



# TOWN OF PALM BEACH

Town Clerk's Office

## MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, OCTOBER 10, 2019

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

The regular Town Council meeting was called to order on Thursday, October 10, 2019, at 9:30 a.m. in the Town Council Chambers. On roll call, all elected officials were found to be present.

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

Town Clerk Dominguez gave the invocation. Council President Moore led the Pledge of Allegiance.

### **III. MODIFICATIONS TO THE AGENDA**

The following modifications were made to the Agenda:

- The September 10, 2019, Town Council Meeting minutes (item no. IX.A.1.) was amended. Corrected copies were provided and noted on the agenda modification sheet.
- The memorandum for item no. IX.C.1. was amended. Corrected copies were provided and noted on the agenda modification sheet.
- Revisions were made to the memorandum and ground lease agreement for Resolution No. 15-2019 (item no. XI.A.1.). Corrected copies were provided and noted on the agenda modification sheet.

- A discussion on the FY2020 Tennis Fees was added to Item No. XII. – Any Other Matters

#### IV. **APPROVAL OF AGENDA**

**Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to approve the agenda, as amended above. On roll call, the motion passed unanimously.**

#### V. **BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS**

##### A. **Presentations by Planning and Zoning Commission Applicants**

Council President Pro Tem Zeidman requested a discussion about considering Kenneth Walker's late application to the Planning and Zoning Commission. The Town Council agreed and invited Mr. Walker to approach the podium.

In response to questions, Mr. Walker provided his reason for missing the application deadline, which was due to travel. He spoke regarding his passion and experience as a planning and zoning commissioner, and requested reappointment.

Discussion ensued regarding the notification timeline and Mr. Walker's travel dates, the Town's procedure for filling board and commission vacancies, and the importance of staying consistent with rules and policies.

Town Clerk Dominguez explained that the Palm Beach County Commission on Ethics audits the Town and that documentation detailing the conflicting travel and notification dates will be needed in order to justify any special exceptions made during today's appointment process.

**It was the consensus of the Town Council not to waive the rules for Kenneth Walker.**

The following applicants provided a presentation to the Town Council:

Ronald Berk  
Eric Christu  
Michael Vincent John Spaziani

In response to questions, each applicant provided input on the main issues and goals of the Planning and Zoning Commission.

##### B. **Presentations by Underground Utilities Task Force Applicants**

The following applicants provided a presentation to the Town Council:

Leslie Shaw

Zachary Shipley's application was presented by Tony Dowell.

In response to questions, each applicant spoke regarding how they would handle the challenges with obtaining underground utility easements.

**C. Appointments to the Planning and Zoning Commission**

**Motion was made by Council Member Lindsay, and was seconded by Council President Pro Tem Zeidman, to reappoint Michael Vincent John Spaziani as a Regular Member of the Planning and Zoning Commission. On roll call, the motion passed unanimously.**

**Motion was made by Council Member Araskog, and was seconded by Council Member Lindsay, to ratify the appointment of Richard Sammons as a Regular Member of the Planning and Zoning Commission. On roll call, the motion passed unanimously.**

**Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to reappoint Eric Christu as an Alternate Member of the Planning and Zoning Commission. On roll call, the motion passed unanimously.**

**D. Appointments to the Underground Utilities Task Force**

**Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to ratify the appointment of Zachary Shipley as an Alternate Member of the Underground Utilities Task Force. On roll call, the motion passed unanimously.**

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

Mayor Coniglio applauded staff for their time, talent, and continued service to the community and announced that Town Manager Kirk Blouin has approached his thirty-year tenure with the Town of Palm Beach. She congratulated Mr. Blouin and presented a proclamation and a plaque in appreciation of his service. She also provided a historic timeline of Mr. Blouin's career with the Town of Palm Beach.

Mayor Coniglio announced the Town received an \$8.5 million grant award from the Federal Emergency Management Agency's (FEMA) Hazard Mitigation program to apply to the underground utilities project. She thanked Project Manager Steve Stern for his involvement in the application process and for keeping the project on time and on budget.

Mayor Coniglio announced the Town received a \$3.1 million grant award from the Florida Inland Navigation District (FIND) for the Town Marina's dock improvement project. She thanked Coastal Program Manager Rob Weber for his involvement in the application process. She also thanked him for coordinating a visit from the United States Army Corps

of Engineers (USACE) to meet with the Reach 3 residents to settle a matter with the beach access easements.

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

Council Member Crampton and Council Member Lindsay thanked Project Manager Steve Stern and Coastal Program Manager Rob Weber for obtaining the federal grants for the Town's major projects.

Council Member Araskog thanked Mr. Weber and Mr. Stern for obtaining the grants and thanked Finance Director Jane Le Clainche for recommending the re-financing of the bonds. She commented on the butterflies and birds that are reappearing due to the replacement of Ficus Benjamina with native plants.

Council President Pro Tem Zeidman credited Deputy Town Manager Jay Boodheshwar and staff for all of their hard work with the grant applications and cost savings to the Town.

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

Diane Buhler, Friends of Palm Beach, spoke regarding the amounts of trash collected from the Town's beaches, announced Turtle Tuesday and other dates for beach clean-ups.

Michael Lederman, 2295 S. Ocean Blvd., spoke regarding the fee increase at the Seaview Park and Phipps Ocean Park Tennis centers. He presented a rate comparison chart of other tennis courts in the area and requested the Town Council re-examine the new rates for FY2020.

Beth Cole, 1193 N. Lake Way, spoke regarding the recent increase in tennis fees and expressed concern with driving members away to other tennis courts in the area. She presented a cost comparison chart of local tennis courts in the area with easier parking and more services.

Ellen Howe, 2295 S. Ocean Blvd., spoke regarding the tennis rates at the Eau Spa and Four Seasons Hotel and the additional services included. She expressed concern with the recent increase in tennis fees driving players away and the lack of notice provided.

John McDonald, expressed dismay with the high increase in the tennis center rates.

Nadine Nederlevy, 315 Seaspray Avenue, spoke regarding the tennis fee increase and reported the amount of people who have left and the loss of revenue to the Town. She spoke regarding the hiring process for tennis personnel and asked the Town Council to look at the whole picture before making a decision.

Wes Blackman, Sole Proprietor for a Planning, Zoning & Local Government Consulting Firm, spoke on behalf of the Four Seasons Resort and brought forth a payment issue with the Town's solid waste collection fees. He introduced the Director of Finance who

explained the issue and asked for forgiveness on the interest and penalty fees. She added that the payment has been made and requested a waiver of the penalty fees.

In response to questions about waiving penalty fees for solid waste collections, Director of Public Works Paul Brazil explained that the Town Council at a future meeting should address the very large fine incurred by the Four Seasons Resort since it is over the threshold of what he is authorized to waive.

**IX. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)**

The following items were pulled from the Consent Agenda and placed under Item XI.C.

- Resolution No. 87-2019 (Item No. IX.A.1)
- Resolution No. 116-2019 (Item No. IX.A.3)
- Resolution No. 118-2019 (Item No. IX.A.4)
- Resolution No. 121-2019 (Item No. IX.A. 6)

**Motion was made by Council Member Crampton, and was seconded by Council Member Araskog, to approve the Consent Agenda, as amended above. On roll call, the motion passed unanimously.**

**A. MINUTES**

1. Town Council Meeting Minutes  
*Kathleen Dominguez, CMC, Town Clerk*
  - a. September 10, 2019, Town Council Meeting Minutes
  - b. September 10, 2019, Special Town Council Meeting Minutes
  - c. September 11, 2019, Development Review Town Council Meeting Minutes
  - d. September 18, 2019, Special Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of September 25, 2019

**B. RESOLUTIONS**

1. RESOLUTION NO. 87-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Invitation to Bid No. 2019-33, to Kyle Landscape, Inc. to plant 75 palm trees in the Amount of \$67,500 from a donation of \$112,500 from the Palm Beach Civic Association, which includes all maintenance for five years of the newly installed trees currently estimated to cost \$24,000 over the 5 year period. – *Pulled from Consent Agenda*  
*Dean Mealy, Purchasing Manager*
2. RESOLUTION NO. 91-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award

of Invitation to Bid No. 2019-31 for Landscape Maintenance to Batallan Enterprises Inc. dba Property Works for Zone 1 in the amount of \$74,859, Zone 2 in the amount of \$84,760, Zone 4 in the amount of \$75,255 and an award to Total Maintenance Building Services Inc. for Zone 3 in the amount of \$126,929, and an overall five year contract value of \$1,899,460 based on satisfactory annual contract performance and contingent upon budget approval.

*Dean Mealy, Purchasing Manager*

The new bid will produce cost savings of \$11,622 during the first year of the contract award.

3. **RESOLUTION NO. 116-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Town's 2020 General Election Date, Run-Off Election Date, Caucus Date, Qualifying Period, and Date of Meeting to Declare the Results of the Caucus; Providing an Effective Date. – *Pulled from Consent Agenda***  
*Kathleen Dominguez, CMC, Town Clerk*
4. **RESOLUTION NO. 118-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$104,724.50 to Woods Hole Group, for Development of a Coastal Resilience Implementation Plan, and Establishing a Task Budget of \$120,000. – *Pulled from Consent Agenda***  
*H. Paul Brazil, P.E., Director of Public Works*
5. **RESOLUTION NO. 119-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Duval Ford for the Purchase of Two Ford Hybrid Police Vehicles in the Amount of \$101,479, Utilizing the Florida Sheriff Contract for Vehicles.**  
*Dean Mealy, Purchasing Manager*
6. **RESOLUTION NO. 121-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Ratifying the Fiscal Year 2019-22 Collective Bargaining Agreement Between the Town and the International Association of Fire Fighters, Local #2928. – *Pulled from Consent Agenda***  
*Danielle Olson, Director of Human Resources*
7. **RESOLUTION NO. 124-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Existing Purchase Order No. 191131 and Increasing the Construction Phase Budget for the 400 Worth Avenue Infrastructure Improvements in the Amount of \$160,000 for a Revised Budget of \$1,565,294.**  
*H. Paul Brazil, P.E., Director of Public Works*

C. OTHER

1. Consideration of Waivers to Town Code for Construction Dates, Hours, and Noise for Staging in the Lake Worth Lagoon and Construction of the 2019 Palm Beach Harbor Inlet Maintenance Dredging Project  
*H. Paul Brazil, P.E., Director of Public Works*

X. COMMITTEE REPORTS

A. [Report of the Public Safety Committee Meeting Held on September 9, 2019](#)  
*Margaret A. Zeidman, Chair*

*(Clerk's Note: this item was taken out of order and heard immediately after item no. XI.B.2.)*

Council President Pro Tem Zeidman provided the highlights of the meeting. She explained the difference between the Community Safety Forums and Public Safety Committee meetings. She announced the Palm Beach Police and Fire Foundation Citizen's Academy will be returning in early 2020 to provide an extensive education program to individuals to become familiar with the day-to-day operations of the police department. She also announced the Town's purchase of hybrid police vehicles in an effort to go green and that Palm Beach is the first municipality in the county to do something like that.

Council Member Araskog requested staff look at the Town Council meeting dates when scheduling the 2020 Citizen's Academy to avoid conflicts with Council meetings.

Council Member Lindsay asked the press to announce the Citizen's Academy dates and CPR (cardiopulmonary resuscitation) training dates in the Shiny Sheet once they are determined.

**Motion was made by Council Member Lindsay, and was seconded by Council Member Crampton, to accept the report of the Public Safety Committee meeting held on September 9, 2019. On roll call, the motion passed unanimously.**

XI. REGULAR AGENDA

A. Old Business

1. [RESOLUTION NO. 15-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Ground Lease Agreement between the Town of Palm Beach, Florida \(Town\) and CRE Fund at Okeechobee Boulevard, LLC \(Tenant\), subject to certain Guaranties by AHS Residential, LLC \(Guarantor\) for property consisting of approximately 28.38 acres located outside of the Town's boundaries at 5976 Okeechobee Boulevard, West Palm Beach, Florida \(Property\).](#)

TIME CERTAIN: 10:30 AM

*(Clerk's Note: Due to its time certain, this item was heard immediately after item no. V.C.3.)*

Town Manager Blouin provided an overview of the attorney services and community efforts that went into the final terms of the contract. He introduced Attorney Janis Cheezem from Akerman LLP who lead the negotiations with the tenant on behalf of the Town.

Council President Moore commented on the discussions that have taken place over the past two years that lead the Council to look into a ground lease in lieu of selling the property. She credited Council Member Lindsay with suggesting the idea as a way to produce additional revenue for the Town.

Council Member Lindsay explained her reasons for supporting the ground lease agreement and thanked staff and Attorney Cheezem for leading the negotiations and providing due diligence.

In response to questions, Attorney Janis Cheezem identified the risks involved and explained what happens after the term of the lease expires. She added that the Town will remain property owners and will benefit from the added improvements to the property from the developments.

Council Member Crampton spoke regarding the financial benefits and low risk factors from the ground lease. He mentioned the various properties the Town owns in West Palm Beach near Quadrille Boulevard as future opportunities for additional revenue.

Council Member Araskog spoke regarding the benefits of the lease and thanked Town Manager Blouin for his due diligence with the negotiation process.

Town Manager Blouin introduced Carlos Gonzalez from AHS residential. Mr. Gonzalez thanked the Town Council and invited questions on the project. There were no questions.

**Motion was made by Council Member Lindsay, and was seconded by Council President Moore, to approve Resolution No. 15-2019. On roll call, the motion passed unanimously.**

2. Town-wide Undergrounding Project:

- a. Review of Project and Dashboard, Summary of Project Status  
*Steve Stern, Project Manager*



*(Clerk's Note: this item was taken out of order and heard immediately after item no. X.A.)*

Project Manager Stern thanked the Town Council for the recognition on the FEMA grant award and explained that the safety and reliability of the project were important factors in the federal government's approval of the grant.

Mr. Stern provided an update on the project, upcoming meeting dates, a progress summary report for each phase, conversion completion dates and other activities. He announced that the Guaranteed Maximum Price (GMP) for Phase 2 South will be presented at the November Town Council meeting and that design and easement progress is being made in the Phase 3 North and South areas.

In response to questions, Mr. Stern spoke regarding how the easement challenges in certain areas affects the project budget and explained the process for starting projects out of sequence when working around easement issues.

Council Member Crampton offered to assist Mr. Stern with the easement issues on Golfview Road.

- b. [RESOLUTION NO. 120-2019](#) 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., in the Amount of \$1,850,002 for Phase 6 Engineering Design Services for the Town-Wide Undergrounding of Utilities Program. *Patricia Strayer, P.E., Town Engineer*

Patricia Strayer, Town Engineer, presented an overview of Resolution No. 120-2019.

**Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to approve Resolution No. 120-2019. On roll call, the motion passed unanimously.**

3. [Town Marina Project Update](#)  
[TIME CERTAIN: 11:15 AM](#)

*(Clerk's Note: Due to its time certain, this item was discussed after Item No. XI. A. 1.)*

Dean Mealy, Purchasing Manager, explained that there is an active solicitation taking place on the project and is therefore, under a cone of

silence. In response to questions, he further explained what the cone of silence is, the type of information that is under restriction and the language parameters involved with respect to today's presentation.

Gordon Thomson, Baird & Associates, presented the construction schedule, probable construction cost and budget. He explained that prices of potential suppliers and contractors were factored into the opinion of the probable cost. He described other cost variables and added that the budget for the master plan does not include inflation.

In response to questions from Council Member Crampton, Mr. Thompson explained how the FIND grant will impact the overall project cost and benefit the Town.

In response to questions, Public Works Director Paul Brazil, explained that permitting and design are complete and under budget. He reported there was good news on the lead paint and asbestos studies but that there was some contamination issues which will be an added cost in addition to the parking study. He provided the end date for the cone of silence and spoke regarding the greenspace impact. He also explained staff's community outreach efforts to the impacted residents and his frequent meetings with the homeowners association.

Town Manager Blouin clarified that the potential revenue from the marina is not yet public but he is hopeful that the Town will achieve a very favorable revenue with the newly built and branded marina.

Council Member Lindsay requested that the council members be provided with the selection committee meeting dates. Purchasing Manager Mealy provided the dates and added that the Mayor and Town Council will be invited to attend and observe the process.

