



# TOWN OF PALM BEACH

Town Clerk's Office

## MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, JULY 10, 2018

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

2  
3 The Town Council meeting was called to order on Tuesday, July 10, 2018 at 9:30 a.m. On  
4 roll call, all of the elected officials were found to be present.  
5

6 **II. INVOCATION AND PLEDGE OF ALLEGIANCE**

7  
8 Town Clerk Dominguez gave the invocation. Council President Moore led the Pledge of  
9 Allegiance.  
10

11 **III. MODIFICATIONS TO THE AGENDA**

12  
13 Item XIII. A. 3. *Recreation Center Project* was modified to a 2:00 p.m. time certain and  
14 sub-items a., b. and c. were discussed in the following order:  
15

16 c. Resolution No. 77-2018

17 a. Clarification and Amendment of Resolution No. 63-2018

18 b. Emergency Ordinance No. 10-2018  
19

20 **IV. APPROVAL OF AGENDA**

21  
22 **Motion was made by Council Member Araskog, and was seconded by Council**  
23 **Member Lindsay, to approve the Agenda, as amended. On roll call, the motion passed**  
24 **unanimously.**  
25

26 **V. PRESENTATIONS**

27  
28 **A.** Royal Poinciana Playhouse Update.  
29 *Alex Patterson, Up Markets*  
30

31 Ms. Patterson provided an update on Up Market's progress in securing a tenant for  
32 the Royal Poinciana Playhouse. She reported that Up Markets is currently in talks  
33 with potential operators and concluded that the proposed feasibility study on the  
34 viability of re-opening the Playhouse is unnecessary.  
35

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

2  
3 **A.** Presentation by Code Enforcement Board Applicant.  
4 *Kirk Blouin, Town Manager*

5  
6 Steven Meltzer presented his qualifications.

7  
8 **B.** Appointment to the Code Enforcement Board.  
9 *Kirk Blouin, Town Manager*

10  
11 **Motion was made by Council Member Lindsay, and was seconded by Council**  
12 **Member Araskog, to ratify the appointment of Steven Meltzer as a Regular Member**  
13 **of the Code Enforcement Board. On roll call, the motion carried unanimously.**

14  
15 **VII. COMMENTS OF MAYOR GAIL L. CONIGLIO**

16  
17 Mayor Coniglio spoke regarding the update from Up Markets on the Royal Poinciana  
18 Playhouse, including the need for more specific information on the potential tenant and  
19 afocus on the long-term.

20  
21 Bill Metzger, 277 Esplanade Way, spoke regarding modifying the study so that it focuses  
22 on the successful re-opening of the theater.

23  
24 Mayor Coniglio expressed her appreciation to the Town Manager and his staff on the  
25 development of the FY2019 budget. She spoke regarding the community's tremendous  
26 generosity and referenced the Town's service recognition awards program and a recent tree  
27 donation honoring the late local restaurateur, Jean-Pierre Leverrier.

28  
29 Mayor Coniglio introduced the Secretary of the Florida Department of Environmental  
30 Protection, Noah Valenstein and his staff. She expressed her gratitude to the FDEP, local  
31 and state level elected officials for advocating the Town's recent award of \$25 million  
32 dollars from the federal government for the Midtown Beach restoration project.

33  
34  
35 **VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER**

36  
37 Council President Moore thanked Town Manager Blouin and his team for the clear and  
38 concise presentation of the proposed FY2019 budget.

39  
40 Town Manager Blouin expressed appreciation to the Town Department Directors and  
41 staff for all of their hard work on the budget.

42  
43  
44 Council Member Lindsay congratulated Town Manager Blouin for all of the  
45 improvements he has made during his first four months on the job. She spoke regarding  
46 the Town Docks renovation project and how impressed she was with the proposals that

1 were presented for the design and engineering contracts. She applauded the selection  
2 committee for their thoughtful deliberations and stated that she looks forward to  
3 reviewing their recommendation at next month's meeting.  
4

5 Council Member Crampton thanked Town Manager Blouin and his staff on the delivery  
6 of the proposed FY2019 budget. He spoke regarding the proposed budget as a "new era  
7 budget" in reference to the Town Council's approach towards tackling the pension  
8 deficit.  
9

