TOWN OF PALM BEACH

Town Manager's Office

TENTATIVE - SUBJECT TO REVISION

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

TUESDAY, JUNE 11, 2013

9:30 AM

CORRECTED

For information regarding procedures for monitoring or participating in Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Mayor Gail L. Coniglio
David A. Rosow, President
Robert N. Wildrick, President Pro Tem
William J. Diamond
Richard M. Kleid
Michael J. Pucillo

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. PRESENTATIONS

A. Representative Bill Hager, District 89.

B. Update on Royal Poinciana Theatre.
[Pamela Stark Thomas and Adam Munder]

IV. COMMENTS OF MAYOR GAIL L. CONIGLIO

V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

VI. COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT PLEASE
(Another opportunity for communications from citizens will be offered immediately after the lunch break.)

VII. APPROVAL OF AGENDA

VIII. CONSENT AGENDA

A. MINUTES

1. MINUTES: MAY 7, 2013
Approval of the Minutes of the Town Council Meeting.

2. MINUTES: MAY 8, 2013
Approval of the Minutes of the Special Town Council Meeting.

3. MINUTES: MAY 15, 2013
Approval of the Minutes of the Town Council Meeting.

4. Approval of Major Matters Considered by the Architectural Commission at its Meeting on May 22, 2013.

B. RESOLUTIONS

1. RESOLUTION NO. 71-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Keshavarz and Associates, Inc., for General Project Management and Engineering Support Services in Conjunction with the Nightingale Trail/La Puerta Way Underground Utilities Project, in the Amount of $79,200, and Establishing a Task Budget of $87,200.
[H. Paul Brazil, Director of Public Works]
Deferred from the May 7, 2013, Town Council Meeting.

2. RESOLUTION NO. 72-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in an Amount Not-to-Exceed $79,531.86 to Brannon and Gillespie, LLC, for General Project Management and Engineering Support Services in Conjunction with the East Inlet Drive Underground Utilities Project, and Establishing a Task Budget of $87,500. [H. Paul Brazil, Director of Public Works]

3. RESOLUTION NO. 76-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Food and Beverage Services Agreement for the Town of Palm Beach Par 3 Golf Course Between the Town of Palm Beach and

PB Ocean View, Inc. and Authorizing the Town Manager to Execute the Same on Behalf of the Town.
[Jay Boodheshwar, Director of Recreation and Special Projects]

4. RESOLUTION NO. 79-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Agreement Between the Town of Palm Beach and Golf Channel Solutions for the Provision of Internet Based Tee Time and Advertising Services for the Palm Beach Par 3 Golf Course; and Authorizing the Town Manager to Execute the Same on Behalf of the Town.
[Jay Boodheshwar, Director of Recreation and Special Projects]

5. RESOLUTION NO. 80-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Palm Beach County Interoperable Radio Communications Interlocal Agreement and Authorizing the Mayor to Execute the Same on Behalf of the Town.
[Kirk W. Blouin, Director of Public Safety]

6. RESOLUTION NO. 81-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Award of RFP No. 2013-15 In-Car Video System to WatchGuard in the Amount of $123,879 with a Contingency Budget of $12,388 and Authorizing the Town Manager to Approve a Purchase Order for the Installation and Maintenance of the In-Car Video Recording System Pursuant to the Proposal Submitted by Vendor. [Kirk W. Blouin, Director of Public Safety]

7. RESOLUTION NO. 82-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Issuance of Purchase Order 131219 to Johnson Controls, Inc. in the Amount of $29,433, Retroactively, for the Emergency Replacement of Cameras and Associated Mounting Hardware. [Kirk W. Blouin, Director of Public Safety]

8. RESOLUTION NO. 83-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Two Year Renewal Agreement to Nowlen, Holt & Miner, P.A., for RFP No. 2010-15, in the Amount of $93,000 for the Fiscal Year 2013 Audit and $96,000 for the Fiscal Year 2014 Audit, with a $5,000 Contingency Each Year, and Authorizing the Town Manager to Take Further Action Necessary to Effectuate the Contract. [Jane Struder, Director of Finance]

