



TOWN OF PALM BEACH

Town Clerk's Office

ACTIONS OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, NOVEMBER 12, 2019

I. CALL TO ORDER AND ROLL CALL

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

ITEM NO. XII. B. 1. WAS GIVEN A 12:00 PM TIME CERTAIN

IV. APPROVAL OF AGENDA

ACTION: APPROVED, AS AMENDED ABOVE

V. PRESENTATIONS

- A. Presentation on Royal Poinciana Playhouse
Alex Patterson, UpMarkets

**ACTION: UPMARKETS TO REPORT BACK WITH A STATUS UPDATE
ON JANUARY 14, 2020**

- B. Temporary Docks at Flagler Museum for Special Event Hosted by the Marine Industries Association of Palm Beach County and Informa Markets from March 26 to 29, 2020
Josh Martin, Director of Planning, Zoning and Building

ACTION: APPROVED

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A. Presentations by Investment Advisory Committee Applicants
Kathleen Dominguez, CMC, Town Clerk
- B. Appointments to the Investment Advisory Committee
Kathleen Dominguez, CMC, Town Clerk

ACTION: APPROVED THE APPOINTMENT OF ALAN SCHEURER

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

ACTION: NONE

VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

ACTION: NONE

IX. COMMUNICATIONS FROM CITIZENS

ACTION: NONE

X. APPROVAL OF CONSENT AGENDA

ITEM NOS. X. C. 4 AND X. C. 6. WERE PULLED AND PLACED UNDER ITEM XII.C.

ITEM NO. X.C.2. WAS WITHDRAWN

ACTION: APPROVED, AS AMENDED ABOVE

- A. MINUTES
 - 1. Town Council Meeting Minutes
Kathleen Dominguez, CMC, Town Clerk
 - a. October 10, 2019, Town Council Meeting Minutes
 - b. October 10, 2019, Town Council Development Review Meeting Minutes
 - 2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of October 30, 2019.
- B. RESOLUTIONS

1. RESOLUTION NO. 125-2019 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Authorizing Payment to the Municipal Public Safety Communications Consortium (MPSCC) of Palm Beach County in the Amount of \$82,442.69 for FY20.
Nicholas Caristo, Chief of Police
2. RESOLUTION NO. 127-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Remaining Extension of Bid No. 2018-28, Vegetation and Litter Removal to Property Works in the Amount of \$131,216 for FY20, FY21, and FY22 Contingent Upon Budget Approval and Satisfactory Vendor Performance.
Dean Mealy, Purchasing Manager
3. RESOLUTION NO. 128-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Remaining Extension of Bid No. 2018-6, Town Fountain Maintenance to Mako Pools in the Amount of \$78,000 for FY20, FY21, and FY22 Contingent Upon Budget Approval and Satisfactory Vendor Performance.
Dean Mealy, Purchasing Manager
4. RESOLUTION NO. 129-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Remaining Extension of RFQ No. 29-2016, Irrigation Contractor to B Ellis Enterprises Inc. in the Amount of \$30,000 for FY20 and FY21 Contingent Upon Budget Approval and Satisfactory Vendor Performance.
Dean Mealy, Purchasing Manager
5. RESOLUTION NO. 130-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Remaining Piggyback Extension of the Palm Beach County School Board Contract 17C-19T, Asphalt Paving to M&M Asphalt Maintenance, Inc. dba All County Paving in the Amount of \$100,000 for FY20.
Dean Mealy, Purchasing Manager
6. RESOLUTION NO. 133-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn & Associates, Inc., for Landfill Facilities 2020 On-Call Consulting, Compliance Sampling and Monitoring in the Amount of \$99,648 and a Project Budget of \$109,612.
Dean Mealy, Purchasing Manager
7. RESOLUTION NO. 134-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Extension of RFP 2017-18, Historic Preservation Consulting Services to Murphy Stillings for FY20 in the Amount of \$60,000.

Dean Mealy, Purchasing Manager

8. RESOLUTION NO. 135-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Bid No. 2019-37, Construction of Police Department Virtual Room to Seven Star Construction in the Amount of \$93,743 and a Project Budget of \$107,803.

