



# TOWN OF PALM BEACH

## TOWN COUNCIL MEETING

TOWN HALL  
COUNCIL CHAMBERS - SECOND FLOOR  
360 SOUTH COUNTY ROAD

## AGENDA

APRIL 12, 2022

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

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 Pam McIver for her Service on the Recreation Advisory Commission from April 2019 to April 2022

*Danielle H. Moore, Mayor*

- B.** Recognition of Leslie Wyrzes for her Service on the Recreation Advisory Commission from April 2015 to April 2022

*Danielle H. Moore, Mayor*

**VI. SWEARING IN OF ELECTED OFFICIALS**

- A.** The Honorable Judge Lisa Small

1. Lewis S.W. Crampton

2. Bobbie Lindsay

3. Margaret A. Zeidman

Mayor Becomes Presiding Officer

**VII. ORGANIZATIONAL ITEMS**

- A.** Election of Town Council President  
Pursuant to Section 3.01 of the Town Charter  
(Town Council President Becomes Presiding Officer)

- B.** Election of Town Council President Pro Tem  
Pursuant to Section 3.01 of the Town Charter

**VIII. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS**

- A.** Presentations by the Applicants and Appointments to the Recreation Advisory Commission

*Pat Gayle-Gordon, Acting Town Clerk*

**IX. COMMENTS OF MAYOR DANIELLE H. MOORE**

**X. COMMENTS OF TOWN COUNCIL MEMBERS**

**XI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**

**XII. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)**

**A. MINUTES**

1. Town Council Meeting Minutes

*Pat Gayle-Gordon, Acting Town Clerk*

March 8, 2022, Town Council Meeting Minutes

March 9, 2022, Town Council Development Review Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of March 23, 2022.

**B. RESOLUTIONS**

1. RESOLUTION NO. 042-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Designation of Historic/Specimen Tree in the Town's Rights-of-Way at Ibis Isle Road South Providing an Effective Date.  
*H. Paul Brazil, P.E., Director of Public Works*
2. RESOLUTION NO. 043-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Approving a Purchase Order in the Amount of \$173,360 to Applied Technology and Management, Inc. for Town-Wide 2022 Annual Physical Surveys, and Establishing a Physical Monitoring Budget of \$191,000.  
*Dean Mealy, Purchasing Manager*
3. RESOLUTION NO. 044-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$152,621 to Coastal Protection Engineering, LLC. for the 2022 FDEP BMA Cell-Wide Annual Biological Monitoring, and Establishing a Biological Monitoring Phase Budget of \$168,000.  
*Dean Mealy, Purchasing Manager*
4. RESOLUTION NO. 045-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$249,834 to Coastal Protection Engineering, LLC, for Reach 8 Design and Permitting, and Establishing a Design and Permitting Phase Budget of \$275,000.  
*Dean Mealy, Purchasing Manager*
5. RESOLUTION NO. 046-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$129,389 to Coastal Eco Group, Inc., for 2022 Mid-Town regulatory required Biological Monitoring and the 2022 FDEP BMA Cell-Wide Monitoring Reporting, and establishing a Biological Monitoring and Reporting Phase Budget of \$142,000.  
*Dean Mealy, Purchasing Manager*
6. RESOLUTION NO. 047-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2022-11 to Rio-Bak Corporation for Sand Forepassing in the Amount of \$250,000 and Establishing a Project Budget of \$300,000.  
*Dean Mealy, Purchasing Manager*
7. RESOLUTION NO. 048-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Jacober Creative Design and Marketing Services in the Amount of \$50,000 for a Total Purchase Order Value of \$188,000.

*Dean Mealy, Purchasing Manager*

8. RESOLUTION NO. 049-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing a Purchase Order to W.F. Baird & Associates in the Amount of \$19,360, and Establishing a Task Budget of \$28,000 for Extended Construction Administration Services Associated with the Town Marina Project.

*Dean Mealy, Purchasing Manager*

9. RESOLUTION NO. 053-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Supporting and Approving the Application for Funding from the Community Project Program Through the Federal Government Appropriation Process.