9. RESOLUTION NO. 84-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2013-32 and Construction Contract to Murray Logan Construction, Inc., for the Ejector Station Upgrades, in the Amount of $4,168,000, and Establishing a Construction Phase Budget of $4,300,000. [H. Paul Brazil, Director of Public Works]

10. RESOLUTION NO. 85-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2013-06 and Contracts to Universal Electric of Florida Inc., and C. R. Dunn, Inc., for Electrical Maintenance and Repair Services, in a Cumulative Total Amount Not-to-Exceed $154,000. [H. Paul Brazil, Director of Public Works]

11. RESOLUTION NO. 86-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Phase Engineering Services Contract to Mock, Roos and Associates, Inc., for the Ejector Station Upgrades, in the Amount of $358,069 and Establishing a Construction Phase Engineering Services Budget of $395,000.
[H. Paul Brazil, Director of Public Works]

12. RESOLUTION NO. 87-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Non-Exclusive Utility Easement on Town Property to Florida Power & Light Company for Transformers, Conduit, and Wires to Provide Service to the D-4 Storm Water Pump Station. [H. Paul Brazil, Director of Public Works]

13. RESOLUTION NO. 88-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2013-35 and a Construction Contract to Johnson-Davis, Inc., for the A-7 and Pinewalk Force Main Replacement, in the Amount of $724,960, and Establishing a Construction Phase Budget of $800,000. [H. Paul Brazil, Director of Public Works]

14. RESOLUTION NO. 89-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Construction Phase Engineering Services Purchase Order in an Amount Not-to-Exceed $67,232 to Mock, Roos & Associates, Inc., for the A-7 and Pinewalk Force Main Replacement, and Establishing a Construction Phase Budget of $75,000.
[H. Paul Brazil, Director of Public Works]

15. RESOLUTION NO. 90-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase to Kimley-Horn and Associates, Inc., in an Amount Not-to-Exceed $15,900 for Additional Design Services for the Pump Station A-39, A-41, A-42 and A-43 Generator Replacement and Establishing a Design Phase Budget of $50,000. [H. Paul Brazil, Director of Public Works]

16. RESOLUTION NO. 91-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in an Amount Not-to-Exceed $9,972 to Mock, Roos & Associates, Inc., for Design and Bid Phase Services to Abandon Existing Corrugated Pipes in Lakeside Park, and Establishing a Design and Bid Phase Services Budget of $11,000. [H. Paul Brazil, Director of Public Works]

17. RESOLUTION NO. 92-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Execution of an Interlocal Agreement Between the Town of South Palm Beach, Town of Manalapan and the Town of Palm Beach for Work Required for the Interconnect to the Town of Palm Beach A-42 to A-41 and Par 3 to A-39 Force Main Replacement Project. [H. Paul Brazil, Director of Public Works]

18. RESOLUTION NO. 93-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in an Amount Not-to-Exceed $15,340, to Kimley-Horn and Associates, Inc., for the Pump Stations A-5 and A-6 Miscellaneous Improvements Project, and Establishing a Design and Bid Phase Services Budget of $18,000.
[H. Paul Brazil, Director of Public Works]

19. RESOLUTION NO. 94-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase to Mock Roos and Associates, Inc., for the E-3, Garden Road to Tangier Avenue, Force Main Replacement in an Amount Not-to-Exceed $9,884, and Establishing a Design and Bid Phase Budget of $11,000.
[H. Paul Brazil, Director of Public Works]

20. RESOLUTION NO. 95-2013 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, Amending Chapter 12 Regarding Driveways and Driveway Approaches, Providing an Effective Date. [H. Paul Brazil, Director of Public Works]

21. RESOLUTION NO. 96-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in an Amount Not-to-Exceed $3,500 to Kimley-Horn and Associates, Inc., for the Seabreeze Avenue Bulkhead Improvements Construction Phase Engineering Services, and Establishing a Construction Phase Budget of $4,000.
[H. Paul Brazil, Director of Public Works]

22. RESOLUTION NO. 97-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc., for Field Investigations Related to Phase II of the Lake Worth Lagoon Waterway Project, in an Amount Not-to-Exceed $49,938.43, and Establishing a Field Investigation Phase Budget of $50,000.
[H. Paul Brazil, Director of Public Works]

