



TOWN OF PALM BEACH

Town Manager's Office

**TENTATIVE-
SUBJECT TO
REVISION**

TOWN COUNCIL MEETING

**EMERGENCY OPERATIONS CENTER (EOC)
THIRD FLOOR, CENTRAL FIRE-RESCUE STATION
355 SOUTH COUNTY ROAD**

AGENDA

TUESDAY, MAY 11, 2010

9:30 A.M.

For information regarding procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

The progress of this meeting may be monitored by visiting the Town's website (www.townofpalmbeach.com) and selecting "Live Meeting Audio" under the "Your Government" tab. 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 under "Agendas , Minutes, and Audio."

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.

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE

Post Office Box 2029 * 360 South County Road * Palm Beach, Florida 33480
Telephone (561) 838-5410 * Facsimile (561) 838-5411 * townmanager@townofpalmbeach.com

III. PRESENTATIONS

- A. Recognition of Stuart Shulman, Recreation Advisory Commission, From April 2004 Through April 2010.
- B. Recognition of Timothy G. Coffield, Recreation Advisory Commission, From April 2003 Through April 2010.
- C. Presentation of Palm Beach Day Academy Scholarship to the Child of a Town Employee. [Dr. Becky van der Bogert, Palm Beach Day Academy]

IV. COMMENTS OF MAYOR JACK McDONALD

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: APRIL 13, 2010
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING
- B. MINUTES: APRIL 14, 2010
APPROVAL OF THE MINUTES OF THE TOWN COUNCIL MEETING
- C. APPROVAL OF MAJOR MATTERS CONSIDERED BY THE ARCHITECTURAL COMMISSION AT ITS MEETING ON APRIL 28, 2010.
- D. RESOLUTIONS
 - 1. RESOLUTION NO. 52-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Purchase of a Complete Weapons System from B&H Gunrack, Inc., for the Police Department, Sealed Bid 2010-12. [Kirk W. Blouin, Police Chief]

E. OTHER

1. Receipt of Comcast 2010 Rate Filings and Proposed Rate Order.
[Thomas G. Bradford, Deputy Town Manager]
2. Approval of Request from the City of West Palm Beach for Town Sponsorship of the City's Fourth on Flagler Event.
[Thomas G. Bradford, Deputy Town Manager]
3. Approval of a New One-Year Lease Agreement Between the Town and Rosarian Academy for the Use of Town Property in Downtown West Palm Beach for Physical Education Programs.
[Thomas G. Bradford, Deputy Town Manager]
4. Approval of Banking Services Selection Committee.
[Jane Struder, Director of Finance]
5. Authorization to Accept an Assistance to Firefighters Grant in the Amount of \$218,000 for the Purchase of a Mobile Training Tower.
[William Amador, Fire-Rescue Chief]

IX. COMMITTEE REPORTS

- A. Water Committee Meeting of April 26, 2010.
[David A. Rosow, Town Council President]
- B. Ordinances, Rules, and Standards Committee Meeting of April 29, 2010.
[William J. Diamond, Town Council Member]
- C. Administrative and Personnel Committee Meeting of May 4, 2010, and May 5, 2010. [Richard M. Kleid, Town Council Member]

X. BOARD/COMMISSION ANNUAL REPORT

- A. Code Enforcement Board.
[Timothy Hoffman, Chair and Kirk W. Blouin, Police Chief]

XI. REGULAR AGENDA

- A. Old Business
 1. Casa Bendita Gazebo-Potential Reconstruction or Demolition.
[Jay Boodheshwar, Acting Director of Public Works]

2. RESOLUTION NO. 55-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Appointment of a County Budget Task Force to Review the Palm Beach County Budget for the 2010/2011 Fiscal Year; to Encourage Fiscal Responsibility by County Officials; and to Make Recommendations to the Town Council; Providing an Effective Date. [Peter B. Elwell, Town Manager]

