



# TOWN OF PALM BEACH

Town Clerk's Office

## SUMMARY OF THE ACTIONS TAKEN AT THE TOWN COUNCIL MEETING HELD ON WEDNESDAY, AUGUST 15, 2018

**I. CALL TO ORDER AND ROLL CALL**

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

**III. MODIFICATIONS TO THE AGENDA**

**ACTION: NONE**

**IV. APPROVAL OF AGENDA**

**ACTION: APPROVED**

**V. RECOGNITIONS**

- A. Recognition of Jay N. Nisberg, Code Enforcement Board, from April 2015 through May 2018.

**VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS**

- A. Presentations by Landmarks Preservation Commission Applicants.

*Kirk Blouin, Town Manager*

- B. Appointments to the Landmarks Preservation Commission.

*Kirk Blouin, Town Manager*

**ACTION: APPROVED THE APPOINTMENTS OF KIM COLEMAN AS A REGULAR MEMBER AND ANNE METZGER AS AN ALTERNATE MEMBER**

**VII. COMMENTS OF MAYOR GAIL L. CONIGLIO**

**ACTION: NONE**

**VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER**

**ACTION: NONE**

**IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**

**ACTION: NONE**

**X. APPROVAL OF CONSENT AGENDA**

**ACTION: APPROVED WITH THE FOLLOWING CHANGES:**

- **ITEM NO. X.C.5 PULLED AND HEARD UNDER XII.B.1**
- **ITEM NO. X.C.6 PULLED AND HEARD UNDER XII.B.2**

**A. MINUTES**

1. TOWN COUNCIL MEETING MINUTES  
*Kathleen Dominguez, Town Clerk*
  - a. July 9, 2018, Special Town Council Meeting Minutes
  - b. July 10, 2018, Town Council Meeting Minutes
  - c. July 11, 2018, Development Review Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its meeting of July 25, 2018.  
*Paul Castro, Acting Director of Planning, Zoning and Building*

**B. RESOLUTIONS**

1. RESOLUTION NO. 103-2018 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Adopting Changes To The Town Of Palm Beach Master Fee Schedule, And Providing An Effective Date.  
*Paul Castro, Acting Director of Planning, Zoning and Building*
2. RESOLUTION NO. 104-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Copy and Duplication Services Fee Schedule, and Providing an Effective Date.  
*Kathleen Dominguez, Town Clerk*
3. RESOLUTION NO. 105-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing and Approving a Purchase Order to Alan Jay Ford Lincoln Mercury in the Amount of \$125,662.56 for the Purchase Of Three (3) 2019 Ford Interceptor Police Rated Utility Vehicles, as Recommended by Staff; and Previously Considered and Approved During the FY2018 Budget Process and Included in the Town's Equipment Replacement Program; Establishing A Total Budget Of \$130,000; and Providing an Effective Date.  
*Ann-Marie Taylor, Acting Chief of Police*
4. RESOLUTION NO. 106-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Security Agreement between the School Board of Palm Beach County, Florida and the Palm Beach

Police and the Town of Palm Beach; and Authorizing the Mayor, Town Manager and Other Town Staff to Execute Same, As Needed, On Behalf of the Town; and Providing an Effective Date.

*Ann-Marie Taylor, Acting Chief of Police*

5. RESOLUTION NO. 107-2018 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing A One Year Contract Renewal To Regions Security Services, Inc.; Approving A Purchase Order To Regions Security Services, Inc. In The Amount Of \$64,971.00.; Establishing A Budget Of \$67,000.00 For Such Services, Subject To Approval Of The Fiscal Year 2019 Budget; And Authorizing The Town Manager To Take Further Actions Necessary To Effectuate Provisions For Said Services.

*Beth Zickar, Director of Recreation*

6. RESOLUTION NO. 108-2018 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing A One Year Contract Renewal With Faneuil, Inc. To Provide Contractual Labor Services; Establishing A Budget For Said Services, Subject To Approval Of The Fiscal Year 2019 Budget; And Authorizing The Town Manager To Take Actions Necessary To Complete Said Services.

