



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

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

AGENDA

JUNE 11, 2019

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

Gail L. Coniglio, Mayor
Danielle H. Moore, President
Margaret A. Zeidman, President Pro Tem
Julie Araskog
Lew Crampton
Bobbie Lindsay

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. PRESENTATIONS

- A.** Legislative Session Update
Bobby Powell, State Senator
- B.** Scholarships Provided by the Palm Beach Country Club

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A.** Presentations by Recreation Advisory Commission Applicants
Kirk W. Blouin, Town Manager
- B.** Appointment to the Recreation Advisory Commission
Kirk W. Blouin, Town Manager

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

X. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

- 1. Town Council Meeting Minutes
Kathleen Dominguez, Town Clerk
 - a. May 14, 2019, Town Council Meeting Minutes
 - b. May 15, 2019, Local Planning Agency Meeting Minutes
 - c. May 15, 2019, Development Review Town Council Meeting Minutes
- 2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of May 29, 2019
Josh Martin, Director of Planning, Zoning and Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 31-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Recommendation of the Selection Committee for RFP No. 2019-10, for the Worth Avenue Commercial District Maintenance Program to Batallan Enterprises, DBA, Property Works in the amount of \$183,817 Annually, and for a Proposed Five Year Contract Amount of \$1,105,798, funded from the Non-Ad Valorem Assessment Paid for by the Property Owners within the Assessment Area. The Town negotiated cost savings from the original proposal amount in the amount of \$8,161 annually or \$40,805 for the term of the contract.
Dean Mealy, Purchasing Manager
- 2. RESOLUTION NO. 35-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Revising the

Defined Contribution Retirement Plan; Approving Amendments to the Administration of the Plan; Providing for Severability; Providing for Full Force and Effectiveness; Providing for Repeal of Conflicting Resolutions; and Providing an Effective Date.

Jane Le Clainche, Director of Finance

3. RESOLUTION NO. 39-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Invitation to Bid No. 2019-17 Award Recommendation for Skees Landfill Improvements to Johnson-Davis, Inc. in the amount of \$178,957.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 41-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving the Selection Committee Recommendation and Award of RFQ No. 2019-13 for Civil Engineering Consultants to Mock, Roos and Associates, Kimley-Horn and Associates, Inc., and Chen-Moore and Associates.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 42-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$138,182 to Applied Technology & Management, Inc., for Town-wide 2019 Annual Physical Surveys, and Establishing a Physical Monitoring Budget of \$150,000.

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

6. RESOLUTION NO. 43-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$199,856 to Coastal Eco-Group, Inc., for the 2019 Annual FDEP BMA Cell-wide Biological Monitoring, and Establishing a Cell-wide Biological Monitoring Phase Budget of \$220,000.

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

7. RESOLUTION NO. 44-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute a Project Partnership Agreement Between the Town of Palm Beach and the United States Army Corps of Engineers for Initial Project Construction and Continued Renourishments of the Palm Beach County Federal Shore Protection Project, Mid-Town Segment.

Agreement Will Be Provided Under Separate Cover

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

8. RESOLUTION NO. 45-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$198,932 to Aptim Environmental & Infrastructure, LLC (Aptim), for Permitting and Construction Support of the Palm Beach County Federal Shore Protection Project, Mid-Town Segment, and Establishing an Engineering Task

Budget Including Contingency of \$239,000.

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

9. RESOLUTION NO. 48-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, 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

C. OTHER

1. Appointment to “Blue Ribbon” Panel Per PERC Ordinance Appendix “A” Section 1.003

Danielle Olson, Director of Human Resources

2. Authorization for Road Closure and Waiver to Town Code for Extended Construction Hours for the Florida Department of Transportation to Construct Drainage Improvements on South County Road Just West of the South Ocean Boulevard Intersection

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

3. Acceptance of a Donation in the amount of \$80,000 from an Anonymous Donor, Designated to Purchase the Following:
1) Surveillance Vehicle (Van, Camera and Electronics) 2) Worth Avenue Holiday Tree and Ornaments 3) Contract for Beach Cleanup (Seaweed Removal) Between Via Marina and Gulfstream Road

Kirk W. Blouin, Town Manager

XI. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Retirement Board of Trustees

TIME CERTAIN: 10:00 A.M.

Daniel W. Stanton, Chair

XII. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on May 30, 2019

Julie Araskog, Chair

XIII. REGULAR AGENDA

A. Old Business

1. Ongoing Review of the Compensation Study

TIME CERTAIN: 10:00 A.M.

Danielle Olson, Director of Human Resources

2. Town-wide Underground Project:

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

Steve Stern, Project Manager

b. Street Lighting Status and Update
Patricia Strayer, P.E., Town Engineer

c. RESOLUTION NO. 46-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Rescinding Resolution No. 23-2016, Re-establishing the Underground Utilities Task Force to Review Matters Related to the Undergrounding of Utilities; Memorializing the Citizens Oversight Function of the Underground Utilities Task Force During Design and Construction Phases of the Proposed Project; Providing for Seven Seats on the Underground Utilities Task Force, Creating one Alternate Position, Implementing Term Limits and Providing for Method of Appointment, and Providing an Effective Date.

Steve Stern, Project Manager

3. Town Marina Project Update
H. Paul Brazil, P.E., Director of Public Works
4. Discussion Regarding Limitations to the Issuance of Special Events Permits
Jay Boodheshwar, Deputy Town Manager
5. Update on Proposed Addition of Stairs to Memorial Fountain
Josh Martin, Director of Planning, Zoning and Building

B. New Business

1. 2020 Election Date Change Due to Presidential Preference Primary
Kathleen Dominguez, Town Clerk

C. Matters Pulled From Consent Agenda: If needed

XIV. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 21-2019 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, Article IX, Fertilizer-Friendly Use, Section 42-372 "Definitions" and Section 42-376, "Timing Of Fertilizer", Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

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

2. ORDINANCE NO. 22-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 102, Solid Waste, Article I, in General, at Section 102-5 Deposit in Unauthorized Place, by Revising Verbiage to Read "No Person Shall Deposit or Cause to be Deposited any Refuse in any Place not Authorized for Disposal. The Public Works Director or Their Designee Shall Determine the Authorized Location for Collection and Disposal. Garbage Placed

for Collection in an Unauthorized Place will not be Collected and Procedures Set Forth in Section(s) 102-48 and 102-7 will be Administered” Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

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

3. ORDINANCE NO. 24-2019 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, Environment, To Include A New Article X, Titled Prohibition Of Polystyrene Containers And Single Use Carry Out Plastic Bags; Providing For Definitions; Prohibiting The Use Of Expanded Polystyrene Containers And Single Use Carry Out Plastic Bags Within The Corporate Limits Of The Town; Providing For Exemptions; Providing For Penalties And Amending Section 2-439 Of The Town Code Relating To Citation Fine Schedule; Providing For Repeal Of Ordinances In Conflict; Providing For Severability; Providing For Codification; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

B. First Reading

1. ORDINANCE NO. 23-2019 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, Environment, To Include A New Article XI, Titled Prohibition Of Plastic Straws Within The Corporate Limits Of The Town; Providing For Definitions; Prohibiting The Sale, Distribution Or Use Of Single Use Plastic Straws And Stirrers; Providing For Exemptions; Providing Penalties For Any Such Distribution; Amending Section 2-439 Of The Town Code Relating To Citation Fine Schedule; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

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 12:00 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 12:00 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.

- 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.