



# TOWN OF PALM BEACH

Town Clerk's Office

## ACTIONS OF THE TOWN COUNCIL MEETING

HELD ON TUESDAY, MARCH 19, 2019

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. MODIFICATIONS TO THE AGENDA:

THE FOLLOWING MODIFICATIONS WERE MADE TO THE AGENDA:

- ITEM XVI. B.1. CONSIDERATION OF A CLOSED DOOR SESSION WAS TO BE HEARD AT 2:45 P.M.
- ITEM XVI A. 1. PROPOSED PALM HOUSE SETTLEMENT AGREEMENT, WAS MOVED UP TO BE HEARD IMMEDIATELY AFTER ITEM VIII. PRESENTATIONS.

- IV. APPROVAL OF AGENDA

**ACTION: APPROVED, AS AMENDED ABOVE**

- V. CERTIFICATION OF ELECTION RESULTS

- A. RESOLUTION NO. 12-2019 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 12th Day of March, 2019.

**ACTION: APPROVED**

- VI. SWEARING IN OF ELECTED OFFICIALS

- A. The Honorable Judge Lisa Small
  - 1. Gail L. Coniglio
  - 2. Danielle Hickox Moore
  - 3. Julie Araskog

(Mayor Becomes the Presiding Officer)

## **VII. ORGANIZATIONAL ITEMS**

- A. Election of Town Council President Pursuant to Section 3.01 of the Town Charter.

**ACTION: DANIELLE H. MOORE WAS ELECTED AS TOWN COUNCIL PRESIDENT**

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

**ACTION: MARGARET A. ZEIDMAN WAS ELECTED AS TOWN COUNCIL PRESIDENT PRO TEM**

## **VIII. PRESENTATIONS**

- A. Presentation by Lisa DeLaRionda, Palm Beach County Public Affairs Director, Regarding the Upcoming Census.

## **IX. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS**

- A. Presentations by Architectural Commission Applicants.  
*Kirk Blouin, Town Manager*

- B. Appointments to the Architectural Commission.  
*Kirk Blouin, Town Manager*

**ACTION: APPROVED THE RATIFICATION OF THE APPOINTMENT OF MICHAEL SMALL AND ALEXANDER IVES AS REGULAR MEMBERS OF ARCOM.**

**ACTION: APPROVED THE RATIFICATION OF THE APPOINTMENT OF DANIEL FLOERSHEIMER, KATHERINE CATLIN AND BETSY SHIVERICK AS ALTERNATE MEMBERS OF ARCOM.**

- C. Presentations by Landmarks Preservation Commission Applicants.  
*Kirk Blouin, Town Manager*

- D. Appointments to the Landmarks Preservation Commission.  
*Kirk Blouin, Town Manager*

**ACTION: APPROVED THE RATIFICATION OF THE APPOINTMENT OF JACQUELINE ALBARRAN, SUE PATTERSON AND RENE SILVIN AS REGULAR MEMBERS OF LANDMARKS PRESERVATION COMMISSION.**

**ACTION: APPROVED THE RATIFICATION OF THE APPOINTMENT OF ANNE METZGER AND MARCIA CINI AS ALTERNATE MEMBERS OF LANDMARKS PRESERVATION COMMISSION.**

- X. COMMENTS OF MAYOR GAIL L. CONIGLIO
- XI. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER
- XII. COMMUNICATIONS FROM CITIZENS
- XIII. APPROVAL OF CONSENT AGENDA

**THE FOLLOWING ITEM WAS PULLED FROM THE CONSENT AGENDA AND PLACED UNDER ITEM XV1. C.1.:**

- **ITEM XIII.B.3. RESOLUTION NO. 13-2019**

**ACTION: APPROVED, AS AMENDED ABOVE**

**A. MINUTES**

1. Town Council Meeting Minutes.  
*Kathleen Dominguez, Town Clerk*
  - a. February 13, 2019, Local Planning Agency Meeting Minutes
  - b. February 13, 2019, Development Review Town Council Meeting Minutes
  - c. February 14, 2019, Town Council Meeting Minutes
  - d. February 14, 2019, Special Town Council Meeting Minutes - Closed Door Session
2. Approval of Major Matters Considered by the Architectural Commission at its Meeting of February 27, 2019.  
*Josh Martin, Director of Planning, Zoning and Building*

**B. RESOLUTIONS**

1. RESOLUTION NO. 08-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase

Order in the Amount of \$118,450, to Kimley-Horn for Construction Phase Engineering Services for the E-3, E-4 and G-9 Sanitary Pump Station Rehabilitation Improvement Project, and Establishing a Construction Phase Budget of \$118,450, including Contingency.

*Dean Mealy, II, Purchasing Manager*

2. RESOLUTION NO. 11-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees Related To The Planning, Zoning & Building Department.

*Josh Martin, Director of Planning, Zoning and Building*

3. RESOLUTION NO. 13-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award Recommendation for Invitation to Bid 2019-08 for the 400 Block of Worth Avenue for Infrastructure Improvements to C & W Pipeline in the Amount of \$1,397,989, with an Overall Project Budget of \$1,610,000. –

**PULLED FROM CONSENT**

*Dean Mealy, II, Purchasing Manager*

4. RESOLUTION NO. 14-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$164,070, to Chen Moore and Associates, for Construction Phase Engineering Services for the Worth Avenue Infrastructure Improvement Project, 400 Block from Coconut Row to Peruvian Avenue, and Establishing a Construction Phase Budget of \$164,070.

*Dean Mealy, II, Purchasing Manager*

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

- A. Annual Report of the Landmarks Preservation Commission.

*Edward Cooney, Chair*

**ACTION: DEFERRED TO THE APRIL 9, 2019, TOWN COUNCIL MEETING**

#### **XV. COMMITTEE REPORTS**

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on February 7, 2019.

*Julie Araskog, Chair*

**ACTION: APPROVED**

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

- A. **Old Business**

1. Proposed Palm House Settlement Agreement.  
*Cary Glickstein, Receiver*

**ACTION: APPROVED**

2. Final Report on the Compensation and Benefits Study Prepared by Evergreen Solutions.  
**TIME CERTAIN: 11:00 A.M.**  
*Danielle Olson, Director of Human Resources*

**ACTION: STAFF WAS DIRECTED TO RESCHEDULE THE 4/1/19 SPECIAL TOWN COUNCIL MEETING TO 4/4/19 AT 10:30 A.M. AND A SECOND MEETING (IF NEEDED) ON 4/12/19 AT 9:30 A.M.**

**ACTION: STAFF WAS DIRECTED PROVIDE FURTHER ANALYSIS ON THE FOLLOWING TOPICS:**

- **MARKET PLACEMENT: PRESENT PAY RANGE OPTIONS USING THE 65<sup>TH</sup>, 75<sup>TH</sup> AND 85<sup>TH</sup> PERCENTILES OF THE MARKET**
- **PAY PLAN STRUCTURE: PRESENT A PAY SYSTEM USING A HYBRID MERIT STEP PLAN**
- **ADDRESS COMPRESSION: PRESENT A MODEL USING A (3 TIER) & CLOSEST STEP IN REVISED PAY PLAN APPROACH**
- **PAY PROGRESSION: PRESENT PAY RANGE OPTIONS WITH AN ADDED ELEMENT OF COLA THAT WILL AVOID FUTURE PAY COMPRESSION**
- **RETIREMENT AND OTHER BENEFITS : PRESENT PROVISIONS FOR A RETIREMENT AGE OF 56 WITH 25 YEARS OF SERVICE FOR POLICE AND FIRE**

3. Town Marina Project Update  
*H. Paul Brazil, P.E., Director of Public Works*

**ACTION: NONE**

4. Town-wide Undergrounding Project:  
*Steve Stern, Project Manager*

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

**ACTION: NONE**

5. Coastal Update:  
*H. Paul Brazil, P.E., Director of Public Works*

- a. Shoreline Condition Update.

**ACTION: STAFF WAS AUTHORIZED TO CLEAN THE PUBLIC BEACHES ON AN AS-NEEDED BASIS AT THE TOWN MANAGER'S DISCRETION**

- b. RESOLUTION NO. 18-2019 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 for the Town Marina Project.

**ACTION: APPROVED**

## **B. New Business**

1. Consideration of Scheduling an Attorney/Client Session immediately following the regular Town Council meeting on Tuesday, March 19, 2019, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida, to discuss the following matter: PBT Real Estate, LLC, a limited liability company vs. Town of Palm Beach, a Florida municipal corporation, Dorothy Jacks, as Property Appraiser of Palm Beach County, Florida and Anne M. Gannon, as Tax Collector of Palm Beach County, Florida, Case No. 9:17-CV-81254. Attorney/Client Session Attendees: Mayor Gail L. Coniglio; Town Council Members Julie Araskog, Lewis S.W. Crampton, Bobbie Lindsay, Danielle H. Moore, Margaret A. Zeidman; Town Manager Kirk Blouin; Town Attorney John C. Randolph and Pleasanton, Greenhill, Meek & Marsaa Court Reporters.  
*John C. Randolph, Town Attorney*

**ACTION: APPROVED**

2. Consideration of Approval of a Navy Seal Demonstration Using a Helicopter in Conjunction with a Charitable Solicitation Permit.  
*Kathleen Dominguez, Town Clerk*

**ACTION: APPROVED**

## **C. Matters Pulled From Consent Agenda**

1. RESOLUTION NO. 13-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award Recommendation for Invitation to Bid 2019-08 for the 400 Block of Worth Avenue for Infrastructure Improvements to C & W Pipeline in the Amount of \$1,397,989, with an Overall Project Budget of \$1,610,000.

*Dean Mealy, Purchasing Manager*

**ACTION: APPROVED**

## **XVII. ORDINANCES**

### **A. Second Reading**

1. ORDINANCE NO. 06-2019 An Ordinance of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 of the Town Code of Ordinances Relating to Personnel, at Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision IV, Police Officers, by Amending Section 82-119, Deferred Retirement Option Program for Police Officers; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.  
*Kirk W. Blouin, Town Manager*

**ACTION: APPROVED**

### **B. First 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, and Building*

**ACTION: APPROVED WITH THE ADDED LANGUAGE THAT ADDRESSES NEW LANDSCAPING**

2. ORDINANCE NO. 09-2019 An Emergency Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Extending The Temporary Moratorium Established In Ordinance No. 20-2018 For A Period Of Ninety (90) Days From April 9, 2019, Said Moratorium To Be Effective Through And Including July 8, 2019. Based Upon A Finding By The Town Council That The Issue Giving Rise To The Need For The Temporary Moratorium Established Therein Continues To Exist. In Order To Allow An Opportunity For The Town To Develop Regulations For The Submittal, And Processing Of Applications, And Issuance Of Any Permits Or Franchises Pertaining To Scooter Sharing And/Or Personal Transportation Vehicles, And For Other Purposes; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; And Providing An

Effective Date.

*Josh Martin, Director of Planning, Zoning, and Building*

**ACTION: APPROVED AND ADOPTED AS AN EMERGENCY ORDINANCE**

3. 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*

**ACTION: APPROVED, WITH A REVISIT DATE OF DECEMBER 31, 2019**

**XVIII. ANY OTHER MATTERS**

**XIX. ADJOURNMENT**