10 Council Member Araskog thanked Town Manager Blouin for the transparent budget  
11 presentation and expressed her appreciation for his future vision on the pension and the  
12 Town's finances. She also praised Mayor Coniglio for her energy and hard work on  
13 securing federal and state grants to restore and protect the Town's beaches.  
14

## 15 **IX. COMMUNICATIONS FROM CITIZENS**

16  
17 Simon Taylor, 234 Oleander Avenue, spoke regarding the proposed study for the Royal  
18 Poinciana Playhouse. He stated that Webb Management is not qualified to conduct studies  
19 for performing arts theaters and that the volunteer task force has the potential to drive away  
20 potential donors.  
21

## 22 **X. APPROVAL OF CONSENT AGENDA**

### 23 **A. MINUTES**

24  
25  
26 The following items were pulled from the Consent Agenda and heard under Item  
27 XIII.C. *Matters Pulled From Consent Agenda:*  
28

- 29 • Item No. X.A.1. a. and c.
- 30 • Item No. X.B. 6. - Resolution No. 93-2018  
31

#### 32 1. TOWN COUNCIL MEETING MINUTES

33 *Kathleen Dominguez, Town Clerk*  
34

35 a. June 12, 2018, Town Council Meeting Minutes - ***Pulled from***  
36 ***Consent***  
37

38 b. June 13, 2018, Local Planning Agency Meeting Minutes

39 c. June 13, 2018, Development Review Meeting Minutes -  
40 ***Pulled from Consent***  
41

42 2. Approval of major matters considered by the Architectural  
43 Review Commission at its meeting of June 27, 2018.

44 *Paul Castro, Acting Director of Planning, Zoning and Building*  
45  
46

**B. RESOLUTIONS**

1. RESOLUTION NO. 089-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to the Gehring Group, Inc., in an Amount not to Exceed \$85,500 to Provide Health Insurance Broker Services, and Authorizing the Town Manager to Take Actions Necessary to Effectuate this Contract.  
*Danielle Olson, Director of Human Resources*
2. RESOLUTION NO. 088-2018 A Resolution of the Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation for RFP 2018-25 Employee Service Award Program to the Top Ranked Firm; Eagle Recognition; Authorizing the Town Manager to Execute A Contract On Behalf of The Town With Eagle Recognition; Approving A Contract In An Initial Amount Not to Exceed \$50,000 Supported By Donated Funds to Provide Employee Service Award Programs, and Authorizing The Town Manager to Approve Future Amounts As Long As They Are Entirely Paid for by Donated Funds.  
*Danielle Olson, Director of Human Resources*
3. RESOLUTION NO. 090-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Participation by the Town of Palm Beach in the Statewide Mutual Aid Agreement with the Florida Division of Emergency Management and Authorizing Execution of the Agreement; Providing for an Effective Date; and for Other Purposes.  
*Darrel Donatto, Fire-Rescue Chief*
4. RESOLUTION NO. 091-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing and Approving the Issuance of a Purchase Order to Presidio Networked Solutions LLC for the Purchase, Installation and Configuration of Cisco Switches Through the State of Florida Contract 43211500-WSCA-15-ACS, in the Amount of \$327,047.93 and Establishing a Budget of \$340,000.  
*Jay Boodheshwar, Deputy Town Manager*
5. RESOLUTION NO. 092-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Temporary Staffing Services to Labor Max Staffing in the Amount of \$24,300 and Establishing a Project Budget of \$28,000 for FY18. The Annual Project Budget Shall be \$167,420, Plus a \$20,000 Annual Contingency, for a Five (5) Year Project Budget of \$937,100, Contingent on Funding in Future Fiscal Years.  
*H. Paul Brazil, P.E., Director of Public Works*
6. RESOLUTION NO. 093-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No.

2018-30, Approving a Maintenance Contract and Issuance of a Purchase Order to Universal Beach Service Corp., for Beach Maintenance at the Town Public Beaches and Access Points in the Amount of \$49,200, and Establishing an Overall Budget of \$55,260. – ***Pulled from Consent***  
*H. Paul Brazil, P.E., Director of Public Works*

7. RESOLUTION NO. 094-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$123,764 to Applied Technology & Management, Inc., For Town-wide 2018 Annual Physical Surveys, and Establishing a Physical Monitoring Budget of \$138,000.

