to Section 2-517 of the Town Code of Ordinances and Designating Parties to Sign Checks or Warrants on Behalf of the Town Pursuant to Section 2-36 of the Town Code of Ordinances.

*Jane Le Clainche, Director of Finance*

3. RESOLUTION NO. 106-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing an Agreement with the State of Florida, Division of Emergency Management, Agreement No. Y5252, for Funding through the American Rescue Plan Act of 2021, Coronavirus Local Fiscal Recovery Fund, in the Amount of \$4,415,526.00, and Authorizing the Mayor to Execute all Documents Necessary on Behalf of the Town.

*Jane Le Clainche, Director of Finance*

4. RESOLUTION NO. 107-2021 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving Proposed Fixed Costs for Property, Liability, Workers' Compensation, Automobile and Ancillary Coverages for FY2022 in the Amount of \$1,061,517 and Variable Costs in the Amount of \$1,100,000; Approving a Non-Exclusive Insurance Broker Services Agreement with Relation Insurance Service of Florida, Inc. "Relation", in the Amount of \$40,000; Approving a Non-Exclusive Insurance Broker Services Agreement with Arthur J. Gallagher Risk Management Services, Inc., "AJG," in the Amount of \$7,500; Approving a Third Party Administration Services Agreement with Preferred Governmental Claim Solution "PGCS" in the Amount of \$53,230; Conditioning All Matters Contained Herein Subject to Approval of the Fiscal Year 2022 Budget; and Authorizing the Town Manager to Execute the Non-Exclusive Insurance Broker Services Agreements with Relation, AJG and PGCS on Behalf of the Town.

*Carolyn Stone, Assistant Town Manager*

5. RESOLUTION NO. 108-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Electronic Data Collection CPR in the Amount of \$46,700 to Support the Parking Ticket Management Software, Contingent upon FY22 Budget Authorization.

*Dean Mealy, Purchasing Manager*

6. RESOLUTION NO. 109-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to MCCI, Laserfiche in the Amount of \$50,000 as a Sole Source Acquisition to Support the Town's Electronic Document Management System Used by the Town, Contingent Upon Budget Approval.

*Dean Mealy, Purchasing Manager*

7. RESOLUTION NO. 110-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Superior, LLC dba Central Square for Annual

Purchase of Software Maintenance in an Amount Not To Exceed \$125,321 to Support Police Operational Requirements, Contingent Upon FY22 Budget Approval.

*Dean Mealy, Purchasing Manager*

8. RESOLUTION NO. 111-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to GovConnection Inc. for the Purchase of Dell Laptops for Public Safety in the Amount of \$95,330.

*Dean Mealy, Purchasing Manager*

9. RESOLUTION NO. 112-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Tyler Technologies, Inc. for Annual Software Support and Licensing in an Amount Not To Exceed \$95,000, Contingent Upon FY22 Budget Approval.

*Dean Mealy, Purchasing Manager*

10. RESOLUTION NO. 113-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to AEGION/Insituform Technologies LLC for Lining of Sewer Pipes Within the A6 Basin from the National Cooperative, Buyboard in the Amount of \$1,425,890 and Establish a Project Budget of \$1,641,773, Contingent upon FY22 Budget Approval.

Savings Were Noted in the Amount of \$566,470 by Re-Engineering Approach to the Award of the Contract

*Dean Mealy, Purchasing Manager*

11. RESOLUTION NO. 114-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to the Award of Bid No. 2019-30, Plans, Review, And Inspection Services in the Amount of \$60,000 for FY21 and a New Contract Amount of \$300,000 and to Approve a Change Order to the Remaining Three Years of the Contract Award from \$240,000 Annually to \$325,000 Annually, Contingent Upon Budget Approval.

