



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON THURSDAY, SEPTEMBER 10, 2020

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of Thursday, September 10, 2020 was called to order at 9:31 a.m. On roll call, all Council Members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Deputy Town Clerk Pat Gayle-Gordon gave the Invocation and Council President Margaret A. Zeidman led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

Town Manager Kirk Blouin announced a time certain of 11:45 a.m. for Item No. X.B.3. Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive.

IV. APPROVAL OF AGENDA

Motion was made by President Pro Tem Lindsay and was seconded by Council Member Moore to approve the Agenda. On roll call, the motion passed unanimously.

V. BOARDS AND COMMISSIONS APPOINTMENTS

- A.** Appointment to the Investment Advisory Committee.
Pat Gayle-Gordon, Deputy Town Clerk

Deputy Town Clerk Gayle-Gordon announced that there was only one applicant

for the Investment Advisory Commission, John Ver Bockel, so he was appointed by unanimous vote.

Motion was made by Council Member Araskog and was seconded by Council Member Moore to appoint John Ver Bockel to the Investment Advisory Committee. On roll call, the motion passed unanimously.

B. Appointment to the Retirement Board of Trustees.
Pat Gayle-Gordon, Deputy Town Clerk

Deputy Town Clerk Gayle-Gordon announced that there were two (2) applicants for the Retirement Board of Trustees and Mr. David G. Lambert was appointed by unanimous vote.

Motion was made by Council Member Moore and was seconded by Council President Pro Tem Lindsay to appoint David G. Lambert to the Retirement Board of Trustees. On roll call, the motion passed unanimously.

Deputy Town Manager Boodheshwar announced procedures for today's meeting.

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio welcomed Queenester Nieves to the Town, and thanked Pat Gayle-Gordon for stepping in as Interim Town Clerk. Mayor Coniglio thanked everyone who had signed up for the census, stressing its importance to the Town. She asked residents who had not yet responded to go online and sign up for the census. Council Member Araskog clarified the census covered where one was living on April 1st. Town Manager Blouin reported only 42% of Palm Beach residents had responded to the census, and urged residents to go online, call the Town, or come to the Emergency Operations Center on September 24 to register. Town Manager Blouin advised that each resident who signed up could mean as much as \$30,000 to the Town over ten years, and that was anyone who resided on April 1, whether renter or owner. Council President Pro Tem Lindsay expressed her support for the Mayor's efforts, but stated some people she had contacted had done it in another state where they had a home. Council Member Moore commented she had pushed that out in emails and on Facebook and everyone who responded said they had already registered. Council Member Araskog had also notified people by email.

VII. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Zeidman announced a budget meeting later today, and times for breaks in this meeting. She commented that Council would meet in chambers for the October meeting, and the Chairs of other commissions would decide where their meetings would be held. She asked residents to patronize the local restaurants, and expressed admiration for teachers. She reported Town Manager

Blouin had suggested a magnet for cars as a message to everyone regarding social distancing.

Council Member Crampton reported Palm Beach Daily News had recognized the fiscally responsible management of the Town, and announcing Palm Beach had the lowest tax rate of any municipality in the county. He gave kudos to Town Manager Blouin and staff for creating a budget that made it easy for Council to make policies that resulted in this kind of endorsement from a third party.

Council Member Araskog thanked Palm Beach Daily News for their coverage of the coronavirus in today's issue. She cautioned to still wear a mask and social distance in order for businesses to stay open, and to reach out to friends who were alone. She gave kudos to the police force during this difficult time and thanked them for their efforts to keep the residents safe.

Council President Zeidman again welcomed Queenester Nieves and thanked Pat Gayle-Gordon for her support.

VIII. COMMUNICATIONS FROM CITIZENS-3MINUTELIMIT PLEASE

Diane Buhler, founder of Friends of Palm Beach, provided an update of trash found on the beach, including masks and gloves, rubber bows thought to be part of a cargo of a German WWII merchant ship sunk by the US off the coast of Brazil in 1944. These were appearing all along the eastern seaboard. There was oil thought to be from a spill in Venezuela, fish aggregation devices from West Africa, and lollipop sticks washing in by the thousands. Ms. Buhler reported they were collaborating with Woods Hole Oceanographic Institute, University of Brazil, Palm Beach Atlantic, and Loggerhead Marine Life Center on different studies concerning all of these items.

IX. APPROVAL OF CONSENT AGENDA

Council Member Araskog asked for changes to the minutes. Council President Zeidman advised these were summary minutes and in-depth conversations were not appropriate. Pat Gayle-Gordon confirmed for Council Member Araskog that the requested changes had been made, and the minutes were meant to report the action that was taken.

Item No. IX.B.5. RESOLUTION NO. 79-2020 was pulled and heard as Item No. X.A.1

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

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Deputy Town Clerk

- a. August 11, 2020, Town Council Meeting Minutes
 - b. August 12, 2020, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of August 26, 2020.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 75-2020 A Resolution of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving Proposed Fixed Costs For Property, Liability, Workers' Compensation, Automobile And Ancillary Coverages For FY2021 In The Amount Of \$1,023,868 And Variable Costs In The Amount Of \$1,647,500; Approving A Non-Exclusive Insurance Broker Services Agreement With Relation Insurance Service Of Florida, Inc. "Relation", In The Amount Of \$40,000; Approving A Non-Exclusive Insurance Broker Services Agreement With Arthur J. Gallagher Risk Management Services, Inc., "AJG," In The Amount Of \$10,000; Approving A Third Party Administration Services Agreement With Preferred Governmental Claim Solution "PGCS" In The Amount Of \$51,680; Conditioning All Matters Contained Herein Subject To Approval Of The Fiscal Year 2021 Budget; And Authorizing The Town Manager To Execute The Non-Exclusive Insurance Broker Services Agreements With Relation, AJG And PGCS On Behalf Of The Town.

Danielle Olson, Director of Human Resources

2. RESOLUTION NO. 76-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Designating Town Depositories for Fiscal Year 2021 Pursuant to Section 2-517 of the Town Code of Ordinances and Designating Parties to Sign Checks or Warrants on Behalf of the Town Pursuant to Section 2-36 of the Town Code of Ordinances.

Jane Le Clainche, Director of Finance

3. RESOLUTION NO. 77-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Managed Service Agreement Between The Town Of Palm Beach And Comcast Business Services For Fiber Optic Interconnectivity In An Amount Not To Exceed \$90,000 Annually, And Subject To Approval Of The Fiscal Year 2021 Budget And Subsequent Annual Budgets.

Jay Boodheshwar, Deputy Town Manager

4. RESOLUTION NO. 78-2020 A Resolution Of The Town

Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing The Mayor To Execute An Interlocal Agreement Between The Town Of Palm Beach And Palm Beach County For Network Services In The Amount Of \$50.00 Per Month Or \$600.00 Annually; And Authorizing The Town Manager To Take The Necessary Actions Required To Effectuate The Agreement.

Jay Boodheshwar, Deputy Town Manager

5. RESOLUTION NO. 79-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Master Fee Schedule by Including New Vegetation Collection Fees, and Providing an Effective Date.

*H. Paul Brazil, P.E., Director of Public Works – **Pulled and Heard as Item No. X.A.1***

6. RESOLUTION NO. 80-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2021-2022 Annual Funding Application to the Florida Department of Environmental Protection Beach Erosion Control Program.

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

7. RESOLUTION NO. 81-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To MCCI, Laserfiche in The Amount of \$50,000 as a Sole Source Acquisition to Support the Town's Electronic Document Management System used by the Town, Contingent Upon Budget Approval.

Dean Mealy, Purchasing Manager

8. RESOLUTION NO. 82-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order to SHI International Corporation, Utilizing the State of Florida Contract No. 43230000-15-02 for Microsoft Office Software and Operating Systems Licensing in an Amount Not to Exceed \$110,000 Contingent Upon Budget Approval.

Dean Mealy, Purchasing Manager

9. RESOLUTION NO. 83-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Superior LLC, DBA Central Square For Annual Purchase of Software Maintenance in An Amount Not to Exceed \$114,500 to Support Police Operational Requirements, Contingent Upon Budget Approval.

Dean Mealy, Purchasing Manager

10. RESOLUTION NO. 84-2020 A Resolution Of The Town

Council Of The Town Of Palm Beach, Palm Beach County, Florida, Retro- Actively Approve A Purchase Order To Murray Logan Construction, Inc. For The Emergency Repairs At The Sand Transfer Plant In The Amount Of \$124,837 And An Overall Project Budget Of \$149,804.

Dean Mealy, Purchasing Manager

11. RESOLUTION NO. 85-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving The Extension Of Contract Services With The Gehring Group Inc. to provide Health Insurance Broker Services In The Amount Of \$85,500 For FY21 And A Proposed Three Year Amount Not-To-Exceed \$256,500 Based On Satisfactory Vendor Performance And Budget Approval.

Dean Mealy, Purchasing Manager

12. RESOLUTION NO. 86-2020 A Resolution of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Retroactive Change Order To Hy-Byrd Inspections, Inc. In The Amount Of \$75,000.

Dean Mealy, Purchasing Manager

13. RESOLUTION NO. 87-2020 A Resolution of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Standardization Of Multi Space Parking Kiosks To Flowbird, Formerly Cale America, Inc. Within The Town Of Palm Beach For A Period Of Two Years, With The Option To Extend.

Dean Mealy, Purchasing Manager

14. RESOLUTION NO. 88-2020 A Resolution of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Retroactive Purchase Of Sixteen (16) Parking Kiosks From Flowbird In The Amount Of \$105,120, To Be Funded From The FY2020 General Contingency Fund.

Dean Mealy, Purchasing Manager

15. RESOLUTION NO. 94-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Tyler Technologies, Inc. For Annual Software Support And Licensing In An Amount Not To Exceed \$95,000 Contingent Upon Budget Approval.

Dean Mealy, Purchasing Manager

16. RESOLUTION NO. 95-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of Invitation To Bid No. 2020-22, Seminole Avenue And Lake Trail Improvements To Heavy Civil Inc. In The Amount Of \$109,000 And An Overall Project Budget Of \$123,350.

Dean Mealy, Purchasing Manager

C. OTHER

1. Health Insurance Rates for Calendar Year 2021

Danielle Olson, Director of Human Resources

X. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

1. RESOLUTION NO. 79-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Master Fee Schedule by Including New Vegetation Collection Fees, and Providing an Effective Date.

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

Director of Public Works, H. Paul Brazil explained that this resolution allowed the contractor to be charged actual costs for disposal when dumping had been done illegally. He assured Mayor Coniglio the property owner would not be charged. Council Member Moore noted the contractor would find a way to pass the fee on to the residents.

Motion was made by Council Member Crampton and was seconded by Council Member Araskog to approve Resolution No. 79-2020. On roll call, the motion passed unanimously.

B. Old Business

1. Town-wide Undergrounding Project

Steve Stern, Project Manager

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

Project Manager Steve Stern provided highlights in summary for the project. He advised a UUTF meeting was planned for October 7, 2020. Community meetings remained on hold.

In phases three south and four north, remaining easements were being cleaned up and discussions held with the residents. The second mailing for phase five north had been sent to unresponsive property owners to facilitate meetings. Construction was generally completed in phase two north but pole removal had been delayed due to Hurricane Laura. He provided a construction update on the Underground Utility Project for each phase and location, and asked for phase four north to be on the agenda for approval before the end of the year.

Council Member Araskog asked what was being done about deteriorating Comcast boxes. Mr. Stern indicated these must be in areas that had not been completed, and should be noted in the walkthrough before final landscaping and pole removal.

Council President Pro Tem Lindsay asked for the number of days to complete pole removal in phase two north, which Mr. Stern estimated at roughly 30 to 45 days. She asked that the Mayor and Council be notified when this work started.

Patricia Strayer, Public Works, provided a presentation on funding for acquisition of easements. She advised they would only use the necessary funds.

Council Member Araskog expressed concern regarding the cost of the project.

Mr. Stern advised many meetings were necessary with individual property owners, which increased costs.

Council President Zeidman asked if there were any decisions that could be made by Council to speed the process.

Council Member Moore asked Ms. Strayer about an easement acquisition team leader who had worked on this project before Mr. Stern came. Ms. Strayer indicated that had been more costly.

Council President Zeidman asked about skipping someone if a chicane could not be done. Mr. Stern noted eminent domain was an option that had not been considered.

Town Manager Blouin explained that would be very, very expensive. He reported 80% of property owners were willing to participate leaving 20% that created the work, and half of those eventually cooperated. He believed the other half would hold out to the very end but would take the box because there were no more alternatives except a chicane.

Council President Pro Tem Lindsay commented when the Town started painting the chicanes people got more cooperative, and encouraged painting them earlier and being tougher because this project would cost millions.

Council Member Araskog recalled that originally the thought was the whole Town had to be undergrounded to realize the benefit. She asked if Southwoods or northward was not included if that would

affect the benefit. Ms. Strayer indicated there was another year to continue negotiations, and excluding the small portion would not interfere with the continuous pole miles, not impacting the funds.

- b. RESOLUTION NO. 89-2020 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 Easement Acquisition Support Services Phases 4, 7, and 8 of the Town-Wide Undergrounding Utilities Program in an Amount of \$633,552, and Establishing a Total Budget of \$633,552.

Council Member Moore read Resolution No. 89-2020 by title only.

Motion was made by Council Member Moore and was seconded by Council Member Crampton to approve Resolution No. 89-2020. On roll call, the motion passed unanimously.

- c. RESOLUTION NO. 90-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Manager At Risk (CMAR) Contract to Burkhardt Construction Inc. for the Town-Wide Utility Undergrounding Phase 3 South to Include the Mid-Town Watermain Replacement with a Guaranteed Maximum Price (GMP) Amount Not-To-Exceed \$9,894,408.15 and Establishing a Construction Phase Budget of \$10,069,408, and Authorizes the Town Manager to Execute a Contract with Burkhardt Construction Inc.

Patricia Strayer, Public Works, presented the resolution.

Council Member Crampton commented he was interested in figuring out the contracting costs and trends, and estimated the increase at approximately 7%. Ms. Strayer felt it was only a 4% increase, with only one or two percent increase in construction and the rest for removing vegetation in order to install equipment. Mr. Brazil explained the current strategy was to keep the contractor and subs together as a package and to continue to offer the next phase if they were willing to hold their prices. Prices would rise over time, but by keeping the team together they gained more experience and overlapping phases could really pay off.

Council President Pro Tem Lindsay asked why a specific watermain was being replaced at this point. Ms. Strayer explained it was 50 years old and in danger of failing. Council President Pro Tem

Lindsay commented unique properties could require expensive solutions, and asked for any ideas how to do the undergrounding faster and with less money.

Council Member Crampton read Resolution No. 90-2020 by title only.

Motion was made by Council Member Crampton and was seconded by Council President Pro Tem Lindsay to approve Resolution No. 90-2020. On roll call, the motion passed unanimously.

The revised GMP was negotiated to reflect a cost savings of \$148,365.63 from the original GMP submitted by Burkhardt Construction, Inc.

d. RESOLUTION NO. 91-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Construction Phase Services to Kimley-Horn and Associates for Phase 3 South Undergrounding in the Amount of \$322,450 and Establish a Project Budget of \$370,920.

Patricia Strayer, Public Works, explained the resolution.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve Resolution No. 91-2020. On roll call, the motion passed unanimously.

e. RESOLUTION NO. 92-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Midtown Watermain Replacement Construction Phase Services to Kimley-Horn and Associates in the Amount of \$63,799.08 and Establish a Project Budget of \$73,350.

Patricia Strayer, Public Works, commented on the resolution.

Motion was made by Council Member Crampton and was seconded by Council Member Moore to approve Resolution No. 92-2020. On roll call, the motion passed unanimously.

2. COVID-19 Update
Kirk W. Blouin, Town Manager
TIME CERTAIN: 11:00 AM

a. Report on COVID-19 Infections and Hospitalizations

Sean Baker, Division Chief, EMS, reported declining numbers within the county and the region. Seven day moving averages peaked on July 10 at 14%, and now were down to fewer than 4%. Hospitalizations were also continuing to fall. New cases, which were 760 on July 11, now were approximately 122 per day. The virus was not less virulent, but the distancing and masks and CDC guidelines were working. He stressed not to stop social distancing and wearing face masks, and reported Dr. Alonzo of the Palm Beach County Health Department had predicted there would be another resurgence in positive cases and percent of positivity. Mr. Baker reported statistics for the Town of Palm Beach, with decreasing cases. He noted the Institute for Health Metrics and Evaluations had projected another peak, an increase in cases in Destin, Florida, in November and December, and cautioned to continue to follow the CDC guidelines and not to become complacent.

Mayor Coniglio commented if there was another article regarding the virus they should publish the projection that if everyone did not follow the protocol that in November and December there could be a huge increase, particularly because it was the height of the season.

Council Member Araskog questioned the positivity rate reported in the paper. Mr. Baker indicated that might not take into account the seven day moving average. Council Member Araskog expressed concern that people were not wearing masks when exercising in gyms.

Council President Zeidman commented whenever there was a resurgence it followed asymptomatic young people not wearing masks, which was one of the drivers. She predicted increases with school opening and people returning from the East, which provided a second chance to get this right, and encouraged everyone to do the best they could to continue to follow the guidelines.

b. Report on Compliance and Enforcement, Relative to State, County and Town Orders (*verbal report*)

Police Chief Caristo provided an update on compliance enforcement, which was similar to the previous month. He reported no issues with the beaches on Labor Day weekend.

Council Member Crampton reported he had observed the beach on Labor Day weekend and there had been no one on the beach.

Council President Pro Tem Lindsay confirmed with Police Chief

Caristo the restaurants would all close at midnight when the curfew was lifted. Chief Caristo responded the Town was going to follow the county's procedure with no restaurants open from 12 midnight to 5 a.m. He also confirmed compliance checks for wearing masks, distancing, and group sizes would continue up until 12 midnight.

Council Member Araskog asked if there were enough officers for compliance enforcement or if contract workers should be hired. Chief Caristo felt there were enough officers to handle the compliance checks.

c. Input from Business Community

Town Manager Blouin commented he had been asked to address the agenda in consultation with the Council President for a place for input from the business community. He announced staff had been instructed to reach out to members of the business community in the weeks ahead to host a business workshop for an exchange of ideas to improve their operations. Those ideas would be brought back to the Business and Administrative Committee for vetting and to bring them to the Town Council.

Council President Zeidman asked if the business occupational license fee could be waived as was done by the town of Jupiter. Town Manager Blouin responded that Jupiter waived their fee based on getting a \$1.3M grant, and they also had another \$10 billion in revenue from other outside sources, while the main source of revenue for the Town of Palm Beach was ad valorem taxes, with no economic development set up within the Town government, so the two budgets were not comparable.

Council President Zeidman asked that changing parking from two to three hours be brought up at the forum for the business community. Town Manager Blouin confirmed Council members would be able to listen to the forum.

Deputy Town Manager Boodheshwar announced a meeting of the Business and Administrative Committee scheduled for October 19 at 9:30 a.m.

Kristen Fries, President of the Worth Avenue Association, commented this was a new position for her and she looked forward to partnering with the Town to bring a great mix of businesses, clients, and customers to Worth Avenue

d. RESOLUTION NO. 93-2020 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 October 13, 2020, 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.

Council Member Araskog read Resolution No. 93-2020 by title only.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve Resolution No. 93-2020. On roll call, the motion passed unanimously.

Town Manager Blouin explained this resolution was not needed at the present time, but if there was a sudden spike in cases, it would provide needed flexibility.

Clerk's Note: A recess was taken at 11:30 a.m. The meeting reconvened at 11:45 a.m.

3. Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive
H. Paul Brazil, P.E., Director of Public Works
 - a. Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive - Final Recommendations from Fairfax, Sammons and Associates

Council President Pro Tem Lindsay read aloud a letter to the Mayor from the Royal Park Homeowners Association that was not included in the supplemental material. The letter referenced suggestions for proposed improvements.

Director of Public Works Brazil discussed final recommendations from Fairfax and Sammons and answered questions. He then provided a presentation regarding the team's estimate of scope and cost based on that plan.

Council President Pro Tem Lindsay asked for clarification on the length and proposed location of the trail. She discussed bringing costs down and that the biggest ticket items would be traffic maintenance and resurfacing. She requested the renderings of what it might look like under the two scenarios of moving the trail. The height of the disconnects was explained by Gordon Thompson. Council President Pro Tem Lindsay suggested prettier plants.

Council Member Araskog clarified with Mr. Thompson the disconnects could not be parallel to the parking because of a water main and a sewer line going right through that location.

Council Member Crampton discussed options A, B and C with Director Brazil, who clarified proposed costs for each scenario. He discussed the items that would remain under Scenario A.

Council President Zeidman discussed the advantages of moving the seawall next to the trail.

Mayor Coniglio asked if any money had been budgeted for additional park enhancements. Finance Director Le Clainche responded no. The Mayor discussed with Director Brazil the cost savings of using asphalt for the trail and paint for the roundabout and crosswalks.

Discussion continued.

Council Member Araskog discussed hedges, seawall railings, moving the pathway next to the seawall, palm trees, seating areas, and asphalt or concrete versus tabby, and requested a complete breakdown of cost for all elements.

Council Member Moore received clarification from Director Brazil that the traffic calming number had gone from over \$1M to \$700,000 if the reduced scope of work was chosen. She asked if green space would appear decreased if the trail was moved next to the wall. Director Brazil indicated some residents would feel it had been decreased. Council Member Moore commented she was now leaning toward leaving the trail where it was but was concerned about the cost.

Council President Zeidman discussed with Director Brazil useable green space, and on the Fairfax and Sammons plan the transformers would be placed into a little park surrounded by greenery. Also, she discussed moving the trail and what would be affected.

Council Member Crampton compared options B and C with respect to costs, concluding there was a \$1.8M difference between B and C if all of the traffic, walkways, parking lots, landscaping and miscellaneous was reduced. Council Member Crampton discussed how to pay for the project.

Council President Pro Tem Lindsay discussed the views from nearby buildings and visuals from other points, and compared

different renderings. She cautioned not to make decisions on a single perspective in one shot. She then discussed costs.

Council Member Araskog indicated she was leaning towards leaving the trail where it was and putting the palms back, and recommended removing the Brazilian pathway.

Ms. Fairfax commented there was another rendering that was not shown which showed the proper handrail and other aesthetics. She discussed the hedge in detail, and expressed disappointment her renderings had not been used to make the process easier. She mentioned they had not proposed seating at the pergola once it was gone. She stated the lift stations being relocated had not been in their design, but Director Brazil clarified she was talking about the outfalls for the storm water pump stations, which had not been moved.

Council Member Araskog asked to see the visuals from Fairfax and Sammons. Ms. Fairfax shared her screen and discussed the railing and screening of the electrical equipment.

b. Review of Cost Estimates of Recommended Improvements

Cost estimates were included in the above discussions.

Public Comments

Deputy Town Manager Boodheshwar read an email from Susan Watts: Please take into serious consideration the comments from the Friends of Lake Drive Park regarding improvements, construction and design of this valuable neighborhood park/open space as part of our significant Marina project. It will be likely impossible to change once the work is completed. The work done now will have a dramatic impact on residential and commercial life and safety in the area for many years to come. Thank you for your time and the time resources that have been expended to make this project the best it can be for the benefit of all town residents and our visitors.

Deputy Town Manager Boodheshwar read an email from Holly and Andre Syrian: To Whom It May Concern: Please be advised that John David Corey speaks and votes on our behalf during today's meeting of September 10, 2020 supporting the Friends of Lake Drive Park plan.

Terry Lockhart, 315 S. Lake Drive, commented after listening to the discussion it was a no-brainer to her in terms of cost to leave the pathway the way it was. She liked the fact that there was room between the path and the seawall that got used a lot, where benches were and people sat to enjoy the sunset looking out over Lake Worth. She commented that view was already going to be blocked by big boats so having access to be close to the water was very important.

Jorge Sanchez, 239 Southland Road and SMI Landscape Architecture, both in Palm Beach, commented he had done the walk between the two bridges for the City of West Palm Beach and never had to put in a wall at the height suggested here, and the height was seldom higher than 12 to 18 inches. Also the drawings that were given to the Town were schematic drawings and he would have introduced a gap between the seawall and the trail, and a 12-inch gap would be sufficient. He said the tabby was wonderful and incredibly durable. He suggested the trail could be done in something softer on the feet and less expensive than asphalt such as granite findings.

Ethel Steindle, 315 S. Lake Drive commented on moving the lake trail that even if the seawall was able to be kept low, there would still be that feeling of the park ending and then concrete. She cautioned to think long and hard whether the look should be a little more urban. She wanted to make sure that everyone saw their backup material attached which was old photographs from this past Sunday's shiny sheet where the lake trail was shown. She asked everyone to be mindful of how this area had looked for many years and think about the effect of changing it now.

Miguel Rosales, AIA, 426 Australian Avenue, congratulated Council on their robust discussion. He thought a seating area with no shade was not necessary, that moving the trail next to the bulkhead had a lot of disadvantages including cost, that the equipment could be screened well without moving it, and he liked the 168 parking spaces. Residents on Australian felt discriminated against because all the older streets were having a crosswalk except Australian. He supported Option C only.

John David Corey, 426 Australian Avenue, thanked the Town Council for spending so much time on the park and really trying to come up with the best plan. He spoke in favor of not moving the trail, but to save the iconic view when coming over the bridge. Also keeping the afternoon shade, and if it had to

be asphalt so be it. He summarized that less is more, cautioned not to get caught up in small details that could get bogged down at Landmarks, and commented that Director Brazil did a great job on the connection between the lake trail at the Peruvian lot to keep people out of the Peruvian lot. He responded to Council Member Araskog's question of how many people he had talked to that it had been dozens of people.

Gordon McCoun, 434 Chilean Avenue, commented he had been working with Royal Park Homeowners Association and represented other condominiums and co-op buildings between Coconut and the lake and from Worth Avenue to Royal Palm, and they had collaborated the past week on their approach to this. They were unified with moving the lake trail, and the green space lost would add to the lawn on the other side. He reminded Council that Landmarks had reviewed the Fairfax Sammons plan and had very positive comments. He asked that another type of surface more attractive than asphalt be used.

Deputy Town Manager Boodheshwar summarized costs for leaving the trail in its present location.

Final discussion was held by the Town Council.

Motion was made by Council Member Moore and was seconded by Council Member Crampton to leave the Lake Trail in its current position and to eliminate the Brazilian Avenue seating area. On roll call the motion passed 3-2 with Council President Pro Tem Lindsay and Council President Zeidman dissenting.