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

8. RESOLUTION NO. 095-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$199,523 to Coastal Eco-Group, Inc., For the 2018 Annual FDEP BMA Cell-Wide Biological Monitoring, and Establishing a Cell-Wide Biological Monitoring Phase Budget of \$220,000.

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

9. RESOLUTION NO. 096-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$81,878 to Coastal Eco-Group, Inc., for FDEP Required Mid-Town Mitigation Through the Port of Palm Beach Berth 1 Orphan Coral Relocation Project, Establishing a 2018 Coral Nursery Mitigation Phase Budget of \$90,000, and Approving an Interlocal Agreement Between the Town of Palm Beach and the Port of Palm Beach for Cost-Sharing of Related Work.

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

10. RESOLUTION NO. 097-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2019-2020 Annual Funding Application to the Florida Department of Environmental Protection Beach Erosion Control Program.

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

11. RESOLUTION NO. 098-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grants of Florida Department of Environmental Protection Contract Nos. 18PB3 and 19PB13, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach Under the Florida Beach Management Funding Assistance Program, Specifically Reimbursement for the Lake Worth Inlet Management Plan Implementation, in the Amount of \$132,000 and \$138,500, Respectively, and Authorizing the Mayor to Execute Same on Behalf of the Town.

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

12. RESOLUTION NO. 099-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grant of Florida Department of Environmental Protection Contract No. 19PB12, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach Under the Florida Beach Management Funding Assistance Program, Specifically Additional Reimbursement for the 2015 Mid-Town Beach Nourishment Project, in the Amount of \$572,134, and Authorizing the Mayor to Execute Same on Behalf of the Town.

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

13. RESOLUTION NO. 100-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grant of Florida Department of Environmental Protection Contract No. 19PB6, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach Under the Florida Beach Management Funding Assistance Program, Specifically Reimbursement for the 2016 Phipps Ocean Park Beach Nourishment Project, in the Amount of \$7,437,690, and Authorizing the Mayor to Execute Same on Behalf of the Town.

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

#### **C. OTHER**

1. Acceptance of Proposed Tree Donation for Bradley Park.

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

2. Consideration of Waivers to Town Code for Construction Dates, Hours, and Noise for Staging in the Lake Worth Lagoon and Completion of 2018/2019 Palm Beach Harbor Inlet Maintenance Dredging Project.

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

### **XI. BOARD/COMMISSION ANNUAL REPORT**

**A.** Annual Report of the Retirement Board of Trustees.

*Ed Carter, Trustee*

Mr. Carter provided an overview of the report. He spoke regarding the Town's retirement portfolio, the pension deficit; where the investment returns should be in order reduce the Unfunded Actuarial Accrued Liability UAAL; how the Town's funding status is determined, the Town's Actuarial Determined Employer Contribution (ADEC), and how the ADEC's growth effects the Town's budget. He expressed concerns with market returns and recommended that the Town continue making additional contributions and budget adjustments in the future in order to fund the UAAL.

Discussion ensued regarding the duration of the smoothing period, investment types and returns, selling stock and liquidating assets, ways to address market volatility and get a fixed return, the UAAL amortization schedule, and whether there is potential for providing tax relief or other uses for the additional contributions once the Town's UAAL is 85% funded.

1 The Town Council expressed their appreciation to the Retirement Board of  
2 Trustees and concluded that all future Town Councils should continue with the  
3 current funding policy and make annual contributions.

4  
5 **It was the consensus of the Town Council to approve the Retirement Board of**  
6 **Trustees Annual Report.**

7  
8 **XII. COMMITTEE REPORTS**

9  
10 **A.** Report of the Ordinances, Rules, and Standards Committee Meeting of June 7,  
11 2018.

12 *Julie Araskog, Chair*

13  
14 Chair Araskog provided an overview of the ORS report. She also suggested  
15 combining council committee meetings in order to cut back on staff time.

16  
17 **Motion was made by Council President Pro Tem Zeidman, and was seconded by**  
18 **Council Member Crampton, to approve the Report. On roll call, the motion passed**  
19 **unanimously.**

20  
21 **XIII. REGULAR AGENDA**

22  
23 **A. Old Business**

24  
25 1. Request for a Fifth Extension of the Town's Conditional Abatement Period  
26 for Palm House.

27 *Cary Glickstein, Receiver*

28  
29 Mr. Glickstein provided an update on the Palm House property and  
30 requested an extension of the abatement period.

31  
32 In response to a question from Mayor Coniglio, Mr. Glickstein provided a  
33 status update on the repayment of the code violations and other code  
34 enforcement fines to date.

35  
36 **Motion was made by Council Member Lindsay, and was seconded by Council**  
37 **President Pro Tem Ziedman, to approve the receiver's fifth request for an extended**  
38 **abatement period based upon the same conditions as the previous four. On roll call,**  
39 **the motion passed unanimously.**

40  
41 2. Updated Draft Scope of Services and Evaluation Criteria for a Request for  
42 Proposals to Complete a Comprehensive Compensation and Benefits Study

43 *Kirk Blouin, Town Manager*

44  
45 Town Manager Blouin requested approval for the updated draft scope of  
46 services and evaluation criteria in order to proceed with the Request for  
47 Proposals for a Comprehensive Compensation and Benefits Study.

1 Motion was made by Council Member Araskog, and was seconded by Council  
2 Member Crampton, to approve the updated scope of services and evaluation criteria  
3 for the Comprehensive Compensation and Benefits Study Request for Proposals with  
4 the additional requirement that the consultant have experience in both the public and  
5 private sectors. On roll call, the motion passed unanimously.  
6

- 7 3. Recreation Center Project:  
8 TIME CERTAIN: ~~1:30~~ P.M. 2:00 P.M.  
9

10 *(Clerk's Note: The following sub-items below were discussed in the*  
11 *following order: c. a. and b.)*  
12

13 Jay Boodheshwar, Deputy Town Manager, introduced the Recreation Center  
14 Project team, provided a historical timeline of the project, and provided an  
15 overview of the project details, costs and add alternates to consider.  
16

17 Nelo Frejmel, Architect from Stephen Boruff, AIA Architects + Planners,  
18 Inc., provided a presentation of the project, design details and the add  
19 alternates for the project.  
20

21 Discussion ensued regarding the construction documents, overall costs of  
22 the Guaranteed Maximum Price (GMP), type of work included and  
23 excluded, challenges with the demo, local traffic impact, school safety,  
24 advantages and disadvantages with the Construction Manager At Risk  
25 (CMAR) approach, contingency and allowances, and how the sub-  
26 contractors are selected.  
27

28 In response to a question from Council Member Araskog, Director Brazil  
29 provided clarification on the project scope as it pertains to landscape and  
30 irrigation, the work included and excluded in the GMP, expense discretions  
31 and contingency costs.  
32

33 In response to a question from Council Member Araskog, Acting Director  
34 Castro explained the ARCOM approval process as it pertains to the project  
35 and any material changes.  
36

37 Dale Hedrick, Hedrick Brothers Construction, provided an overview of the  
38 construction costs, the various reasons for the increased pricing and the  
39 prequalification of subcontractors.  
40

41 Dean Mealy, Purchasing Manager, spoke regarding the final GMP, the  
42 reasons why it is the best choice for the project and the procurement process  
43 for the CMAR.  
44

45 Public Comment:  
46

47 Harvey Kinselberg, 260 N. Ocean Blvd., spoke regarding the netting  
48 for the courts, the need for more courts and the hitting wall inside the  
49 courts. He also commented that the Town Docks, the Par 3 golf



1 course and the Seaview tennis programs are the main revenue  
2 generating operations of the Recreation Department.

3  
4 Susan Watts, 44 Cocoanut Row, spoke regarding the price per square  
5 foot for the new Center, the number of people donating to the  
6 project, and reduced the price for the new building.

7  
8 Robin Weeks, 210 Jamaica Lane, spoke regarding the Town  
9 Recreation survey and the renovation as an unnecessary project.

10  
11 Dudley Moore, 220 El Bravo Way, spoke regarding the financing of  
12 the project and that his satisfaction with the arrangements that are in  
13 place.

14  
15 Council President Moore commented on the revenue from the tennis  
16 programs.

17  
18 Peggy Moore, 220 El Bravo Way, spoke against approving the  
19 project. In response, Deputy Town Manager Boodheshwar spoke  
20 regarding the children who participate in the Town's Recreation  
21 Center programs.

