

TOWN COUNCIL MINUTES OF MEETING HELD APRIL 12, 1994

I. CALL TO ORDER AND ROLL CALL - The April 12, 1994 Town Council Meeting was called to order by President Wiener at 9:30 AM in the Town Hall Council Chambers. On roll call, the following Elected Officials were found to be in attendance: Mayor Ilyinsky, Council President Wiener, President Pro Tem Weinberg, Councilwomen Smith and Royal and Councilman Shaw. Also attending for all or portions of the meeting were: Mr. Doney, Mr. Randolph, Mrs. Peters, Mr. Dusey, Mr. Elwell, Mr. Jakubiak, Chief Elmore, Chief Terlizzese, Mrs. Crozier, Mr. Bowser, Mrs. Kelly, Mr. Moore, Mr. Frank and Mr. Zimmerman.

Roll Call

II. INVOCATION AND PLEDGE OF ALLEGIANCE - Invocation was given by Father Ralph Warren of Bethesda-by-the-Sea Episcopal Church. Pledge of Allegiance was led by President Pro Tem Weinberg.

Invocation

III. PRESENTATIONS - Mayor Ilyinsky gave plaques to Mr. Sanchez and Mr. Broberg in recognition of their service to the Town.

Presentation

- A. Recognition of Jorge A. Sanchez, Architectural Commission - Deferred from March Meeting
- B. Recognition of Peter S. Broberg, Seaview Park Commission - Deferred from March Meeting

RECOGNITION

- A. Recognition of Police Department for Receiving Reaccreditation from Commission on Accreditation for Law Enforcement Agencies, Inc. - March 26, 1994 Chief Terlizzese presented the Mayor and Town Council with the framed Certificate of Accreditation awarded to the Police Department and thanked the Mayor and Town Council for their support. Mr. Doney noted this is a nationwide recognition as there are only 305 accredited departments in the United States, out of 16,000 law enforcement agencies, which is quite an accomplishment.

IV. COMMENTS OF THE MAYOR - Mayor Ilyinsky stated his comments will be given later as they relate to the Lake Worth Inlet Plant and Beach Erosion matters.

V. APPROVAL OF AGENDA

Approval
of Agenda

APPROVED AGENDA (ITEMS VI. THROUGH VIII.) - Motion was made by Mrs. Smith to approve the items on the "Approved Agenda". Seconded by Mr. Weinberg. On roll call, the motion carried unanimously.

VI. APPROVAL OF MINUTES OF JANUARY 11, FEBRUARY 9, AND MARCH 15, 1994

VII. LICENSES AND PERMITS

Licenses &
Permits

- A. Charitable Solicitation
 - 1. Opportunity, Inc.; No. 342-94

VIII. NEW BUSINESS

- A. Other
 - 1. Consideration of Recommendations by Palm Beach Police Department to Provide Donations from Law Enforcement Trust Funds to Drug Treatment, Drug Abuse, Educational Programs, etc. - Pursuant to Memorandum Dated April 5, 1994 from Chief Terlizzese

Donations
from Trust
Funds to
Drug Pro-
grams

REGULAR AGENDA - Motion was made by Mrs. Smith, seconded by Mrs. Royal to approve the Regular Agenda with the removal of XVI.C.1 which is Bethesda-by-the-Sea who wish to withdraw their request for an Antique Show; addition of XIII.D.6 - Consideration of State Department of Environmental Protection Delegation of Authority to County Department of Environmental Resources Management - to be heard early afternoon. On roll call, the motion carried unanimously.

Mrs. Wiener thanked Bethesda-by-the-Sea for their civic mindfulness in withdrawing their application, as they recognized the concerns of the Town Council.

IX. PUBLIC HEARINGS

Public
Hearings

- A. Landmark Designation for 220 Orange Grove Road - Consideration of Resolution No. 18-94 - Mr. Frank explained the Landmark Preservation Commission recommends for landmarking 220 Orange Grove Road as it meets the following criteria:

Res. 18-94

(c) It embodies distinguishing characteristics of an architectural type, or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials, craftsmanship.