*Dean Mealy, Purchasing Manager*

#### **C. OTHER**

1. Health Insurance Rates for Calendar Year 2022

*Carolyn Stone, Assistant Town Manager*

#### **XI. COMMITTEE REPORTS**

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on Thursday, July 1, 2021

*Julie Araskog, Committee Chair*

**TIME CERTAIN: 11:00 AM**

1. Recommendations Regarding Modifications to Construction Hours

*Jay Boodheshwar, Deputy Town Manager*

2. Recommendations Regarding Addition of Synthetic Turf Regulations in the Town Code

*Wayne Bergman, Director of Planning, Zoning and Building*

3. Discussion Regarding Application of Existing Regulations Pertaining to Native Plants

*Wayne Bergman, Director of Planning, Zoning and Building*

**XII. REGULAR AGENDA**

**A. Matters Pulled From Consent Agenda: If needed**

**B. Old Business**

1. COVID-19 Update

*Kirk W. Blouin, Town Manager*

a. COVID-19 Monthly Report

*Darrel Donatto, Fire Rescue Chief*

b. Discussion Regarding Board, Commission, and Committee Meeting Format and Participation For Upcoming Meetings

*Margaret A. Zeidman, Council President*

c. RESOLUTION NO. 115-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring with the Request of the Town's Chief of Police, to Extend the Chief's Declaration of the Existence of a State of Emergency within the Corporate Limits of the Town to October 12, 2021, Unless Earlier Terminated by the Chief of Police, at Which Time the Town Council will Address the Need for any Extension of the Declaration of Emergency; Providing for an Effective Date.

2. Request for Direction Regarding Completion of Retail Study

*Wayne Bergman, Director of Planning, Zoning and Building*

3. Town-wide Undergrounding Project

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

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

b. RESOLUTION NO. 116-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Dedicate Two (2) Easements Between the Town of Palm Beach and Florida Power and Light (FPL) at 202 Plantation Road for Access and Maintenance of FPL Equipment.

c. RESOLUTION NO. 117-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing

the Town Manager to Dedicate Two (2) Easements Between the Town of Palm Beach and Florida Power and Light (FPL) at 226 Via Las Brisas and 244 Via Las Brisas for Access and Maintenance of FPL Equipment.

4. Coastal Update:

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

a. RESOLUTION NO. 118-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grant of Florida Department of Environmental Protection Contract No. 22PB8, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach Under the Florida Beach Management Funding Assistance Program, Specifically Reimbursement for Phipps Ocean Park Beach Nourishment Project Monitoring, in the Amount of \$19,500, and Authorizing the Mayor to Execute Same on Behalf of the Town.

b. RESOLUTION NO. 119-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grant of Florida Department of Environmental Protection Contract No. 22PB12, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach Under the Florida Beach Management Funding Assistance Program, Specifically Reimbursement for Lake Worth Inlet Management Plan/Beach Management Agreement Monitoring, in the Amount of \$324,500, and Authorizing the Mayor to Execute Same on Behalf of the Town.

c. Woods Hole Group Coastal Resiliency Implementation Plan Presentation

**TIME CERTAIN 1:00 P.M.**

**C. New Business**

1. Proposed 2022 Town Council Meeting Schedule

*Kirk W. Blouin, Town Manager*

2. How Do We Preserve Palm Beach's Unique Small Town Charm, Businesses, and Community Amid Palm Beach County's Explosive Growth?

*Bobbie Lindsay, President Pro Tem*

**XIII. ORDINANCES**

**A. Second Reading**

1. Modification of Beach Access Hours and Inclusion of Root Trail as a Public Access Point

ORDINANCE NO. 21-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending

Chapter 74 of the Town's Code of Ordinances by Amending Article V, Beach Access Closure to Include the Beach Access Point at Root Trail as Public; Providing For Closure from Sunset to Sunrise Daily; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

*Jay Boodheshwar, Deputy Town Manager*

**XIV. ANY OTHER MATTERS**

**XV. ADJOURNMENT**

**PLEASE TAKE NOTE:**

- Note 1:** Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday 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 3:30 p.m. on Wednesday 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) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (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:** 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](http://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.