



TOWN OF PALM BEACH

Town Manager's Office

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

MAY 10, 2016

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

Mayor Gail L. Coniglio
Michael J. Pucillo, President
Richard M. Kleid, President Pro Tem
Bobbie Lindsay
Danielle H. Moore
Margaret A. Zeidman

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA (SEE NOTE 5)

IV. RECOGNITIONS

- A. Recognition of Rachel Lorentzen, Landmarks Preservation Commission, from May 2014 through March 2016
- B. Recognition of Stephen D. Hall, Recreation Advisory Commission, From April 2008 Through April 2016

V. PRESENTATIONS

- A. Scholarship Provided by the Palm Beach Country Club Foundation
Arthur Loring, President, Palm Beach Country Club Foundation
- B. Scholarship Provided by the Palm Beach Civic Association and the Citizens' Association of Palm Beach

*Ned Barnes, Palm Beach Civic Association and Roberta Mambrino and
Bernard Panfel, Citizens' Association of Palm Beach*

- C. Presentation by Chief Deputy Property Appraiser
Dorothy Jacks
- D. Clean Water in the Everglades
Eric Eikenberg, President of Everglades Foundation
- E. Flagler Memorial Bridge Update
Geoffrey Parker, New Millennium Engineering

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

VII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

IX. APPROVAL OF CONSENT AGENDA (SEE NOTE 6)

A. MINUTES

- 1. MINUTES: MARCH 8, 2016
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
- 2. MINUTES: MARCH 9, 2016
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
- 3. MINUTES: MARCH 9, 2016
Approval of the Minutes of the Local Planning Agency Meeting
Susan A. Owens, MMC, Town Clerk
- 4. MINUTES: APRIL 12, 2016
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
- 5. MINUTES: APRIL 13, 2016
Approval of the Minutes of the Regular Town Council Meeting
Susan A. Owens, MMC, Town Clerk
- 6. Approval of Major Matters Considered by the Architectural Commission at
its Meeting of April 27, 2016
John S. Page, Director of Planning, Zoning and Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 49-2016 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 A.D.A.
Engineering, Inc., in an Amount of \$66,050 for the North County Road
Improvements from Wells Road to Miraflores Avenue, and Establishing a
Design and Bid Phase Budget of \$73,000.
H. Paul Brazil, P.E., Director of Public Works
- 2. RESOLUTION NO. 63-2016 A Resolution of the Town Council of the

Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2016-29 and Approving a Construction Contract to Murray Logan Construction, Inc., for the D-12 Storm Water Pump Station Electrical Improvements Phase II, in the Amount of \$246,800, and Establishing a Construction Phase Budget of \$272,000.

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

3. RESOLUTION NO. 64-2016 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 for the D-12 Storm Water Pump Station Electrical Improvements Phase II to Kimley-Horn & Associates, Inc., in the Amount of \$45,300, and Establishing a Construction Phase Engineering Services Budget of \$50,000.

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

4. RESOLUTION NO. 65-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2016-13 and Approving a Construction Contract to Fast-Dry Courts, Inc., for the Phipps Ocean Park Tennis Center Improvements, in the Amount of \$172,300.01 and Establishing a Construction Phase Budget of \$189,530.01 to be Funded from the Recreation Department Fiscal Year 2016 Budget (\$115,000) and from the Town's Recreation Enterprise Fund Contingency (\$74,530.01).

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

5. RESOLUTION NO. 66-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute Easement and Use Agreements with the Property Owners of 142 North County Road and 151 North County Road and the Town of Palm Beach for Installation, Access and Maintenance of the Foundations, Mast Arms, and Associated Signal Equipment.

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

6. RESOLUTION NO. 68-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing an Increase of \$80,001 to Purchase Order No. 160819 to GRM Information Management Services of Miami LLC, for a New Total of \$105,000; and an Increase of \$40,001 to Purchase Order No. 151600 to Municipal Code Corporation, for a New Total of \$65,000 for Document Scanning Services.

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

7. RESOLUTION NO. 71-2016 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 Mock, Roos and Associates, Inc., in an Amount of \$10,000 for the Southland Road Drainage Improvements, and Establishing a Design and Bid Phase Budget of \$12,000.

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

8. RESOLUTION NO. 72-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of Lenovo Desktops, Laptops and Servers Through TCPN Contract R5110 From GovConnection, Inc. in the Amount of \$61,729.25 and the Purchase of Servers Through the State of Florida Contract

43211500-WSCA-15-ACS From PCMG, Inc. in the Amount of \$72,556.40; Establishing a Budget of \$138,000.00 for Said Purchases in Fiscal year 2016; and Authorizing the Town Manager to Execute Said Purchases on Behalf of the Town.