22  
23 a. Clarification and Amendment of Resolution No. 63-2018 - Friends  
24 of Recreation Capital Agreement.

25 *John C. Randolph, Town Attorney*

26  
27 Town Attorney Randolph spoke regarding the security of the  
28 financing from the Friends of Recreation as evidenced by the revised  
29 agreement.

30  
31 Michael Ainslie, Friends of Recreation (FOR), asked the Council to  
32 vote to accept the donation of \$9.2M from the Morton and Barbara  
33 Mandel Foundation and the Friends of Recreation for a new  
34 Recreation Center. He informed the Council that FOR's banker,  
35 Northern Trust, has been instructed to draw down funds to the  
36 amount of \$4.6M to be deposited to their account. He thanked the  
37 various residents and donors who donated to the project.

38  
39 Matthew Smith, Chair of FOR, 1237 N. Ocean Way, thanked  
40 Michael Ainslie for his hard work, leadership and generosity  
41 regarding the project.

42  
43 **Motion was made by Council Member Pro Tem Zeidman, and was seconded by**  
44 **Council Member Araskog, to ratify Resolution No. 63-2018, as amended, with the**  
45 **condition that the Town Attorney receive confirmation from Northern Trust Bank**  
46 **that the funds are in the Friends of Recreation's Account. On roll call, the motion**  
47 **passed unanimously.**

- 1                   b.     EMERGENCY ORDINANCE NO. 10-2018 An Ordinance of the  
2                   Town Council of the Town of Palm Beach, Palm Beach County,  
3                   Florida, providing for an Amendment to the Town's Budgets  
4                   Adopted for the Fiscal Year Commencing October 1, 2017, and  
5                   Providing an Effective Date.  
6                   *Jane Le Clainche, Director of Finance*

7  
8     **Motion was made by Council Member Pro Tem Zeidman, and was seconded by**  
9     **Council President Moore, to approve Emergency Ordinance No. 10-2018. On roll**  
10    **call, the motion passed unanimously.**  
11

- 12                   c.     RESOLUTION NO. 77-2018 A Resolution of the Town Council of  
13                   the Town of Palm Beach, Palm Beach County, Florida, Awarding a  
14                   Construction Management At Risk (CMAR) Contract to Hedrick  
15                   Brothers Construction Company, Inc., for the Seaview Park and  
16                   Recreation Center Improvements in the Amount of \$11,602,518, and  
17                   Establishing an Overall Project Budget of \$13,795,259.  
18                   *H. Paul Brazil, P.E., Director of Public Works*

19  
20                   Council Member Crampton announced that he will not vote on  
21                   Resolution No. 77-2018 and recused himself. He reported the reason  
22                   as a potential conflict of interest due to the business relationship he  
23                   has with Dale Hedrick, who is a principal at Hedrick Brothers  
24                   Construction Company and sits on the Board of Directors at the  
25                   Science Center.  
26

27     **Motion was made by Council President Pro Tem Zeidman, and was seconded by**  
28     **Council Member Lindsay, to approve Resolution No. 77-2018. On roll call, the motion**  
29     **passed 3 to 1 with Council Member Araskog dissenting and Council Member**  
30     **Crampton recused.**  
31

32                   4.     Town-wide Undergrounding Project:

- 33  
34                   a.     Review of Project and Dashboard, Summary of Project Status.  
35                   *Steven Stern, Project Manager*

36  
37                   Project Manager Stern provided a status update on the  
38                   undergrounding project.

39  
40                   In response to a question from Council Member Crampton, Mr. Stern  
41                   reported that Phase 1 of the town-wide undergrounding project is  
42                   estimated for completion in February 2019.

