



TOWN OF PALM BEACH

Town Clerk's Office

ACTIONS OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, MAY 14, 2019

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

ACTION: ITEM XIII. A. 6. RESOLUTION NO. 15-2019 WAS WITHDRAWN

- IV. APPROVAL OF AGENDA

ACTION: APPROVED, AS AMENDED ABOVE

- V. PRESENTATIONS

A. Legislative Session Update
Michael "Mike" Caruso, District Representative

B. Presentation on Royal Poinciana Playhouse
Alexandra Patterson, Up Markets

**ACTION: UPMARKETS TO REPORT BACK WITH AN UPDATE ON
SEPTEMBER 10, 2019**

C. Seventy-five (75) Palm Trees for Palm Beach Project
Ned Barnes and John David Corey, Palm Beach Civic Association

ACTION: APPROVED

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A. Presentations by Investment Advisory Committee Applicants
Kirk W. Blouin, Town Manager
- B. Appointments to the Investment Advisory Committee
Kirk W. Blouin, Town Manager

ACTION: APPROVED THE RE-APPOINTMENTS OF DR. MICHAEL ANDREWS, DAVID MCDONALD AND CHRIS STORKERSON AS REGULAR MEMBERS TO THE INVESTMENT ADVISORY COMMITTEE.

- C. Presentations by Landmarks Preservation Commission Applicants
Kirk W. Blouin, Town Manager
- D. Appointments to the Landmarks Preservation Commission
Kirk W. Blouin, Town Manager

ACTION: APPROVED THE APPOINTMENT OF FERNANDO WONG AS AN ALTERNATE MEMBER TO THE LANDMARKS PRESERVATION COMMISSION.

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

ACTION: NONE

VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

ACTION: ORS COMMITTEE TO STUDY TRUCK TRAFFIC SOLUTIONS FOR LOCAL STREETS IN THE NORTH END

IX. COMMUNICATIONS FROM CITIZENS

ACTION: NONE

X. APPROVAL OF CONSENT AGENDA

THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA AND PLACED UNDER ITEM XIII. C.:

- **ITEM NO. X. B. 3 RESOLUTION NO. 34-2019**
- **ITEM NO. X. C. 3.**

ACTION: APPROVED, AS AMENDED ABOVE

- A. **MINUTES**

1. Town Council Meeting Minutes
Kathleen Dominguez, Town Clerk
 - a. April 4, 2019, Special Town Council Meeting Minutes
 - b. April 9, 2019, Town Council Meeting Minutes
 - c. April 10, 2019, Local Planning Agency Meeting Minutes
 - d. April 10, 2019, Development Review Town Council Meeting Minutes
 - e. April 10, 2019, Special Town Council Meeting Minutes - closed door session
 - f. April 23, 2019, Special Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of April 24, 2019
Josh Martin, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 32-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Ranking of Invitation To Bid No. 2019-18, For E-1 Sanitary Pump Station Upgrade Improvement To Hinterland Group, Inc. in the Amount of \$247,400 and a Project Budget of \$284,510.00.
Dean Mealy, Purchasing Manager
2. RESOLUTION NO. 33-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order to Virtra For a Training Simulator For Police In the Amount of \$234,528.30.
Dean Mealy, Purchasing Manager
3. RESOLUTION NO. 34-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement Agreement Between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for Access, and Maintenance of FPL Equipment. – **PULLED FROM CONSENT**
H. Paul Brazil, P.E., Director of Public Works

C. OTHER

1. Waiver to Town Code for Extended Construction Hours and Lane Closure for AT&T to Construct a Fiber Line and Make Connection in Royal Palm Way at Cocoanut Row
H. Paul Brazil, P.E., Director of Public Works
2. Designation of Voting Delegate and Alternate(s) to the Palm Beach County League of Cities, Inc.

Kathleen Dominguez, Town Clerk

3. Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's Fourth on Flagler Event – ***PULLED FROM CONSENT***
Kirk W. Blouin, Town Manager
4. Request to Consider Ordinance No. 17-2019 at Public Hearings Prior to 5:00 p.m.
Josh Martin, Director of Planning, Zoning & Building

XI. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Code Enforcement Board
Matthew Natale, Chair

ACTION: APPROVED

XII. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on April 4, 2019
Julie Araskog, Chair

ACTION: APPROVED

XIII. REGULAR AGENDA

A. Old Business

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

ACTION: NONE

2. Town-wide Undergrounding Project
 - a. Review of Project and Dashboard, Summary of Project Status
Steve Stern, Project Manager

ACTION: NONE

3. 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

ACTION: APPROVED

4. Update to the Town's Compensation Study
Danielle Olson, Director of Human Resources

ACTION: NONE

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

- a. Town of South Palm Beach Dune Construction Project

ACTION: APPROVED

- b. Shore Protection Board Recommendation for the Town-wide Groin Rehabilitation Program

ACTION: STAFF TO PRESENT THE COSTS FOR GROIN REHABILITATION FOR THE PUBLIC BEACH IN MIDTOWN ONLY

ACTION: STAFF TO RESEARCH HOW OTHER COASTAL COMMUNITIES HANDLE GROIN REPAIRS AND REHABILITATION FOR PRIVATE VS. PUBLICLY OWNED BEACHES.

