



SUMMARY OF ACTIONS TAKEN AT THE MAY 10, 2022 TOWN COUNCIL MEETING

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

ACTION: The following modifications were made to the agenda:

- 1) Addition of Item No. XII.C.4
Consideration of scheduling an Attorney/Client Session immediately following the Town Council meeting on May 10, 2022, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida, to discuss the following matter: Palm Beach Hotel Condominium Association, Inc. v. Town of Palm Beach- Case Number 50-2020-CA-002757-XXXX-MB (AG). Attorney/Client Session Attendees: Mayor Danielle H. Moore; Town Council President Margaret A. Zeidman; Town Council President Pro Tem Bobbie Lindsay; Town Council Members Julie Araskog, Edward A. Cooney, Lewis S. W. Crampton; Town Manager Kirk Blouin; Town Attorneys John C. Randolph and Joanne M. O'Connor, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters.
John C. Randolph, Town Attorney

- 2) Original item no. XII.C.4 is now item no. XII.C.5.

- 3) Item No. XII.B.3. should be retitled: Discussion Regarding Temporary COVID Seating Extension and Café Permits

- IV. APPROVAL OF AGENDA

ACTION: APPROVED, AS AMENDED

Consideration of Scheduling an Attorney/Client session regarding Palm Beach Hotel Condominium Association, Inc. v. Town of Palm Beach- Case Number 50-

2020-CA-002757-XXXX-MB (AG). Attorney/Client Session Attendees: Mayor Danielle H. Moore; Town Council President Margaret A. Zeidman; Town Council President Pro Tem Bobbie Lindsay; Town Council Members Julie Araskog, Edward A. Cooney, Lewis S. W. Crampton; Town Manager Kirk Blouin; Town Attorneys John C. Randolph and Joanne M. O'Connor, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters.

ACTION: SCHEDULE ATTORNEY/CLIENT SESSION IMMEDIATELY FOLLOWING TODAY'S TOWN COUNCIL MEETING

- V. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS
 - A. Presentations by the Applicants and Appointments to the Code Enforcement Board [Pat Gayle-Gordon, Acting Town Clerk]
ACTION: APPOINTED VICTORIA PIROSO AS AN ALTERNATE MEMBER TO THE CODE ENFORCEMENT BOARD
 - B. Presentations by the Applicants and Appointments to the Investment Advisory Committee [Pat Gayle-Gordon, Acting Town Clerk]
ACTION: RE-APPOINTED KATHLEEN ANDERSON AND MICHAEL GREENWALD TO THE INVESTMENT ADVISORY COMMITTEE
- VI. COMMENTS OF MAYOR DANIELLE H. MOORE
- VII. COMMENTS OF TOWN COUNCIL MEMBERS
- VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE
- IX. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

THE FOLLOWING CHANGES WERE MADE TO THE CONSENT AGENDA:

IX.B.1. RESOLUTION NO. 054-2022 PULLED AND HEARD AS XII.A.1.
IX.B.9. RESOLUTION NO. 062-2022 PULLED AND HEARD AS XII.A.2.
IX.C.2. 340 Royal Poinciana Way PULLED AND HEARD AS XII.A.3.

ACTION: APPROVED CONSENT AGENDA, AS AMENDED

- A. MINUTES
 - 1. Town Council Meeting Minutes [Pat Gayle-Gordon, Acting Town Clerk]
 - April 12, 2022, Town Council Meeting Minutes
 - April 13, 2022, Town Council Development Review Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of April 27, 2022. [Wayne Bergman, Director of Planning, Zoning and Building]

B. RESOLUTIONS

1. RESOLUTION NO. 054-2022 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. [Wayne Bergman, Director of Planning, Zoning and Building] - ***Pulled and Heard as Item No. XII.A.1***
2. RESOLUTION NO. 055-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Second Amendment to the Existing Interlocal Agreement Governing the Protocol by Which the Town of Palm Beach Transports and Refers Homeless Individuals for Acceptance into the Homeless Resource Center and Authorizing the Town Manager and Staff to Execute all Documents Necessary on Behalf of the Town of Palm Beach. [Nicholas Caristo, Chief of Police]
3. RESOLUTION NO. 056-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town of Palm Beach, Ex Post Facto, to Submit an Application for the FY2021 Presidential Residence Protection Assistance (PRPA) Grant for Reimbursement of Applicable Law Enforcement Personnel Overtime Expenses Incurred During the Grant Period; and Authorizing the Town Manager and Staff to Execute All Documents Necessary on Behalf of the Town of Palm Beach. [Nicholas Caristo, Chief of Police]
4. RESOLUTION NO. 057-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-08, Disaster Debris Monitoring to Rostan Solutions, LLC and DebrisTech, LLC. [Dean Mealy, Purchasing Manager]
5. RESOLUTION NO. 058-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-09, Disaster Debris Removal to a Pool of Pre-Qualified Firms, Ceres Environmental Services, Inc., DRC Emergency Services, LLC and Phillips and Jordan, LLC. [Dean Mealy, Purchasing Manager]
6. RESOLUTION NO. 059-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Chen Moore and Associates for Professional Assistance with the Phipps Park Lifeguard Building Renovation in the Amount of \$69,858 and

