

REVISED

11:37 am, Jul 10, 2017

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

JULY 12, 2017

9:30 AM

Town Council Meeting

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
Richard M. Kleid, President
Danielle H. Moore, President Pro Tem
Julie Araskog
Bobbie Lindsay
Margaret A. Zeidman

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. PRESENTATIONS

- A.** Royal Poinciana Theater
Alex Patterson, Up Markets

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. TOWN COUNCIL MEETING MINUTES:
Gwendolynn Peirce, CMC, Acting Town Clerk
 - a. June 13, 2017, Regular Town Council Meeting Minutes
 - b. June 14, 2017, Development Review Town Council Meeting Minutes
2. LOCAL PLANNING AGENCY MEETING MINUTES:
Gwendolynn Peirce, CMC, Acting Town Clerk
 - a. June 14, 2017, Local Planning Agency Meeting Minutes
3. Approval of Major Matters Considered by the Architectural Commission at its meeting of June 28, 2017.
John S. Page, Director of Planning, Zoning & Building

B. RESOLUTIONS

1. RESOLUTION NO. 108-2017 A Resolution of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving American Consulting Engineers of Florida, LLC, as the Highest Ranked Firm Responding to RFQ No. 2017-32 for Traffic Engineering Services Based Upon Its Proposal and the Selection Committee's Recommendation Pertaining Thereto; and Authorizing Staff to Negotiate a Contract with American Consulting Engineers of Florida, LLC for Traffic Engineering Services.
John S. Page, Director of Planning, Zoning & Building
2. RESOLUTION NO. 109-2017 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Approving A Five-Year Lease Agreement With Cale America, Inc., For The Provision Of Parking Kiosks, In The Amount Of \$359,783.20, Establishing A Total Budget Amount Of \$370,000.00, And Authorizing The Town Manager To Execute The Lease Agreement On Behalf Of The Town.
Jay Boodheshwar, Deputy Town Manager
3. RESOLUTION NO. 110-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Annual Dissolved Sulfide Reduction and Odor Control Treatment Services to Kemira Water Solutions, Inc., in the Amount of \$126,420, and Establishing a Budget of \$139,062.
H. Paul Brazil, P.E., Director of Public Works

4. RESOLUTION NO. 111-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standards Applicable to Public Rights-of-Way and Easements, Amending Chapter XII of the Town's Right-of-Way Manual, Miscellaneous Provisions: Construction, Parking, Fines, and Material Deliveries, and the Enforcement Thereof Providing an Effective Date.
H. Paul Brazil, P.E., Director of Public Works
5. RESOLUTION NO. 112-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFP No. 2017-12 and Approving a Purchase Order to GSky Plant Systems, Inc., in the Amount of \$28,900, for the Worth Avenue Living Wall Maintenance Program and Establishing a Project Budget of \$31,790.
H. Paul Brazil, P.E., Director of Public Works
6. RESOLUTION NO. 114-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Resolution No. 188-2016 and Authorizing Additional Expenditures in the Amount of \$26,000 for the Interlocal Agreement for Fire Vehicle Maintenance Between Palm Beach County and the Town of Palm Beach, and Establishing a Revised Budget of \$143,600.
Kirk W. Blouin, Director of Public Safety
7. RESOLUTION NO. 115-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing and Approving a Purchase Order to Fisher Scientific in the Amount of \$268,824.76 for the Purchase of 34 Scott Air-Pak X3 Breathing Apparatus and Associated Equipment, as Recommended By Staff; and Establishing a Total Budget of \$268,824.76 in the 2017 Equipment Replacement Program.
Kirk W. Blouin, Director of Public Safety
8. RESOLUTION NO. 116-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2017-26 and Approving a Purchase Order to Seacoast Embroidery, Inc., in the Amount of \$12,935.75 for the Remainder of FY2017, and Establishing an Annual Budget of \$51,743.00 for the Purchase of Uniforms for the Palm Beach Fire Rescue Department Subject to Town Council Approval of the FY2018 Fire Rescue Budget and Annual Future Budgets.
Kirk W. Blouin, Director of Public Safety
9. RESOLUTION NO. 117-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFP No. 2017-10 and Approving a Purchase Order to Florida CDI, LLC/Christmas Designers, Inc., for the Installation, Removal, and Storage of the Holiday Trees, Decorations, and Lighting, in the Amount of \$98,125.53 and Establishing an Overall Program Budget of

\$118,955.

