

TENTATIVE:
SUBJECT TO
REVISION



TOWN OF PALM BEACH

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

OCTOBER 12, 2021

9:30 AM

Welcome

For information regarding this agenda and the procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Danielle H. Moore, Mayor
Margaret A. Zeidman, President
Bobbie Lindsay, President Pro Tem
Julie Araskog
Ted Cooney
Lew Crampton

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. RECOGNITIONS

- A. Recognition of Michael Ainslie for his Service on the Planning and Zoning Commission from October 2015 to September 2021.

Danielle H. Moore, Mayor

VI. PRESENTATIONS

- A. Presentation by the Palm Beach County Supervisor of Elections Regarding the Upcoming Elections and Senate Bill 90

TIME CERTAIN: 9:45 AM

Wendy Sartory Link, Palm Beach County Supervisor of Elections

VII. COMMENTS OF MAYOR DANIELLE H. MOORE

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

X. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk

September 13, 2021 Town Council Development Review Meeting
September 13, 2021 Special Town Council Meeting - FY22 First Public Hearing
September 14, 2021 Town Council Meeting
September 23, 2021 Special Town Council Meeting - FY22 Final Public Hearing

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of September 29, 2021.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 122-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Enter into an Agreement with the Supervisor of Elections for the March 2022 Municipal Election(s) Vote Processing Equipment Use and Election Services.
Queenester Nieves, Town Clerk
2. RESOLUTION NO. 123-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Bid No. 2021-21, Tennis Court Maintenance to Professional Tennis Court Services in the Annual Amount of \$45,600 and Establishing an Annual Contingency of \$6,800 and Establishing a Five-Year Award Based on Satisfactory Performance, Mutual Agreement and Budget Authorization in the Amount of \$262,000.

Dean Mealy, Purchasing Manager

3. RESOLUTION NO. 124-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Extension of Bid No. 2017-22, Street Sweeping and Bike Trail Sweeping to All American Sweeping, Inc. in the Amount of \$104,234 and Establishing a Project Budget of \$105,226 for FY22.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 125-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Extension of RFP No. 2017-187, Historic Preservation Consulting Services to Murphy Stillings for FY22 in the Amount of \$102,000.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 126-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2021-24, Security Guard Services for the Town Marina to Sunstates Security, LLC. in the Annual Amount of \$151,733, plus an Annual Contingency of \$15,000 and Establishing a Five-Year Award Based on Satisfactory Performance, Mutual Agreement, and Budget Approval Authorization in the Amount of \$838,665.

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 127-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Bid No. 2021-33, Compacted Garbage Collection and Disposal to Waste Pro of Florida, Inc. in the Annual Amount of \$425,473.16 and Establishing a Five-Year Contract Award of \$2,127,365, Contingent upon Satisfactory Vendor Performance, Mutual Agreement and Budget Authorization.

Dean Mealy, Purchasing Manager

7. RESOLUTION NO. 128-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Award Authority to Resolution No. 92-2019 for Temporary Semi-Skilled Staffing to Spur Employment Inc. for Town-wide Support Services for FY22 in the Amount of \$991,780 and Establishing a Contingency of \$250,000 for a Total Award of \$1,241,780.

Dean Mealy, Purchasing Manager

C. OTHER

1. Status Report of Delinquent Accounts and Request for Authorization to Write-off Uncollectible Accounts

Jane Le Clainche, Director of Finance

2. Request from the Palm Beach Navy SEAL Evening of Tribute

Jay Boodheshwar, Deputy Town Manager

XI. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on Thursday, September 2, 2021
Julie Araskog, Chair
- B. Report of the Business and Administrative Committee Meeting Held on Thursday, September 9, 2021
Lew Crampton, Chair
 - 1. 6-month Status Report on Previously Approved Expansion of Placard Parking Program
Jay Boodheshwar, Deputy Town Manager
 - 2. Proposed Modifications to Hours of Parking Enforcement and Maximum Hours of Paid Parking Permitted for Purchase
Jay Boodheshwar, Deputy Town Manager

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

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
 - b. RESOLUTION NO. 130-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standard Applicable to Public Rights-of-Way and Easements, Amending Chapter 2, Section 2.21, Restoration of Right-of-Way.
- 2. Covid-19 Update
Kirk W. Blouin, Town Manager
 - a. COVID-19 Monthly Report
Darrel Donatto, Fire Rescue Chief
 - b. Discussion Regarding Board, Commission and Committee Meeting Format and Participation for Upcoming Meetings
Margaret A. Zeidman, Council President
 - c. RESOLUTION NO. 131-2021 A Resolution of The Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring with the Request of the Town's Chief of Police, to Extend the Chief's Declaration of the Existence of a State of Emergency within the Corporate Limits of the Town to November 9, 2021, Unless Earlier Terminated by the Chief of Police, at Which Time the Town Council Will Address the Need for any Extension of the Declaration of Emergency; Providing for an Effective Date.

d. Discussion on Outdoor Seating
Margaret A. Zeidman, Council President

3. Update on Water Quality
TIME CERTAIN: 10:00 AM
Jason Debrincat, Senior Project Engineer

C. New Business

1. Town of Palm Beach Long-Range Strategic Plan
Jay Boodheshwar, Deputy Town Manager
2. Discussion on Gate at Root Trail Public Access Point
Bobbie Lindsay, Council President Pro Tem

XIII. ORDINANCES

A. Second Reading

1. Elimination of Designated Town Caucus Time

ORDINANCE NO. 25-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Ordinance 18-2021 at Section 2 Relating To Section 34-56, Notice to the Qualified Voters of the Town of Palm Beach, to Delete the Reference to the Time of the Caucus; Adding a New Section 3 Providing for an Amendment to Section 34-81 Titled Petition Confirming Nomination Required; Form; Amending the Form of the Petition to Substitute the Month of December for the Month of January to Conform to the New Caucus Date; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing for an Effective Date.

Jay Boodheshwar, Deputy Town Manager

B. First Reading

1. Proposed Ordinance to Amend Chapter 66 of the Town Code, Regarding Artificial Turf

ORDINANCE NO. 23-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Natural Resource Protection, Article I, in General, Section 66-2, Definitions, and Article IV, Vegetation, Division 5, Regulations, by Adding Sections 66-313, Artificial Turf Locations and 66-314, Artificial Turf Standards; 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 & Building

2. Proposed Ordinance to Amend Chapter 66 of the Town Code, Regarding Native and Invasive Vegetation

ORDINANCE NO. 24-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Natural Resource Protection, at Article I, in General, Section 66-2, Definitions; at Article IV, Vegetation, Division 1, Generally, Section 66-212, Purpose and Intent; at Article IV, Division 3, Plans, Section 66-285; and at Article IV, Vegetation, Division 5, Regulations, Section 66-311; 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 & Building

3. Proposed Ordinance to Amend Section 42-199 of the Town Code, Regarding Construction Hours

ORDINANCE NO. 26-2021 An Ordinance of The Town Council of the Town of Palm Beach, Palm Beach County, Florida Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise, Section 42-199, Hours for Construction Work at Subsection (B) Limited, to Provide Additional Limitations on Dates and Hours of Construction; Providing for Quiet Work and Limitations to Indoor Activity; and at Subsection (C) Exceptions to Delete Subsection (4) as an Exception; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

4. Proposed Ordinance to Amend the FY21 Budget

ORDINANCE NO. 27-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2020, and Providing an Effective Date.

Jane Le Clainche, Director of Finance

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Wednesday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.

- Note 2:** The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.
- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- Note 6:** All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.