



TOWN OF PALM BEACH

Town Manager's Office

TENTATIVE -
SUBJECT TO
REVISION

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

CORRECTED

TUESDAY, MAY 7, 2013

9:30 AM

For information regarding procedures for monitoring or participating in Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Mayor Gail L. Coniglio
David A. Rosow, President
Robert N. Wildrick, President Pro Tem
William J. Diamond
Richard M. Kleid
Michael J. Pucillo

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. PRESENTATIONS

A. 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]

B. Recognition of Eugene Lawrence, Planning and Zoning Commission, From February 2007 Through March 2013.

C. Recognition of Chris Storkerson, Recreation Advisory Commission, From April 2010 through April 2013.

- D. Update on Royal Poinciana Playhouse Lease. [David A. Rosow, Town Council President]
- E. Presentations by Applicants for the Planning and Zoning Commission.
- IV. COMMENTS OF MAYOR GAIL L. CONIGLIO
- 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
 - 1. MINUTES: APRIL 9, 2013
Approval of the Minutes of the Town Council Meeting.
 - 2. MINUTES: APRIL 9, 2013
Approval of the Minutes of the Special Town Council Meeting.
 - 3. MINUTES: APRIL 10, 2013
Approval of the Minutes of the Town Council Meeting.
 - 4. Approval of Major Matters Considered by the Architectural Commission at its Meeting on April 24, 2013.
 - B. RESOLUTIONS
 - 1. RESOLUTION NO. 62-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Richard Maxwell, Inc., for Consulting Arborist Services in the Amount of \$33,750 and Establishing a Project Budget of \$35,500. [H. Paul Brazil, Director of Public Works]
 - 2. RESOLUTION NO. 65-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Contract to D.S. Eakins Construction Corporation, for the A-42 to A-41 and Par 3 to A-39 Force Main Replacement, in the Amount of \$1,956,569, and Establishing a Construction Phase Budget of \$2,130,000.
[H. Paul Brazil, Director of Public Works]

3. RESOLUTION NO. 66-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract for Construction Administration Services to Mock Roos & Associates, Inc. in the Amount of \$147,717 for the A-42 to A-41 and Par 3 to A-39 Force Main Replacement and Establishing a Construction Phase Budget of \$165,000.
[H. Paul Brazil, Director of Public Works]
4. RESOLUTION NO. 67-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Murray Logan Construction, Inc., for the Sand Transfer Plant Repairs, in the Amount of \$473,950, and Establishing a Construction Phase Budget of \$525,000.
[H. Paul Brazil, Director of Public Works]
5. RESOLUTION NO. 68-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Kimley-Horn and Associates, Inc., for Construction Administration Phase Services for the Sand Transfer Plant Repairs in an Amount of \$24,620 and Establishing a Construction Phase Budget of \$27,000. [H. Paul Brazil, Director of Public Works]
6. RESOLUTION NO. 69-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to TLC Diversified, Inc., for Ocean Outfall Junction Box Rehabilitation, in the Amount of \$82,616, and Establishing a Construction Phase Budget of \$91,000.
[H. Paul Brazil, Director of Public Works]
7. RESOLUTION NO. 70-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract for Construction Administration Services to Kimley-Horn and Associates, Inc., in the Amount of \$8,525 for the Ocean Outfall Junction Box Rehabilitation and Establishing a Construction Phase Budget of \$10,000.
[H. Paul Brazil, Director of Public Works]
8. RESOLUTION NO. 71-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Keshavarz and Associates, Inc., for General Project Management and Engineering Support Services in Conjunction with the Nightingale Trail/La Puerta Way Underground Utilities Project, in the Amount of \$79,200, and Establishing a Task Budget of \$87,200.
[H. Paul Brazil, Director of Public Works]

9. RESOLUTION NO. 73-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute a Resolution Supporting a Florida Inland Navigation District Waterways Assistance Program Grant Application. [H. Paul Brazil, Director of Public Works]
10. RESOLUTION NO. 74-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grant FDEP Contract No. 13PB2, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach under the Bureau of Beaches and Coastal Systems Florida Beach Management Funding Assistance Program for the Continued Implementation of the Lake Worth Inlet Management Plan, and Authorizing the Town Council President to Execute Same on Behalf of the Town.
[H. Paul Brazil, Director of Public Works]
11. RESOLUTION NO. 75-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order for the Par 3 Clubhouse Project, in the Amount of \$320,000 and Increasing the Guaranteed Maximum Price of the Construction Manager At-Risk Contract for Hedrick Brothers Construction to \$2,950,000.
[H. Paul Brazil, Director of Public Works]
12. RESOLUTION NO. 78-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Coastal Systems International, Inc. (CSI), for Engineering and Environmental Review Services Related to the U.S. Army Corps of Engineers Draft Feasibility Study and Environmental Impact Statement (EIS) for Lake Worth Inlet, Palm Beach Harbor, in an Amount Not to Exceed \$29,485.
[H. Paul Brazil, Director of Public Works]

