



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

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

AGENDA

MAY 11, 2021

9:30 AM

**To Participate via Zoom, please click on the link below:
<https://zoom.us/j/96817194629>**

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. RECOGNITIONS

- A.** Recognition of Rosemary Carpenter's Service on the Code Enforcement Board from April, 2017 to April, 2021
- B.** Recognition of Matthew Natale's Service on the Code Enforcement Board from December, 2013 to April, 2021

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A.** Presentations by the Applicants and Appointment to the Architectural Commission (ARCOM)
Queenester Nieves, CMC, Town Clerk

VII. COMMENTS OF MAYOR DANIELLE H. MOORE

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

X. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

- 1. Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk
 - a. April 13, 2021, Town Council Meeting Minutes
 - b. April 14, 2021, Town Council Development Review Meeting Minutes
- 2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of April 28, 2021.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 041-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Ten-8 for the Purchase of a Fire Rescue Ambulance in the Amount of \$254,336 and Establishing a Project Budget of \$264,336.
Dean Mealy, Purchasing Manager
- 2. RESOLUTION NO. 042-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Watchguard for Body Worn Cameras and Evidence Management Software for a Five Year Subscription Award in the Amount of \$146,280.
Dean Mealy, Purchasing Manager
- 3. RESOLUTION NO. 043-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of Seventy-two Pairs of Gloves for Fire Rescue

Utilizing a Grant in the Amount of \$3,780 which has a 30% Match Requirement of \$1,620.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 044-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Residents of Via Palma to Engineer and Design Roadway Improvements Under Section 106-46 of the Town's Code of Ordinances and Accept Donation for Construction of said Improvements.

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

5. RESOLUTION NO. 052-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town of Palm Beach to Join With the State of Florida and Other Local Governmental Units as a Participant in the Florida Memorandum of Understanding and Formal Agreements Implementing a Unified Plan.

Nicholas Caristo, Chief of Police

C. OTHER

1. Request to Endorse Palm Beach County's Bonefish Cove and Palm Beach Resilient Islands Restoration Projects and Approve Waivers to Town Code for Construction Dates, Hours, and Noise in Lake Worth Lagoon

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

2. Request to Consider Ordinance No. 08-2021 at a Public Hearing on Wednesday, May 12, 2021, Prior to 5:00 p.m.

Wayne Bergman, Director of Planning, Zoning and Building

3. Request to Consider Ordinance No. 12-2021 at a Public Hearing on Wednesday, May 12, 2021, Prior to 5:00 p.m.

Wayne Bergman, Director of Planning, Zoning and Building

4. Acceptance of Donation for the Police Department from an Anonymous Donor

Nicholas Caristo, Chief of Police

XI. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Code Enforcement Board

Bram Majtlis, Vice Chair

- B. Annual Report of the Planning and Zoning Commission

Michael Ainslie, Chair

XII. REGULAR AGENDA

- A. **Matters Pulled From Consent Agenda: If needed**

- B. **Old Business**

1. COVID-19 Update
Kirk W. Blouin, Town Manager
TIME CERTAIN: 11:00 AM
 - a. Report on COVID-19 Infections, Hospitalizations and Vaccinations
Darrel Donatto, Fire Rescue Chief
 - b. Discussion Regarding State of Florida Executive Order 21-102
 - c. Discussion Regarding Future Board and Commission Meetings
 - d. RESOLUTION NO. 045-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Concurring with the Request of the Town's Chief of Police, to Extend the Chief's Declaration of the Existence of a State of Emergency Within the Corporate Limits of the Town to June 8, 2021, Unless Earlier Terminated by the Chief of Police, at Which Time the Town Council Will Address the Need for any Extension of the Declaration of Emergency; Providing for an Effective Date.
2. Town-Wide Undergrounding Project
Patricia Strayer, Town Engineer
 - a. Review of Project and Dashboard, Summary of Project Status
 - b. RESOLUTION NO. 046-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute Easements and Use Agreements Between the Town of Palm Beach and Florida Power & Light (FPL) Upon Town Owned Land Located at 320 South Lake Drive and 340 Seaview Avenue.
3. Town Marina Update
Dean Mealy, Purchasing Manager
 - a. RESOLUTION NO. 047-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Waiver of Competitive Bid and Award a Change Order to Murray Logan Construction, Inc. for the Town Marina Project – Lake Drive Park, Increasing Purchase Order No. 200662 for Materials, Labor and Installation Associated with Improvements in the Amount of \$3,635,044 and Establishing a Project Budget of \$4,007,551.
 - b. RESOLUTION NO. 048-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Purchase Order No. 190332 to W.F. Baird & Associates in the Amount of \$46,116, and Establishing a Project Budget of \$50,727 for Construction Administration Services Associated with the Town Marina Project - Lake Drive Park Improvements.

c. RESOLUTION NO. 049-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Waiver of Competitive Bid for the Town Marina Project to HUB Parking Technology in the Amount of \$90,062, and Establishing a Project Budget of \$99,062.

4. Update and Request for Direction Regarding the Proposed Addition of Stairs on South Side of Memorial Fountain

Jay Boodheshwar, Deputy Town Manager

C. New Business

1. Proposed Changes to Town Caucus and Qualifying Date

Queenester Nieves, CMC, Town Clerk

2. RESOLUTION NO. 053-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Designating the Town Clerk, Deputy Town Clerk and Town Manager or his/her Designee of the Town of Palm Beach to Serve as the Election Canvassing Board for the Town of Palm Beach.

Queenester Nieves, CMC, Town Clerk

3. Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ended September 30, 2020

Jane Le Clainche, Director of Finance

XIII. ORDINANCES

A. Second Reading

1. Budget Amendment for Costs Associated with Staffing for the Town Marina and Improvements to Lake Drive Park

ORDINANCE NO.11-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2020, and Providing an Effective Date.

Jane Le Clainche, Director of Finance

B. First Reading

1. Proposed Amendment of Town Code to Permit Off-Leash Dogs from Dawn to 9:00 am on Beaches Between Sunset Avenue and Wells Road

ORDINANCE NO. 13-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 10 of the Town Code of Ordinances, Animals, Article II, Dogs And Cats, At Section 10-43, Running At Large Prohibited; Further Amending Chapter 74 of the Town Code of Ordinances, Parks and Recreation, Article II, Beach and Aquatic Activities, Division 3, Regulation of Use of Public Beaches; At Sec. 74-191,

Animals Prohibited, so as to Add an Exception to Permit Unleashed Dogs on Public Beaches Between Sunset Avenue and Wells Road from Dawn To 9:00am; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing For Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

XIV. ANY OTHER MATTERS

XV. 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.