Dean Mealy, Purchasing Manager

9. RESOLUTION NO. 136-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract in an Amount not to Exceed \$75,000 to Hartford Life and Accident Insurance Company, to Provide Group Life, Accidental Death and Dismemberment, and Supplemental Life Insurance and Authorizing the Town Manager to Take Actions Necessary to Complete Said Services.

Danielle Olson, Director of Human Resources

10. RESOLUTION NO. 137-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Cigna, Inc., in an Amount not to Exceed \$225,000 to Provide Administrative Services for Group Health, Prescription And Dental Coverage, and Authorizing the Town Manager to Take Actions Necessary to Effectuate this Contract.

Danielle Olson, Director of Human Resources

11. RESOLUTION NO. 138-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Grant for Project No. PB-PB-19-208, Between the Florida Inland Navigation District and The Town of Palm Beach Under the Waterways Assistance Program, Specifically Construction Reimbursement for the Town of Palm Beach Town Dock Replacement Project, in the Amount of \$3,062,000, and Authorizing the Mayor to Execute Same on Behalf of the Town.

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

C. OTHER

1. Appointment to the Public Employees Relations Commission Panel per PERC Ordinance Appendix "A" Section 1.003

Danielle Olson, Director of Human Resources

2. Approve Request by Florida Power & Light to Close Orange Grove Road for Eleven (11) Days

H. Paul Brazil, P.E., Director of Public Works - **WITHDRAWN**

3. Status Report of Delinquent Accounts and Request for Authorization to Write-off Uncollectible Accounts
Jane LeClainche, Director of Finance
4. 726 Hi-Mount Road – Authorize Town Manager to Enter into a Hold Harmless Agreement and Waive Driveway Site Visibility Requirements
H. Paul Brazil, P.E., Director of Public Works – **PULLED FROM CONSENT**
5. General Fund Contingency Allocation Request for the Purchase of a Rotary Turf Mower, Not to Exceed \$9,000
Carolyn Stone, Director of Business Development and Operations
6. Consideration of Waivers to Town Code for Construction Dates, Hours, and Noise for Staging in the Lake Worth Lagoon for Palm Beach County’s Jupiter-Carlin Federal Shore Protection Project
H. Paul Brazil, P.E., Director of Public Works – **PULLED FROM CONSENT**

XI. COMMITTEE REPORTS

- A. Report of the Public Works Committee Meeting Held on October 11, 2019

ACTION: APPROVED

ACTION: STAFF DIRECTED TO PLACE THE FICUS BENJAMINA REMOVAL PROGRAM WITH THE QUANTIFIED COSTS ON THE DECEMBER 10, 2019, TOWN COUNCIL MEETING AGENDA FOR FURTHER DISCUSSION

- B. Report of the Ordinances, Rules and Standards Committee Meeting Held on October 24, 2019

ACTION: APPROVED

ACTION: STAFF DIRECTED TO PLACE THE TOWN’S LANDMARK NOTIFICATION PROCEDURE AND PROPOSED CHANGES TO THE SPECIAL EVENTS ORDINANCE ON THE DECEMBER 10, 2019, TOWN COUNCIL MEETING AGENDA FOR FURTHER DISCUSSION

XII. REGULAR AGENDA

- A. Old Business

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

ACTION: APPROVED PLACEMENT OF AN EQUIPMENT STORAGE TRAILER IN THE ALLEY WAY AT PALMO PARK WITH THE CONDITION THAT THIS COME BACK BEFORE THE TOWN COUNCIL IF THERE ARE NUMEROUS COMPLAINTS RECEIVED FROM AFFECTED RESIDENTS.