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

10. RESOLUTION NO. 118-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Conveyance of Certain Underground Easements, Copies of Which are Attached Hereto, and Authorizing the Town Manager to Execute Said Easement on Behalf of the Town.

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

C. OTHER

IX. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules & Standards Committee Meeting of June 12, 2017

Bobbie Lindsay, Chair

- B. Report of the Finance and Taxation Committee, June 29, 2017

Danielle H. Moore, Chair

X. REGULAR AGENDA

A. Old Business

1. Town-wide Underground Project:
Thomas G. Bradford, Town Manager

a. Project Update

b. Underground Utility Project Dashboard
Jane Struder, Director of Finance

c. RESOLUTION NO. 119-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Issuance of not Exceeding \$22,650,000 Town of Palm Beach, Florida Public Improvement Commercial Paper Revenue Notes, Series 2017 (the "Notes") for the Purpose of Financing the Initial Phase of the Underground Utility Project; Appointing Citigroup Global Markets Inc., as Dealer; Appointing U.S. Bank National Association as Issuing and Paying Agent; Approving the Forms of, and Authorizing the Execution and Delivery of a Dealer Agreement with Citigroup Global Markets Inc., an Issuing and Paying Agency Agreement with U.S. Bank National Association and a Letter of Credit Reimbursement Agreement with Citibank, N.A.; Authorizing and Directing the Preparation of an Offering Memorandum Relative to the Notes; Amending the Budget for the Current Fiscal Year to Budget and Appropriate From the Underground Utility Project Fund Sufficient Moneys to Pay Interest on the Notes; Authorizing and Directing the Mayor, the Town Manager, the Finance Director and Other Proper Officials of the Town to Execute and Deliver any and all Documents and Instruments and to do and Cause to be Done any and All Acts and

Things Necessary or Proper for Carrying out the Transactions Contemplated by This Resolution; and Providing for an Effective Date.

Jane Struder, Director of Finance

d. RESOLUTION NO. 120-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida (the "Town"), Authorizing and Approving the Issuance of Revenue Bonds by the Town in the Principal Amount of not to Exceed \$90,000,000 Relative to Financing the Underground Utility Project; Pledging Non-Ad Valorem Special Assessments Imposed Against Real Property in the Town in Connection with the Underground Utility Project to Repay the Revenue Bonds and a Backup Covenant to Budget and Appropriate Legally Available Non-Ad Valorem Revenues of the Town; Authorizing the Proper Officials of the Town to do all Other Things Deemed Necessary or Advisable in Connection with said Revenue Bonds; Authorizing the Validation of the Revenue Bonds; and Providing for an Effective Date.

Jane Struder, Director of Finance

e. Future Fiber Optic Communications System for the Town *Thomas G. Bradford, Town Manager*

f. Town Use of One-Cent Surtax Revenues
Thomas G. Bradford, Town Manager

g. Award of the Peer Review Contract to Patterson & Dewar Engineers

H. Paul Brazil, Director of Public Works

2. Coastal Update:

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

a. Shore Line Condition Update

b. RESOLUTION NO. 121-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$129,106 to Applied Technology & Management, Inc., for Town-Wide 2017 Annual Physical Surveys, and Establishing a Physical Monitoring Budget of \$142,000.

c. RESOLUTION NO. 122-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$199,695 to Coastal Eco-Group, Inc., for 2017 Annual FDEP BMA Cell-Wide Biological Monitoring, and Establishing a Cell-Wide Biological Monitoring Phase Budget of \$220,000.

d. RESOLUTION NO. 123-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2018-2019 Annual Funding Application to the Florida

Department of Environmental Protection Beach Erosion Control Program.