Clerk's Note: A recess was taken at 3:10 p.m. The meeting reconvened at 3:20 p.m.

C. New Business

1. Proposed 2021 Town Council Meeting Schedule

Kirk W. Blouin, Town Manager

Town Manager Blouin confirmed everyone had looked at the proposed schedule and there were no problems.

2. Census 2020 Update

Kirk W. Blouin, Town Manager

Council President Zeidman reported this was addressed earlier in the meeting.

3. Discussion Regarding Ficus Benjamina and Other Native Plants.

Julie Araskog, Town Council Member

Council Member Araskog asked to send the ordinance regarding Ficus Benjamina to the Ordinances, Rules and Standards Committee (ORS) for clarification of what was meant by 25%. She commented that the Preservation Foundation had been incredible and lent their expertise to the Town to save money. They had lent Susan Lerner to help Wayne Bergman, which was great for the Town.

Council President Zeidman stated there was consensus to send this to ORS.

XI. ORDINANCES

A. First Reading

1. ORDINANCE NO. 13-2020 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, 2019, and Providing an Effective Date.

Jane Le Clainche, Director of Finance

Town Attorney Randolph read Ordinance No. 13-2020 on First Reading by title only.

Motion was made by Council Member Araskog and was seconded by Council Member Moore to approve Ordinance No. 13-2020 on first reading. On roll call, the motion passed unanimously.

2. ORDINANCE NO. 14-2020 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 III, Firefighters, By Amending Section 82-94, Retirement Age And Service Conditions For Firefighters; Amending Subdivision III, Firefighters, By Amending Section 82-98, Chapter 175 Share Accounts; Amending Subdivision III, Firefighters, By Amending Section 82-99, Deferred Retirement Option Program For Firefighters; Amending Subdivision IV, Police Officers, By Amending Section 82-114, Retirement Age And Service Conditions For Police Officers; Amending Subdivision IV, Police Officers, By Amending Section 82-119, Deferred Retirement Option Program For Police Officers; Amending Subdivision V, General Employees And Lifeguards, By Amending Section 82-135,

Amount Of Pension For Benefit Group General And Benefit Group Lifeguard; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Danielle Olson, Director of Human Resources

Town Attorney Randolph read Ordinance No. 14-2020 on First Reading by title only.

Motion was made by Council Member Moore and was seconded by Council Member Crampton to approve Ordinance No. 14-2020 on first reading. On roll call, the motion passed unanimously.

3. ORDINANCE NO. 15-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Amending The Town Code Of Ordinances At Chapter 74, Parks and Recreation, at Division 3, Regulation of Use of Public Beaches, Section 74-196, Presence During Closed Hours; Hours Specified to Modify the name Lake Worth to Lake Worth Beach and to Add the Public Beach from Wells Avenue South to Sunset Avenue as an Additional Beach Declared to be Closed to the Public Each Day from Sunset to Sunrise; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Nicholas Caristo, Police Chief

Town Manager Blouin explained the ordinance dictated the hours of use for this section of the beach where people tended to use the area at night and the residents were asking for safety. This ordinance would give law enforcement more ability to enforce the area.

Council Member Crampton expressed his agreement and asked how this would be communicated. Town Manager Blouin indicated there would be a sign, continued contact with people on the beach, and pushed out on a release.

Council Member Araskog thought this would be very helpful for the residents in that area who were having so many issues.

Council President Pro Tem Lindsay wanted to be sure patrols were stepped up in the evening.

Council President Zeidman read Ordinance No. 15-2020 on First Reading by title only.

Motion was made by Council Member Crampton and was seconded by Council Member Araskog to approve Ordinance No. 15-2020 on first reading. On roll call, the motion passed unanimously.

XII. ANY OTHER MATTERS

There were no other matters to come before the Town Council.

XIII. ADJOURNMENT

There being no further business to discuss the meeting was adjourned at 3:36 p.m. without benefit of a motion or vote.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Queenester Nieves, CMC, Town Clerk

Date