



# TOWN OF PALM BEACH

Town Manager's Office  
**TOWN COUNCIL MEETING**

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

## **AGENDA**

**MAY 14, 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  
*Michael "Mike" Caruso, District Representative*
- B.** Presentation on Royal Poinciana Playhouse  
*Alexandra Patterson, Up Markets*
- C.** Seventy-five (75) Palm Trees for Palm Beach Project  
*Ned Barnes and John David Corey, Palm Beach Civic Association*

**VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS**

- A.** Presentations by Investment Advisory Committee Applicants  
*Kirk W. Blouin, Town Manager*
- B.** Appointments to the Investment Advisory Committee  
*Kirk W. Blouin, Town Manager*
- C.** Presentations by Landmarks Preservation Commission Applicants  
*Kirk W. Blouin, Town Manager*
- D.** Appointments to the Landmarks Preservation 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. April 4, 2019, Special Town Council Meeting Minutes
  - b. April 9, 2019, Town Council Meeting Minutes
  - c. April 10, 2019, Local Planning Agency Meeting Minutes
  - d. April 10, 2019, Development Review Town Council Meeting Minutes
  - e. April 10, 2019, Special Town Council Meeting Minutes - closed door session
  - f. April 23, 2019, Special Town Council Meeting Minutes
- 2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of April 24, 2019  
*Josh Martin, Director of Planning, Zoning and Building*

**B. RESOLUTIONS**

- 1. RESOLUTION NO. 32-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving

the Ranking of Invitation To Bid No. 2019-18, For E-1 Sanitary Pump Station Upgrade Improvement To Hinterland Group, Inc. in the Amount of \$247,400 and a Project Budget of \$284,510.

*Dean Mealy, Purchasing Manager*

2. RESOLUTION NO. 33-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order to Virtra For a Training Simulator For Police In the Amount of \$234,528.30.

*Dean Mealy, Purchasing Manager*

3. RESOLUTION NO. 34-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement Agreement Between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for Access, and Maintenance of FPL Equipment.

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

#### **C. OTHER**

1. Waiver to Town Code for Extended Construction Hours and Lane Closure for AT&T to Construct a Fiber Line and Make Connection in Royal Palm Way at Cocoanut Row

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

2. Designation of Voting Delegate and Alternate(s) to the Palm Beach County League of Cities, Inc.

*Kathleen Dominguez, Town Clerk*

3. Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's Fourth on Flagler Event

*Kirk W. Blouin, Town Manager*

4. Request to Consider Ordinance No. 17-2019 at Public Hearings Prior to 5:00 p.m.

*Josh Martin, Director of Planning, Zoning & Building*

#### **XI. BOARD/COMMISSION ANNUAL REPORT**

- A. Annual Report of the Code Enforcement Board

*Matthew Natale, Chair*

#### **XII. COMMITTEE REPORTS**

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on April 4, 2019

*Julie Araskog, Chair*

#### **XIII. REGULAR AGENDA**

##### **A. Old Business**

1. Town Marina Project Update

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

2. Town-wide Undergrounding Project
  - a. Review of Project and Dashboard, Summary of Project Status  
*Steve Stern, Project Manager*
3. Proposed Town Sponsorship of Business Association Special Event during the Veteran's Day Holiday Weekend in November 2019 to be Hosted by the Main Street Association, with the Palm Beach Rotary Foundation as Event Provider  
*Josh Martin, Director of Planning, Zoning and Building*
4. Update to the Town's Compensation Study  
*Danielle Olson, Director of Human Resources*
5. Coastal:
  - a. Town of South Palm Beach Dune Construction Project
  - b. Shore Protection Board Recommendation for the Town-wide Groin Rehabilitation Program
  - c. New Ten-year Budget (*For Discussion only*)  
*H. Paul Brazil, P.E., Director of Public Works*
6. RESOLUTION NO. 15-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Long-term Ground Lease of 5976 Okeechobee Boulevard, West Palm Beach, Florida to AHS Residential.  
*Kirk W. Blouin, Town Manager*
7. Discussion Regarding Unregulated On-Street Parking Spaces on North County Road and Bradley Place  
*Jay Boodheshwar, Deputy Town Manager*

**B. New Business**

1. RESOLUTION NO. 36-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Bid Waiver, Contract Execution and Purchase Orders for the Procurement of Lucy, for a Work Management System for Public Works for \$388,300, contingent upon future budget funding approval.  
*Dean Mealy, Purchasing Manager*
2. RESOLUTION NO. 37-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Recommendation of the Selection Committee for Dockage System Design and Manufacturing, RFP No. 2019-15, Which Pre-Qualified Three Firms; Bellingham Marine, EMG USA LLC and SF Marina Systems USA.  
*Dean Mealy, Purchasing Manager*
3. RESOLUTION NO. 38-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a

Purchase Order to Rechten International Trucks, Inc. for the Purchase of One 2019 International Dump Truck; And Approval To Fund the Project from the Equipment Replacement Fund in the Amount of \$88,688 for a Total Budget of \$92,000.

*Dean Mealy, Purchasing Manager*

**C. Matters Pulled From Consent Agenda: If needed**

**XIV. ORDINANCES**

**A. Second Reading**

1. ORDINANCE NO. 8-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 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.

*Josh Martin, Director of Planning, Zoning & Building*

**B. First 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. 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 IX, Division 2, Titled Prohibition Of Single Use

Plastic Straws; Prohibiting The Distribution Of Plastic Straws; Providing Penalties For Any Such Distribution; Providing For Conflicts; Providing For Severability; Providing For Codification; And Providing An Effective Date.

*Jay Boodheshwar, Deputy Town Manager*

4. 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 IX, Titled Prohibition Of Polystyrene Containers And Single Use Carry Out Plastic Bags; Prohibiting The Use Of Expanded Polystyrene Containers And Single Use Carry Out Plastic Bags Within The Corporate Limits Of The Town; Providing For Penalties And Amending Section 2-439 Of The Town Code Relating To Citation Fine Schedule; Providing For Codification; Providing An Effective Date.

*Jay Boodheshwar, Deputy Town Manager*

5. ORDINANCE NO. 25-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 106, Article VII, Section 106-257, Subsection (1) Of The Town Code Of Ordinances Titled Regulations Relating To Special Events; Providing For A Prohibition On The Use Of Phipps Plaza Park For A Special Event Due To The Close Residential Proximity Of This Public Space; 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](mailto: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](http://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.