B. New Business

1. Comprehensive Annual Financial Report for FY2009.
[Jane Struder, Director of Finance]
2. Funding and Scope of Engagement for Forensic Auditing and Administrative Investigation. [Peter B. Elwell, Town Manager]
3. Status Report and Recommendations for Engineering Projects.
[Jay Boodheshwar, Acting Director of Public Works]
 - a. RESOLUTION NO. 50-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing the Contract Amount for Dune Restoration Permitting by Applied Technology Management, Inc.
[Jay Boodheshwar, Acting Director of Public Works]
 - b. RESOLUTION NO. 53-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Kimley-Horn and Associates, Inc., for D-9 Storm Water Pump Station Construction Phase Services, Establishing a Budget for Said Services, and Authorizing the Town Manager to Take Actions Necessary to Complete Said Services.
[Jay Boodheshwar, Acting Director of Public Works]
4. Preparations for Potential Impacts of Oil Spill in the Gulf of Mexico. [Jay Boodheshwar, Acting Director of Public Works]
 - a. RESOLUTION NO. 56-10 Regarding Biological Monitoring for Compliance with Coastal Project Permits.
[Jay Boodheshwar, Acting Director of Public Works]
5. Request for Increase in the Par 3 Golf Course Maintenance Labor Contract. [Alan Brown, Acting Director of Recreation]

6. Request for Waiver of Townwide Hiring Freeze to Allow the Hiring of Certain Civilian Personnel in the Police Department.
[Kirk W. Blouin, Police Chief]
7. RESOLUTION NO. 54-10 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Expressing Opposition to the Proposed Palm Beach County 1% Fire Rescue Sales Surtax; Memorializing the Town Council's Decision to Decline Participation in a Proposed Interlocal Agreement with Palm Beach County; Providing an Effective Date.
[Peter B. Elwell, Town Manager]

XII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 10-10 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Comprehensive Coastal Management Project Fund Budget and the General Fund Budget Adopted for the Fiscal Year Commencing October 1, 2009, as Amended March 9, 2010, Providing an Effective Date.
[Jane Struder, Director of Finance]

B. First Reading

None

XIII. ANY OTHER MATTERS

XIV. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** 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 2:** 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 3:** 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 4:** 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.

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**

5/5/10

Tue 05/11/2010 09:30 AM	Town Council Meeting	EOC
Tue 05/11/2010 06:00 PM	Police Memorial Day	Memorial Park
Wed 05/12/2010 09:30 AM	Town Council Meeting (Development Review)	EOC
Thu 05/13/2010 09:00 AM	Police Officers' Retirement Board	EOC
Fri 05/14/2010 09:00 AM	General Employee Retirement Board	EOC
Mon 05/17/2010 09:00 AM	Grievance Resolution Board - (Rafik Elias)	EOC
Tue 05/18/2010 09:30 AM	Planning & Zoning Commission Meeting	EOC
Wed 05/19/2010 09:30 AM	Landmarks Preservation Commission Meeting	EOC
Thu 05/20/2010 02:00 PM	Code Enforcement Board Meeting	EOC
Fri 05/21/2010 09:00 AM	Firefighters' Retirement Board	EOC
Tue 05/25/2010 09:00 AM	Shore Protection Board Meeting	EOC
Tue 05/25/2010 09:00 AM	IAFF Negotiations	South Fire Station
Wed 05/26/2010 09:00 AM	Architectural Commission (ARCOM) Meeting	EOC

Fri 05/28/2010 09:00 AM	FOP Negotiations	EOC
Fri 05/28/2010 02:00 PM	Investment Advisory Committee Meeting	EOC
Mon 05/31/2010 04:00 AM	MEMORIAL DAY	TOWN HALL CLOSED
Wed 06/02/2010 09:00 AM	Administrative & Personnel Committee Hearing (John Fallon)	EOC
Tue 06/15/2010 09:30 AM	Planning & Zoning Commission Meeting	EOC
Wed 06/16/2010 09:30 AM	Landmarks Preservation Commission Meeting	EOC
Thu 06/17/2010 02:00 PM	Code Enforcement Board Meeting	EOC
Mon 06/21/2010 09:30 AM	Town Council Meeting-Budget	EOC
Tue 06/22/2010 09:30 AM	Town Council Meeting (Regular Town Business and Development Review Items)	EOC