(d) It is representative of the notable work of a master builder, designer or architect, whose individual ability has been recognized or who influences its age.

Mr. Frank reported the architect is Maurice Fatio.

Mrs. Peters gave the oath to all who would testify.

Mrs. Sandra Day of Atlantica, Inc. addressed the Council indicating this house was designed in 1936 by the architectural firm of Treanor & Fatio and built by J. A. Livingston. She reported it is a frame constructed house designed in the Monterey style on Lot 31 of the New Sears Tract and was originally built for Mrs. Mildred Hurley. She stated this was an eclectic style which was popular throughout the United States from 1925 to 1955, adopted from Spanish Colonial architecture in Northern California and this house is a good example of that style.

Res. 18-94

Ms. Day exhibited slides which showed a two story frame construction house with a garage and a wing that extends to the north. She noted it is typical of the style to have a cantilevered porch over the front entrance and there are exposed rafters at the roofline, and the roof is wood shingle. She noted the shutters accentuate the windows and the French Doors and the irregular fenestration of the property. She indicated the front door is English Colonial with four transom lights above the door and there is brick work on a patio towards the front, which is repeated in the chimney. She felt this house was a good example of what was being done in the 1930's in Palm Beach and is recommended for landmarking.

Motion was made to accept the Designation Report as part of the record of the Public Hearing by Mr. Weinberg, seconded by Mrs. Smith. On roll call, the motion carried unanimously.

Mr. Frank advised the Proof of Publication has been filed with the record.

Mr. Randolph read Resolution No. 18-94:

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY HEREINAFTER DESCRIBED MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 16, ARTICLE III OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH, AND DOES HEREBY DESIGNATE SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE 2-84, ALSO KNOWN AS CHAPTER 16, ARTICLE III OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

Motion was made by Mrs. Royal, seconded by Mrs. Smith to approve Res. No. 18-94 designating 220 Orange Grove Road on the basis that it meets Criteria C and D. Motion carried unanimously on roll call.

Res. 19-94

B. Landmark Designation for 270 Queens Lane - Consideration of Resolution No. 19-94 - Mr. Frank reported the Landmarks Preservation Commission has recommended for landmarking 270 Queens Lane as it meets the criteria as set out in the Ordinance and previously read for the previous landmark criteria C and D. He advised the architect is Howard B. Major.

Mrs. Day addressed the Council exhibiting slides showing a Monterey style of architecture and is the last one to be designated this Season in the Monterey style. She advised it is a variation of the style and it was designed in 1937 by Howard Major and built by the Arnold Construction Co. She advised it was a spec house built during the Depression Years of 1930's, which kept architects busy and at work during the Depression. She recalled the previous house had the prominent design feature of this style of architecture which is the cantilevered porch over the front door. She noted the architect did something different with this property as instead of going from a two story central block of the house and immediately into a one story service or garage wing, he takes it down in a stepping stone style, so the major block is two story and the service wing is one and a half stories and the garage is to the east of the property. She reported he also keeps the roof line of this house which is a gable roof all lined up in the same direction. She noted this house has a French Creole design, which is basically identified by the lacy cast iron treatment on the balcony, and there are exposed rafters and a rounded chimney, which is an important design feature. She noted this feature has been repeated in the window on the north side which is also a prominent design feature of the house and is unique to Mr. Major's work, and showed an added Adams style influence. She reported the house is faced in brick and is a good example of the design work of Howard Major.

Motion was made by Mrs. Smith, seconded by Mr. Weinberg to accept the Designation Report on 270 Queens Lane as a part of the record. On roll call, the motion carried unanimously.

Mrs. Day advised they grouped two Monterey style houses together to show the variations of the style as they show specific features.