43  
44                   In response to questions from Council Member Crampton, Town  
45                   Manager Blouin reported that the negotiation talks with AT&T for  
46                   credits is currently non-existent and provided the reasons the Town  
47                   chose to place the vista switch gears in certain locations.  
48

1 In response to a question from Council Member Araskog, Town  
2 Manager Blouin spoke regarding the status of the lawsuits and the  
3 Town's access to the General Obligation bonds.  
4

5 Council Member Araskog spoke regarding complaints received in  
6 the North end regarding truck traffic and the recent gas leaks.  
7

8 Patricia Strayer, Town Engineer, spoke regarding the reason for the  
9 gas leaks and the most recent one that occurred on Onondaga  
10 Avenue. She reported that the workers are now required to use a  
11 jackhammer rather than heavy machinery when they are digging.  
12

13 In response to a question from Council Member Lindsay, Town  
14 Manager Blouin and Director Struder provided an update on the  
15 bond issuance and the timeline for receiving the bond money.  
16

- 17 b. RESOLUTION NO. 101-2018 A Resolution of the Town Council of  
18 the Town of Palm Beach, Palm Beach County, Florida, Amending  
19 the Department of Public Works Engineering Division Standard  
20 Applicable to Public Rights-of-Way and Easements, Amending  
21 Chapter 2, Section 2.21, Restoration of Right-of-Way.  
22 *H. Paul Brazil, P.E., Director of Public Works*  
23

24 Town Engineer Strayer provided an overview of the Resolution.  
25

26 **A motion was made by Council Member Araskog, and was seconded by Council**  
27 **President Pro Tem Zeidman, to approve Resolution No. 101-2018. On roll call, the**  
28 **motion passed unanimously.**  
29

- 30 5. Coastal Update:  
31 *H. Paul Brazil, P.E., Director of Public Works*  
32

- 33 a. Shore Line Condition Update  
34

35 Robert Weber, Coastal Program Manager, provided a presentation  
36 on the shoreline condition for each reach.  
37

38 **B. New Business**  
39

- 40 1. Palm Beach Marathon Request.  
41 *Kirk Blouin, Town Manager*  
42

43 Ken Kennerly, President & CEO/Executive Director – K2 Sports Ventures,  
44 requested a waiver of the Town's "no more than 90-days" submittal  
45 requirement for Special Event Permit applications for the Palm Beach  
46 Marathon event in December and to present it to the Town Council next  
47 month.  
48

Council Member Crampton suggested that Mr. Kennerly include a town-serving element in his presentation to the Town Council next month.

**It was the consensus of the Town Council to approve Mr. Kennerly's request to waive the "no more than 90-days" submittal requirement for the Palm Beach Marathon and to present his application to the Town Council at the August 15, 2018 Town Council meeting.**

2. Centennial Commission Request.

*Jay Boodheshwar, Deputy Town Manager*

Bill Bone, Palm Beach Centennial Commission, requested to bring forth a presentation for proposed modifications to the Memorial Fountain at the Town Square Historic District at a future meeting.

Jay Boodheshwar, Deputy Town Manager, spoke regarding the grant conditions in place that require the State's approval prior to adding any enhancements to the park. He further added that he contacted the State's Division of Historical Resources prior to the meeting and reported that they were agreeable to the proposed enhancements.

Jorge Sanchez, Landscape Architect for the project, presented photos of the proposed enhancements to the Fountain, which included the addition of a staircase.

Discussion ensued regarding the appropriate approval process, costs, parking, ADA requirements and donor recognition plaques.

**It was the consensus of the Town Council to approve the Palm Beach Centennial Commission's request to present the proposed enhancements to the Memorial Fountain to the Landmarks Preservation Commission and to the Town Council at a future meeting.**

3. Discussion Regarding Membership on the Retirement Board of Trustees.

*Kirk W. Blouin, Town Manager*

Town Manager Blouin requested that his position no longer be required to serve on the Retirement Board of Trustees as it impedes his flexibility to communicate freely with the board members without violating the Sunshine Law. He recommended that the Finance Director replace the Town Manager in the ex officio position.

Discussion ensued regarding the timeline and procedure for making the change and the importance of allowing the Town Manager to communicate with the Retirement Board members before their next meeting in August.

**It was the consensus of the Town Council to approve the request and to present an Ordinance amending Section 82-57 of the Town Code for first reading at the Town Council Development Review meeting scheduled for July 11, 2018.**

1                   **C.     Matters Pulled From Consent Agenda:**

- 2  
3                   1.     Town Council Meeting Minutes of June 12, 2018 and June 13, 2018

4  
5                             Council Member Araskog reviewed her changes to the meeting minutes.

