



TOWN OF PALM BEACH

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

JUNE 14, 2022

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. COMMENTS OF MAYOR DANIELLE H. MOORE**
- VI. COMMENTS OF TOWN COUNCIL MEMBERS**
- VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**
- VIII. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)**

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk
 - a. May 10, 2022 Town Council Meeting Minutes
 - b. May 11, 2022 Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of May 25, 2022.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 069-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-04, Historic Preservation Consulting Services to Murphy Stillings LLC in the Annual Amount of \$100,000 and a Proposed Five-Year Budget of \$500,000 Contingent Upon Satisfactory Performance and Budget Authorization.
Dean Mealy, Procurement and Contract Manager
2. RESOLUTION NO. 070-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-16, Coastal Resiliency Consultant to Woods Hole Group for Initial Five-Year Award and Provide an Option for an Additional Five-Year Award Based on Satisfactory Performance to Provide Continuity of Efforts for the Program.
Dean Mealy, Procurement and Contract Manager
3. RESOLUTION NO. 071-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2022-12, North Ocean Seawall Repair and Painting to Lambert Brothers, Inc. in the Amount of \$229,700 and Establishing a Project Budget of \$264,155.
Dean Mealy, Procurement and Contract Manager
4. RESOLUTION NO. 072-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Piggyback Contract Award of the Southeast Florida Governmental Purchasing Cooperative Group for Unleaded Gasoline and Diesel Fuel, RFP E-03-22 for a Five-Year Contract Award in the Annual Amount of \$250,000 and a Proposed Five-Year Award of \$1,250,000 Based on Satisfactory Performance and

Budget Authorization.

Dean Mealy, Procurement and Contract Manager

IX. BOARD/COMMISSION ANNUAL REPORT

A. Annual Report of the Retirement Board of Trustees

Ed Carter, Vice Chair

X. COMMITTEE REPORTS

A. Report of the Public Works Committee Meeting Held on May 24, 2022.

Bobbie Lindsay, Chair

XI. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. 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

b. RESOLUTION NO. 073-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Guaranteed Maximum Price (GMP) to Burkhardt Construction Inc. for Phase 6 North in the Amount of \$7,867,296 and Establishing a Project Budget of \$8,117,296.

RESOLUTION NO. 074-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Guaranteed Maximum Price (GMP) to Burkhardt Construction Inc. for Phase 6 South in the Amount of \$8,149,565 and Establishing a Project Budget of \$8,400,000.

c. RESOLUTION NO. 075-2022 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 the Town-wide Undergrounding of Utilities Project, Phase 6 North Construction Phase Services in the Amount of \$344,177 and Establishing a Project Budget of \$395,800.

RESOLUTION NO. 076-2022 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 the Townwide Undergrounding of Utilities Project, Phase 6 South Construction Phase Services in the Amount of \$344,007 and Establishing a Project Budget of \$395,600.

d. Utility Construction Services Work Hours

e. Approve Request by Florida Power & Light (FPL) for Road Closure of Seaview Avenue

- f. Approve Request by Florida Power & Light (FPL) for Road Closure of Mediterranean Road
2. Phipps Ocean Park Master Plan Update
TIME CERTAIN: 11:30 AM
Carolyn Stone, Assistant Town Manager

C. New Business

1. Consideration of Scheduling a Closed-door attorney client session pursuant to Section 286.011(8) to discuss the following matter: In Re South Atlantic Regional Center, LLC – Case Number 19-257-BKC-EPK Chapter 7 (Converted), pursuant to the request for advice by the Town Attorney. The session shall commence immediately following this Council meeting in the conference room behind Town Council Chambers, second floor, 360 South County Road with the following persons in attendance; Danielle H. Moore, Mayor, Council Members: Margaret A. Zeidman, President; Bobbie Lindsay, President Pro Tem; Julie Araskog, Ted Cooney, Lew Crampton; Kirk Blouin, Town Manager, Town Attorneys John C. Randolph and Robert W. Wilkins; and Court Reporter From Pleasanton & Marsaa Court Reporting.
John C. Randolph, Town Attorney
2. Consideration of Foreclosure of Code Enforcement Board liens on 226 and 287 Pendleton Avenue.
John C. Randolph, Town Attorney
3. Essential Town Services Work Hours
H. Paul Brazil, P.E., Director of Public Works
4. Consider Shore Protection Board Recommendation To Create Videos For Public Communication
H. Paul Brazil, P.E., Director of Public Works
5. Review of Sea Turtle Nesting
H. Paul Brazil, P.E., Director of Public Works
6. Discussion Regarding Possible Bradley Park and Lake Trail Closure Hours
Nicholas Caristo, Chief of Police
7. Review of a Stop Work Order Due to the Three Strike Rule at 315 Cocoanut Row
Wayne Bergman, Director of Planning, Zoning and Building
8. Review of a Stop Work Order Due to the Three Strike Rule at 171 Via Bellaria
Wayne Bergman, Director of Planning, Zoning and Building
9. Protection of Construction Sites During Storm Events
Julie Araskog, Town Council Member

XII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend Chapter 42 Article V, Section 42-228 to Modify the Decibel level in Area 4 of the Town

ORDINANCE NO. 008-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 42, Environmental at Article V, Noise at Section 42-228, Nonvehicular Noise Amending the Maximum Level, dba Measurement In Geographic Area 4 to be Consistent with the Measurements in Geographic Areas 1 and 3, I.E., 61 Decibels During the Day and 55 Decibels at Night; Providing for Repeal of Ordinances or Parts of Ordinances in Conflict Herewith, Providing for Severability; Providing for Codification; Providing an Effective Date.

Nicholas Caristo, Chief of Police

B. First Reading

1. Proposed Ordinance to Amend Chapter 46 Article III, Sections 46-67 and 46-68 to Modify the Fire Prevention Permit and Fire Prevention Fees

ORDINANCE NO. 011-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 46, Fire Prevention and Protection, at Article III, Fire Prevention Code, Sections 46-67, Permits, and 46-68, Annual Fire and Life Safety Inspections; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Darrel Donatto, Fire Rescue Chief

XIII. ANY OTHER MATTERS

XIV. 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.