



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

**TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD**

AGENDA

APRIL 9, 2019

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

Gail L. Coniglio, Mayor
Danielle H. Moore, President
Margaret A. Zeidman, President Pro Tem
Julie Araskog
Lew Crampton
Bobbie Lindsay

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. RECOGNITIONS

- A.** Recognition of Page Lee Hufty for her service on the Landmarks Preservation Commission from May 2014 to March 2019
Josh Martin, Director of Planning, Zoning and Building

VI. PRESENTATIONS

- A.** Palm Beach Civic Association Long Range Planning Committee Financial Strategy Study
Harvey Poppel, Palm Beach Civic Association

VII. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A.** Presentations by Code Enforcement Board Applicants
Kirk W. Blouin, Town Manager
- B.** Appointments to the Code Enforcement Board
Kirk W. Blouin, Town Manager
- C.** Presentations by Recreation Advisory Commission Applicants
Kirk W. Blouin, Town Manager
- D.** Appointments to the Recreation Advisory Commission
Kirk W. Blouin, Town Manager
- E.** Presentations by the Retirement Board of Trustees Applicants
Kirk W. Blouin, Town Manager
- F.** Appointments to the Retirement Board of Trustees
Kirk W. Blouin, Town Manager

VIII. COMMENTS OF MAYOR GAIL L. CONIGLIO

IX. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

X. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

XI. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. Town Council Meeting Minutes
Kathleen Dominguez, Town Clerk
 - a. March 19, 2019, Town Council Meeting Minutes
 - b. March 19, 2019, Special Town Council Meeting Minutes - Closed Door
 - c. March 19, 2019, Development Review Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Commission at its Meeting of March 27, 2019
Josh Martin, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 19-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing The Town Manager to Apply to the Local Initiatives (LI) Construction Program From The Florida Department of Transportation Through the Palm Beach Metropolitan Planning Organization for up to \$650,000 for Implementation of a Fiberoptic Infrastructure to Link the Four (4) Most Critical Signalized Intersections in Palm Beach to Palm Beach County.

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

2. RESOLUTION NO. 20-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Selection Committee Recommendation For RFP No. 2019-02, For The Recreation Center Playground Equipment And Awarding A Contract To DW Recreation Services, Inc. In The Amount Of \$392,999.66; And Establishing An Overall Project Budget Of \$400,000.00.

Jay Boodheshwar, Deputy Town Manager

3. RESOLUTION NO. 21-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Retroactive Award And Purchase Order in the Amount of \$398,589 To D.S. Eakins For Emergency Repair Of Broken Line And Sanitary Lift Station Upgrade.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 22-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$65,350 and a Five Year Contract in the Amount of \$393,699 to Zimmerman Tree Service For Invitation To Bid No. 2019-12 For Tree Trimming For Lot 3, Hardwood Trees As Designated To A Primary, Secondary And Tertiary Vendor.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 23-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order In The Amount Of \$46,283.90 And A Five Year Contract In The Amount Of \$233,730 To Muscart Painting And Decorating, As The Recommendation Of Award Of Invitation To Bid 2019-04, For Annual Curb, Bollard And Tire Stop Painting; Contingent Upon Funding By Approved Budgets.

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 24-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing A Purchase Order To Alan Jay Chevrolet In The Amount Of \$115,460.55 For Two (2) Chevy Tahoe 1500 SUV Patrol Cars And One (1) Administrative Chevy Tahoe 1500 SUV Utilizing The State Of Florida Sherriff's Association Contract No. FSA18-Vel26.0.

Dean Mealy, Purchasing Manager

7. RESOLUTION NO. 25-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order In The Amount Of \$189,200 To APTIM Environmental & Infrastructure, LLC., For Reach 8 Beach Nourishment Permitting, And Establishing A Permitting Budget Of \$217,000.

Dean Mealy, Purchasing Manager

C. OTHER

1. Request to Consider Ordinance No. 10-2019 and Ordinance 11-2019 at Public Hearings Prior to 5:00 P.M.

Josh Martin, Director of Planning, Zoning & Building

XII. BOARD/COMMISSION ANNUAL REPORT

- A.** Annual Report of the Landmarks Preservation Commission

Edward Cooney, Chair

- B.** Annual Report of the Architectural Commission (ARCOM)

Robert J. Vila, Chair

XIII. COMMITTEE REPORTS

- A.** Report of the Public Works Committee Meeting Held on March 14, 2019

Bobbie Lindsay, Chair

XIV. REGULAR AGENDA

A. Old Business

1. Proposed Town Sponsorship of Business Association Special Event during the Veteran's Day Holiday Weekend in November 2019 to be Hosted by the Main Street Association, with the Palm Beach Rotary Foundation as Event Provider.

Josh Martin, Director of Planning, Zoning and Building

2. Town Marina Project Update.

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

3. Town-wide Undergrounding Project

Steven N. Stem, Project Manager

a. Project Status Update.

4. Coastal Update:

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

a. Shoreline Condition Update

b. RESOLUTION NO. 16-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute a First Amendment to Interlocal Agreement R2016-0999 Between the Town of Palm Beach and Palm Beach County for Long-Term Operation and Maintenance of the Sand Transfer Plant.

RESOLUTION NO. 17-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing Reimbursement to Palm Beach County for Sand Transfer Plant Repairs, in the Amount of \$106,724.09.

B. New Business

1. Defined Contribution Plan Liability Coverage and Oversight.
Danielle Olson, Director of Human Resources
2. Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ended September 30, 2018
Jane Le Clainche, Director of Finance
3. Discussion of Open Carry Laws
Nicholas Caristo, Acting Chief of Police

C. Matters Pulled From Consent Agenda: If needed

XV. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 21-2018 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Code Of Ordinances Of The Town Of Palm Beach At Chapter 66, Natural Resource Protection, At Article 1, In General, Section 66-2, Definitions; At Article IV, Vegetation, Section 66-212, Purpose And Intent; To Include A New Section 66-285, General Under Division 4, Design Requirements; Amending Section 66-286, Water Conserving Landscape Design; And Amending Section 66-311, Prohibited Plants; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
Josh Martin, Director of Planning, Zoning & Building
2. ORDINANCE NO. 13-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134, Article X. - On-Street Parking Permits, At Section 134-2296(C) and Section 134-2327(2); 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. ORDINANCE NO. 8-2019 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.

Josh Martin, Director of Planning, Zoning & Building

2. ORDINANCE NO. 15-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances By Adopting A New Chapter 88, Property Maintenance Code, As Set Forth Below, Regulating And Governing The Conditions And Maintenance Of All Property, Buildings And Structures, By Providing The Standards For Supplied Utilities And Facilities And Other Physical Things And Conditions Essential To Ensure That Structures Are Safe, Sanitary And Fit For Occupation And Use, And The Condemnation Of Buildings And Structures Unfit For Human Occupancy And Use; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Josh Martin, Director of Planning, Zoning & Building

XVI. ANY OTHER MATTERS

XVII. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** Please submit written comments/materials to 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 12:00 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 12:00 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 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).

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.