



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

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

AGENDA

JULY 13, 2021

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

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.** Presentation of Marina Brand Initiatives
TIME CERTAIN: 10:30 AM
Carolyn Stone, Assistant Town Manager
- B.** Update from the City of West Palm Beach on the Water Supply
TIME CERTAIN: 11:00 AM
Poonam K. Kalkat, PhD., Director of Public Utilities (WPB)
- C.** Review of Lake Okeechobee System Operating Manual (LOSOM) and Discussion of Options Available

RESOLUTION NO. 079-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Urging the United States Army Corp of Engineers to Accelerate the Completion of the Re-Evaluation of Lake Okeechobee Operations for the Lake Okeechobee System Operating Manual to Improve Water Quality, Preserve the Natural Environment, and Protect Our Water Supply.

Lisa Interlandi, Executive Director, Everglades Law Center

VI. COMMENTS OF MAYOR DANIELLE H. MOORE

VII. COMMENTS OF TOWN COUNCIL MEMBERS

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

IX. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

- 1. Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk
 - a. June 8, 2021, Town Council Meeting Minutes
 - b. June 9, 2021, Town Council Development Review Meeting Minutes
- 2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of June 23, 2021.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 069-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2021-15 To Greentech Group Solutions, LLC for Royal Poinciana Way Irrigation Improvements in the Amount of \$98,532 and Establishing a Project Budget of \$112,000.
Dean Mealy, Purchasing Manager
- 2. RESOLUTION NO. 070-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFI No. 2021-13 for Annual Physical Exams for Fire

and Police Departments to the Primary Vendor Life Scan Wellness Center and Secondary Vendor Sited North America in the Annual Amount of \$62,000 and Establishing a Five Year Award Contingent on Satisfactory Performance and Budget Authorization in the Amount of \$310,000.

Dean Mealy, Purchasing Manager

3. RESOLUTION NO. 071-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2021-03 for Street Light and Decorative Post Painting by Lot to a Primary, Secondary and Tertiary Vendor in the Annual Amount of \$43,000 and a Proposed Five Year Award of \$215,000 Contingent on Satisfactory Performance and Budget Authorization.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 072-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Designation of Historic/Specimen Trees at Lake Drive Park, Providing An Effective Date.

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

5. RESOLUTION NO. 073-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Worth Avenue Improvement Project; Establishing the Estimated Assessed Cost Against the Properties that will be Benefitted Thereby; Directing the Town Manager to Prepare Updated Assessment Rolls; Establishing a Public Hearing to Consider Approval of the Assessment Rolls and Reimposition of the Maintenance Assessments and their Collection Pursuant to the Uniform Assessment Collection Act; Directing the Provision of Notice; and Providing for an Effective Date.

Jane Le Clainche, Director of Finance

6. RESOLUTION NO. 074-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Peruvian Avenue Improvement Project; Establishing the Estimated Assessed Cost Against the Properties that will be Benefitted Thereby; Directing the Town Manager to Prepare Updated Assessment Rolls; Establishing a Public Hearing to Consider Approval of the Assessment Rolls and Reimposition of the Maintenance Assessments and their Collection Pursuant to the Uniform Assessment Collection Act; Directing the Provision of Notice; and Providing for an Effective Date.

Jane Le Clainche, Director of Finance

7. RESOLUTION NO. 075-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Collection and Disposal of Commercial Solid Waste; Establishing the Estimated Assessed Cost Against the Properties that will Be Benefitted Thereby; Directing the Town Manager to Prepare an Updated Solid Waste Assessment Roll; Establishing a

Public Hearing to Consider Approval of the Assessment Roll and Reimposition of the Service Assessments and their Collection Pursuant to the Uniform Assessment Collection Act; Directing the Provision of Notice; and Providing for an Effective Date.

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

C. OTHER

1. Request to Consider Ordinance Nos. 16-2021 and 17-2021 at a Public Hearing on Wednesday, July 14, 2021 Prior to 5:00 p.m.