- b. RESOLUTION NO. 140-2019 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. for Construction Phase Engineering Services for Town-Wide Utility Undergrounding Phase 2 South, and Establishing a Construction Phase Engineering Budget of \$325,418.
Patricia Strayer, P.E., Town Engineer

ACTION: APPROVED

- c. RESOLUTION NO. 141-2019 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving the Award of Construction Manager At Risk to Burkhardt Construction Incorporated for Town-Wide Utility Undergrounding Phase 2 South in the Amount of \$6,494,596 and Establishing a Project Budget of \$6,694,596.
Patricia Strayer, P.E., Town Engineer

ACTION: APPROVED

2. Further Discussion Regarding Potential Changes to Fees & Regulations for Paid Parking and Other Parking Matters
Jay Boodheshwar, Deputy Town Manager

ACTION: APPROVED CONVERTING THE 53 PARKING SPACES ON THE 100 BLOCK OF SUNRISE AVENUE TO PAID PARKING BY KIOSK OR MOBILE APP, 7 DAYS A WEEK FROM 6:00 A.M. TO 10:00 P.M. AT \$3 PER HOUR AND IMPLEMENT PARKING PLACARDS (UP TO 15 OR 20).

ACTION: THE FOLLOWING ITEMS WERE DEFERRED TO THE JANUARY 14, 2020, TOWN COUNCIL MEETING:

- 24/7 ENFORCEMENT OF METERED PARKING AREAS
- EXPANSION OF “METERED” PARKING LOCATIONS
- EXPANSION OF PLACARD PARKING LOCATIONS

ACTION: STAFF WAS REQUESTED TO ENGAGE WITH THE WORTH AVENUE ASSOCIATION AND PARKING LOT OWNERS FOR THEIR INPUT ON EMPLOYEE PARKING SOLUTIONS AND STRATEGIES FOR THE AVENUE.

ACTION: STAFF REQUESTED TO PROVIDE THE DATA FROM PREVIOUS PARKING STUDIES TO THE TOWN COUNCIL TO REVIEW BEFORE THE JANUARY 14, 2020, TOWN COUNCIL MEETING.

ACTION: STAFF REQUESTED TO PRESENT AT THE DECEMBER 10, 2019, COUNCIL MEETING A PILOT PAID PARKING PROGRAM FOR PUBLIC USE OF THE PERUVIAN EMPLOYEE LOT ON FRIDAYS FROM 5:30 P.M TO 11:00 P.M. AND FROM 8:00 A.M. TO 11:00 P.M. ON SATURDAYS, SUNDAYS AND HOLIDAYS WITH THE IMPLEMENTATION COSTS INCLUDED.

ACTION: STAFF REQUESTED TO BRING BACK AN ORDINANCE THAT WILL EXPAND THE NUMBER OF RESIDENTIAL PERMIT DECALS AND VISITOR PASSES FOR RESIDENTS FROM A MAXIMUM OF FOUR (4) TO EIGHT (8).

3. Proposed Amendments to FY2020 Recreation Department Tennis Fees
Carolyn Stone, Director of Business Development and Operations

ACTION: APPROVED

B. New Business

1. Consideration of Refunding the 2013 Revenue Bonds
Jane Le Clainche, Director of Finance
 - a. RESOLUTION NO. 142-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Issuance of Not Exceeding \$52,000,000 Town of Palm Beach, Florida Public Improvement Revenue Refunding Bonds (Capital Improvement and Coastal Management Program) in One or More Series for the Purpose of Refunding All or a Portion of the Town’s Public Improvement Revenue Bonds, Series 2013 (Capital Improvement and Coastal Management Program), Subject

to Subsequent Proceedings and Approvals by the Town Council; Authorizing and Directing the Town Manager or the Director of Finance to "Deem Final" the Preliminary Official Statement Relating to the Bonds for the Purposes of Rule 15c2-12 of the Securities and Exchange Commission; Authorizing and Directing the Mayor, Town Council Members, the Town Manager, the Director of Finance and Other Proper Officials of the Town to Execute and Deliver any and all Documents and Instruments and to do and Cause to be Done any and all Acts and Things Necessary or Proper for Carrying Out the Transactions Contemplated by This Resolution: and Providing for an Effective Date.