C. OTHER

1. Approval of Request for Underground Utilities Assessment Area for East Inlet Drive. [Peter B. Elwell, Town Manager]
2. Approval of Request for Underground Utilities Assessment Area for Nightingale Trail/La Puerta Way. [Peter B. Elwell, Town Manager]
3. Authorization of Selection Committee for Civil Engineering Consulting Services. [H. Paul Brazil, Director of Public Works]

4. Ratification of Town Manager Peter Elwell's Designation of Town Engineer William Francis to Serve as the Town's Representative on the East Central Regional Water Reclamation Facility Operations Board. [Peter B. Elwell, Town Manager]

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Code Enforcement Board.
[Harris S. Fried, Chair and Kirk Blouin, Director of Public Safety]

X. COMMITTEE REPORTS

- A. Reconsideration and Acceptance of the Ordinances, Rules, & Standards Committee Meeting Report of February 8, 2012.
[William J. Diamond, Chair]
- B. Report of the Ordinances, Rules, & Standards Committee Meeting of May 30, 2012. [William J. Diamond, Chair]
- C. Ordinances, Rules, and Standards Committee Meeting of April 11, 2013.
[William J. Diamond, Chair]

XI. REGULAR AGENDA

- A. Old Business

None
- B. New Business
 1. Florida Power and Light Request for Town Permission to Close a Portion of South Ocean Boulevard and for the Town to Grant an Easement on Submerged Lands.
[H. Paul Brazil, Director of Public Works]
 2. Authorization to Reject All Submittals for RFP No. 2013-09 - Construction Management Services and Re-Advertise.
[H. Paul Brazil, Director of Public Works]
 3. Discussion of Shop Locally - Shop Palm Beach Initiative.
[William J. Diamond, Town Council Member]
 4. Website Development Update.
[Jay Boodheshwar, Director of Recreation and Special Projects]

5. Designation of the Town Council as the Town's Local Planning Agency and Consideration of the Future of the Planning and Zoning Commission.
[Robert N. Wildrick, President Pro Tem]
6. Appointments to the Planning and Zoning Commission.
[John Page, Director of Planning, Zoning, and Building]

XII. ORDINANCES

A. Second Reading

None

B. First Reading

1. ORDINANCE NO. 2-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 106, Streets, Sidewalks and Other Public Places, Article VII, Special Events on Public Property, Division 2, Permit, by Amending Section 106-282(c)(14) Relating to Application Fee and Providing for a Fee for a Late Filing; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. [Susan Owens, Town Clerk]
2. ORDINANCE NO. 3-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 18, Buildings and Building Regulations, to Include a New Article XVII, Archaeological Review, Providing for an Archaeological Assessment Prior to the Issuance of Any Permits for Demolition, Excavations, Tree Removal, or Other Ground Disturbing Activities as Required by Florida State Statute 872.05, as Amended, and the Town's Comprehensive Plan; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
[John Page, Director of Planning, Zoning, and Building]

3. ORDINANCE NO. 4-2013 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. [John Page, Director of Planning, Zoning, and Building]

XIII. ANY OTHER MATTERS

XIV. ADJOURNMENT

PLEASE TAKE NOTE:

- 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.
- The progress of this meeting may be monitored by visiting the Town's website (www.townofpalmbeach.com) and selecting "Your Government" and then selecting "Audio (Live and Archived)." 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.
- 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.
- 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.
- 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.
- 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**

5/1/13

Tue 05/07/2013 09:30 AM	Town Council Meeting	Council Chambers
Mon 05/13/2013 09:30 AM	Landmarks Preservation Commission Meeting	Council Chambers
Wed 05/15/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
Thu 05/16/2013 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Fri 05/17/2013 09:00 AM	Retirement Board of Trustees Meeting	Council Chambers
Tue 05/21/2013 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
Wed 05/22/2013 09:00 AM	Architectural Commission Meeting	Council Chambers
Fri 05/24/2013 02:00 PM	Investment Advisory Committee Meeting	Council Chambers
Mon 05/27/2013 04:00 AM	MEMORIAL DAY	TOWN HALL CLOSED
Fri 05/31/2013 09:00 AM	Retirement Board of Trustees Meeting	Council Chambers
Tue 06/11/2013 09:30 AM	Town Council Meeting	Council Chambers
Wed 06/12/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
Fri 06/14/2013 09:00 AM	Retirement Board of Trustees Meeting	Council Chambers

Tue 06/18/2013 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
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Wed 06/19/2013 09:30 AM	Landmarks Preservation Commission Meeting	Council Chambers
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Thu 06/20/2013 02:00 PM	Code Enforcement Board Meeting	Council Chambers
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Wed 06/26/2013 09:00 AM	Architectural Commission Meeting	Council Chambers
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Thu 07/04/2013 04:00 AM	INDEPENDENCE DAY	TOWN HALL CLOSED
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Tue 07/09/2013 09:30 AM	Town Council Meeting	Council Chambers
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Wed 07/10/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
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Wed 07/10/2013 02:00 PM	Ordinances, Rules & Standards (ORS) Committee Meeting	Council Chambers
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Thu 07/11/2013 09:30 AM	Special Town Council Meeting re: Proposed FY14 Budget	Council Chambers
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