*Jane Le Clainche, Director of Finance*

#### **C. OTHER**

1. Request for Approval of Payment under Town's Supplemental Life Insurance Program

*Gillian Barth, Director of Human Resources*

2. Signature Requirements for Town Resolutions

*Jay Boodheshwar, Deputy Town Manager*

3. Temporary Usage of Quadrille Boulevard Parcel

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

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

- A. Annual Report of the Architectural Commission (ARCOM)

*Jeffery W. Smith, Chair*

#### **XIV. COMMITTEE REPORTS**

- A. Report of the Business and Administrative Committee Meeting Held on March 11, 2022

*Lew Crampton, Chair*

1. Recommendation to Implement Additional 30-Minute Parking Spaces on the 200 and 300 Blocks of Worth Avenue, and the 200 Block of South County Road

*Jay Boodheshwar, Deputy Town Manager*

#### **XV. PUBLIC HEARINGS**

- A. RESOLUTION NO. 050-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement within the Property Commonly Known as 248 Via Marila, in the Town of Palm Beach, Florida.

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

#### **XVI. REGULAR AGENDA**

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

**B. Old Business**

1. Update Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts

**TIME CERTAIN: 10:00 AM**

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

2. Update on Water Feasibility Study

**TIME CERTAIN: 10:30 AM**

(Backup will be provided in the purple folders)

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

3. Town-wide Undergrounding Project

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

a. Review of Project and Dashboard, Summary of Project Status

b. RESOLUTION NO. 051-2022 A Resolution of the Town Council of The Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement and Use Agreement Between the Town of Palm Beach and Florida Power & Light (FPL) at 1060 North Lake Way for Access, and Maintenance of FPL Equipment.

c. RESOLUTION NO. 052-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement and Use Agreement Between the Town of Palm Beach and Florida Power & Light (FPL) at 449 North Lake Way for Access, and Maintenance of FPL Equipment.

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

**C. New Business**

1. Annual Comprehensive Financial Report (ACFR) for Fiscal Year Ended September 30, 2021.

**TIME CERTAIN: 2:00 PM**

*Jane Le Clainche, Director of Finance*

2. Review of a Stop Work Order Due to Three Strike Rule at 257 West Indies Drive

*Wayne Bergman, Director of Planning, Zoning and Building*

3. Review of a Stop Work Order Due to Three Strike Rule at 756 Hi Mount Road.

*Wayne Bergman, Director of Planning, Zoning and Building*

4. Discussion Regarding Monoposts

*Kirk W. Blouin, Town Manager*

**XVII. ORDINANCES**

## **A. Second Reading**

1. Proposed Ordinance to Amend Section 42-199 of the Town Code to Include Additional Days When Construction and Landscaping Work is Prohibited

ORDINANCE NO. 004-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise, Section 42-199, Hours for Construction Work at Subsection (B) Limited, to Provide Additional Limitations on Dates and Hours of Construction and Landscaping Work; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

*Jay Boodheshwar, Deputy Town Manager*

2. Proposed Ordinance to Amend Chapter 106, Article VII of the Town Code to Include Additional Restrictions Regarding Use of Public Properties for Private Special Events

ORDINANCE NO. 005-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 106 Streets, Sidewalks and Other Public Places at Article VII, Special Events on Public Property at Division 1-, Generally, Section 106-257, Titled Regulations Relating To Special Event; at Division 2-Permit, Section 106-281-Required; at Section 106-282-Application and at Section 106-283-Standards for Issuance in the Manner and Form Set Forth Below; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

*Jay Boodheshwar, Deputy Town Manager*

## **B. First Reading**

1. Proposed Ordinance to Amend Chapter 2 Article X Section 2-636 of the Town Code to Modify the Responsibilities of the Shore Protection Board

ORDINANCE NO. 006-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 2, Article X, Section 2-636, Shore Protection Board; 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*

2. Proposed Ordinance to Amend Chapter 88 Articles II and III of the Town Code to Modify Hedge Heights and Eliminate Pests

ORDINANCE NO. 007-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 88, Property Maintenance Code, at Article II, Definitions,

Section 88-14, General Definitions; and at Article III, General Requirements, Sections 88-16, Exterior Property Areas, and 88-23, Pest Elimination; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

*Wayne Bergman, Director of Planning, Zoning and Building*

## **XVIII. ANY OTHER MATTERS**

## **XIX. 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 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](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](http://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.