Establishing a Project Budget of \$77,000. [Dean Mealy, Purchasing Manager]

7. RESOLUTION NO. 060-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Zimmerman Tree Services in the Amount of \$88,700 for Trimming of Royal Palms, Hardwoods and Australian Pines. [Dean Mealy, Purchasing Manager]
8. RESOLUTION NO. 061-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Insight Public Sector in the Amount of \$80,052 for Twenty-eight (28) Cradlepoint Wireless Router Devices for Public Safety. [Dean Mealy, Purchasing Manager]
9. RESOLUTION NO. 062-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Kimley-Horn and Associates, Inc. in the Amount of \$100,000 for the Water Feasibility Study. [Dean Mealy, Purchasing Manager] - ***Pulled and Heard as Item No. XII.A.2***
10. RESOLUTION NO. 067-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Chen Moore and Associates for Engineering Services for CIPP Lining - Basins A05, A06 and A43 in the Amount of \$175,240 and Establishing a Project Budget of \$200,000. [Dean Mealy, Purchasing Manager]
11. RESOLUTION NO. 068-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Extension of the Solid Waste and Recycling Inter-local Agreement with Palm Beach County Solid Waste Authority. [Dean Mealy, Purchasing Manager]

C. OTHER

1. Status Report on Previously Approved Expansion of Placard Parking Program. [Jane Le Clairche, Director of Finance]
2. 340 Royal Poinciana Way - Review and Approval of The Declaration of Use Agreement and the Amended and Restated 1979 Agreement. [Wayne Bergman, Director of Planning, Zoning and Building] - ***Pulled and Heard as Item No. XII.A.3***
3. Approve Request by Florida Power & Light (FPL) for Night Work at 155 North County Road [H. Paul Brazil, P.E., Director of Public Works]

X. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Code Enforcement Board [Bram Majtlis, Chair]
ACTION: ACCEPTED REPORT
- B. Annual Report of the Planning and Zoning Commission [Gail Coniglio, Chair]
ACTION: ACCEPTED REPORT


XI. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on April 14, 2022 [Julie Araskog, Chair]
ACTION: ACCEPTED REPORT
- B. Report of the Business and Administrative Committee Meeting Held on April 18, 2022. [Lew Crampton, Chair]
ACTION: ACCEPTED REPORT
 - 1. Recommended Parking Regulation Changes on the 200 Block of South County Road. [Nicholas Caristo, Chief of Police]
ACTION: DIRECTED THE ORS COMMITTEE TO FURTHER REVIEW THE PARKING REGULATIONS ON THE 200 BLOCK OF SOUTH COUNTY ROAD AND INCREASE SURVEY AVAILABILITY TO THE BUSINESSES IN THAT AREA.

XII. REGULAR AGENDA

- A. Matters Pulled From Consent Agenda: If needed
 - 1. RESOLUTION NO. 054-2022 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. [Wayne Bergman, Director of Planning, Zoning and Building]
ACTION: APPROVED
 - 2. RESOLUTION NO. 062-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Kimley-Horn and Associates, Inc. in the Amount of \$100,000 for the Water Feasibility Study. [Dean Mealy, Purchasing Manager]
ACTION: APPROVED
 - 3. 340 Royal Poinciana Way - Review and Approval of The Declaration of Use Agreement and the Amended and Restated 1979 Agreement. [Wayne Bergman, Director of Planning, Zoning and Building]
ACTION: APPROVED

