



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

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

AGENDA

MARCH 20, 2018

9:30 AM

Town Council Meeting

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
Richard M. Kleid, President
Danielle H. Moore, President Pro Tem
Julie Araskog
Bobbie Lindsay
Margaret A. Zeidman

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. CERTIFICATION OF ELECTION RESULTS

- A. RESOLUTION NO. 24-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Declaring the Results**

of the Election Held on the 13th Day of March, 2018.

Kathleen Dominguez, Town Clerk

V. RECOGNITIONS

- A.** Recognition of Richard M. Kleid for His Years of Service on the Town Council from 2005 to 2018, Including Two Years of Service as the Town Council President Pro Tem and Two Years of Service as the Town Council President.

Gail L. Coniglio, Mayor

- B.** Recognition of Richard Sammons for his service on the Architectural Commission from March 2012 to March 2018.

Gail L. Coniglio, Mayor

- C.** Recognition of Ann Vanneck for her service on the Architectural Commission from March 2008 to March 2018.

Gail L. Coniglio, Mayor

VI. SWEARING IN OF ELECTED OFFICIALS

- A.** The Honorable Judge Lisa Small
1. Lew Crampton
 2. Barbara Duna Lindsay
 3. Margaret A. Zeidman
- (Mayor Becomes the Presiding Officer)

VII. ORGANIZATIONAL ITEMS

- A.** 1. Election of Town Council President
Pursuant to Section 3.01 of the Town Charter
(Town Council President Becomes the Presiding Officer)
2. Election of Town Council President Pro Tem
Pursuant to Section 3.01 of the Town Charter
Kirk W. Blouin, Town Manager

VIII. PRESENTATIONS

- A.** Presentations by Applicants for the Architectural Commission.
- B.** Presentations by Applicants for the Landmarks Preservation Commission

IX. COMMENTS OF MAYOR GAIL L. CONIGLIO

X. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

XI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

XII. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. TOWN COUNCIL MEETING MINUTES

Kathleen Dominguez, Town Clerk

- a. February 13, 2018, Town Council Meeting Minutes
 - b. February 14, 2018, Local Planning Agency Meeting Minutes
 - c. February 14, 2018, Development Review Town Council Meeting Minutes
2. Approval of Major Matters considered by the Architectural Commission at its meeting of February 28, 2018
Paul Castro, Interim Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 25-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager To Apply For and Execute the Grant Application for the Florida Inland Navigation District Waterways Assistance Program for the Design Phase of the Town Docks Improvement Project on Behalf of the Town.
Beth Zickar, Director of Recreation
2. RESOLUTION NO. 26-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, to Award RFP No. 2018-10 and Approve a Purchase Order to Richard Maxwell, Inc. dba King Tree Service of South Florida, for Consulting Arborist Services, in the Amount of \$23,500 and Establishing a Project Budget of \$25,850 for FY2018. The Five Year Project Budget Shall be \$235,785, Which Includes an Annual Cost of \$47,125 and a \$23,785 Contingency, Contingent on Funding in Future Fiscal Years.
H. Paul Brazil, P.E., Director of Public Works
3. RESOLUTION NO. 27-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute a Quit Claim Easement Agreement, Attached as Exhibit "A" Between Florida Department of Transportation and the Town of Palm Beach for Access and Maintenance of Said Revetment at Sloan's Curve.
H. Paul Brazil, P.E., Director of Public Works
4. RESOLUTION NO. 28-2018 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 Chen, Moore and Associates, Inc., in the Amount of \$20,215 for the Phipps Ocean Park (North) Restroom Replacement, and Establishing a Construction Phase Engineering Budget of \$25,000.
H. Paul Brazil, P.E., Director of Public Works
5. RESOLUTION NO. 29-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Interlocal Agreement for Water Distribution System Upgrades, Rehabilitation, and Replacement with the City of West Palm Beach.

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

6. RESOLUTION NO. 30-2018 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 \$93,000 for the D-2 and D-17 Stormwater Pump Station Improvements, and Establishing a Design and Bid Phase Budget of \$102,000.

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

7. RESOLUTION NO. 31-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Recreation Department Fees for the Town Docks for Fiscal Year 2018.

Beth Zickar, Director of Recreation

C. OTHER

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

Danielle Olson, Director of Human Resources

XIII. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Landmarks Preservation Commission.

Edward Cooney, Chair

XIV. COMMITTEE REPORTS

- A. Report of the February 8, 2018 Ordinances, Rules and Standards Committee Meeting.

Bobbie Lindsay, Chair

- B. Report of the Administrative and Personnel Committee Meeting of March 15, 2018.

Richard M. Kleid, Chair

XV. PUBLIC HEARINGS

- A. RESOLUTION NO. 32-2018 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 Properties Commonly Known as 1020 S. Ocean Boulevard and 100 Via Del Lago, in the Town of Palm Beach, Florida.

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

- B. RESOLUTION NO. 33-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning Existing Public Utility Easements Within the Nightingale Trail and La Puerta Way Utility Undergrounding Project Limits, in the Town of Palm Beach, Florida.

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

XVI. REGULAR AGENDA

A. Old Business

1. Town-wide Undergrounding Project:
Steven N. Stern, Underground Utilities Project Manager
 - a. Review of Project & Dashboard, Summary of Project Status.
 - b. RESOLUTION NO. 34-2018 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. in the Amount of \$1,278,500 for Phase 4 Engineering Design Services of the Town-wide Undergrounding of Utilities Program.
 - c. RESOLUTION NO. 35-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for AT&T and Comcast Related Improvements for the Town-wide Utility Undergrounding Phase 1 North to Burkhardt Construction, Inc., in an Amount of \$371,200.88.
 - d. RESOLUTION NO. 36-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for AT&T and Comcast Related Improvements for the Town-wide Utility Undergrounding Phase 1 South to Whiting-Turner, Inc., in an Amount of \$111,824.
2. Approval of the December 12, 2017 Town Council Meeting Minutes.
Julie Araskog, Town Council Member
3. Business Workshop Report.
Jay Boodheshwar, Deputy Town Manager
4. Thomas G. Bradford Severance Agreement.
John C. Randolph, Town Attorney
5. Discussion Regarding Potential Ordinance to Ban Single Use Plastic Bags.
Jay Boodheshwar, Deputy Town Manager

B. New Business

1. Appointments to the Architectural Commission.
2. Appointments to the Landmarks Preservation Commission.
3. Coastal Update:
 - a. Shoreline Condition Update
 - b. RESOLUTION NO. 37-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract for \$1,742,200 to West Construction, Inc., for the Construction

of the Mid-Town Beach Groin Construction Project, Establishing a Construction Phase Budget of \$1,950,000 for Said Project, and Authorizing the Town Manager to Execute the Purchase Order and Take Action Necessary to Effectuate Completion of the Project.

c. RESOLUTION NO. 38-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Coastal Engineering Construction Administration and Support Services to Aptim, Inc., in an Amount of \$47,100, and Establish a Task Budget of \$55,000, for the Mid-Town Beach Groin Construction Project.

d. RESOLUTION NO. 39-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Permit Required Sea Turtle Nighttime Monitoring and Nest Relocation To D.B. Ecological, Inc., in an Amount of \$23,100, and Establishing a Task Budget of \$31,350, for the Mid-Town Beach Groin Construction Project.

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

4. Appointment of the Town's Representative to the Citizens' Committee on Airport Noise (CCAN).

Gail L. Coniglio, Mayor

C. Matters Pulled From Consent Agenda: If needed

XVII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 02-2018 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending The Town Code of Ordinances At Section 2-636. – Shore Protection Board Created; Appointments; Terms; Qualifications; Advisory Function; Requirements; Officers; Procedure; (A) Generally Eliminating The Option For One of The Members To Be A Nonresident of The Town Having A Special Skill As It Relates To Shore Protection.

John C. Randolph, Town Attorney

B. First Reading

1. ORDINANCE NO. 05-2018 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings and Building Regulation, of the Town Code of Ordinances at Section 18-112 of Article II, Division 5, Prohibition on Demolition to Provide for a Prohibition of Demolition of Structures During the Period of the Year Commencing on the Monday Prior to Thanksgiving of Each Year and Ending the Monday After Easter of the Following Year; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an

Effective Date.

Jay Boodheshwar, Deputy Town Manager

XVIII. ANY OTHER MATTERS

XIX. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** Please submit written comments/materials to publiccomment@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 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 3:30 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 Council Meeting-Regular Business

March 20, 2018, 9:30 AM @ Council

Chambers [More Details](#)

Town Council Meeting-Development Review Matters

March 21, 2018, 9:30 AM @ Council Chambers

[More Details](#)

Planning and Zoning Commission Meeting

March 27, 2018, 9:30 AM @ Council Chambers

[More Details](#)

Architectural Commission Meeting

March 28, 2018, 9:00 AM @ Council Chambers

[More Details](#)

Shore Protection Board Meeting

March 29, 2018, 9:00 AM

[More Details](#)

Coffee with the Crew - Undergrounding Phase 1 - North

April 2, 2018, 8:00 AM - 9:00 AM @ Annie's Dock - North Ocean Blvd and East Inlet Drive

Underground Utility Task Force Meeting

April 3, 2018, 9:00 AM @ Council Chambers

[More Details](#)

Special Recreation Advisory Commission Meeting

April 4, 2018, 9:00 AM @ Council Chambers [More](#)

[Details](#)

Ordinances, Rules, and Standards Committee Meeting

April 5, 2018, 9:30 AM @ Council Chambers

A Cup of Joe with Bo - Undergrounding Phase 1 - South

April 6, 2018, 8:00 AM @ South Fire Rescue Station, 2185 S. Ocean Blvd.

[More Details](#)

Union Negotiation Meeting

April 9, 2018, 10:00 AM @ South Fire Station

[More Details](#)

Town Council Meeting-Regular Business

April 10, 2018, 9:30 AM @ Council

Chambers [More Details](#)

Town Council Meeting-Development Review Matters

April 11, 2018, 9:30 AM @ Council Chambers

[More Details](#)

Public Works Committee Meeting

April 12, 2018, 2:00 PM @ Council Chambers

[More Details](#)

Planning and Zoning Commission

April 17, 2018, 9:30 AM @ Council Chambers

[More Details](#)

Landmarks Preservation Commission Meeting

April 18, 2018, 9:30 AM @ Council Chambers

[More Details](#)

Code Enforcement Board Meeting

April 19, 2018, 2:00 PM @ Council Chambers

[More Details](#)

Architectural Commission Meeting

April 25, 2018, 9:00 AM @ Council Chambers

[More Details](#)

Shore Protection Board Meeting

April 26, 2018, 9:00 AM @ Council Chambers

[More Details](#)

Underground Utility Task Force Meeting

May 1, 2018, 9:00 AM @ Council Chambers

[More Details](#)

Recreation Advisory Commission Meeting

May 2, 2018, 9:00 AM @ Council Chambers

[More Details](#)

Ordinances, Rules, and Standards Committee Meeting

May 3, 2018, 9:30 AM @ Council Chambers

[More Details](#)

A Cup of Joe with Bo - Undergrounding Phase 1 - South

May 4, 2018, 8:00 AM @ South Fire Rescue Station, 2185 S. Ocean Blvd

[More Details](#)

Coffee with the Crew - Undergrounding Phase 1 - North

May 7, 2018, 8:00 AM - 9:00 AM @ Annie's Dock - North Ocean Blvd and East Inlet Drive

[More Details](#)

Town Council Meeting-Regular Business

May 8, 2018, 9:30 AM @ Council Chambers

[More Details](#)

Town Council Meeting-Regular Business

May 8, 2018, 9:30 AM @ Council Chambers

[More Details](#)