Mr. Shaw asked if there was an approximation of how many properties within the Town fall within each of the design criteria that have been presented and will be presented over the years, and wondered if they would be looking at fifty of similar styles which would come before the Council one at a time? Mrs. Day responded it would not be possible for her to state, as one of the fine things about Palm Beach is the Town is very well kept and the design and architectural features are well identified. She advised they are looking at properties which the owners voluntarily have offered for landmarking, but it is not possible to say how many properties may become eligible over the next fifty years. Mr. Shaw stated he was curious whether they could be grouped as if there are five houses built by the same architect, they could be presented and they could be looked at as a grouping rather than one by one, month by month.

Mrs. Day responded she receives her direction from the Landmarks Preservation Commission.

Mrs. Jane Volk, Chairman of the Landmark Preservation Commission addressed the Council indicating it would not be possible to predict this, as they work around a fifty year age limit, although that is not required by the Ordinance, but when a house becomes fifty years old, they look at it. She advised with regards to the question on grouping, the Ordinance does not address that and they designate landmarks house-by-house. Mr. Shaw responded he just thought if there were five houses of a similar style, they could be grouped and the Council would look at them one at a time, but would know there are others of that style which may be coming up for landmarking.

Mr. Randolph read Res. No. 19-94 by title:

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY HEREINAFTER DESCRIBED MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 16, ARTICLE III OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH, AND DOES HEREBY DESIGNATE SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 16, ARTICLE III OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

Public
Works
Committee
Report

I. CALL TO ORDER AND ROLL CALL: Meeting called to order by Chairperson Lesly S. Smith. On roll call, Chairperson Smith and Committee member M. William Weinberg were found to be in attendance. Other Elected Officials attending were Mayor Ilyinsky and Councilman Shaw. Also attending for all or portions of the meeting were Mr. Doney, Mr. Dusey, Mr. Bowser, Chief Terlizzese, Mr. Ugi, and Mrs. Peters.

II. APPROVAL OF AGENDA: Agenda was approved as printed.

III. CONSIDERATION OF TRAFFIC SIGNAL AT SUNSET AVENUE AND NORTH COUNTY ROAD AND RELATED TRAFFIC, PARKING AND SIGNAGE ISSUES IN THE SURROUNDING AREA. After hearing the comments of Councilman Shaw, Mr. Doney, Mr. Dusey, Mr. Bowser, Chief Terlizzese, and reviewing a video tape filmed on March 28, 1994 at 8:25 PM and 12:20 PM, IT IS THE RECOMMENDATIONS OF THE COMMITTEE THAT since the traffic is a seasonal problem:

- A. Sunset Avenue remain a two way street.
- B. The traffic signal remain at Sunset Avenue and North County Road.
- C. Town Staff, including the Police Chief and Town Engineer, study the loading zone on the north side of Sunset Avenue (immediately west of North County Road) and whether it should be moved to be within the two driveways if spacing allows, and add an additional parking space or similar actions be taken by Town staff.
- D. Enforcement of no parking and/or other violations in loading zones be strictly enforced.

IV. CONSIDERATION OF RIGHTS-OF-WAY PERMIT ISSUES: After hearing the comments of staff, IT IS THE RECOMMENDATION OF THE COMMITTEE THAT the time the Rights-of-Way Permits may be issued be changed from May 1 to December 1 to May 1 to November 15 and the time for work in the commercial districts be extended from 6:00 PM to 7:00 PM and for the residential areas remaining the same from 8:00 AM to 6 PM.

V. CONSIDERATION OF MID-TOWN OCEANFRONT ROADWAY PROTECTIVE SEAWALL PROJECT DURING THE SUMMER OF 1994. After hearing the comments of Mr. Dusey and Mr. Bowser that this protective seawall needs to be refurbished and being assured that the money for this project is already budgeted, IT IS THE RECOMMENDATION OF THE COMMITTEE THAT THE OCEANFRONT ROADWAY PROTECTIVE SEAWALL PROJECT BE AUTHORIZED TO COMMENCE DURING THE SUMMER OF 1994. This would be for the area 100' north of Royal Palm Way to 70' south of Gulfstream Road, with all efforts being made to not harm the concrete waves on top of the parapet wall, nor the sidewalk and plantings in this area.