6  
7                   **It was the consensus of the Town Council to approve the Minutes of the June 12, 2018**  
8                   **and June 13, 2018 Meetings, as amended.**

- 9  
10                   2.     RESOLUTION NO. 093-2018 A Resolution of the Town Council of the  
11                             Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No.  
12                             2018-30, Approving a Maintenance Contract and Issuance of a Purchase  
13                             Order to Universal Beach Service Corp., for Beach Maintenance at the  
14                             Town Public Beaches and Access Points in the Amount of \$49,200, and  
15                             Establishing an Overall Budget of \$55,260. – ***Pulled from Consent***  
16                             *H. Paul Brazil, P.E., Director of Public Works*

17  
18                             Director Brazil provided an overview of the Resolution.

19  
20                             Discussion ensued regarding the method for removing beach debris and the  
21                             appropriate way to collect trash from the private beach access points.

22  
23                             Town Manager Blouin stated that he will inform code enforcement and  
24                             police about the volunteer beach clean-ups and beach access.

25  
26                   **Motion was made by Council President Pro Tem Zeidman, and was seconded by**  
27                   **Council Member Araskog, to approve Resolution No. 93-2018. On roll call, the motion**  
28                   **passed unanimously.**

29  
30                   **XIV. ORDINANCES**

31                   **A.     Second Reading**

- 32  
33  
34                   1.     a. ORDINANCE NO. 12-2018 An Ordinance of the Town Council of the  
35                             Town of Palm Beach, Palm Beach County, Florida, Amending the Town  
36                             Code of Ordinances at Chapter 106, Streets, Sidewalks and Other Public  
37                             Places, Article VII, Special Events on Public Property, Division 1,  
38                             Generally, By Amending Sections 106-257(1) And 106-257(2) Relating to  
39                             Regulations Relating to Special Event; Amending Section 106-281 Relating  
40                             to Required; Amending Sections 106-282(B), 106-282(C)(10), and 106-  
41                             282(C)(14) Relating to Application; Amending Sections 106-283(6) and  
42                             106-283(10) Relating To Standards for Issuance; Amending Section 106-  
43                             284 Relating to Notice of Approval or Denial; Amending Section 106-285  
44                             Relating to Appeal Procedure; Providing for Severability; Providing for  
45                             Repeal of Ordinances in Conflict; Providing for Codification; Providing an  
46                             Effective Date.

Council Member Araskog requested that the amendment to Section 106-257 (2) also include the “clean-up” in the maximum duration of time allowed for a special event.

**Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to approve Ordinance No. 12-2018, as amended. On roll call, the motion passed unanimously.**

b. RESOLUTION NO. 102-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Various Special Event Permit Fees for the Use of Town of Palm Beach Public Properties.

*Jay Boodheshwar, Deputy Town Manager*

Deputy Town Manager Boodheshwar provided an overview of the Resolution.

**Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to approve Resolution No. 102-2018. On roll call, the motion passed unanimously.**

#### **B. First 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 & Building*

**Motion was made by Council Member Lindsay, and was seconded by Council Member Crampton, to approve Ordinance No. 13-2018. On roll call, the motion passed unanimously.**

#### **XV. ANY OTHER MATTERS**

Council Member Lindsay spoke regarding a recent bee “die off” in an area fronting the Town Docks where the herbicide used was a neonicotinoid (known to be lethal to bees). She requested that a study on the use of alternative herbicides be sent to the Public Works Committee.

**It was the consensus of the Town Council to send the study of alternative herbicides to the Public Works Committee.**

1 Council Members Lindsay and Araskog inquired with the Town Attorney on the  
2 issuance of the General Obligation Bonds for financing the Underground Utility  
3 Project despite a pending lawsuit.

4  
5 Town Attorney Randolph opined that the lawsuit does not prohibit the Town from  
6 moving forward with the issuance of the General Obligation Bonds for the  
7 Underground Utility Project.

8  
9 **XVI. ADJOURNMENT**

10  
11 There being no further business, the Town Council meeting of July 10, 2018 was  
12 adjourned at 6:18 p.m.

13  
14  
15  
16 \_\_\_\_\_  
17 Danielle H. Moore  
18 Town Council President

19  
20 ATTEST:

21  
22  
23  
24 \_\_\_\_\_  
25 Kathleen Dominguez  
26 Town Clerk

27  
28 \_\_\_\_\_  
29 Date