Wayne Bergman, Director of Planning, Zoning and Building

2. Potential Sale & Request for an Appraisal of Boyd Park

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

3. Request to Hold Preservation Foundation 2022 Dinner Dance in Bradley Park

Jay Boodheshwar, Deputy Town Manager

X. BOARD/COMMISSION ANNUAL REPORT

- A.** Annual Report of the Retirement Board of Trustees

TIME CERTAIN: 9:45 AM

Ed Carter, Vice Chair

XI. COMMITTEE REPORTS

- A.** Report of the Business and Administrative Committee Meeting Held on May 28, 2021

Lew Crampton, Chair

1. Recommendations from the Business and Administrative Committee

Jay Boodheshwar, Deputy Town Manager

XII. PUBLIC HEARINGS

- A.** RESOLUTION NO. 076-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning Existing Public Utility Easements within Phase 3 North Utility Undergrounding Project Limits, in the Town of Palm Beach, Florida.

Patricia Strayer, P.E., Town Engineer

XIII. REGULAR AGENDA

- B. Matters Pulled From Consent Agenda: If needed**

- C. Old Business**

1. Town-wide Undergrounding Project

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

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

2. Coastal Update:
H. Paul Brazil, P.E., Director of Public Works
 - a. RESOLUTION NO. 077-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2022-2023 Annual Funding Application to the Florida Department of Environmental Protection Beach Erosion Control Program.
 - b. Consideration of Land Donation from Audubon Society of the Everglades, Inc. for Parcel on South Ocean Boulevard for Preservation
 - c. Shore Protection Board Individual Member Tasks with Town Staff
3. Town Marina Project
H. Paul Brazil, P.E. Director of Public Works
 - a. RESOLUTION NO. 078-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Murray Logan Construction Inc. in the Amount of \$107,445 Associated to Lake Drive Park Improvements and a Change Order to Burkhardt Construction Inc. in the Amount of \$267,205 Associated to Phase 4 South Lake Drive Improvements.
4. COVID-19 Update
Kirk W. Blouin, Town Manager
 - a. Clarification of Voting Protocol for ARCOM, LPC, Code Enforcement and Retirement Board of Trustees During Hybrid Meetings
 - b. Discussion on Virtual Participation in Meetings (Presenters and Members of Public)
5. Update on ADA Access Associated with the Proposed Addition of Stairs on the South Side of Memorial Fountain
Jay Boodheshwar, Deputy Town Manager

D. New Business

1. Discussion and Consideration of Creating a Building Safety Inspection Program
Wayne Bergman, Director of Planning, Zoning & Building
2. Reconsideration of Ordinance No. 20-2020, Sec. 74-281, Limited Closure of Access from Wells Road South to Sunset Avenue
Bobbie Lindsay, Council President Pro Tem

XIV. ORDINANCES

A. Second Reading

1. An Ordinance to Amend Chapter 66, Section 66-236 to Regulate the Removal of Landscape Buffers.

ORDINANCE NO. 14-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Natural Resource Protection, Article IV Vegetation, Division 2 Permits, Section 66-236 Application Procedure for Vegetation Removal Permit; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Wayne Bergman, Director of Planning, Zoning and Building

2. Residency Requirements for Elected Officials

ORDINANCE NO. 15-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 34, Elections at Article II, Candidates, Division I, Generally to Include a New Section 34.36 to Provide that any Candidate for Mayor or Town Council Shall Have Resided in the Town for a Period of at Least One Year Prior to Qualifying for Election; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

John C. Randolph, Town Attorney

B. First Reading

1. Amendment to the Town Charter Regarding Town Caucus and Qualifying Dates

ORDINANCE NO. 018-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Charter at Section 5.03, Relating to Qualifications, to Modify the Date to Qualify for Election to the First Tuesday of December of Each Year or on a Date at Least Ninety-Five (95) Days Prior to the March Election Date, Whichever Comes First; Further Amending the Town Code of Ordinances at Chapter 34, Elections at Article II, Candidate, Division 2, Caucus, Section 34-56, Calling and Notice of Election to be Consistent with Section 5.03 of the Town Charter, Providing that the Date of the Town Caucus be Held on the First Tuesday of December of Each Year or on a Date at Least Ninety-Five (95) Days Prior to the March Election Date, Whichever Comes First; Providing for Severability; Providing for Codification; Providing for an Effective Date.

Queenester Nieves, CMC, Town Clerk

XV. ANY OTHER MATTERS

XVI. 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).

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.