C. OTHER

1. Authorization for a Town Contribution of $10,000 to the City of West Palm Beach for Fireworks Display at the City's Fourth on Flagler Event. [Peter B. Elwell, Town Manager]

2. Acceptance of a Donation of $100,000 from the Palm Beach Police Foundation for the Purchase of Equipment and Infrastructure for the Town-wide Security and Surveillance System.
[Kirk W. Blouin, Director of Public Safety]

3. Approval of Selection Committee Recommendation
re: Pre-Qualified Contractors for General Utility Projects.
[H. Paul Brazil, Director of Public Works]

4. Authorization of Selection Committee to Pre-Qualify Contractors for Pump Stations and Miscellaneous Structures.
[H. Paul Brazil, Director of Public Works]

IX. BOARD/COMMISSION ANNUAL REPORT

A. Retirement Board of Trustees. [Raymond W. Snow, Retirement Board Chair]

X. REGULAR AGENDA

A. Old Business

None

B. New Business

1. Coastal Protection Matters
TIME CERTAIN: NOT BEFORE 1:00 PM

a. RESOLUTION NO. 100-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Palm Beach Island Beach Management Agreement with the State of Florida Department of Environmental Protection and the State of Florida Fish and Wildlife Conservation Commission, for Defining Mutually Agreeable Methods for Coastal Erosion Control, Natural Community Protection, and Monitoring Protocols in Pursuit of Regional Management with Net Ecosystem Benefits of the Coastal System Between the Lake Worth Inlet and South Lake Worth Inlet.
[Peter B. Elwell, Town Manager]

b. Woods Hole Group's Recommendations and Staff's Proposed 10-Year Plan.

(1) Woods Hole Group's Final Report and Recommendations Based on its Comprehensive Review of the Town's Long Term Coastal Management Program.
[Robert P. Hamilton, Jr., Vice President, Business Development/Coastal Engineer, Woods Hole Group]

(2) Proposed FY2014 Coastal Management Program Budget and Ten-Year Coastal Protection Plan.
[Peter B. Elwell, Town Manager, and H. Paul Brazil, Director of Public Works]

(3) Townwide Seawall Inventory.
[H. Paul Brazil, Director of Public Works]

(4) Comments and Questions from Town Council and the Public.

c. Coastal Management Implementation Actions.
[H. Paul Brazil, Director of Public Works]

(1) RESOLUTION NO. 101-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm

Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc., for Initial Implementation of the Mid-Town Mitigation Program in an Amount Not-to-Exceed $189,823.18, and Establishing an Engineering Services Task Budget of $225,000.

(2) RESOLUTION NO. 103-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc., for Professional Services Related to Regulatory Review, Development of Plans and Specifications, Bidding Support, and Construction Observations for Mid-Town Beach Nourishment Project in an Amount Not-to-Exceed $280,989.73, and Establishing an Engineering Services Budget of $320,000 for This Project.

(3) RESOLUTION NO. 106-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in an Amount Not-to-Exceed $78,248 to Applied Technology and Management, Inc., for Town-Wide 2013 Annual Physical Surveys, and Establishing a Physical Monitoring Budget of $86,000.

2. Town's Official Comments on Environmental Impact Statement for the Deepening and Widening of Lake Worth Inlet.
[Peter B. Elwell, Town Manager]

3. Proposed Purchase of a New Parking Ticket Management System.
[Thomas G. Bradford, Deputy Town Manager]

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 2-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 106, Streets, Sidewalks and Other Public Places, Article VII, Special Events on Public Property, Division 2, Permit, by Amending Section 106-282(c)(14) Relating to Application Fee and Providing for a Fee for a Late Filing; Providing for Severability; Providing for Repeal of

Ordinances in Conflict; Providing for Codification; Providing an Effective Date. [Susan Owens, Town Clerk]

2. ORDINANCE NO. 3-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 18, Buildings and Building Regulations, to Include a New Article XVII, Archaeological Review, Providing for an Archaeological Assessment Prior to the Issuance of Any Permits for Demolition, Excavations, Tree Removal, or Other Ground Disturbing Activities as Required by Florida State Statute 872.05, as Amended, and the Town's Comprehensive Plan; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
[John Page, Director of Planning, Zoning, and Building]

3. ORDINANCE NO. 4-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 114 Taxation, Article II, Local Business Tax, at Section 114-43 Schedule, So as to Amend the Fees Delineated for Each Business, Profession or Occupation; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. [John Page, Director of Planning, Zoning, and Building]

B. First Reading

1. ORDINANCE NO. 7-2013 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 82-57, Board of Trustees; Administrative Duties; Investment of Retirement System Assets; Amending Subdivision IV, Police Officers, by Creating a New Section 82-127, Chapter 185 Share Plan; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. [Peter B. Elwell, Town Manager]

2. Conflicts of Interest [John C. Randolph, Town Attorney]

   a. ORDINANCE NO. 8-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 18, Buildings and Building Regulations; Article III, Architectural Review; Division 2, Architectural

Commission, at Section 18-170, Conflicts of Interest, to Define Excessive Conflicts of Interest as Five or More Conflicts in Any One Calendar Year; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

b. ORDINANCE NO. 9-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 54, Historical Preservation; Article II, Landmarks Preservation; Section 54-38, Removal Provisions, to Define Excessive Conflicts of Interest as Five or More Conflicts of Interest in Any One Calendar Year; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

c. ORDINANCE NO. 10-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 2, Administration; Article V, Code Enforcement; Division 2, Code Enforcement Board, at Section 2-402, to Provide for Term Limits of Two Consecutive Years; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

3. Planning and Zoning Commission; Local Planning Agency.
[John C. Randolph, Town Attorney]
NOTE: THIS ITEM WILL BE HEARD AT OR AFTER 10:30 AM AND PRIOR TO THE LUNCH BREAK.

a. ORDINANCE NO. 11-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 2, Administration, of the Town Code of Ordinances, at Article IV, Boards and Commissions, by Rescinding Division 2, Planning and Zoning Commission, Sections 2-326 Through 2-344 in Their Entirety So as to Rescind the Ordinance Creating the Planning and Zoning Commission; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

b. ORDINANCE NO. 12-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 86, Planning, Article II, Comprehensive Planning, Division 2, Local Planning Agency, Section 86-51, So as to Designate the Town Council as the Local Planning Agency for the Town Pursuant to and in Accordance with Florida Statute Section 163.3174; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

XII. ANY OTHER MATTERS

XIII. ADJOURNMENT

PLEASE TAKE NOTE:

- No written materials received after 5:00 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 5:00 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.

- The progress of this meeting may be monitored by visiting the Town's website (www.townofpalmbeach.com) and selecting "Your Government" and then selecting "Audio (Live and Archived)." 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.

- 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.

- 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.

- 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.

- A summary of the actions taken at Town Council meetings can be viewed on the Town's website after 5 p.m. on the Friday following the Town Council meeting.

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

6/5/13

Tue 06/11/2013 09:30 AM	Town Council Meeting	Council Chambers
Wed 06/12/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
Fri 06/14/2013 09:00 AM	Retirement Board of Trustees Meeting	Council Chambers
Wed 06/19/2013 09:30 AM	Landmarks Preservation Commission Meeting	Council Chambers
Thu 06/20/2013 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Wed 06/26/2013 09:00 AM	Architectural Commission Meeting	Council Chambers
Thu 07/04/2013 04:00 AM	INDEPENDENCE DAY	TOWN HALL CLOSED
Tue 07/09/2013 09:30 AM	Town Council Meeting	Council Chambers
Wed 07/10/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
Wed 07/10/2013 02:00 PM	Ordinances, Rules & Standards (ORS) Committee Meeting	Council Chambers
Thu 07/11/2013 09:30 AM	Special Town Council Meeting re: Proposed FY14 Budget	Council Chambers
Thu 07/11/2013 01:00 PM	Finance and Taxation Committee Meeting	Council Chambers
Wed 07/17/2013 09:30 AM	Landmarks Preservation Commission	Council Chambers

Thu 07/18/2013 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Wed 07/24/2013 09:00 AM	Architectural Commission Meeting	Council Chambers
Tue 08/13/2013 09:30 AM	Town Council Meeting	Council Chambers
Wed 08/14/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers