



TOWN OF PALM BEACH

Town Manager's Office

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

JUNE 10, 2014

9:30 AM

For information regarding 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
Robert N. Wildrick, President
William J. Diamond, President Pro Tem
Richard M. Kleid
Michael J. Pucillo
Penelope D. Townsend

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. PRESENTATIONS

- A.** The Honorable Jeff Clemons, Florida Senate, District 27.
- B.** The Honorable Bill Hager, Florida House of Representatives, District 89.
- C.** Scholarship Provided by the Palm Beach Civic Association and the Citizens' Association of Palm Beach.
Ned Barnes, Palm Beach Civic Association, and Bruce Heyman, Citizens' Association of Palm Beach
- D.** Update on Royal Poinciana Playhouse.
Pamela Stark Thomas, Executive Director, National Arts Institute

IV. COMMENTS OF MAYOR GAIL L. CONIGLIO

V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VII. APPROVAL OF AGENDA

VIII. CONSENT AGENDA

A. MINUTES

1. MINUTES: MAY 13, 2014
Approval of the Minutes of the Regular Town Council Meeting.
Susan A. Owens, Town Clerk
2. MINUTES: MAY 14, 2014
Approval of the Minutes of the Regular-Development Review Town Council Meeting.
Susan A. Owens, Town Clerk
3. MINUTES: MAY 14, 2014
Approval of the Minutes of the Regular Town Council Meeting.
Susan A. Owens, Town Clerk
4. Approval of Major Matters Considered by the Architectural Commission at its Meeting of May 28, 2014.
John S. Page, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 67-2014 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 Phillips & Jordan, Inc., for Emergency Disaster Debris Removal, Reduction and Disposal Services, Pursuant to the Solid Waste Authority of Palm Beach County Contract No. 13-249, and Authorizing the Town Manager to Execute the Same on Behalf of the Town for Use as a Backup to Other Town Executed Contracts.
H. Paul Brazil, P.E., Director of Public Works
2. RESOLUTION NO. 68-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of the Contract to Supply Unleaded and Diesel Fuel Through the Southeast Florida Governmental Purchasing Cooperative Group RFP 14-A-035 to MacMillan Oil Co. of Florida, Inc.
Jane Struder, Finance Director
3. RESOLUTION NO. 76-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing Sole Source Procurement and the Purchase of Zoll X Series Manual Monitor/Defibrillators in the Amount of \$247,960.72 from Zoll Medical Corporation.
Kirk Blouin, Director of Public Safety

4. RESOLUTION NO. 77-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Hulett Environmental Services, Inc., for Treatment of Lethal Yellowing Disease in Coconut Palms and Royal Palm Bug and Fertilization Treatment for Royal Palm Trees in the Amount of \$45,084, and Establishing a Project Budget of \$47,350.

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

5. RESOLUTION NO. 78-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension 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, P.E., Director of Public Works

6. RESOLUTION NO. 79-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Preliminary Design Services to Kimley-Horn and Associates, Inc., in an Amount of \$54,360 for the Signalization and Mast Arm Upgrades and Establishing a Design Phase Budget of \$61,000.

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

7. RESOLUTION NO. 80-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Design and Bid Phase Engineering Services to Kimley-Horn & Associates, Inc., in an Amount of \$23,480 for the Roadway Improvements on Queens Lane, and Establishing a Design and Bid Phase Budget of \$25,000.

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

8. RESOLUTION NO. 86-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving GFA Inc. as a Plan Review and Inspection Firm from the Original List of Respondents to RFP No. 2010-28, in Addition to Hybryd Inc. and MT Causley Inc. Based Upon Their Proposal and the Selection Committee's Recommendations Pertaining Thereto; Authorizing Staff Negotiations with GFA Inc., and Authorizing the Town Manager to Execute a Negotiated Contract on Behalf of the Town for Plan Review and Inspection Services, Subject to the Town's Adopted Budget for Said Program and the Town Attorney's Approval of the Negotiated Contract for Legal Form and Sufficiency.

John S. Page, Director of Planning, Zoning and Building

C. OTHER

1. Ratification of Town Manager Peter B. Elwell's Selection of Professionals to Assist the Town in Opposing the Proposed Lake Worth Inlet Deepening and Widening Project, and Appropriation of \$200,000 from the General Fund Contingency.

Peter B. Elwell, Town Manager

2. Authorization for Continued Town Participation in the Palm Beach County

Urban County Program for FY2015-FY2017.

Peter B. Elwell, Town Manager

3. Authorization to Reject All Bid Submittals for Bid No. 2014-16, Maintenance of the Peruvian Avenue 400 Block Streetscape Project Improvements.

Thomas G. Bradford, Deputy Town Manager

4. Approval of Landmarks Preservation Commission Attendance Exception for Nikita Zukov.

John S. Page, Director of Planning, Zoning and Building

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Retirement Board of Trustees.

Raymond W. Snow, Retirement Board Chair

X. PUBLIC HEARINGS

- A. RESOLUTION NO. 81-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning a Portion of an Existing Public Utility Easement Within the Property Commonly Known as Lot 6 Ocean Lane, in the Town of Palm Beach, Florida.

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

XI. REGULAR AGENDA

A. Old Business

1. Flagler Memorial Bridge Project Update.

TIME CERTAIN: 11:00 AM

Geoffrey Parker, New Millennium Engineering

2. Town Hall Square Project

TIME CERTAIN: 11:30 AM

a. Project Update.

b. Appeal of Landmarks Preservation Commission COA #016-2014, Town Hall Square Modifications, by Attorney Manuel Kushner representing Mr. Orator Woodward and the John L. Volk Foundation.

(Depending upon the action(s) taken under item XI.A.2.b immediately above, the Town Council may or may not consider items XI.A.2.c1., XI.A.2.c2., and XI.A.2.d. immediately below.)

c1. RESOLUTION NO. 84-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Manager at Risk Contract to Burkhardt Construction, Inc., for the Town Hall Square Project, in the Amount of \$5,630,336.44, and Establishing a Construction Management Phase Budget of \$5,845,000.

c2. RESOLUTION NO. 89-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Alternative 1, Street Lighting Improvements, in the Amount of \$255,000 and Alternative 2, Central Fire Station Slab Replacement, in the Amount of \$45,500 to Burkhardt Construction, Inc., for the Town Hall Square Project, Increasing Resolution 84-2014 Construction Management Phase Budget to \$6,145,500.

d. RESOLUTION NO. 85-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Construction Phase Engineering Services to Kimley Horn & Associates, Inc., for the Town Hall Square Project, in the Amount of \$233,715.50 and Establishing a Construction Phase Engineering Services Budget of \$270,000.

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

3. Consideration of Design and Bid Phase Services Contracts for the Street Lighting Upgrades and Utility Undergrounding Projects on South Ocean Boulevard from Sloan's Curve to Lake Avenue.

a. RESOLUTION NO. 73-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Design and Bid Phase Engineering Services to Erdman Anthony of Florida, Inc., in an Amount of \$180,310 for the Street Lighting Upgrade on South Ocean Boulevard from Sloan's Curve to Lake Avenue, and Establishing a Design and Bid Phase Budget of \$200,000.

b. RESOLUTION NO. 74-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Evaluating Undergrounding of Overhead Lines to Erdman Anthony of Florida, Inc., in an amount of \$24,065 for the Street Lighting Upgrade Project on South Ocean Boulevard from Sloan's Curve to Lake Avenue, and Establishing an Evaluation Budget of \$26,500.

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

4. Coastal Protection Matters

a. Update on Current Conditions and Ongoing Actions.

b. Reach 3 Roadway Protective Seawall Project:
Alternative Proposed by Affected Residents.

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

B. New Business

1. Off-Island Town-Owned Real Estate Matters.

a. Inventory and Planning Update.

b. RESOLUTION NO. 88-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Lease

Agreement Between the Town And RG Towers, LLC for Use of a Portion of Town Property for a Wireless Communications Tower and Authorizing the Town Manager to Execute the Same on Behalf of the Town.

Jay Boodheshwar, Director of Recreation and Special Projects.

2. Residents' Request for Curb and Gutter on Via Marina.

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

3. Request for Temporary Road Closure at 109 Royal Palm Way.

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

4. Appeal of Town Code, Chapter 10, Section 10-45, Dangerous Dog Determination - "Martini," Case No. 14-000721 (per letter dated May 22, 2014, from Maya Johnson).

Kirk Blouin, Director of Public Safety

5. Appeal of Town Code, Chapter 10, Section 10-45, Dangerous Dog Determination - "Titan," Case No. 14-000675 (per letter dated May 27, 2014 from Julie Leever).

Kirk Blouin, Director of Public Safety

6. Discussion of Background Checks for Applicants to Town Boards/Commissions.

William Diamond, Town Council President Pro Tem

XII. ORDINANCES

XIII. ANY OTHER MATTERS

XIV. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: 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.

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: 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

6/4/14

Tue 06/10/2014 09:30 AM	Town Council Meeting	Council Chambers
Wed 06/11/2014 09:30 AM	Town Council Meeting-Development Review	Council Chambers
Wed 06/18/2014 09:30 AM	Landmarks Preservation Commission Meeting	Council Chambers
Thu 06/19/2014 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Wed 06/25/2014 09:00 AM	ARCOM Meeting	Council Chambers
Fri 07/04/2014 04:00 AM	FOURTH OF JULY	TOWN HALL CLOSED
Tue 07/15/2014 09:30 AM	Town Council Meeting	Council Chambers
Wed 07/16/2014 09:30 AM	Town Council Meeting-Development Review	Council Chambers
Thu 07/17/2014 09:30 AM	Special Town Council Meeting-FY15 Budget	Council Chambers
Mon 07/21/2014 09:30 AM	Landmarks Preservation Commission	Council Chambers
Wed 07/23/2014 09:00 AM	ARCOM Meeting	Council Chambers
Tue 08/12/2014 09:30 AM	Town Council Meeting	Council Chambers
Wed 08/13/2014 09:30 AM	Town Council Meeting - Development Review	Council Chambers