Jay Boodheshwar, Deputy Town Manager

9. RESOLUTION NO. 77-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFP No. 2016-04, and Approving a Disaster Debris Removal Contract to Bergeron Emergency Services, Inc., for First Pass, Cut and Toss Services, and Authorizing the Town Manager to Execute the Same on Behalf of the Town.

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

10. RESOLUTION NO. 78-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFP No. 2016-03 and Approving a Disaster Debris Removal and Disposal Services Contract to Ash Britt Inc., Bergeron Emergency Services, Inc., and Phillips & Jordan Inc., and Authorizing the Town Manager to Execute the Same on Behalf of the Town.

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

11. RESOLUTION NO. 81-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFP No. 2016-05 and Approving a Disaster Debris Monitoring Services Contract to Witt O'Briens LLC., and Rostan Solutions LLC., and Authorizing the Town Manager to Execute the Same on Behalf of the Town.

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

12. RESOLUTION NO. 79-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFP No. 2016-24 and Approving a Maintenance Contract to Batallan Enterprises DBA Property Works, for the Worth Avenue Commercial District Maintenance Program not to Exceed the Amount of \$162,553.70, and Authorizing the Town Manager to Execute the Same on Behalf of the Town.

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

13. RESOLUTION NO. 80-2016 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 \$174,000.

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

C. OTHER

1. Grant Writing Report and Recommendations
2. Consideration of Fourth on Flagler Donation Request From the City of West Palm Beach in the Amount of \$12,000.

Thomas G. Bradford, Town Manager

3. Approval of the Selection Committee's Recommendation for RFP No. 2016-22 Tennis Professional for the Town of Palm Beach Tennis Program to DM Tennis Enterprise, LLC.
Beth Zickar, Director of Recreation
4. Request to Authorize the Ordinances, Rules and Standards Committee to Study the Potential Implementation of Zone Parking Regulations on Worth Avenue.
Jay Boodheshwar, Deputy Town Manager

X. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report - Code Enforcement Board
James M. Ballentine, Jr., Chair
- B. Annual Report - Planning and Zoning Commission
Martin Klein, Chair

XI. COMMITTEE REPORTS

- A. Report of the Finance and Taxation Committee Meeting of March 30, 2016
Michael J. Pucillo, Chair
- B. Report of the Ordinances, Rules, & Standards Committee Meeting of April 7, 2016
Bobbie Lindsay, Chair

XII. REGULAR AGENDA

A. Old Business

1. Pension and Retirement Matters.
Jane Struder, Director of Finance
TIME CERTAIN: 10:30 AM
 - a. Review of Actuarial Study for Scenarios 1 and 2 and the Florida Retirement System (FRS)
 - b. RESOLUTION NO. 47-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Amendment to the Statement of Overall Investment Objectives and Policy for the Town of Palm Beach Retirement System Pursuant To Section 82-57(l) of the Code of Ordinances of the Town of Palm Beach, and Providing an Effective Date. (Assumed Investment Rate of Return Will Decrease From 7.5% to 7.0% by 10 Basis Points per Year Until the Investment Rate of Return Reaches 7.0%).
Deferred from the April 12, 2016, Town Council Meeting
William B. Hanes, Pension Administrator
2. Staff Report, Relative to Budget, Schedule and Grant Impacts Due to Potential Addition of Staircase on the South Side of Memorial Fountain.
H. Paul Brazil, P.E., Director of Public Works
3. RESOLUTION NO. 55-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract

to Hedrick Brothers Construction, Inc., in the Amount of \$1,238,433, for the Police Department HVAC Retrofit Project and Establishing a Construction Phase Budget of \$1,362,000.

Deferred from the April 12, 2016, Town Council Meeting

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

4. RESOLUTION NO. 56-2016 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 and Associates, Inc., for the Police Department HVAC Retrofit Project in the Amount of \$78,916 and Establishing a Construction Phase Engineering Services Budget of \$83,000 Including Contingency. *Deferred from the April 12, 2016, Town Council Meeting*

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

5. Townwide Underground Utilities Project
Thomas G. Bradford, Town Manager

a. ORDINANCE NO. 09-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Establishing A Underground Utility Project Fund; In Order to Transfer Excess Funds From the General Fund Reserves to the Underground Utility Project Fund to Fund the Initial Engineering Costs; Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2015, Providing An Effective Date.

b. RESOLUTION NO. 82-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn And Associates, Inc., For Task 1 of the Town-Wide Underground Utilities Program in the Amount of \$2,165,759.

c. Update on Underground Utilities Task Force Project Reporting Format and Recommendation to Town Council on Telecommunication Services.