*Beth Zickar, Director of Recreation*

7. RESOLUTION NO. 109-2018 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 2019.

*Beth Zickar, Director of Recreation*

8. RESOLUTION NO. 112-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Granting a Non-Exclusive Utility Easement Upon Town-Owned Land Within Palm Beach Estates Lots 120, 121, 124, 125, and 126 Palm Beach, Florida, as Recorded in Plat Book 8, Page 3 Public Records of Palm Beach County, Florida, as Described in Exhibit A, to Florida Power & Light Company for Conduit, Wires and Equipment to Provide Lighting within Phipps Ocean Park.

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

9. RESOLUTION NO. 113-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFP No. 2018-45, and Approving a Disaster Debris Services Contract to Arbor Tree and Land, Inc., for First Pass, Cut and Toss, Sand and Vegetation Services, and Authorizing the Town Manager to Execute the Same on Behalf of the Town.

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

10. RESOLUTION NO. 114-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, to Award RFP No. 2018-24 and Approve a Purchase Order to Overtime Building Maintenance, Inc., for Janitorial Services, in the Amount of \$132,711.60 and Establishing a Project Budget of \$146,000 for FY2019. The Five Year Project Budget Shall Be \$730,000, Which

Includes an Annual Cost of \$132,711.60 and a \$66,442 Contingency, Contingent on Funding in Future Fiscal Years.

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

11. RESOLUTION NO. 115-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing Authorization for a Contract Extension for the Worth Avenue Commercial District Maintenance Program to Battalan Enterprises dba Property Works, in an Amount Not-to-Exceed \$154,402 and Establishing a Project Budget of \$167,800 for the Worth Avenue Commercial District Maintenance Program Which is a Non-Ad Valorem Assessment Paid for by the Property Owners Within the Assessment Area.

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

12. RESOLUTION NO. 116-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Annual Dissolved Sulfide Reduction and Odor Control Treatment Services to Kemira Water Solutions, Inc., in the Amount of \$126,420, and Establishing an Overall Budget of \$139,062, Contingent on Final Approval of the FY19 Budget.

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

13. RESOLUTION NO. 117-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Honoring Fifty Years of Municipal Home Rule in the Florida Constitution and Committing to an Educational Initiative to Help Floridians Understand this Beneficial Right.

*Mayor Gail L. Coniglio*

### **C. OTHER**

1. Approve Request by Akerblom Contracting, Inc. to Close North Lake Way as Part of the E-1, E-2, and G-1 Liftstation Improvements Project.

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

2. Waiver to Town Code for Extended Construction Hours and Lane Closure for Allegiance Crane & Equipment to Close Worth Avenue Between Hibiscus Avenue and Golfview Road to Replace Two (2) A/C Units

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

3. Request to Consider Ordinance No. 15-2018 Prior to 5:00 p.m. at a Public Hearing.

*Paul Castro, Acting Director of Planning, Zoning and Building*

4. Accept an Anonymous Donation of \$100,000 to the Town of Palm Beach.

*Kirk Blouin, Town Manager*

5. Ratification of the Selection Committee's Recommendation for Professional Engineering Services for Town Docks Replacement Project (RFQ No. 2018-43).

*H. Paul Brazil, P.E., Director of Public Works – **Pulled from Consent Agenda***

6. Ratification of the Selection Committee's Recommendation for Marine and Coastal Environmental Consulting Services for Town Docks Replacement (RFQ 2018-42).

*H. Paul Brazil, P.E., Director of Public Works – Pulled from Consent Agenda*

## **XI. COMMITTEE REPORTS**

- A. Report of the Public Works Committee Meeting Held on July 12, 2018.

*Bobbie Lindsay, Chair*

**ACTION: ACCEPTED REPORT**

## **XII. REGULAR AGENDA**

### **A. Old Business**

1. Town-wide Undergrounding Project:

*Steve Stern, Project Manager*

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

**ACTION: NONE**

- b. RESOLUTION NO. 118-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Management At Risk (CMAR) Contract to Burkhardt Construction, Inc., for the Town-Wide Utility Undergrounding Phase 2 North and Drainage Improvements for Osceola Way in the Amount of \$4,070,866.92, and Establishing a Project Budget of \$4,270,866.92.