ACTION: APPROVED

- b. RESOLUTION NO. 143-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Supplementing Town Resolution No. 142-2019 to Authorize the Public Sale of Town of Palm Beach, Florida Public Improvement Revenue Refunding Bonds, Federally Taxable Series 2019 (Capital Improvement and Coastal Management Program) (The "SERIES 2019 BONDS"); Approving the Form of and Authorizing the Use of a Preliminary Official Statement, Official Notice of Sale and Summary Notice of Sale in Connection with the Public Sale of the Series 2019 Bonds; Authorizing the Execution and Delivery of an Official Statement in Connection with the Series 2019 Bonds; Authorizing the Execution and Delivery of an Escrow Deposit Agreement; Requiring Compliance within Certain Statutory Requirements; Authorizing and Directing the Town Manager and Director of Finance to Determine Certain other Details of Said Series 2019 Bonds Within the Parameters Set Forth Herein; Authorizing the Proper Officials to do all Other Things Deemed Necessary or Advisable in Connection with the Issuance, Sale and Delivery of Said Series 2019 Bonds; and Providing for an Effective Date.

**ACTION: APPROVED WITH AN AWARD BASIS
PARAMETER OF 8%**

2. The Four Seasons Resort Palm Beach Appeal of Fines Imposed for Non-payment of Solid Waste Collection Fees

ACTION: DENIED

3. Proposed Public/Private Beautification Project with the Palm Beach Country Club

ACTION: APPROVED

ACTION: STAFF REQUESTED TO PRESENT PROJECT SCOPE AND COSTS AT A FUTURE MEETING

4. Discussion Regarding Modification of Town Code to Prohibit Dogs on Beaches Between Wells Road and Sunset Avenue

ACTION: STAFF DIRECTED TO PRESENT AN ORDINANCE FOR FIRST READING AT THE DECEMBER 10, 2019 TOWN COUNCIL MEETING AMENDING THE PERTINENT SECTIONS OF THE CODE TO EXPAND THE “NO DOGS” RULE FROM SUNSET AVENUE TO WELLS ROAD WITH A SUNSET PROVISION OF NOVEMBER 2020.

C. Matters Pulled From Consent Agenda:

1. 726 Hi-Mount Road – Authorize Town Manager to Enter into a Hold Harmless Agreement and Waive Driveway Site Visibility Requirements
H. Paul Brazil, P.E., Director of Public Works

ACTION: APPROVED

2. Consideration of Waivers to Town Code for Construction Dates, Hours, and Noise for Staging in the Lake Worth Lagoon for Palm Beach County’s Jupiter-Carlin Federal Shore Protection Project
H. Paul Brazil, P.E., Director of Public Works

ACTION: APPROVED

XIII. ORDINANCES

A. First Reading

1. ORDINANCE NO. 39-2019 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 I, in General, by Amending Section 82-54, Credited Service; Loss of Credited Service; Reinstatement of Credited Service.; Amending Subdivision II, Reserve Accounts, by Amending Section 82-80, Member Contributions; Amending Subdivision III, Firefighters, by Amending Section 82-94, Retirement Age and Service Conditions for Firefighters;

Providing for Severability; Providing for Repeal of Ordinances in Conflict;
Providing for Codification; Providing an Effective Date.

ACTION: APPROVED

XIV. ANY OTHER MATTERS

ACTION: APPROVED A TOWNWIDE EVENT AT THE END OF THE CHARITY SEASON IN 2020 TO CELEBRATE THE 100TH ANNIVERSARY OF THE RATIFICATION OF WOMEN'S RIGHT TO VOTE IN AMERICA.

ACTION: TOWN ATTORNEY WAS DIRECTED TO REVIEW THE HISTORIC SPECIMEN TREE REMOVAL ORDINANCE AND BRING IT TO THE CODE ENFORCEMENT BOARD FOR FURTHER REVIEW.

ACTION: PALM BEACH HOTEL AUTHORIZED TO PLACE RESIDENTIAL SOLID WASTE AT THE CURRENT LOCATION ON PARK AVENUE UNTIL THEIR APPEAL IS HEARD REGARDING THE PERMANENT LOCATION OF SOLID WASTE COLLECTION.

ACTION: STAFF DIRECTED TO WORK WITH COUNCIL MEMBER CRAMPTON ON RESEARCHING AND PRESENTING POTENTIAL DOG PARK LOCATIONS.

XV. ADJOURNMENT