B. New Business

1. Consideration of an Ordinance Banning Smoking on Town Beaches
Thomas G. Bradford, Town Manager

2. Lobbyist Assignments and Funding Allocations
Thomas G. Bradford, Town Manager

3. Coastal Update:
H. Paul Brazil, P.E., Director of Public Works

a. Shoreline Condition Update

b. RESOLUTION NO. 73-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for Construction Phase Professional Services for the Phipps Ocean Park/Reach 7 Beach Nourishment Project to Applied Technology & Management, Inc., in an Amount Not-To-Exceed \$40,000, to Increase the Established Construction Phase Professional Services Budget from \$336,000 to \$376,000 to Cover the Additional Sea Turtle

Monitoring.

4. Building Board of Adjustment and Appeals (BBAA) Consideration of Jurisdictional Transfer; Request for Proposed Subject to be Considered by the Ordinances, Rules and Standards Committee of the Town Council.

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

5. Request for the Public Works Committee of the Town Council to Meet on June 13, 2016 or June 16, 2016, for the Purpose of Reviewing an Update on the Status of the 2013 Accelerated Capital Improvement Plan II (ACIP II).

Thomas G. Bradford, Town Manager

C. Matters Pulled From Consent Agenda: If needed

XIII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 07-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 90, Public Improvements; at Article II, Special Assessments; Division 2, General Provisions; Section 90-49, Correction of Errors and Omissions; by Amending Paragraph (c), to Include Provision Allowing for the Appeal of the Decision of the Town Manager in Regard to Alleged Errors in Applying the Assessment Apportionment Method to any Particular Property; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

John C. Randolph, Town Attorney

B. First Reading

1. ORDINANCE NO. 08-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 14, Aviation; Article II - Aircraft; to Include a New Section 14-35, "Drones; Model Aircraft", Providing for Purpose, Definition, Prohibition, Exemptions, and Requirements for a Permit; 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: 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: 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.

**Town of Palm Beach
Meeting Schedule**

5/4/16

Tue 05/10/2016 09:30 AM	Town Council Meeting	Council Chambers
Wed 05/11/2016 09:30 AM	Town Council Meeting-Development Review	Council Chambers
Wed 05/18/2016 09:30 AM	Landmarks Preservation Commission (LPC) Meeting	Council Chambers
Thu 05/19/2016 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Fri 05/20/2016 09:00 AM	Retirement Board of Trustees Meeting	Council Chambers
Fri 05/20/2016 02:30 PM	Investment Advisory Committee Meeting	Council Chambers
Wed 05/25/2016 09:00 AM	Architectural Commission Meeting (ARCOM)	Council Chambers
Mon 05/30/2016 04:00 AM	MEMORIAL DAY	TOWN HALL CLOSED
Tue 06/07/2016 09:00 AM	Underground Utilities Task Force (UTF) Meeting	Council Chambers
Mon 06/13/2016 09:30 AM	Landmarks Preservation Commission (LPC) Meeting	Council Chambers
Tue 06/14/2016 09:30 AM	Town Council Meeting	Council Chambers
Wed 06/15/2016 09:30 AM	Town Council Meeting-Development Review	Council Chambers
Thu 06/16/2016 02:00 PM	Code Enforcement Board Meeting	Council Chambers

Tue 06/21/2016 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
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Wed 06/22/2016 09:00 AM	Architectural Commission Meeting (ARCOM)	Council Chambers
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Mon 07/04/2016 04:00 AM	FOURTH OF JULY	Town Hall Closed
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Tue 07/05/2016 09:00 AM	Underground Utilities Task Force (UUTF) Meeting	Council Chambers
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Tue 07/12/2016 09:30 AM	Town Council Meeting	Council Chambers
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Wed 07/13/2016 09:30 AM	Town Council Meeting-Development Review	Council Chambers
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Tue 07/19/2016 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
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Wed 07/20/2016 09:30 AM	Landmarks Preservation Commission (LPC) Meeting	Council Chambers
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Thu 07/21/2016 02:00 PM	Code Enforcement Board Meeting	Council Chambers
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Wed 07/27/2016 09:00 AM	Architectural Commission Meeting (ARCOM)	Council Chambers
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Tue 08/02/2016 09:00 AM	Underground Utilities Task Force (UUTF) Meeting	Council Chambers
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Tue 08/16/2016 09:30 AM	Town Council Meeting	Council Chambers
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Tue 08/16/2016 09:30 AM	Town Council Meeting	
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