*H. Paul Brazil, Director of Public Works*

**ACTION: APPROVED**

- c. RESOLUTION NO. 119-2018 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 Construction Phase Engineering Services for the Town-Wide Overhead Utility Undergrounding Phase 2 North Project and Associated Capital Improvements Broken Down as Follows: Phase 2 North Utility Undergrounding in an Amount of \$248,121, and Establishing a Construction Phase Engineering Services Budget of \$273,000 from the Town-Wide Undergrounding of Utilities Fund; and Drainage Improvements on Osceola Way and North Ocean Way in the Amount of \$5,261 and Establishing a Construction Phase Engineering Services Budget of \$6,000 from the Accelerated Capital Improvements Phase 2 Fund for a Total Purchase Order in the Amount of \$253,382, and Establishing a Total Construction Phase Engineering Budget of \$279,000.

*H. Paul Brazil, Director of Public Works*

**ACTION: APPROVED**

- d. RESOLUTION NO. 120-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the Issuance of its General Obligation Bonds (Underground Utility Project), Series 2018 in a

Principal Amount of Not to Exceed \$60,000,000, for the Purpose of Financing or Refinancing a Portion of the Cost of the Underground Utility Project, Retiring the Town's Outstanding Public Improvement Commercial Paper Revenue Notes, Series 2017 and Paying Costs of Issuance; Providing for Registration Through a Book-Entry System; Approving the Form and Authorizing the Distribution of a Preliminary Official Statement and the Execution and Delivery of a Final Official Statement; Establishing Criteria for Determining the Date, Interest Rates, Provisions for Redemption and Maturity Schedule of the Bonds; Authorizing the Town Manager to Award the Sale of the Bonds to the Underwriter on a Negotiated Basis; Providing Covenants as to Continuing Disclosure; Approving the Form and Authorizing the Execution and Delivery of a Bond Purchase Agreement and the Conditions and Criteria of Such Sale or Sales; Authorizing all Proper Officials to do all Things Necessary in Connection with the Issuance, Sale and Delivery of the Bonds; and Providing an Effective Date.

*Jane Le Clainche, Director of Finance*

**ACTION: APPROVED**

2. Coastal Update:

a. Shoreline Condition Update

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

**ACTION: NONE**

3. Palm Beach Marathon Request.

*Kirk Blouin, Town Manager*

**ACTION: DENIED**

**B. Matters Pulled From Consent Agenda:**

1. ITEM NO. X.C.5 - Ratification of the Selection Committee's Recommendation for Professional Engineering Services for Town Docks Replacement Project (RFQ No. 2018-43).

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

**ACTION: APPROVED AND AUTHORIZED STAFF TO BEGIN NEGOTIATIONS WITH THE FIRM IMMEDIATELY.**

2. ITEM NO. X.C.6 – Ratification of the Selection Committee's Recommendation for Marine and Coastal Environmental Consulting Services for Town Docks Replacement (RFQ 2018-42).

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

**ACTION: APPROVED AND AUTHORIZED STAFF TO BEGIN NEGOTIATIONS WITH THE FIRM IMMEDIATELY.**

### **XIII. ORDINANCES**

**A. Second Reading**

1. ORDINANCE NO. 13-2018 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, Zoning, As Follows: At Article I, In General, Section 134-38, Filing Fees For Rezoning, Special Exception Use, Variance, Appeal Or Other Matters Requiring Public Hearing By Correcting The Title; Eliminating The Filing Fees From The Ordinance And Cross Referencing The Town Of Palm Beach Master Fee Schedule; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

*Paul Castro, Acting Director of Planning, Zoning and Building*

**ACTION: ADOPTED**

2. ORDINANCE NO. 14-2018 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 82-57, Board Of Trustees; Administrative Duties; Investment Of Retirement System Assets; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

*Kirk Blouin, Town Manager*

**ACTION: ADOPTED**

#### **XIV. ANY OTHER MATTERS**

**ACTION: STAFF INSTRUCTED TO PLACE A DISCUSSION ON THE POTENTIAL BAN OF PLASTIC STRAWS TO THE NEXT ORDINANCES, RULES AND STANDARDS COMMITTEE MEETING AGENDA.**

#### **XV. ADJOURNMENT**