3. Review of Draft RFP for the Potential Lease of Town-Owned Property Located at 5976 Okeechobee Boulevard.

Jay Boodheshwar, Deputy Town Manager

B. New Business

1. Palm Beach Marathon
Thomas G. Bradford, Town Manager
2. RESOLUTION NO. 124-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Removal of the Historic/Specimen Tree at 446 North Lake Way and Relocation to Bradley Park, Providing an Effective Date.
H. Paul Brazil, P.E., Director of Public Works
3. Authorization for Use of Florida Power & Light LED Lighting
H. Paul Brazil, P.E., Director of Public Works
4. RESOLUTION NO. 125-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFQ No. 69-2017 and Approving a Construction Contract to Triple M Roofing Corp. for the Pump Station S-2 and Bradley Park Tea House Re-Roofing in the Amount of \$134,800 and Establishing a Construction Phase Budget of \$150,000.
H. Paul Brazil, P.E., Director of Public Works
5. Code Enforcement Process Review
Kirk W. Blouin, Director of Public Safety
6. Recreation Center Project Field Naming Proposal
There is no written back-up for this item. A verbal presentation will be provided.
Gail L. Coniglio, Mayor

C. Matters Pulled From Consent Agenda: If needed

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 19-2017 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 38 Of The Town Code of Ordinances, Emergency Services, At 38-35 Service Charge For Excessive False Alarms And Nonpayment Of Fines To Include A New Section (A) Relating To False Alarms Actuated By Contractors; Redesignating The Subsequent Paragraphs; Providing For Severability; Providing For Codification; Providing An Effective Date.
Kirk H. Blouin, Director of Public Safety

B. First Reading

1. ORDINANCE NO. 20-2017 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 I, in General, by Amending Section 82-52, Definitions; Section 82-67, United States Internal Revenue Code Qualifications; Section 82-80, Reserve for Member Contributions; Amending Subdivision III, Firefighters, by Amending Section 82-94; Retirement Age and Service Conditions for Firefighters; by Amending Section 82-95, Amount of Pension - Firefighters; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
Danielle Olson, Director of Human Resources
2. ORDINANCE NO. 21-2017 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town's Charter at Article III, Officials, at Section 3.03, Town Council: Election and Terms, to modify the Town's Election Date to the Second Tuesday in March of Each Year; Further Amending Article V, Qualification and Elections, at Section 5.01, General Elections, to Provide that General Elections in the Town Shall be Held on the Second Tuesday of March of Each Year; Further Amending Section 5.03, Qualifications, so as to Provided that Candidates for the Office of Mayor or Town Council Shall Qualify for Such Offices by Being Nominated by an Elector of the Town and Seconded by Two Electors at the Town Caucus to be Held on the Second Tuesday of January of Each Year; Providing for Severability; Providing for Codification; Providing an Effective Date.
Jay Boodheshwar, Deputy Town Manager
3. ORDINANCE NO. 22-2017 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 34, Elections, so as to Provide that the Election Dates Referenced Therein are Consistent with the Amendments to the Town Charter Providing for Elections on the Second Tuesday of March of Each Year; Thereby Rescinding Section 34-3; Amending Sections 34-56 and Section 34-119; and Rescinding Article IV.
Jay Boodheshwar, Deputy Town Manager
4. ORDINANCE NO. 23-2017 An Ordinance of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 2 of the Town Code of Ordinance Titled Administration at Article V, Code Enforcement, Section 2-439 Titled Citation Fine Schedule, to Include Section 38-35 of Chapter 38, Article II, Alarm Systems, Providing for Severability, Providing for Codification; Providing an Effective Date.
Kirk H. Blouin, Director of Public Safety

XII. PUBLIC HEARINGS

- A. RESOLUTION NO. 100-2017 A Resolution of the Town Council of the Town of Palm Beach, Florida, Relating to the Provision of the Underground Utility Improvements Within the Townwide Underground Utility Assessment Area; Providing Authority and Definitions; Approving the Underground Utility Assessment Roll; Providing for the Imposition of the Assessments to Fund the Underground Utility Improvements Within the Underground Utility Assessment Area; Providing for Collection of the Assessments Pursuant to the Uniform Assessment Collection Act; Providing for the Effect of this Resolution; Providing Severability and an Effective Date.