ACTION: TOWN ATTORNEY TO UPDATE THE TOWN COUNCIL MEMO ON LIABILITY ISSUES TO CONSIDER FOR GROIN REHABILITATION

- c. New Ten-year Budget (*For Discussion only*)

ACTION: STAFF TO WORK WITH SHORE PROTECTION BOARD ON A NEW TEN YEAR BUDGET

ACTION: STAFF TO PROVIDE THE EXECUTIVE SUMMARY OF THE WOODS HOLE STUDY TO THE TOWN COUNCIL

6. RESOLUTION NO. 15-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Long-term Ground Lease of 5976 Okeechobee Boulevard, West Palm Beach, Florida to AHS Residential.
Kirk W. Blouin, Town Manager

ACTION: WITHDRAWN

7. Discussion Regarding Unregulated On-Street Parking Spaces on North County Road and Bradley Place
Jay Boodheshwar, Deputy Town Manager

ACTION: APPROVED A PILOT PROGRAM TO ALLOW TWO-HOUR ON-STREET PARKING AND PLACARD PARKING WITH A REVISIT DATE OF APRIL 1, 2020.

B. New Business

1. RESOLUTION NO. 36-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Bid Waiver, Contract Execution and Purchase Orders for the Procurement of Lucity, for a Work Management System for Public Works for \$388,300, contingent upon future budget funding approval.
Dean Mealy, Purchasing Manager

ACTION: APPROVED

2. RESOLUTION NO. 37-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Recommendation of the Selection Committee for Dockage System Design and Manufacturing, RFP No. 2019-15, Which Pre-Qualified Three Firms; Bellingham Marine, EMG USA LLC and SF Marina Systems USA.
Dean Mealy, Purchasing Manager

ACTION: APPROVED

3. RESOLUTION NO. 38-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Rechten International Trucks, Inc. for the Purchase of One 2019 International Dump Truck; And Approval To Fund the Project from the Equipment Replacement Fund in the Amount of \$88,688 for a Total Budget of \$92,000.
Dean Mealy, Purchasing Manager

ACTION: APPROVED

C. Matters Pulled From Consent Agenda:

1. RESOLUTION NO. 34-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement Agreement Between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for Access, and Maintenance of FPL Equipment. – **PULLED FROM CONSENT**
H. Paul Brazil, P.E., Director of Public Works

ACTION: APPROVED WITH THE CONDITION THAT STAFF WORK WITH KIMLEY-HORN AND FLORIDA POWER AND LIGHT (FPL) TO IMPROVE THE DESIGN AND REPORT BACK TO TOWN COUNCIL

2. Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's Fourth on Flagler Event – **PULLED FROM CONSENT**
Kirk W. Blouin, Town Manager

ACTION: APPROVED

XIV. ORDINANCES

A. Second 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

ACTION: APPROVED

B. First Reading

1. ORDINANCE NO. 21-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 42, Environmental, Article IX, Fertilizer-Friendly Use, Section 42-372 “Definitions” and Section 42-376, “Timing Of Fertilizer”, Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.
H. Paul Brazil, P.E., Director of Public Works

ACTION: DEFERRED TO THE MAY 15, 2019 TOWN COUNCIL DEVELOPMENT REVIEW MEETING

2. ORDINANCE NO. 22-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 102, Solid Waste, Article I, in General, at Section 102-5 Deposit in Unauthorized Place, by Revising Verbiage to Read “No Person Shall Deposit or Cause to be Deposited any Refuse in

any Place not Authorized for Disposal. The Public Works Director or Their Designee Shall Determine the Authorized Location for Collection and Disposal. Garbage Placed for Collection in an Unauthorized Place will not be Collected and Procedures Set Forth in Section(s) 102-48 and 102-7 will be Administered” 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

ACTION: APPROVED

3. ORDINANCE NO. 23-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 42, Environment, To Include A New Article IX, Division 2, Titled Prohibition Of Single Use Plastic Straws; Prohibiting The Distribution Of Plastic Straws; Providing Penalties For Any Such Distribution; Providing For Conflicts; Providing For Severability; Providing For Codification; And Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: DEFERRED TO THE MAY 15, 2019 TOWN COUNCIL DEVELOPMENT REVIEW MEETING

4. ORDINANCE NO. 24-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 42, Environment, To Include A New Article IX, Titled Prohibition Of Polystyrene Containers And Single Use Carry Out Plastic Bags; Prohibiting The Use Of Expanded Polystyrene Containers And Single Use Carry Out Plastic Bags Within The Corporate Limits Of The Town; Providing For Penalties And Amending Section 2-439 Of The Town Code Relating To Citation Fine Schedule; Providing For Codification; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: DEFERRED TO THE MAY 15, 2019 TOWN COUNCIL DEVELOPMENT REVIEW MEETING

5. ORDINANCE NO. 25-2019 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 106, Article VII, Section 106-257, Subsection (1) Of The Town Code Of Ordinances Titled Regulations Relating To Special Events; Providing For A Prohibition On The Use Of Phipps Plaza Park For A Special Event Due To The Close Residential Proximity Of This Public Space; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

ACTION: NONE

XV. ANY OTHER MATTERS

1. Request to send the safe and correct use of pesticides to the Ordinances, Rules And Standards (ORS) Committee.

ACTION: STAFF TO RESEARCH ALTERNATIVE SOLUTIONS FOR ENFORCING SAFE AND CORRECT PESTICIDE APPLICATIONS AND REPORT TO THE TOWN COUNCIL NEXT MONTH

XVI. ADJOURNMENT