VI. CONSIDERATION OF PLANTINGS ON ROYAL PALM WAY: After hearing the comments of Mr. Ugi and Mr. Dusey on the plantings which are in the planting beds on Royal Palm Way, specifically the boxwood which requires continuous maintenance, a request was made that some of the boxwood be moved to two planting beds on Royal Poinciana Way and IT IS THE RECOMMENDATION OF THE COMMITTEE THAT SOME OF THE BOXWOOD PLANTINGS ON ROYAL PALM WAY BE REMOVED WITH SOME BEING MOVED FROM ROYAL PALM WAY TO ROYAL POINCIANA WAY AND THE PLANTING OF SEVERAL PERENNIAL BEDS BE DONE ON AN EXPERIMENTAL BASIS ON ROYAL PALM WAY AND/OR ON ROYAL POINCIANA WAY.

VII. ANY OTHER MATTERS: None.

IX. ADJOURNMENT: Meeting adjourned at 11:15 AM.

SIGNED BY Lesly S. Smith, Chairperson and M. William Weinberg Committee Member.

Mrs. Smith summarized the report and Mr. Weinberg moved that the recommendation on the traffic at Sunset Avenue and North County Road be accepted. Seconded by Mrs. Royal. On roll call, the motion carried unanimously.

Motion was made by Mr. Weinberg that the time the rights-of-way permit be issued be changed from May 1st to December 1st TO May 1st through November 15, and the time for work to end in the commercial districts be extended from 6:00 PM to 7:00 PM and for the residential areas to remain as it is now from 8:00 AM to 6:00 PM. Seconded by Mrs. Royal. On roll call, the motion carried unanimously.

Motion was made on the recommendation of the Public Works Committee with regards to the Oceanfront roadway seawall project be authorized to commence during the summer of 1994, and this would be for one hundred feet north of Royal Palm Way to seventy feet south of Gulfstream Road, by Mr. Weinberg. Seconded by Mrs. Royal. On roll call, the motion carried unanimously.

Mr. Weinberg moved that in consideration of the plantings on Royal Palm Way, to adopt the recommendation of the Public Works Committee that some boxwood plantings be removed from Royal Palm Way and moved to Royal Poinciana Way and perennial beds be done on an experimental basis on Royal Palm and/or on Royal Poinciana Way at the discretion of Mr. Dusey and Mr. Ugi. Mrs. Smith advised this would be also to display the xeriscaping that can be done without a large amount of watering. Mrs. Royal seconded the motion. On roll call, the motion carried unanimously.

B. Ordinances, Rules, and Standards Committee Report of March 29, 1994

REPORT OF THE ORDINANCE, RULES AND STANDARDS COMMITTEE MEETING OF MARCH 29, 1994

I. CALL TO ORDER AND ROLL CALL: A meeting of the Ordinance, Rules and Standards Committee was called to order by Chairperson Clarke Royal at 2:00PM on March 29, 1994, in the Town Hall Council Chambers. Committee Member Shaw was also in attendance. Staff members attending the meeting were: Town Manager Doney, Mr. Moore, Mr. Dusey, Mr. House, Mr. Elwell and Ms. Reedy. Town Attorney Randolph also attended the meeting.

II. APPROVAL OF AGENDA: Agenda was approved as printed.

Chairperson Clarke Royal called

the Town of Palm Beach to be used for beach restoration, providing a restoration program is implemented in a timely manner, and is completed in a timely fashion. Mrs. Clarke Royal thanked Mr. Gosman very much for his generous offer.

Mr. Kane Baker of 1246 N. Lake Way suggested that the Town place more trash cans on the beaches.