**It was the consensus of the Town Council to not require Mr. Thomson attend next month's meeting.**

**B. New Business**

1. [RESOLUTION NO.122-2019 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Strongly Encouraging The State Legislature To Approve Senate Bill 182, And Any Companion House Bills Relating To The Preemption Of Recyclable And Polystyrene Materials By Amending Section 403.7033 And Section 500.90, Florida Statutes, Repealing The Preemption Of Local Laws Regarding The Use Or Sale Of Single-Use Plastic Bags And Polystyrene Materials.](#)

*(Clerk's Note: this item was heard immediately after item no. XI.A.2.)*

Deputy Town Manager Jay Boodheshwar provided an overview of the resolution. He explained that he has been working closely with the community, local associations and other coastal communities in the County to address the language in the state statute that prohibits local laws from banning plastic bags.

**Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 122-2019. On roll call, the motion passed unanimously.**

2. [RESOLUTION NO. 123-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida \(The "Town"\), Approving the Form and Authorizing the Execution and Delivery of a Loan Agreement; Authorizing and Approving the Issuance of a Bond by the Town in Connection with Said Loan Agreement Relative to the Current Refunding of a Portion of the Town's Public Improvement Revenue and Refunding Bonds, Series 2010A \(Capital Improvement Program\); Authorizing the Execution and Delivery of an Escrow Deposit Agreement; Pledging Pledged Revenue to Repay the Bond; Authorizing the Proper Officials of the Town to do all Other Things Deemed Necessary or Advisable in Connection with the Loan Agreement and Said Bond; and Providing for an Effective Date.](#)

*(Clerk's Note: This item was taken out of order and heard after item no. XI.B.3.)*

Jane Le Clainche, Director of Finance, introduced Jeremy Niefeldt a financial advisor from PFM to present the Town's available refinancing opportunities.

Mr. Niefeldt provided an overview of the procurement process for the loan agreement for refinancing the Series 2010A Bonds. He explained the different types of refunding opportunities available to the Town - Current Refunding and Advanced Refunding, their tax advantages, debt services savings and annual cost savings. He presented a request to approve and authorize the delivery of a bank loan agreement to Professional Bank for the remaining portion of the 2010A bond series. He also explained the bank loan process, prepayment options and potential interest rates based on the loan terms and fixed rates.

**Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 123-2019. On roll call, the motion passed unanimously.**

Mr. Niefledt provided an overview of refunding opportunities for the 2019 bond series and potential marina financing options for future consideration.

In response to questions, Mr. Niefeldt explained that the Town should be flexible and understand the dynamics of the market conditions. He suggested preparing documentation that will allow the Town to pull the trigger and have PFM hold them in the event they are ready to take advantage of an opportunity with respect to the market rates. He also suggested how to approach entering the market by way of resolution with parameters defined for entering the market.

In response to questions, Town Manager Blouin explained that more information regarding the marina financing options will be presented at a future Town Council meeting for consideration.

**Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Lindsay, to authorize PFM to prepare documentation using the market performance parameters given to the Town Council and present a resolution for the November 12, 2019 Town Council meeting. On roll call, the motion passed unanimously.**

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

1. RESOLUTION NO. 87-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Invitation to Bid No. 2019-33, to Kyle Landscape, Inc. to plant 75 palm trees in the Amount of \$67,500 from a donation of \$112,500 from the Palm Beach Civic Association, which includes all maintenance for five years of the newly installed trees currently estimated to cost \$24,000 over the 5 year period.

*(Clerk's Note: this item was taken out of order and heard immediately after item no. XI.B.2.)*

Mary Robosson, Palm Beach Civic Association President, announced that the Association surpassed their fundraising goal and therefore wishes to donate the additional \$20K to the Town for planting more palm trees. Ms. Robosson agreed to Mayor Coniglio's request for consideration of planting the palm trees in more public areas.

**Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 87-2019. On roll call, the motion passed unanimously.**

2. RESOLUTION NO. 116-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Town's

2020 General Election Date, Run-Off Election Date, Caucus Date, Qualifying Period, and Date of Meeting to Declare the Results of the Caucus; Providing an Effective Date.

Discussion ensued regarding the holiday tree lighting activities and an educational symposium scheduled to take place during the proposed caucus dates.

**It was the consensus of the Town Council to amend the proposed date in the resolution and schedule the Caucus for Tuesday, December 3, 2019 at 7:00 p.m.**

**Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to approve Resolution No. 116-2019, as amended. On roll call, the motion passed unanimously.**

3. [RESOLUTION NO. 118-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \\$104,724.50 to Woods Hole Group, for Development of a Coastal Resilience Implementation Plan, and Establishing a Task Budget of \\$120,000.](#)

Paul Brazil, Director of Public Works, provided an overview of the resolution and the scope of work involved for the short term and long term to protect the Town's assets and vulnerabilities.

In response to questions, Director Brazil explained that the development of an implantation plan is a useful tool for the Town with respect to future comprehensive plans and budget planning.

Anita Seltzer, 44 Cocoanut Row, spoke regarding the Woods Hole Group (WHG) discussion from the February Town Council meeting, issues raised by the Shore Protection Board in their January meeting, and missing input on the rainfall events and the underground utilities project in the original report. She mentioned previous comments raised by Council members about sea level rise and that there was no final report presented, as mentioned. She requested this item be deferred for a full discussion to address these issues.

In response to Ms. Seltzer's comments, Director Brazil explained that the original study did include hurricane and rainfall events and suggested a meeting with the Woods Hole Group to go over the concerns of the community.

Council Member Crampton thanked Ms. Seltzer for her comments and commented that the overall process will help the Town determine its high priority areas.

**Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to approve Resolution No. 118-2019, as amended. On roll call, the motion passed unanimously.**

4. [RESOLUTION NO. 121-2019 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Ratifying the Fiscal Year 2019-22 Collective Bargaining Agreement Between the Town and the International Association of Fire Fighters, Local #2928.](#)

*(Clerk's Note: This item was heard after item no. XI.B.3)*

Council Member Araskog proposed holding a Special Town Council meeting a week before the November 12<sup>th</sup> meeting, to approve the first reading of the ordinance that will ratify the collective bargaining agreement in lieu of waiting until December for the second reading and adoption in an effort to bump up the effective date by one month.

Danielle Olson, Director of Human Resources, explained that the effective dates were negotiated and described the timeline needed to amend the agreement. She also added that an impact statement is being prepared and must be ready before adopting the ordinance.

Discussion ensued regarding the timelines needed to prepare and adopt an ordinance in time and the process involved for amending effective dates in the agreement.

It was the consensus of the Town Council to direct Ms. Olson to look into the possibility of preparing an ordinance in time to allow for an earlier start date in the collective bargaining agreement.

*(Clerk's Note: The Town Council recessed for a lunch break at this time and reconvened at 1:30 p.m.)*

Director Olson provided the timeline for preparing and adopting the ordinance and went over the notice requirements involved. She explained that changing the effective date at this time would conflict with the impact statement completion and will not work.

**Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to approve Resolution No. 121-2019, as printed. On roll call, the motion passed unanimously.**

**XII. ANY OTHER MATTERS**

1. FY2020 Tennis Fees Discussion

Carolyn Stone, Director of Business Development and Operations, provided an overview of the fee increases and structure. She explained that it was the Town's goal to receive 60% funding from the tennis fees as a way to recover the costs for the updated recreation center and was also based on market studies.

In response to questions, Director Stone explained the fees and play pass options available to residents for tennis sessions that will also allow the Town to recover its costs for the new recreation center.

Council President Moore suggested freezing the tennis fees at the 2019 rates while the Town Council considers other options.

Town Manager Blouin expressed concern with making the tennis center fees subject to a public debate.

**It was the consensus of the Town Council to freeze the current tennis center fees at last year's rates and direct staff to present more options for the FY2020 tennis center rates at the November 12, 2019 Town Council meeting for consideration.**

**XIII. ADJOURNMENT**

There being no further business, the Regular Town Council meeting of October 10, 2019, adjourned at 2:00 p.m.

Attest:

Approved:

\_\_\_\_\_  
Kathleen Dominguez, CMC,  
Town Clerk

\_\_\_\_\_  
Danielle H. Moore, Town Council President

Date:\_\_\_\_\_