Jane Struder, Director of Finance

TIME CERTAIN 5:01 p.m.

XIII. ANY OTHER MATTERS

XIV. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** No written materials received after 3:30 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 3:30 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.
- 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 Systems (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.

**Town of Palm Beach
Meeting Schedule**

7/5/17

Main Town Calendar

Town Council Meeting-Budget Meeting

July 11, 9:30 AM - 5:00 PM

[More Details](#)

Town Council Meeting-Regular Business and Development Review

July 12, 9:30 AM - 5:00 PM @ Council Chambers

[More Details](#)

Selection Committee Meeting for RFP No. 2017-16 - Master Plan for Town Docks and Accessory Structures

July 14, 9:30 AM - 12:00 PM @ Public Works Meeting Room

Presentations - Closed per FS Statute 286.0113

[More Details](#)

Planning and Zoning Commission Meeting

July 18, 9:30 AM - 5:00 PM

[More Details](#)

Landmarks Preservation Commission (LPC) Meeting

July 19, 9:30 AM - 5:00 PM @ Council Chambers

[More Details](#)

Code Enforcement Board Meeting

July 20, 2:00 PM - 5:00 PM @ Council Chambers

[More Details](#)

Architectural Commission (ARCOM) Meeting

July 26, 9:00 AM - 5:00 PM @ Council Chambers

[More Details](#)

Underground Utilities Task Force (UUTF) Meeting

August 1, 9:00 AM - 5:00 PM @ Council Chambers

[More Details](#)

Ordinances, Rules, and Standards Committee Meeting

August 7, 9:30 AM - 1:00 PM @ Council Chambers

[More Details](#)

Town Council Meeting-Regular Business and Development Review

August 9, 9:30 AM - 5:00 PM @ Council Chambers

[More Details](#)

Planning and Zoning Commission Meeting

August 15, 9:30 AM - 5:00 PM @ Council Chambers

[More Details](#)

Landmarks Preservation Commission (LPC) Meeting

August 16, 9:30 AM - 5:00 PM @ Council Chambers

[More Details](#)

Code Enforcement Board Meeting

August 17, 2:00 PM - 5:00 PM @ Council Chambers

[More Details](#)

Retirement Board Meeting

August 18, 9:00 AM - 5:00 PM @ Council Chambers

[More Details](#)

Investment Advisory Committee Meeting

August 18, 2:30 PM - 5:00 PM

[More Details](#)

Architectural Commission (ARCOM) Meeting

August 23, 9:00 AM - 5:00 PM @ Council Chambers

[More Details](#)

Labor Day-Town Hall Offices Closed

September 4, All Day

[More Details](#)

Underground Utilities Task Force (UUTF) Meeting

September 5, 9:00 AM - 1:00 PM @ Council Chambers

[More Details](#)

Recreation Advisory Commission Meeting

September 6, 9:00 AM - 5:00 PM @ Council Chambers

[More Details](#)

Ordinances, Rules, and Standards Committee Meeting

September 7, 9:30 AM - 2:00 PM @ Council Chambers

[More Details](#)

Town Council Meeting-Budget Meeting

September 12, 9:30 AM - 5:00 PM @ Council Chambers

Special Town Council Meeting-First Public Hearing to Approve Tentative Budget and Proposed Tax Rate for FY18 and Final Resolution(s) Adopting Special Non-Ad Valorem Assessments

[More Details](#)

Town Council Meeting-Regular Business

September 12, 9:30 AM - 5:00 PM

[More Details](#)

Special Town Council Meeting

September 12, 5:01 PM - 6:00 PM @ Council Chambers

[More Details](#)