Dr. Sten Lilja of 1330 N. Ocean Boulevard said he has been a beach owner in the Town for 30 years. He stated he supports beach cleaning, but opposes the section of the proposed ordinance where the Town assumes jurisdiction of the private beach property.

Mr. John Matich of 3475 S. Ocean Blvd. said the people in the south end of Town have solved their beach cleaning problem by hiring a private company to clean the beaches three times a week, and their beaches are relatively clean, but if rough weather comes up there is a problem for weeks. He felt that should be considered in any decisions regarding beach cleaning.

III. CONSIDERATION OF PROPOSED ORDINANCE REGARDING CLEANING OF BEACHES ON PRIVATE PROPERTIES.

Mr. Randolph reported this proposed ordinance is a draft document which attempts to address the clean up of the private beaches.

THE COMMITTEE RECOMMENDS in Section 1 - remove the phrase "which exist in a natural state and which are not artificially cultivated".

THE COMMITTEE RECOMMENDS in Section 2 - that language be included which would require people to place trash or refuse in containers, or if there are no containers, trash or refuse must be removed from the beach.

THE COMMITTEE RECOMMENDS that section 3 - be amended to read "In regard to that portion of the beach determined to be private property, no person shall place or deposit on any such beach any trash, refuse, or debris. Further, the owner of said property shall not allow trash, refuse or debris to remain on said property for a period of time greater than seven (7) days after notification by the Town. Any such trash, refuse or debris located upon said private beach front property shall be properly disposed of in a manner otherwise provided by the codes and regulations of the Town."

THE COMMITTEE RECOMMENDS under section 5 - that a time limitation of seven (7) days for compliance be a part of the proposed ordinance, and the following language as proposed by the Town Attorney be added: "after notice by certified mail to the last address of record of the property owner." The Committee further recommends that the Town Attorney draft provisions for billing and the filing of liens, so that the Town may recover its costs if it has to enter private property to accomplish necessary clean-up work.

THE COMMITTEE RECOMMENDS that the Town Attorney look into the possibility of including in the proposed ordinance how a property owner could take debris which comes from the ocean, and deposit it so it may be cleaned up by the Town, and not be required to pay an additional pickup fee.

After hearing Staff comments, the Committee recommends that the Town Council give consideration to having the Town pick up the debris from the private properties at or near the rack line. Mr. Moore requested some direction as to the definition of a littered beach, and how enforcement shall be handled. These matters will be considered further when the ordinance is presented to the full Town Council.

IV. ANY OTHER MATTERS: The Committee recommends that the Town Council consider a resolution reaffirming the Town of Palm Beach's Right to Home Rule. Mr. Randolph said he felt that the Committee needed some Town Council direction on whether it would be appropriate to make a recommendation on any matter which was not specifically referred to the Committee by the Town Council.

V. ADJOURNMENT: Meeting was adjourned at 4:05 PM.

SIGNED BY MICHELE CLARKE ROYAL, Chairperson AND LESLIE A. SHAW, Committee Member

Mrs. Royal summarized the report. Motion was made by Mrs. Smith to approve the recommendation of the ORS with regards to Section One, to remove the phrase "receive the Ordinance, Rules & Standards Committee recommendation in Section One, to remove the phrase "which exist in a natural state and which are not artificially cultivated."

Mr. Randolph suggested they receive the report as this will all be discussed later when the Ordinance is addressed on beach cleaning.

Mrs. Smith withdrew her motion. Mr. Shaw made a motion that this portion of the report on the Beach Cleaning Ordinance be moved to the time when the Ordinance is discussed. Mrs. Wiener called for a motion that the report be accepted with regards to the beach cleaning items, Item No. 3. Mr. Shaw withdrew his motion.

Mrs. Smith asked Mrs. Royal to read that section and the Committee's recommendation. Mrs. Royal read the recommendations. Mr. Shaw made a motion to accept the report of the Ordinance, Rules & Standards Committee of their meeting of March 29, 1994. Seconded by Mrs. Smith. On roll call, the motion carried unanimously.

C. Administrative and Personnel Committee Report of March 31, 1994 -

REPORT OF THE ADMINISTRATIVE AND PERSONNEL COMMITTEE MEETING OF MARCH 31, 1994

I. CALL TO ORDER AND ROLL CALL: A meeting of the Administrative and Personnel Committee was called to order by the Chairman at 2:05 PM on March 31, 1994 in the Town Hall Council Chambers. On roll call, Chairman Shaw and Council President Wiener were found to be in attendance

ORS Comm.
Report

Administra-
tive & Per-
sonnel Comm.
Report

Admin. &
Personnel
Comm.
Report

as members of the Committee. Others attending were Mr. Doney, Mr. Dusey, Mr. Crouse, Attorney Randolph, Mrs. Peters, Mr. Meadows, Mr. Bellamy, Mr. Kennedy and Mr. Crockam.

II. APPROVAL OF AGENDA: Agenda was approved as printed.

III. CONSIDERATION OF APPEAL BY MR. JEFFREY E. SHAY, LABORER I/TRASH, PUBLIC WORKS DEPARTMENT, REGARDING ONE DAY SUSPENSION FOR GROSS INSUBORDINATION. Mrs. Peters gave the oath to all who will testify. After hearing the testimony of Mr. Crouse, Mr. Dusey, Mr. Kennedy, Mr. Crockam and Mr. Bellamy and the recommendations of Town Attorney Randolph and due to the fact the complainant, Jeffrey E. Shay did not appear, it is THE COMMITTEE'S RECOMMENDATION THAT ON THE BASIS OF THE EVIDENCE SUBMITTED, AND THE TESTIMONY OF THE WITNESSES AS WELL AS THE DOCUMENTATION THAT MR. DUSEY HAS PRESENTED AND THERE BEING NO OTHER EVIDENCE PRESENTED EXCEPT FOR THE SHORT HAND WRITTEN NOTES FROM MR. SHAY, THAT THE DEPARTMENT HEAD'S ACTION REGARDING THE ONE DAY SUSPENSION FOR GROSS INSUBORDINATION BE UPHELD.

IV. ADJOURNMENT: Meeting adjourned at 2:32 PM.

SIGNED BY LESLIE A. SHAW, COMMITTEE CHAIRMAN AND HERMINE L. WIENER, COMMITTEE MEMBER

Mr. Shaw summarized the report. Mr. Weinberg moved the recommendation of the Administrative and Personnel Committee to uphold the suspension of Jeffery Shay be approved. Seconded by Mrs. Smith. On roll call, the motion carried unanimously.

Finance &
Taxation
Comm.
Report

D. Finance and Taxation Committee Report of April 5, 1994

REPORT OF THE FINANCE & TAXATION COMMITTEE MEETING OF APRIL 5, 1994

I. CALL TO ORDER AND ROLL CALL. Meeting called to order by Chairperson Wiener at 10:05 AM in the Town Hall Council Chambers. On roll call, Chairperson Wiener and Committee Member Smith were found to be in attendance. Other Elected Officials attending were Mayor Ilyinsky, Council President Pro Tem Weinberg and Councilman Shaw. Also attending were Town Manager Doney, Finance Director Crozier, Mrs. Kelly, and Mrs. Peters.

II. APPROVAL OF AGENDA: Agenda was approved as printed.

III. WARRANT LIST OVERVIEW: Mr. Doney and Mrs. Crozier gave an overview of the procedures for the payment of bills by the Town of Palm Beach and explained that Mrs. Wiener pulled at random one warrant paid in the month of January, which was Executive Car and Truck Leasing; and Mrs. Smith pulled at random one warrant paid in the month of February, which was Digby-Bridges; and the back-up information on both warrants have been furnished. After perusing and discussing the information furnished, the Committee found the procedures to be in order.

IV. CONSIDERATION OF PROPOSED REQUEST FOR PROPOSALS (RFP'S) CALENDAR OF EVENTS AND RELATED MATTERS FOR BANKING SERVICES AND INVESTMENT MANAGEMENT SERVICES: Mr. Doney noted that First Union National Bank was selected on a six month trial basis for investment management services to observe what their performance would be if the Town decided to utilize an outside investment manager vs. having the staff handle the investments through the State Board of Administration in order to attempt to increase the amount of interest earnings to the Town. Pursuant to Mrs. Crozier's memorandum with attachments dated March 31, 1994 on this matter, Mr. Doney advised the Selection Team that he would recommend would be:

Hermine L. Wiener, Chairperson of Finance & Taxation Committee
Director of Finance Marie A. Crozier
Finance Department Staff Accountant Debbie J. Kelly
Assistant Town Manager Peter B. Elwell
Town Manager Robert J. Doney

The Selection Team will review the written proposals and short list the firms (for possible interviews) and make a recommendation to the Town Council for award of a contract.

Chairperson Wiener recalled her understanding that the contract should have been awarded at the termination of the six month contract with First Union Bank and if that timetable was not able to be kept, the Mayor and Town Council should have been informed.

After hearing the comments of Mr. Doney and Mrs. Crozier, it is THE COMMITTEE'S RECOMMENDATION THAT THE REQUEST FOR RFP'S AND THE CALENDAR OF EVENTS BE APPROVED WITH THE FOLLOWING MODIFICATIONS. In addition, Mr. Doney was requested by the Committee to check the legalities of choosing several banking firms which would be pre-qualified, which could be used when needed to provide the Town the best services.

The recommended modifications were:

Page 5 - 1-13 - ORAL PRESENTATIONS, the first line was modified to read: "In its discretion, the Town may require oral presentations from all short listed respondents."

Page 8 - 1-19 - CONFLICT OF INTEREST - Change first sentence to read: "All bidders must disclose with their proposal the name of any officer, director or agent who is an elected official, appointed official or an employee of the Town of Palm Beach." Mr. Doney will seek the Town Attorney's opinion as whether or not the last sentence with regards to the percentage figure of ten per cent or other information needs to be included.

Page 9 - 1-20 - JOINT BIDDING, COOPERATIVE PURCHASING AGREEMENT AND 1-21 PURCHASING AGREEMENTS WITH OTHER GOVERNMENT AGENCIES - remove entirely from the RFP.

Page 11 - 2-3 A. General Requirements: Change first sentence to read: "The Town has strict requirements for timely and accurate reporting of bank account

Lesly S. Smith, member of the Finance & Taxation Committee
Marie A. Crozier, Finance Director
Debbie J. Kelly, Finance Department Staff Accountant
David F. Jakubiak, Assistant to the Town Manager
Robert J. Doney, Town Manager

Finance &
Taxation
Comm. Report

After hearing the comments of Mrs. Crozier and Mr. Doney, it is THE COMMITTEE'S RECOMMENDATION THE CALENDAR OF EVENTS AND THE REQUEST FOR PROPOSALS BE APPROVED WITH REGARDS TO AUDITING SERVICES FOR FISCAL YEAR ENDING SEPTEMBER 30, 1994 WITH THE FOLLOWING MODIFICATIONS:

Page 6 - 1-12 - ORAL PRESENTATIONS - The first sentence was changed to read: "At its discretion, the Town may require oral presentations from all short listed respondents."

Other recommended modifications (as previously noted for the RFP for Banking Services) also be made in the RFP for Independent Auditing Services.

VI. ANY OTHER MATTERS: None

VII. ADJOURNMENT: Meeting was adjourned at 10:43 AM.

Signed by Hermine L. Wiener, Chairperson and Lesly S. Smith, Committee Member

Mrs. Wiener summarized the report. Motion was made by Mr. Weinberg to approve the report and recommendations of the Finance & Taxation Committee of their meeting held on April 5, 1994. Seconded by Mrs. Smith. On roll call, the motion carried unanimously.

Mr. Weinberg moved that the recommendations and the changes to the Request for Proposals on the Banking Services proposal be approved. Seconded by Mr. Shaw. On roll call, the motion carried unanimously.

Mr. Weinberg moved that the Calendar of Events be approved. Seconded by Mrs. Smith. On roll call, the motion carried unanimously.

Mrs. Smith moved that the contract time of First Union be extended. Seconded by Mr. Weinberg. On roll call, the motion carried unanimously.

II. OLD BUSINESS

Old Business

A. Bid Award

1. Sealed Bid No. 94-008 - Replacement South Fire-Rescue Station (Capital Improvement Fund Project) - Recommend O'Connor and Taylor, Inc. in the Amount of \$1,375,000 Per Memorandum Dated March 3, 1994 from Mr. Dusey - Consideration of Resolution No. 17-94 - Deferred from March Meeting - Attorney Randolph explained this matter went to a final hearing last week and he was requested by the Judge to submit a Memorandum of Law by the end of this week. He recalled at the last Council meeting, there was a request to defer the award of the bid to such time as a decision is handed down by the Court, so no action is necessary today and he will agenda this for the May Town Council meeting. Mrs. Wiener suggested a special meeting of the Council be called if a decision is reached two and a half weeks from now to award the bid. Motion was made by Mrs. Smith, seconded by Mr. Weinberg that this matter be deferred to the May Town Council Meeting or if a decision is made by the Court soon, a Special Town Council Meeting be called to award the bid. On roll call, the motion carried unanimously.

Sealed Bid.
94-008

Discussion was had on combining the appointments and it was decided to move XIII.C.1, 2 and 3 to this portion of the agenda.

B. Appointments

Appointments

1. Architectural Commission - Two Alternate Members with Terms to Expire March 1996 Motion was made by Mr. Weinberg that Scott Sloan be appointed as an alternate to the Architectural Commission. Mrs. Wiener asked if his resignation has been received from the Code Enforcement Board? Mr. Randolph reported he is also on the Building Board of Adjustments and Appeals. Mr. Weinberg was sure the resignation can be secured. Mrs. Smith stated she was favorable to this but questioned whether or not a resignation was needed from the other Board. Mr. Shaw asked if Mr. Sloan has indicated his willingness to serve on the Architectural Commission? Mr. Weinberg knew he was anxious to serve on the Architectural Commission. Mrs. Smith asked if this matter could be deferred which would give Mr. Sloan an opportunity to resign from the Code Enforcement Board. Mr. Weinberg withdrew his motion. Mrs. Smith moved this matter be deferred until the next meeting allowing Mr. Sloan to resign from the Code Enforcement Board. Seconded by Mr. Shaw. On roll call, the motion carried unanimously.

Arch. Comm.

Mrs. Smith asked if the procedure was to have the applicants write letters of intent if they wish to serve on any Commission or Board to which Mrs. Wiener responded, it is necessary to have a letter from the person who wished to serve. She explained it was her understanding that the Architectural Commission was in need of a landscape architect or horticulturist and she had someone in mind but has not received their permission as yet, so she would like to defer the appointment of the second alternate. Mr. Weinberg indicated he had a suggestion and he placed in nomination the name of Lowry Bell, who is an architect. Mrs. Wiener called for a second and Attorney Randolph informed all that no second was needed for a nomination. On roll call, the motion carried 4-1 with Mrs. Smith voting against the motion.

2. Seaview Park Commission - One Regular Three-Year Term to Expire February 1997 and One Alternate Member With a Term to Expire February 1997 - Deferred from February Meeting - Mrs. Smith moved that James Gavigan be elevated from an alternate to a regular term on the Seaview Park Commission. On roll call, the motion carried unanimously.

Seaview Park
Comm.