B. Old Business

1. Town-wide Undergrounding Project
[H. Paul Brazil, P.E., Director of Public Works]
 - a. Review of Project and Dashboard, Summary of Project Status
ACTION: NONE
 - b. Consider The Breakers Request for Improvements Along South County Road Between Via Bethesda and Royal Poinciana
ACTION: DIRECTED STAFF TO CONTINUE DISCUSSIONS WITH THE BREAKERS HOTEL AND FDOT AND RETURN TO TOWN COUNCIL AT A LATER DATE
 - c. Review of Temporary Replacement of Failing Mast Arms at Peruvian Avenue and Worth Avenue by Florida Department of Transportation.
ACTION: NONE
 - d. RESOLUTION NO. 063-2022 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 Engineering Design Services for Post-Mounted Signals at Hammon Avenue, Worth Avenue, and Peruvian Avenue in the Amount of \$82,028 and Establishing a Project Budget of \$90,000.
ACTION: APPROVED
 - e. Approve Request for Saturday Work to Mill and Resurface Parking Lot at 205 Royal Palm Way
ACTION: APPROVED
2. Implementation Plan for Coastal Resiliency - Part Two [Wayne Bergman, Director of Planning, Zoning and Building]
ACTION: DEFERRED TO MAY 11, 2022 DEVELOPMENT REVIEW MEETING
3. Discussion Regarding COVID Seating Extension and Café Permits [Wayne Bergman, Director of Planning, Zoning and Building]
ACTION: NO EXTENSION OF MAY 31, 2022 DEADLINE FOR COVID SEATING. THIS ITEM WAS RECONSIDERED AT THE MAY 11, 2022 DEVELOPMENT REVIEW MEETING. 

C. New Business

1. Evaluation of Impacts to Right-of-Way Due to “Palm Beach Transportation Planning Agency Recommended Improvements for South Ocean Boulevard

(A1A) Between Lake Avenue to Ibis Way to the Florida Department of Transportation”.

TIME CERTAIN: 2:00 PM [H. Paul Brazil, P.E., Director of Public Works]

ACTION: REJECTED TPA ENHANCEMENTS AND ACCEPTED STAFF’S RECOMMENDATION TO MILL AND RESURFACE THE ROAD AND UPGRADE THE PATHWAY.

2. Review of a Stop Work Order Due to Three Strike Rule at 310 Clarke Avenue. [Wayne Bergman, Director of Planning, Zoning and Building]
ACTION: DEFERRED TO MAY 11, 2022, DEVELOPMENT REVIEW MEETING

3. Garbage Collection at Town Marina
TIME CERTAIN: 3:00 PM [Bobbie Lindsay, Council President Pro Tem]
ACTION: DIRECTED STAFF TO RETURN TO THE JULY COUNCIL MEETING WITH ALERNATIVE OPTIONS

4. Consideration of scheduling an Attorney/Client Session immediately following the Town Council meeting on May 10, 2022, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida, to discuss the following matter: Palm Beach Hotel Condominium Association, Inc. v. Town of Palm Beach- Case Number 50-2020-CA-002757-XXXX-MB (AG). Attorney/Client Session Attendees: Mayor Danielle H. Moore; Town Council President Margaret A. Zeidman; Town Council President Pro Tem Bobbie Lindsay; Town Council Members Julie Araskog, Edward A. Cooney, Lewis S. W. Crampton; Town Manager Kirk Blouin; Town Attorneys John C. Randolph and Joanne M. O’Connor, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters.

John C. Randolph, Town Attorney

ACTION: APPROVED SETTLEMENT AGREEMENT

5. Noise Complaints Concerning Car Washing Activities in Residential Areas. [Julie Araskog, Town Council Member]
ACTION: CONSENSUS TO SEND TO ORS COMMITTEE FOR FURTHER REVIEW

XIII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend Chapter 2 Article X Section 2-636 of the Town Code to Modify the Responsibilities of the Shore Protection Board

ORDINANCE NO. 006-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town

Code of Ordinances at Chapter 2, Article X, Section 2-636, Shore Protection Board; 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: ADOPTED

2. Proposed Ordinance to Amend Chapter 88 Articles II and III of the Town Code to Modify Hedge Heights and Eliminate Pests

ORDINANCE NO. 007-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 88, Property Maintenance Code, at Article II, Definitions, Section 88-14, General Definitions; and at Article III, General Requirements, Sections 88-16, Exterior Property Areas, and 88-23, Pest Elimination; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing an Effective Date. [Wayne Bergman, Director of Planning, Zoning and Building]

ACTION: REFERRED TO ORS FOR AMENDMENT

B. First Reading

1. Proposed Ordinance to Amend Chapter 42 Article V, Section 42-228 to Modify the Decibel level in Area 4 of the Town

ORDINANCE NO. 008-2022 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 at Article V, Noise at Section 42-228, Nonvehicular Noise Amending the Maximum Level, dba Measurement In Geographic Area 4 to be Consistent with the Measurements in Geographic Areas 1 And 3, I.E., 61 Decibels During the Day and 55 Decibels at Night; Providing for Repeal of Ordinances or Parts of Ordinances in Conflict Herewith, Providing for Severability; Providing for Codification; Providing an Effective Date.

[Nicholas Caristo, Chief of Police]

ACTION: FIRST READING APPROVED

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT