



TOWN COUNCIL MEETING

TOWN OF PALM BEACH

SEPTEMBER 9, 2025

9:30 AM

TOWN HALL COUNCIL CHAMBERS, 2ND FLOOR | 360 SOUTH COUNTY RD | PALM BEACH, FL 33480

Danielle H. Moore, Mayor
Bobbie D. Lindsay, President
Lew Crampton, President Pro Tem
Julie Araskog
Ted Cooney
Bridget Moran

AGENDA

CALL TO ORDER AND ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

1. August 12, 2025, Town Council Meeting Minutes
2. August 13, 2025, Town Council Development Review Meeting Minutes
3. August 27, 2025, Architectural Commission Meeting Minutes
4. **94-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a purchase order to Kemira Water Solutions Inc. for FY26 in the amount of \$250,000 for Ferric Sulfide.
5. **104-2025** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Designating The Planning, Zoning & Building Department As The Administrative Authority For Receiving, Reviewing And Processing Plat And Replat Submittals And Designating The Director Of Planning, Zoning & Building As The Administrative Official Authorized To Approve Plats And Replats Pursuant To Section 177.071, Florida Statutes; And Providing An Effective Date.
6. **106-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a change order to Janice M. Riley, DBA, The Paving Lady for Phase 5N and 6N Milling and Paving Improvements in the amount of \$440,554.89 for a total awarded Purchase Order of \$2,527,856.79.
7. **109-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a purchase order to Miller Electric for IT Servers to support the Police Department in the amount of \$315,000, approving a contingency in the amount of \$31,000 and approving a project budget in the amount of \$346,000

8. **110-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a waiver of formal bid and a ratification of a change order to Burkhardt Construction, Inc. for the Marina Compactor Relocation in the amount of \$577,211.14, approving a contingency in the amount of \$57,000 and approving a project budget in the amount of \$634,211.14
9. **111-2025** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees for the Town of Palm Beach.
10. **112-2025** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, supporting the construction of honorary designation markers on a portion of Southern Boulevard in the Town of Palm Beach in honor of the 45th and 47th President, Donald J. Trump, recognizing the Florida Department of Transportation as the agency responsible for the designation markers, providing severability, and providing for an effective date.
11. Request to Hear Proposed Ordinance Nos. 009-2025, 010-2025, 011-2025, 012-2025, 013-2025, 014-2025, 015-2025 Prior to 5:00 p.m. on the Wednesday, September 10, 2025, Town Council Development Review Meeting.

APPROVAL OF AGENDA

COMMENTS

12. MAYOR AND TOWN COUNCIL MEMBERS
13. PUBLIC - 3 MINUTE LIMIT

For those unable to attend in person: [Submit a written comment](#) [Register to comment virtually](#)

GENERAL BUSINESS

14. State of Education Report by School Board Member Erica Whitfield
15. Appointment to the Landmarks Preservation Commission
16. Quarterly Litigation Report by Town Attorney Joanne O'Connor

ITEMS PULLED FROM CONSENT

UNFINISHED BUSINESS

17. Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status
 - 17.1 ATT Cell Service Update
18. Coastal Matters
 - 18.1 **108-2025** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute the Cooperation Agreement Between the Department of the Army and the Town of Palm Beach, Florida for the Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment.
 - 18.2 **113-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute the Amendment Number 1 to the Project

Partnership Agreement Between the Department of the Army and the Town of Palm Beach for Renourishment of the Palm Beach County Federal Shore Protection Project, Mid-Town Segment the Mid-Town Beach Renourishment Project.

18.3 Waivers to Town Code for Construction Dates, Hours, and Noise for Staging and Construction of Army Corps Mid-Town FCCE Project

18.4 Shoreline Update Presentation

- 19. 114-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a change order to A Cut Above for Royal Poinciana Median in the amount of \$131,216.29 and approving a new project budget of \$979,901.79.

NEW BUSINESS

- 20.** Discussion - Mooring Vessels
- 21. 107-2025** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Adopting The Town's Right-Of-Way Manual Revisions In Its Entirety, Replacing The Previously Amended Version
- 22.** Request for a Historical Marker on Worth Avenue Recognizing Lilly Pulitzer

ORDINANCES

- 23. 21-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 42 - Environment, Article V – Noise, By Amending Section 42-198(a) And Sections 42-199 (b) And (c) To Revise The Duration Of The Construction Seasons; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
- 24. 16-2025** An Ordinance of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 118 -Traffic And Vehicles, Article I - In General, By Amending Sec.118-11. To Prohibit Micromobility Devices on the Lake Trail; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
- 25. 17-2025** An Ordinance of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 106 – Streets, Sidewalks, And Other Public Places, By Amending Sec. 106-158. To Prohibit Use Of Micromobility Devices Upon All Town Sidewalks In the Commercial Zoning Districts; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
- 26. 18-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 118 – Traffic And Vehicles To Regulate The Operation Of Micromobility Devices By Establishing A Minimum Age Requirement, Identification Requirement, And Safety Training Programs; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
- 27. 20-2025** 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 82-99, Deferred Retirement Option Program for Firefighters; amending Subdivision IV, Police Officers, by amending Section 82-119, Deferred Retirement Option Program for Police Officers; providing for severability, providing for repeal of Ordinances in conflict;

providing for codification; providing an effective date.

28. **22-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Providing For An Amendment To The Town's Budget Adopted For The Fiscal Year Commencing October 1, 2024, And Providing An Effective Date.

ANY OTHER BUSINESS

ADJOURNMENT

Access this meeting video on the 'Public Meetings' page at www.townofpalmbeach.com.

If a person decides to appeal any decision made with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be based.

Disabled persons needing accommodations to participate in this meeting should contact the Town Clerk's Office at (561) 838-5416 at least one day prior to the meeting.



TOWN OF PALM BEACH

Minutes of the Town Council Meeting
Held on August 12, 2025

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 9:30 AM in the Town Council Chambers.

Members Present: Bridget Moran, Ted Cooney, Lewis Crampton, Bobbie Lindsay, Julie Araskog, Danielle Moore

Staff Present: Town Attorney Joanne O'Connor, Kirk Blouin, H. Paul Brazil, Carolyn Stone, Bob Miracle, and Kelly Churney

INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Churney led the invocation, and Council President Lindsay led the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve the consent agenda as presented. The motion was carried unanimously, 5-0.

1. July 8, 2025, Town Council Meeting Minutes
2. July 9, 2025, Town Council Development Review Meeting Minutes
3. July 10, 2025, Special Town Council Meeting Budget Workshop Meeting Minutes
4. July 23, 2025, Architectural Commission Meeting Minutes

5. **84-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, award of RFP No. 2025-019, Worth Avenue Commercial District Maintenance Program and recommend Brightview Landscape Services, Inc. as the primary awardee, Superior Landscaping & Lawn Service, Inc. as the secondary awardee and Mainguy Landscape Services as the tertiary awardee for a five-year award based on satisfactory performance and budget authorization in the amount of \$1,647,742.01, approving a contingency in the amount of \$164,774 and approving a project budget in the amount of \$1,812,516.01.
6. **87-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, to Amend Town Manager's Award Authority from \$100,000 to \$250,000 for FEMA Declarations
7. **88-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, awarding the 2025 FDEP Beach Management Agreement Cell-Wide Hardbottom Monitoring and 2025 Hardbottom Map to Coastal Protection Engineering LLC in the amount of \$170,740.54, approving a contingency in the amount of \$25,611 and approving a project budget in the amount of \$196,351
8. **89-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, awarding the 2025 Beach Management Agreement Hardbottom Monitoring for the 2020 Mid-Town Nourishment Project and 2025 Palm Beach Harbor Operations and Maintenance Project to Coastal Eco-Group, Inc. in the amount of \$143,641, approving a contingency in the amount of \$21,546 and approving a project budget in the amount of \$165,187
9. **91-2025** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, to approve a change order in the amount of \$11,100 to Resolution No. 003-2023 for an approved project budget in the amount of \$171,100 to Kimley-Horn and Associates, Inc. related to construction phase services for D-12 Stormwater Pump Station

APPROVAL OF AGENDA

Town Clerk Churney announced one modification to the agenda: an addition under General Business, 13.5 Request for Proclamation in Support of CS/CS/HB 987 – Transportation Facility Designations.

A motion was made by Council Member Araskog and seconded by Council Member Moran to approve the amended agenda. The motion was carried unanimously, 5-0.

COMMENTS

10. MAYOR AND TOWN COUNCIL MEMBERS

Mayor Moore announced the following August Milestones: 5 years of service for Joseph Alessio (FD) and Joseph Pitti (IT), and 10 years of service for Rebecca Malek (FIN). She announced that Dexter Monroe (PW) had entered the DROP. The mayor urged residents to begin making plans for the upcoming Hurricane Season. She reminded residents to stay connected by signing up for town alerts, including the one that will notify them when agendas have been published. Lastly, she announced that the town had earned the 2025 Healthiest Employers of Florida Award and congratulated the People and Culture Team for this success.

Mayor Moore noted that Carolyn Stone had been accepted into the 2025 SEC Hall of Fame Class. She also noted that Gillian Barth, former President and CEO, was recognized by King Charles of England for her dedicated three decades of service to CARE Canada. Mayor Moore offered condolences to Jeff Smith and his family on the passing of his wife, Nancy.

Council Member Moran offered her condolences to Jeff Smith's family.

Council President Pro Tem Crampton commented on the exceptional applicants received for the Planning and Zoning Commission positions.

Council Member Araskog urged residents to stop leaving the keys in their parked vehicles, as it leads to stolen vehicles. She offered condolences to Jeff Smith and his family.

Council President Lindsay asked Mr. Brazil to address possible improvements in AT&T's cell service on the island during AT&T's current work to add fiber to existing and new conduit. Mr. Brazil suggested that staff interact with the AT&T designers and engineers to re-establish a new tower on the other side of the bridge, which was previously lost around the Port of Palm Beach, resulting in substandard service, particularly in the north end of the island.

Council President Lindsay asked Town Attorney O'Connor to speak about a recent legislative bill regarding restricting anchoring vessels, staying overnight, to 30 days. Town Attorney O'Connor stated she had been working with Miami Beach on this issue since they recently adopted an ordinance related to the limitation. She said that based on that, she would determine an appropriate action for an ordinance in Palm Beach. Council Member Araskog wondered if anything in the bill would require registration. Town Attorney O'Connor responded that Miami Beach had engaged a marine patrol to assess the time vessels were anchored. Mr. Blouin stated they would be prepared for a complete discussion on the item in September. Council President Lindsay credited resident Sylvester Stallone with helping to get this bill to the Governor.

Council President Lindsay offered condolences to Jeff Smith and his family.

11. PUBLIC - 3 MINUTE LIMIT

Diane Buehler, Friends of Palm Beach, reported on attending a NASA-funded conference hosted by the University of South Florida. The conference provided information about a sargassum detection satellite system that could provide a three-day warning of seaweed inundation, with efforts underway to improve its accuracy. Ms. Buehler announced upcoming cleanups, including Turtle Tuesday and a community event on August 23. She raised concerns about dogs digging up turtle nests and harming hatchlings.

Following the discussion, it was determined that the issue would be added to next month's agenda.

GENERAL BUSINESS

12. Appointments to the Planning and Zoning Commission

The following members presented their applications and credentials for the Planning and Zoning Commission appointments. They answered questions when asked: Matthew Alley, Barbara Champman, Dragana Connaughton, Victoria Donaldson, Anne Fairfax, Karen Glover, Martin Klein, Neil Kozokoff, Carol LeCates, Nicki McDonald, and Rick Pollock.

**Note: A short break was taken at 10:47 a.m. and the meeting resumed at 10:52 a.m.*

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to appoint Nicki McDonald as a regular member of the Planning and Zoning Commission to begin immediately. The motion was carried unanimously, 5-0.

A motion was made by Council Member Cooney and seconded by Council Member Araskog to appoint Carol LeCates as a regular member of the Planning and Zoning Commission to begin October 1, 2025. The motion was carried unanimously, 5-0.

A motion was made by Council Member Cooney and seconded by Council Member Araskog to appoint Barbara Chapman as a regular member of the Planning and Zoning Commission to begin October 1, 2025. The motion was carried unanimously, 5-0.

A motion was made by Council Member Cooney and seconded by Council Member Moran to appoint Anne Fairfax as an alternate member of the Planning and Zoning Commission to begin immediately. The motion was carried unanimously, 5-0.

13. Proposed 2026 Town Council Meeting Schedule

The Town Council reviewed the proposed 2026 meeting calendar. Discussion focused on whether to hold the August 11–12 meetings over two days or consolidate them into a single day. Some members noted that August agendas were historically lighter and could potentially be completed in one day. Others expressed concern that combined meetings in prior years had extended late into the evening. One member emphasized accommodating health-related needs.

It was agreed upon that the Council President, in consultation with the Town Manager, would determine approximately 30 days in advance whether the August meetings would be one or two days, based on the anticipated workload. The Council also discussed the possibility of aligning the September 8–9 meetings with the September 17 budget meeting, but determined to leave the schedule as proposed.

A motion was made by Council Member Araskog and seconded by Council Member Moran to approve the proposed 2026 meeting calendar as presented, with the noted exception that the August 11–12 meetings may be combined into a single day at the discretion of the Council President. The motion carried unanimously, 5-0.

14. Request for Proclamation in Support of CS/CS/HB 987 – Transportation Facility Designations

Town Manager Blouin reported that during the 2025 state legislative session, House Bill 987 was passed unanimously by both the House and Senate to designate the portion of Southern Boulevard between Kirk Road and South Ocean Boulevard as President Donald J. Trump Boulevard. Florida State Statute 334.071 requires approval by each affected municipality, and the Palm Beach County Commission has already adopted its resolution. Staff requested authorization to prepare a similar resolution for placement on the September Town Council consent agenda.

Alexis Salerno, representing State Representative Meg Weinberger, strongly supported the designation, citing President Trump’s long-standing residence in the Town of Palm Beach, local economic contributions, and community connection.

The Town Council discussion centered around the bipartisan nature of such roadway designations, whether a review by the Landmarks Preservation Commission was necessary if non-standard signage were proposed, and the need to re-dedicate the existing Marjorie Merriweather Post marker on the causeway. Mr. Brazil addressed the signage issue. Town Manager Blouin confirmed that all affected municipalities must approve the resolution before determining the designation.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Moran and seconded by Council President Pro Tem Crampton to authorize staff to draft the resolution in support of the designation and place it on the September consent agenda. The motion carried unanimously, 5-0.

UNFINISHED BUSINESS

15. Coastal Matters

15.1 Groin Rehabilitation at 1341 and 1415 S Ocean Blvd

Coastal Coordinator Sara Gutekunst reported on a request from the owners of 1341 and 1415 South Ocean Boulevard to rehabilitate three groins located east of their properties. The request follows the previously approved Blossom Way project, which is currently in the permitting phase. Blossom Way property owners have coordinated with neighboring property owners to allow for land-based construction access, minimizing environmental impacts.

Staff will continue working with the property owners, environmental agencies, and FDEP under the Town's Beach Management Agreement (BMA) and with the U.S. Army Corps of Engineers on a related permit extension. As with the Blossom Way agreement, the property owners will assume full liability for submerged lands and environmental impacts, and any agreements will be brought back to the Town Council for approval.

Director of Public Works Paul Brazil noted that this approach aligns with the Town's longstanding policy under the BMA for private property owners to fund and undertake groin rehabilitation on their properties, with the Town providing permitting assistance and transferring liability to the owners. He clarified that private property owners, not the Town, originally constructed the groins.

Council Member Moran felt this was an intended consequence and was happy to see this project on the agenda.

Council President Pro Tem Crampton expressed concern about downdrift impacts, although he thought it was a good project. He noted that the manager representing 2000 and 2100 had requested a one-month delay to evaluate any language regarding the project that may impact their properties. He did not think the liability language had been worked out yet, and he felt it would be appropriate to delay any decision for one month. Mr. Brazil stated that this request was conceptual, and the applicant was preparing draft agreements to be presented to the Town Council for further review.

Council Member Araskog mentioned language that she felt should be included in the agreement to address current or future owner liabilities and an agreement to pay for legal fees and indemnification.

Paula Jastermsky, General Manager of the 2000 Sloan's Curve, requested a one-month deferral due to lack of notice, groin specification, environmental impact, adverse events, and the town's liability.

Mr. Brazil responded that the design and permitting processes were being addressed at the State and Federal levels. He indicated the town's liability would be presented to the Town Council at a future meeting, where there would be more discussion opportunities. The environmental impact would be evaluated as part of the regulatory process, rather than something on which the Town Council would provide input. Mr. Brazil suggested that state and federal regulators should be relied upon to examine these issues and determine whether or not a permit is warranted. He did not feel that delaying conceptual approval would accomplish anything.

Ms. Jastermsky asked for a guarantee that measurements are completed before any work.

Maura Ziska, attorney representing two additional property owners, asked to move this conceptual approval forward. She noted that if this is done during the season, it must be worked around turtle nesting. She also acknowledged that the two property owners could go under the town's permit, which prompted this request to the town council.

There was a consensus that Town staff should continue moving forward with the permitting and legal work for the groin rehabilitation project as a conceptual approval while ensuring that affected down-drift property owners (such as Sloan's Curve) receive data, consultation, and notice throughout the process.

15.2 82-2025 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Requesting Authorization for Town Manager to Sign the Memorandum of Understanding and License Agreement and Adopt the Atriums Easement Language for the Reach 8 Dune Restoration Project

Coastal Coordinator Sara Gutekunst reported on the progress of the Reach 8 Dune Restoration Plan. She reminded Council that the long-term dune restoration proposal involved partnering with eight condominium buildings in Reach 8 to allow conveyor belt sand delivery, rotating among them for future projects. Of the eight, only the Atriums agreed to participate in the upcoming fall construction season after turtle nesting ends.

The Town and the Atriums have developed a Memorandum of Understanding (MOU) and a license agreement for the construction and use of their property. The Atrium property owners have selected their oversight engineer, and the Town's contractor (C&N Shoreline) is preparing updated conveyor belt cost estimates for any necessary change order. Ms. Gutekunst requested Council approval for the Town Manager to sign

the MOU and license agreement, and she expressed appreciation to the Atriums for their cooperation.

The Town Council thanked the Atriums for partnering with the town on this project.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve Resolution No. 082-2025 and add the word "reasonable" so that the agreement reads "The town shall reimburse the association for all reasonable costs." The motion was carried unanimously, 5-0.

15.3 Palm Beach County Request for Continuing Waivers of Town Ordinances for Bonefish Cove Construction

Mr. Brazil reported that the Army Corps of Engineers and Palm Beach County Environmental Resource Management are continuing the Bonefish Cove environmental enhancement project south of the Lake Worth Bridge, which caused traffic delays from unscheduled bridge openings for barge deliveries last season. The project would extend into the upcoming season, and the agencies are requesting waivers from the town code to help minimize impacts on the town while continuing to make progress. Proposed conditions include restricting barge traffic during the season (Nov. 17–May 1) to weekends and holidays only, allowing equipment transport by barge at any time, as needed for repairs or replacement, and allowing extended work hours from 5:00 a.m. to 7:00 p.m. up to Nov. 17, so trips occur outside rush hours, improving efficiency and shortening the overall timeline.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to approve the U.S. Army Corps of Engineers' and Palm Beach County's request to extend waivers of the town's ordinance for the Bonefish Cove Island Restoration Project to October 1, 2026, for construction dates, hours and noise in the Lake Worth Lagoon to allow for holiday, Saturday and Sunday work and limit barge operations to holidays and weekends from November 17, 2025, to May 1, 2026. The motion was carried unanimously, 5-0.

15.4 92-2025 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving the Department of Army Mid-Town Beach Renourishment Proposal for the Town to provide cost sharing in the amount of \$3,000,000, approving a contingency in the amount of \$500,000 and approving an overall project budget in the amount of \$3,500,000.

Town Engineer Patricia Strayer announced that the Town had successfully secured temporary easements from all nine affected properties for the upcoming FCCE project, as permitted under new guidance from the Assistant Secretary of the Army for Civil Works. The land certification has been submitted to the U.S. Army Corps of Engineers, which has requested project funds by August 22, 2025. The Corps' cost estimate matches the Town's at \$3 million, with an added \$500,000 contingency to cover

potential variations in sand placement. Ms. Strayer presented a resolution for Council approval authorizing the \$3 million cost share, the \$500,000 contingency, and a total project budget of \$3.5 million for the Midtown Beach Renourishment.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to approve Resolution No. 92-2025. The motion was carried unanimously, 5-0.

**Note: The meeting was recessed for lunch at 12:30 p.m. and resumed at 1:16 p.m.*

15.5 90-2025 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Requesting Town Approval of Riparian Rights Easement at Clarke Beach

Mr. Brazil stated that The Breaker's attorney, Gunster, had requested approval of a perpetual repair and easement at Clarke Beach. He said the southernmost structure in the Breakers project extends over the property line of Clarke Beach by 75 feet. He stated that the request had been rushed since it was received, and consequently, staff had not been allowed adequate time to address everything associated with it.

Dr. Mike Jenkins of Geosyntec Consultants discussed the information included in their permit for monitoring and mitigation if there is a negative impact. He noted that the intent is to maintain the Army Corps of Engineers design cross-section at Clarke Avenue, maintaining a minimum beach at Clarke Beach to provide storm protection to the adjacent roadway. He detailed the monitoring protocol for the project. He also explained the mitigation options and town efforts, including additional observations and regular observations at Clarke and in the vicinity. He said if further surveys were deemed necessary, they could be conducted under the town's purview.

Mayor Moore asked for further clarification regarding the additional sand at The Breakers. She expressed concern that if The Breakers did not receive any sand, Midtown may fail. Dr. Jenkins responded.

Council Member Araskog wondered how fault would be determined. Dr. Jenkins said the whole point of this project is to have a plan for monitoring and mitigation within their permit.

Mr. Brazil noted the strong probability that Midtown would be lost as a federal project. Therefore, the town staff needed to determine what project could be done that would help address the issues for most of the area. He said that if sand was not placed north of The Breakers, a truncated project that was the original Midtown could be done, meeting the original intent of the Comprehensive Coastal Management Plan. He noted that at this time, staff still had questions even though they had been tasked with recommending to the Town Council whether the perpetual easement should be approved. Mr. Brazil strongly recommended that the Town Council defer approval of

this project. He said more answers were needed, many dependent upon other entities and consultants.

Attorney Jamie Crowley, representing The Breakers, discussed and clarified the project on behalf of his client, providing a project timeline to date. He respectfully requested that the Town Council honor its prior approval of the project, which was completed in reliance upon the May 9, 2023, project approval and the May 22, 2023, letter of consent to the Department of Environmental Protection (DEP). Mr. Brazil responded to Mr. Crowley's comments, noting that the Town Council had only approved structures on state lands. He also indicated that since November 6, 2024, they had known that the repair and easement were needed, as this was part of the permit modification. He cited clarifications and corrections on some items in the correspondence dated July 21, 2025, from the Gunster Law Firm.

Council Member Moran asked how long they would be required to monitor the beach. Dr. Jenkins responded that monitoring through the nourishment cycle would be necessary, dependent on the Midtown Beach federal nourishment project. He added that if the structure presented an adverse impact beyond what was anticipated in the permit, corrective action could be required through DEP. Council member Moran asked if Town Attorney O'Connor was satisfied with The Breakers adding the town as additionally insured on their policy. Attorney O'Connor advised that initially, the Town did not have any such protection in the easement obtained from The Breakers. She would like to see additional language in the agreement confirming that it extends to defense costs and the liability coverage limits for the policy.

Council member Araskog wants to ensure that the project, not the town, pays for enhanced monitoring.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to defer Resolution No. 90-2025 to October 14, 2025. The motion was carried unanimously, 5-0.

16. Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status

Ms. Strayer provided an overall townwide progress update. She stated that there are significant traffic issues from Phase 7 south and north to the country club. She said the drainage project on North County is underway. She noted that County Road is closed for the next week and a half to pull poles for Phase 6 north. She said poles in 6 north will be done in 4-5 weeks. She reported that Phase 5 north is all done, and poles are being pulled on Seaview in Phase 5 south. As requested, Ms. Strayer displayed before and after pictures of the project sites. She also stated that it is anticipated that all drilling for undergrounding should be completed by February. Ms. Strayer also notes that phases 5 north and 6 north are currently being paved.

17. Update and Schedule of the Florida Department of Transportation (FDOT) A1A Projects

Julie Parham, Public Works, gave an update on the FDOT projects. She noted that the town council had approved waivers for FDOT work hours and days. She discussed the south project from Ibis Way to Lake Avenue, which is anticipated to take 15 months. She also discussed the north project from Royal Palm Way down to Emerald Beach Way, which is expected to take 18 months. She stated that FDOT plans to return to the Town Council next month to provide updates on how the waivers have helped their schedule. They are also reviewing to discuss the town's request to use signs for bike notification rather than the existing sharrows in the roadways.

Mel Pollock, a consultant for the Florida Department of Transportation (FDOT), said they are working to pave the south section. The section on South County, where traffic control is in place, is being pushed to get that sidewalk work done. He thanked the town for their coordination, although giving a definitive schedule update would be premature. He noted that work is proceeding and that the contractors are working in both sections.

Mayor Moore asked the town staff to continue pushing out the alerts.

Ms. Strayer showed a photo of signs that would be used instead of sharrows on the roads.

Council President Lindsay called for public comment. No one indicated a desire to speak.

Council Member Araskog noted that the closure of County Road South of the Colony had created an issue. She thought it would be better not to block off both Ocean and County.

Council President Pro Tem Crampton also expressed concern about the road closures.

The consensus of the Town Council was to allow staff to continue working with the Florida Department of Transportation (FDOT), especially on investigating alternatives for the sharrows.

NEW BUSINESS

18. Discussion – Regulating the Use of Electronic Mobility Devices

Police Chief Caristo stated that as of July 1, 2025, the legislature expanded local discretion over the regulation and use of electronic mobility devices. He said these devices are a safety concern for municipalities. He talked about some of the serious injuries and fatalities that have been caused by the use of electronic mobility devices. He discussed the importance of educating the public and suggested limiting the use of these devices.

There was a discussion about the danger associated with using these mobility devices. Chief Caristo said the Police Department would host safety forums to educate the public about the safety and proper use of motorized devices.

There was a consensus of the Town Council to allow staff to research the issue and return to the Council with a proposed draft Ordinance for review.

ANY OTHER BUSINESS

There was no other business discussed at this time.

ADJOURNMENT

A motion was made by Ms. Araskog and seconded by Council President Pro Tem Crampton to adjourn the meeting at 3:10 PM. The motion was carried unanimously, 5-0.

APPROVED:

Bobbie D. Lindsay, Town Council President

APPROVED:

Kelly Churney, CMC, Town Clerk
Date: -----



TOWN OF PALM BEACH

Minutes of the Town Council Meeting
Held on August 13, 2025

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 9:30 AM in the Town Council Chambers.

Members Present: Bridget Moran, Ted Cooney, Lewis Crampton, Bobbie Lindsay, Julie Araskog, and Danielle Moore

Staff Present: Town Attorney Joanne O'Connor, Wayne Bergman, James Murphy, and Kelly Churney

INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Churney led the invocation, and Council President Lindsay led the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve the consent agenda as presented. The motion was carried unanimously, 5-0.

1. ZON-25-0040 (HSB-25-0006) 259 QUEENS LANE (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW The property owner, Lisa and Simon Van Den Born (Smith Kellogg, Design Professional), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review due to the significant renovation (demolition of more than 50% of the building) to re-vest development on the non-conforming lots. The scope of work also includes exterior alterations, including one-story additions, window and door replacement, installation of a new trellis, as well as landscape and hardscape improvements, for this historically significant building. The Landmarks Preservation Commission shall perform design review of the application. [The

Landmark Commission approved the Floodplain Variance. Carried 7-0.] [The Landmark Commission approved this project as presented. Carried 5-2.]

2. ZON-25-0036 (ARC-25-0034) 3300 S OCEAN BLVD (COMBO) - SITE PLAN REVIEW The applicant, Meridian of Palm Beach Condominium (Environment Design Group), has filed an application requesting Town Council approval for multi-family dwellings Site Plan Review for modifications to an entry guard house. The Architectural Commission shall perform design review of the application. *[The Architectural Commission Recommendation: Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 6-0.] [The Architectural Commission approved this project on the Consent Agenda. Carried 6-0.]*

APPROVAL OF AGENDA

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to defer the appeal of ARC-25-0035, 940 N Lake Way, to the September 10, 2025, meeting. The motion was carried unanimously, 5-0.

A motion was made by Council Member Araskog and seconded by Council Member Moran to approve the amended agenda. The motion was carried unanimously, 5-0.

ADMINISTRATION OF THE OATH

Town Clerk Churney swore in all those intending to speak and continued to do so throughout the meeting, as necessary.

COMMENTS

3. MAYOR AND TOWN COUNCIL MEMBERS

Mayor Moore acknowledged the Planning and Zoning Commission for promptly getting through the quick fixes and getting them to the Town Council. She has received positive feedback from some residents.

Council Member Araskog indicated that a question had been raised at the Planning and Zoning Commission meeting asking why a truck study was initiated. She explained that it was conducted for safety reasons, as large trucks were taking up lanes and creating hazards for residents walking, biking, or driving, and those concerns needed to be addressed.

Council President Lindsay commented that a declaration of use agreement for the Bilboquet Market had been provided at the dais, which would be discussed later in the day.

4. PUBLIC - 3 MINUTE LIMIT

Council President Lindsay called for public comment. No one indicated a desire to speak.

PUBLIC HEARINGS

5. Appeal of ARCOM - ARC-25-0035 940 N LAKE WAY

Please note: This item was deferred to the September 10, 2025, meeting at the Approval of the Agenda.

GENERAL BUSINESS

6. Discussion Regarding Construction Screening Fences 25ft or Higher

Mr. Bergman explained that regulations for construction screening fences were established in 2019 to improve the aesthetics and limit dust and debris from construction sites. Typical screening requirements allow 6–8 feet for one-story projects and 16–18 feet for two-story projects based on line-of-sight concerns, protecting the privacy of neighboring windows and balconies. He noted that the perimeter landscaping shown in plans is often removed early in construction, and screening becomes a particular concern during hurricane season when it must be removed for safety. He invited staff, including Public Works Engineer Craig Hauschild, to assist in the discussion.

Council Member Cooney said his concern was how construction screening fences are dealt with during storm season. He pointed out that some of the fences have become large, and there is no consistency in the types of materials being used. He mentioned that contractors have raised safety and liability concerns since these fences usually aren't engineered or certified, especially when erected on a property line and remain in place for extended periods. While Council Member Cooney believes that screening can be helpful, he questions whether it's always practical, noting significant differences in how they look, how much they cover, and the cost.

Council Member Moran thought the screening materials should be more standardized.

Craig Hauschild, Town Civil Engineer, explained that while construction plans often say perimeter landscaping will stay in place, it's usually removed early so contractors can build walls, raise the site, and start construction. He noted that managing screening is a balancing act, and contractors sometimes create setups such as raising screens on cables so they can be lowered during storms. Screening is usually one of the first things removed before a storm event and the first to be replaced afterward. However, maintaining 90% opacity can be challenging, with damage and wind cuts leading to code enforcement issues. He agreed that standardizing materials would help, as some current options, like artificial vines or decorative coverings, are unattractive. He stressed that while not always aesthetically pleasing, screening protects neighbors from dust and debris, especially when constructing

taller structures adjacent to shorter structures.

Council Member Araskog recalled this concern being reviewed by the ORS Committee. She asked Attorney O'Connor whether standardizing screening materials was an option. Town Attorney O'Connor advised that the construction screening ordinance is relatively new, and standardization of screening materials could be addressed. Mr. Bergman noted that the code prohibits signage, murals, graffiti, and other decorative elements.

Council Member Moran wondered if the 90% opaque screening requirement was too much. Mr. Hauschild said it depends on the materials. Council Member Moran thought that certain materials should be specified. She noted that there could be prompts for the screening requirement. Mr. Hauschild said he would be willing to look into more stringent design methodologies for the screening if the Town Council gave such direction.

Council Member Cooney stated that if the Town Council deferred the item for one month, he would be prepared at the next meeting with more information and pictures to have a more robust discussion about refining standards for the community.

Council President Lindsay noted a nonconforming site next to her home. They had planned to put a wall on their property line with large footers extending into her property, which would have killed her entire hedge. Instead, they agreed to offset the wall 3 feet from her property line and turn the footers away from her property to avoid impacting the roots of her mature hedge. She also advocated standardizing the screening requirements.

Mayor Moore commented that more easements would be reclaimed with the underground project's end.

Council Member Cooney said more walls would come up as easements are reclaimed. He said he would defer to the staff on whether this needed to go to the Planning and Zoning Commission.

Council President Pro Tem Crampton also expressed concerns about the impacts on neighbors when the fence is high and the setbacks are narrow.

Council Member Araskog thought the discussion of the site wall should be taken to the Planning and Zoning Commission. She asked if anything in the code designated where a site wall could be constructed. Mr. Bergman said a site wall may be constructed up to the property line.

There was a consensus of the Town Council to defer the item to September 10, 2025.

Council President called for public comment. No one indicated a desire to speak.

7. Review and Discussion Regarding Zoning Code Items - Quick Fixes #1-7

- 7.1 Quick Fix #1: Mechanical Equipment
- 7.2 Quick Fix #2: Nonconforming Lots
- 7.3 Quick Fix #3: Angle of Vision
- 7.4 Quick Fix #4: Residential use in Commercial Districts Default to R-C
- 7.5 Quick Fix #5 Appeals
- 7.6 Quick Fix #6 Duration of Land Use Approval & Extension of Time
- 7.7 Quick Fix #7 Floodplain Notice

Assistant Director James Murphy explained that staff had been revisiting long-discussed “quick fixes” to the zoning code as part of the broader code reform effort, starting with seven draft ordinances presented to the Planning and Zoning Commission, which were well-received. The most significant item involves mechanical equipment regulations, including limits on the number of units, creating mechanical yards, and setting consistent screening wall heights, an area where the current code is contradictory. He noted that resolving this was important, as 62 variances for such issues have been granted in the past five years, and addressing them now would be best practice. He presented solutions to the following issues: mechanical equipment, non-conforming lots, angle of vision, residential use in the commercial districts that default to R-C zoning, appeals, duration of land use approval & extension of time, and floodplain notice.

Council Member Moran supported shortening the time for a contractor to file and receive a permit.

Council President Pro Tem Crampton asked about creating a zoning board of appeals. Mr. Murphy said no notion of a board adjustment was included in today’s presentation.

Council Member Araskog questioned the rooftop equipment and the addition of ten feet. She felt that generators and mechanical equipment needed additional study.

Mayor Moore asked about rooftop screening for replacement equipment when existing units exist on a rooftop without screening. Mr. Murphy said these types of equipment are already allowed on roofs. The heights are being modified as necessary because the heights of the units have changed. He noted that the proposed changes strengthen the code.

Council Member Araskog supported moving forward with everything except single-family residential. She suggested hearing from an architect would be helpful.

Council President Lindsay called for public comment.

Attorney Maura Ziska thought the changes were practical and supported them.

A motion was made by Council Member Araskog and seconded by Council Member Moran to proceed with all the changes except for mechanical equipment, including generators, on the roofs of single-family homes; that item will be sent back to the Planning and Zoning Commission for discussion. The draft ordinances will be presented at the September 10, 2025, meeting. The motion carried unanimously, 5-0.

8. Proposed Zoning Code Items - Quick Fixes Group 2

Mr. Murphy outlined the next set of proposed zoning code changes that staff plans to present to the Planning and Zoning Commission for discussion. Key topics included creating new incentives for landmarked and historically significant properties, updating open space requirements, requiring canopy shade trees for resiliency, and standardizing regulations across commercial districts. He also plans to clarify and define terms like “awning” and “canopy” to prevent misinterpretation, address an unusual R-D(2) front setback formula, update basement definitions to meet FEMA and building code standards, and refine fill regulations.

Council President Lindsay commented that shade trees have recently been found in Florida to reduce temperatures underneath during the summer months between 12-14 degrees F. She mentioned that Miami-Dade County’s Mayor implemented a plan to plant shade trees adjacent to sidewalks wherever possible. Council President Lindsay thought this should be looked at for private and public property in Palm Beach.

Council Member Araskog supported the proposed fixes. She asked about the code’s allowance for increasing the rear yard by 5 feet; it can be subtracted from the front yard by 5 feet. She noted that doing this creates inconsistent situations on uniform streets. The council agreed to change this in the code.

Council President Pro Tem Crampton noted concerns about how the code impacts the island’s south end. He asked that staff take this concern to the Planning and Zoning Commission, as the ambassador process is vital to the south end and the resulting code. The application can be more creative as new buildings for the ambassador come along.

Council Member Moran was supportive of adding shade trees. She asked about variances on landmarked properties. Mr. Murphy stated that the code allows landmarked properties to have a dimensional waiver. He said some of the variances could potentially be removed, but not the elimination of variances for landmarked properties. Council Member Moran asked if historically significant buildings would be included in that category. She felt they should be included because that is how history is preserved.

A consensus of the Town Council was to allow staff to take the proposed items to the Planning and Zoning Commission for discussion.

**Note: A short break was taken at 10:52 a.m. and the meeting resumed at 10:59 a.m.*

UNFINISHED BUSINESS

9. ZON-25-0018 (ARC-25-0018) 164 SEMINOLE AVE (COMBO) – VARIANCES
The applicant, JPBK Properties #2, LLC (James G. Held, Manager), has filed an application requesting Town Council review and approval of two (2) variances related to the construction of a new residence and accessory structure, including (1) a variance to exceed maximum angle of vision and (2) a variance to exceed the maximum cubic content ratio permitted. The Architectural Commission (ARCOM) shall perform design review of the application. *[The Architectural Commission Recommendation: Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 5-2.] [The Architectural Commission approved this project with conditions. Carried 7-0.]*

Council Members Araskog, Cooney, Moran, and Council President Lindsay disclosed ex parte communications.

Mr. Murphy provided staff comments and answered questions from the Town Council.

Mayor Moore thought that the angle of vision requirement could be met on this project.

Council Member Araskog agreed with Mayor Moore. She did not think there was a hardship to warrant the variance.

The potential property owner, Rob Frisbie, explained the request and why they requested variances.

Council President Pro Tem Crampton wondered if any of the variances requested by the applicant could be addressed with the quick fixes proposed by staff. Mr. Bergman said the angle of vision still applies to two-story buildings.

Council Member Araskog asked Mr. Bergman if it was true that if the home were moved back three feet, the office would not fit. Mr. Bergman thought that Mr. Frisbie was saying that if he shifted the entire project to the rear, he would not ask for an angle of vision variance but a setback variance. Mr. Frisbie said the office was an essential part of the construction.

Mayor Moore clarified that she meant shrinking the side where the chimney is out of the angle of vision.

Council President Lindsay called for public comment. No one indicated a desire to speak.

Council Member Moran thought Mr. Frisbie's reasoning for not shifting the house was reasonable, so she supported the request.

Council President Pro Tem Crampton agreed with Council Member Moran.

Council President Lindsay agreed with Council President Pro Tem Crampton and Council Member Moran. She said she would prefer to adopt FAR because she does not like CCR, which causes some of these variance requests.

Council Member Cooney supported the request.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton that Variance No. ZON- 25-0018, 164 Seminole Avenue, shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 4-1, with Council Member Araskog dissenting.

10. ZON-25-0026 (COA-25-0009) 1200 S OCEAN BLVD (COMBO) – SPECIAL EXCEPTION The applicant, Dustin Mizell with Environment Design Group, has filed an application requesting Town Council review and approval for a special exception to allow the construction of a new Padel court. The scope of work includes exterior alterations, landscape, and hardscape modifications for the landmarked property. The Landmarks Preservation Commission shall perform design review of the application. *[The Landmark Commission Recommendation: Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 5-2.] [The Landmark Commission approved this project with conditions to use Option A. Carried 5-2.]*

Mayor Moore disclosed ex parte communications.

Mr. Murphy provided staff comments.

Sean Twomey of Environment Design Group presented the architectural plans for the proposed Padel court.

Council Member Cooney asked about the elevation, illustrating where the court would be. He said the neighbors and the guest house would be the only people impacted by this. He felt the proposed location was fine for the Padel court.

Council President Lindsay called for public comment. No one indicated a desire to speak.

Council President Pro Tem Crampton felt the location was appropriate, as it is adjacent to a tennis complex.

A motion was made by Council Member Cooney and seconded by Council Member

Araskog that Special Exception No. ZON-25-0026, 1200 S. Ocean Blvd., shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. The motion was carried 5-0.

11. ZON-25-0030 (ARC-25-0024) 124 BRAZILIAN AVE (COMBO) – VARIANCES
The applicant, Gulf Stream Trust (Maura Ziska Representative, Kirchoff & Associates Architect), has filed an application requesting Town Council review and approval of four (4) variances to (1) reduce required number of garage spaces, (2&3) retain reduced west side yard setbacks at both first and second floors and (4) to reduce the required east side yard first floor setbacks for various additions and alterations. The Architectural Commission (ARCOM) shall perform design review of the application. *This project shall be deferred to the October 15, 2025, Town Council meeting, pending Architectural review.*

Please note: This item was deferred to the October 15, 2025, meeting at the Approval of the Agenda.

NEW BUSINESS

12. ZON-25-0034 (COA-25-0013) 215 EL BRAVO WAY (COMBO) - VARIANCES
The property owner, 215 El Bravo Trust (Maura Ziska, Trustee), has filed an application requesting Town Council review and approval of three (3) variances to: (1) reduce the rear (north) yard setback, (2) reduce the side (west) yard setback, and (3) exceed the maximum lot coverage permitted associated with the reconstruction and extension of the two-story west wing and a second-floor addition to the existing one-story garage. The scope of work also includes exterior alterations, selective demolition, and one-story additions, including window and door replacement, roof replacement, installation of a pergola, as well as new landscape and hardscape improvements, including a new pool for the landmarked property. The Landmarks Preservation Commission shall perform design review of the application. *[The Landmark Commission Recommendation: Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 7-0.] [The Landmark Commission approved the Floodplain Variance. Carried 7-0.] [The Landmark Commission approved this project as presented. Carried 6-1.]*

Council Members Araskog, Cooney, Moran, and Mayor Moore disclosed ex parte communications.

Mr. Murphy provided staff comments.

Attorney Maura Ziska, representing the owner, discussed the hardship and described the requested variances. Jaime Torres Cruz of Fairfax and Sammons presented the architectural plans for the proposed modifications.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Cooney and seconded by Council Member Moran that Variance No. ZON-25-0034, 215 El Bravo Way shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 5-0.

13. ZON-25-0035 (COA-25-0017) 1221 N LAKE WAY (COMBO) - VARIANCES The property owner, 1221 NLW LLC (Maura Ziska, Authorized Representative), has filed an application requesting Town Council review and approval of two (2) variances to (1) reduce the side (south) yard setback, and (2) increase the distance between the pool water's edge and the pool equipment associated with the construction of a new pool on the south side of the landmarked property. The Landmarks Preservation Commission shall perform design review of the application. *[The Landmark Commission Recommendation: Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 7-0.] [The Landmark Commission approved this project as presented. Carried 7-0.]*

Council Members Cooney, Moran, and Mayor Moore disclosed ex parte communications.

Mr. Murphy provided staff comments and answered questions from the members.

Representing the owner, Attorney Maura Ziska discussed the hardship and described the requested variances.

Council Member Cooney noted that several issues on the property are being improved and fixed. It was confirmed that the astroturf would be replaced with grass.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Cooney and seconded by Council Member Moran that Variance No. ZON-25-0035, 1221 N. Lake Way, shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 5-0.

14. ZON-25-0037 (ARC-25-0033) 171 EL PUEBLO WAY (COMBO) – VARIANCES The applicants, Kevin Ryan & Carolyn Presly-Ryan, have filed an application requesting Town Council review and approval of two (2) variances pertaining to a deficient pool heater setback from the east property line and to exceed the maximum distance separation permitted between swimming pool equipment and the swimming pool. The Architectural Commission shall perform design review of the application. *[The Architectural Commission Recommendation:*

Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 6-0.] [The Architectural Commission approved this project on the Consent Agenda. Carried 6-0.]

There were no disclosures of ex parte communications.

Mr. Murphy provided staff comments and answered questions from the members.

Representing the owner, Attorney Maura Ziska discussed the hardship and described the requested variances.

Council Member Araskog expressed concern about noise from the pool heater. Mr. Murphy said the pool heater had a different setback, and current specifications indicate that pool heaters are silent.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Cooney and seconded by Council Member Moran that Variance No. ZON-25-0037, 171 El Pueblo Way, shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 5-0.

15. ZON-25-0038 (COA-25-0021) 360 SEASPRAY AVE (COMBO) - VARIANCES
The applicant, Erik Broberg with SKA Architect + Planner, has filed an application requesting Town Council review and approval of five (5) variances to (1) reduce the front (north) yard setback, (2) reduce the side (east) yard setback, (3) exceed the maximum angle of vision permitted, (4) exceed the maximum lot coverage permitted, and (5) exceed the maximum cubic content ratio (CCR) permitted for a new detached aluminum carport for the landmarked property. The Landmarks Preservation Commission shall perform design review of the application. ***This project shall be deferred to the September 10, 2025, Town Council meeting, pending Landmarks review.***

Please note: This item was deferred to the September 10, 2025, meeting at the Approval of the Agenda.

16. ZON-25-0042 235 SUNRISE AVE PALM BEACH HOTEL, Suite C2 and C17 at 223 SUNRISE AVE—VARIANCE The applicant, Grace Family Trust and Regain MD, has filed an application requesting Town Council review and approval for a Variance to allow an office use (medical) on the first floor of the Palm Beach Hotel in the C-TS zoning district where office use is only allowed above the first floor.

Council President Lindsay disclosed ex parte communications.

Mr. Murphy provided staff comments and answered questions from the members.

Attorney Maura Ziska, representing the owner, provided an overview of the project and introduced Dr. Chris Hodgkins. Dr. Hodgkins presented the project. He stated the practice would be an AI-Powered Regenerative Medicine office, and he explained the services that would be offered.

Council President Lindsay called for public comment. No one indicated a desire to speak.

Council Member Moran expressed concern about the impact on the community of a change in the Palm Beach walking experience. She hesitated to approve the first floor on a street experiencing some revitalization.

Council President Pro Tem Crampton said the location had a diverse collection of businesses. He thought the establishment of a cutting-edge medical facility would appeal to residents.

Mayor Moore acknowledged Council Member Moran's concerns but felt this would be appropriate since there are other first-floor offices in the area.

Council Member Araskog agreed with Council Member Moran. She asked what offices were in the Palm Beach Hotel, and Mr. Murphy responded.

Frederick Grace, partial owner of the building, noted that some of the office spaces in the Palm Beach Hotel were real estate offices.

A motion was made by Council President Pro Tem Crampton that Variance No. ZON-25-0042, 223 Sunrise Avenue, Suite C2 and C1, shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion failed for the lack of a second.

A motion was made by Council member Cooney and seconded by Council Member Araskog that Variance No. ZON-25-0042, 223 Sunrise Avenue, Suite C2 and C17, be denied based on the reason that the application does not meet the criteria as set forth in Section 134-201 (a), items 1 through 7. The motion was carried 4-1, with Council President Pro Tem Crampton dissenting.

- 17. ZON-25-0043 353 PERUVIAN AVE—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE** The applicant, Jay and Letty Biggens, have filed an application requesting Town Council review and approval for a (1) Special Exception with Site Plan Review for a commercial space that contains square footage greater than 3,000 SF in the C-TS district and/or (2) Special Exception

with Site Plan Review for outdoor furniture “For Sale” by the applicant’s business only and not to be associated with the previously approved gourmet market that is in the same commercial plaza. Additionally, the applicant is requesting one variance to reduce the required parking for the total open-air merchandise display areas.

There was no disclosure of ex parte communications.

Mr. Murphy provided staff comments and answered questions from the members.

Attorney Maura Ziska, representing the owner, provided an overview of the project and introduced Letty Biggens. Ms. Ziska did note that there is currently no furniture in the courtyard. They would like to put furniture for sale in the courtyard to make the area more interesting. Ms. Biggens shared her vision for the business, which is to showcase outdoor furniture. Jay Biggens, co-owner, added that the idea was to attract customers.

Council Member Araskog asked why the furniture was placed in the elements before the store opened. Ms. Biggens responded that it was outdoor furniture with some protection by umbrellas. Council Member Araskog asked about efforts to renovate the area that was supposed to be renovated. Mr. Biggens said the building has a brand new roof.

Council President Lindsay called for public comment. No one indicated a desire to speak.

Council Member Cooney noted that this building sat empty for an extended time, and it is nice to have an occupant. He also did not have any issue with seating in the courtyard.

Council Member Araskog had an issue with the placement of furniture before approval. She suggested deferring the item until the market project is finished. She also felt the Landmarks Preservation Commission needed to review it.

Mayor Moore agreed with Council Member Araskog.

Council President Lindsay expressed concerns and agreed with her fellow council members. She supported deferring the request.

A motion was made by Council Member Araskog and seconded by Council Member Moran that Special Exception and Site Plan Review No. ZON-25-0043, 353 Peruvian Avenue, will be deferred indefinitely. The motion was carried 5-0.

ANY OTHER BUSINESS

There was no other business discussed at this time.

ADJOURNMENT

A motion was made by Council Member Araskog and seconded by Council Member Cooney to adjourn the meeting at 1:11 PM. The motion was carried unanimously, 5-0.

APPROVED:

Bobbie D. Lindsay, Town Council President

APPROVED:

Kelly Churney, CMC, Town Clerk

Date: _____

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Wayne Bergman, MCP, LEED® AP, Director of Planning, Zoning & Building

Re: August 27, 2025, Architectural Commission Meeting Minutes

Date: 8/28/2025

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that ARCOM approved at the regularly scheduled meeting on August 27, 2025.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve major items considered at the regularly scheduled meeting on August 27, 2025.

GENERAL INFORMATION

These minutes are submitted to the Town Council for approval pursuant to Chapter 18-177 of the Town of Palm Beach Code of Ordinances.

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation

Strategic Focus Areas:

Collaborative Town Government

FUNDING

No Fiscal Impact



TOWN OF PALM BEACH

Minutes of the Architectural Commission Meeting Held on August 27, 2025

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 9:00 AM in the Town Council Chambers.

Members Present: Betsy Shiverick, Elizabeth Connaughton, Jeffery Smith, Kenn Karakul, Kathy Georgas, Sue Patterson, David Phoenix, Richard Sammons

Members Absent: Claudia Visconti, KT Catlin

Staff Present: Friederike Mittner, Sarah Pardue, Kelly Churney, and Assistant Town Attorney Lainey Francisco

PLEDGE OF ALLEGIANCE

Chair Smith led the Pledge of Allegiance.

MINUTES

1. Minutes of the July 23, 2025, Architectural Commission Meeting

A motion was made by Ms. Patterson and seconded by Mr. Phoenix to approve the minutes from the July 23, 2025, meeting. The motion was carried unanimously, 7-0.

APPROVAL OF CONSENT AGENDA

Ms. Pardue announced that staff was removing ARC-25-0006 216 Tradewind Drive from the consent agenda and placing it to be heard first on the agenda.

A motion was made by Ms. Shiverick and seconded by Mr. Karakul to approve the amended consent agenda. The motion was carried unanimously, 7-0.

3. EXTPLAN-25-0006 153 AUSTRALIAN AVE The applicant, Rabbi Zalman Levitin (Daily Janssen Architects), has filed an application requesting Architectural Commission

review and approval for a one-year Extension of Time for a previously issued Architectural Commission approval for construction of a new two-story single-family residence with final hardscape and landscape. (ORIGINALLY ARC-24-015 AND APPROVED AT THE JULY 24, 2024 MEETING)

APPROVAL OF AGENDA

A motion was made by Mr. Karakul and seconded by Ms. Shiverick to approve the agenda as presented. The motion was carried unanimously, 7-0.

ADMINISTRATION OF THE OATH

Town Clerk Churney swore in all those intending to speak and continued to do so throughout the meeting, as necessary.

COMMENTS

4. OFFICIALS

No comments were heard at this time.

5. STAFF

Ms. Mittner stated that at the end of the meeting, the staff would present the seven quick fixes to the zoning code, which would be presented to the Town Council for approval at their next meeting.

6. PUBLIC - 3 MINUTE LIMIT

No comments were heard at this time.

GENERAL BUSINESS

- 2. ARC-25-0046 216 TRADEWIND DR** The applicant, 216 Tradewinds LLC (Roger Ogilbee, Manager), has filed an application requesting Architectural Commission review and approval for incorporation of a generator and screening wall into the site plan of a previously approved new residence.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex parte communications.

Mr. Smith indicated that the item was pulled from the consent agenda to address any issues. He asked if there were any questions from the commissioners. No one had any questions.

A motion was made by Ms. Shiverick and seconded by Ms. Patterson to approve the project as presented. The motion was carried unanimously, 7-0.

- 7. ARC-24-0090 (ZON-24-0046) 2720 – 2730 S OCEAN BLVD—EDGEWATER /**

AMBASSADOR SITE (COMBO) - Update from the Applicant.

Mr. Harvey Oyer, representing the applicant, presented updates on the redevelopment project, noting nearly three years of work to address board and community feedback. He emphasized that the proposal had garnered broad support from neighboring buildings and the Citizens Association of Palm Beach. He stated the project would reduce density, traffic, and building heights while eliminating transient hotel use, and all parking will be placed underground. Although variances were required due to outdated zoning and FEMA elevation requirements, Mr. Oyer stressed that the three buildings were shorter than surrounding condominiums and consistent with south end development patterns, where similar building typologies are the norm. He concluded that the design achieves harmony, balance, and contextual appropriateness.

Jason Long of OMA reviewed the project and displayed renderings of the architecture. Yusef Dennis of OMA reviewed the landscape and hardscape renderings for the project.

Chair Smith called for public comment.

Attorney Megan Wegerif of Xenick Lebedeker Law Firm, representing 2770 S. Ocean Blvd., stated her clients supported the project because the applicant had worked collaboratively over several years to address concerns, making changes that protect and even enhance 2770's views while minimizing other impacts. She added that the reduced density, safer and more resilient construction, and improved infrastructure would benefit 2770 and the surrounding neighborhood.

Joan Wenzel, 2275 Ibis Isle Road, praised the project as beautiful and well-blended with neighboring properties, highlighting the underground parking as a major improvement over typical surface lots. She described the design as exciting and a positive addition to the neighborhood.

Gloria Carchi, 2660 S. Ocean Blvd., speaking on behalf of the Board of Directors, expressed support for the project and its variances. She noted the applicant's collaboration through multiple meetings to address concerns about construction impacts, protect their building, and preserve views. The board felt the revised design was beautiful and compatible with the community.

Rick Salvadore, 3300 S. Ocean Blvd., former board president of 3300 S. Ocean Blvd., and current co-chair of the Citizens Association of Palm Beach, voiced strong support for the project, praising the applicant's extensive collaboration with neighboring buildings over the past two years to build consensus. He emphasized that the Citizens Association believed that redevelopment advances its mission to preserve Palm Beach's character and quality of life. He noted the project had become one of the most discussed issues in the area and set a high standard for future developments.

Skip Aldridge, 2295 S. Ocean Blvd., co-chair of the Citizens Association and president of Harbor House, voiced strong support for the project, echoing the importance of preserving quality of life in the south end. He praised the applicant's collaboration with neighbors, calling it a model of best practices for developers. Believing the project would be the premier building in the area, he stressed that it set a high standard for future redevelopment.

Shelly Newman, a longtime Palm Beach resident, praised the developer's reputation and global stature, saying the project met the high expectations Palm Beach deserves and would set a new standard for quality construction in the south end, especially as many buildings there were deteriorating.

Thor Brown, 2500 S. Ocean Blvd., and a board member at 2500 S. Ocean Blvd., highlighted the benefits of replacing the outdated Ambassador, including a sharp reduction in transient units and traffic, and described the proposal as a spectacular project that will modernize the South End and keep Palm Beach competitive with new developments in West Palm Beach.

Mr. Phoenix said the revised design improved compared to earlier versions, especially with limestone and varied loggias that made the building look less like an office. However, he still felt more work was needed, particularly with the railings and the thin penthouse roof, suggesting the project could use additional embellishment.

Mr. Sammons expressed concern that the project reflected a style of large-scale development that the Town sought to limit decades ago to preserve Palm Beach's unique charm and character. He noted that while the design aligned with other south end buildings, the overall context raised questions about sustainability, energy efficiency, and long-term compatibility with the Town's goals. He also observed that the buildings could better respond to site conditions. He suggested that the project felt more corporate than reflecting the "spaciousness and charm" envisioned in the Town's code. Ultimately, he cautioned that the proposal may not fully align with the Town's traditional vision and planning principles.

Ms. Georgas thought the building had come a long way and applauded the efforts. She agreed the guardrails needed to be restudied.

Ms. Shiverick expressed support for the Aman brand entering the south end, calling it a welcome change and an exciting opportunity for the area. While noting improvements in the latest design, particularly the façade, she felt the railings and other elements still needed refinement. She encouraged the design team to draw more inspiration from Aman's other projects, such as the building referenced in the Dominican Republic, to achieve a final product that fully captures the brand's distinctive quality and aesthetic.

Ms. Patterson agreed with Ms. Shiverick's comments, noting that while the project generally fit the area, Aman properties elsewhere felt more distinctive and integrated with their surroundings. She emphasized the importance of setting a high bar, so the development stood out as an oasis rather than blending in as another standard building. She commended the applicant's collaboration with neighbors but felt the design needed refinement, particularly with details like the railings.

Ms. Connaughton acknowledged excitement about the project but reiterated that earlier critiques still apply. She expressed concern that the massing felt too similar to an apartment building, suggesting the design would benefit from breaking up the buildings more to create a human scale and stronger long views. While noting some improvements, she felt the project could be significantly better with these larger design adjustments, which she believed would serve both the client and future residents.

Mr. Phoenix emphasized that while the project had broad community support, its design still needed greater creativity and boldness. He suggested moving beyond traditional Palm Beach references like limestone and pecky cypress to deliver something more distinctive and contemporary that better integrates with the landscaping. Citing inspiration from places like Major Alley, he encouraged the team to rethink the massing, floor plans, and overall design approach to create a more imaginative and unique project.

Mr. Karakul noted that Aman properties worldwide were admired for respecting their surroundings, and they encouraged the design team to bring more of that unique, site-sensitive character into this project. He cautioned, however, against overdoing changes, which could detract from the simple elegance and success of Aman's established style.

Ms. Connaughton agreed with Messrs. Phoenix's and Sammons's earlier comments, emphasizing two main concerns. First, she stressed the importance of creating defined and proportionate exterior spaces rather than leaving buildings surrounded by undefined open areas. Second, she noted inefficiencies in the floor plans, particularly the long corridors resulting from the building depth, and suggested that breaking up the buildings could improve the quality of the interior spaces and the views.

Mr. Smith praised the Aman brand for its global reputation, uniqueness, and ability to create exciting, environmentally connected projects, but felt this design did not reflect that same spirit. While acknowledging improvements over previous submissions, he criticized the repetitive floor plans and questioned why all three buildings were treated the same despite their different sites. He also found using local architectural references in the presentation confusing, as the design did not align with those styles. Concerns were raised about the railings and the lack of imagination compared to other Aman properties. Mr. Smith concluded by urging the team to deliver a more distinctive and inspiring design that sets a high standard for future south end development.

Mr. Long thanked the board for its feedback and explained that the massing of the buildings was largely shaped by zoning setbacks and efforts to protect neighboring views. He noted that alternative configurations, such as spreading more buildings across the site, would compromise setbacks, view corridors, or developable areas. The current plan balanced those constraints with the desired product type and interior layouts. While some minor variances were required, the design remained largely compliant with setback requirements and was adjusted to maintain good relationships with adjacent properties.

There was no motion for this project as it was solely a presentation by the applicant.

UNFINISHED BUSINESS

8. ARCS-25-0918 201 VIA LAS BRISAS The applicant, Phipps Estates HOA (Walsh Roofing Representative), has filed an application requesting Architectural Commission review and approval for replacement of concrete Spanish Stile with clay Spanish S-tile at the entry structures to Phipps Estates.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex parte communications.

Cheyenne with Walsh Roofing presented the plans for the new roofing material.

Ms. Shiverick asked why the roof was changing and why clay barrel tile could not be used. The representative from Walsh Roofing explained that both buildings had leaks and that her client preferred to retain the S-tile roof material. Ms. Shiverick noted that the commission rarely approves S-tile because of its quality concerns and stated that she believed clay barrel tile would provide a better appearance.

Chair Smith called for public comment. No one indicated a desire to speak.

A motion was made by Ms. Shiverick and seconded by Ms. Patterson to approve the project on the condition that clay barrel material is used. The motion was carried unanimously, 7-0.

NEW BUSINESS

9. ARC-25-0043 250 INDIAN RD. The applicant, Frances Sweeney (Dailey Janssen Architects), has filed an application requesting Architectural Commission review and approval for a two-story addition to an existing residence, new detached garage with sitewide landscape and hardscape modifications.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex parte communications.

Patrick Mayfield of Dailey Janssen Architects presented the plans for the proposed addition to the existing residence. Cory Meyer of Nievera Williams Design presented the landscape and hardscape plans for the site. Caroline Fitzgibbons, owner, spoke about the need for more space for her growing family.

Mr. Phoenix asked about the height of the new structure, as it appeared higher than the main home. Mr. Mayfield stated it was lower. Mr. Phoenix asked about the garage door and wondered if two doors were considered. Mr. Mayfield stated he would consider two doors. Mr. Phoenix asked if the new home's material palette would match the existing home's palette. Mr. Mayfield discussed the materials. Mr. Phoenix wondered if the cupola was necessary for the garage element; Mr. Mayfield responded.

Ms. Patterson agreed with the comments on the new structure and thought it should appear more subservient. She also asked about the fenestration in the new structure and liked the idea of the two garage doors.

Ms. Georgas asked if the addition would be pushed back from the primary facade, which Mr. Mayfield confirmed and discussed.

Mr. Sammons expressed concern that the new family room hyphen disrupted the courtyard feel by projecting too far and featuring a prominent chimney on a low-pitched gable. He noted the proportions resemble a ranch style rather than the Bermuda style and suggested the hyphen functions more like a pavilion than a connector. He recommended revisions to better integrate it into the overall design.

Ms. Connaughton asked about the dimensions of the hyphen, kitchen bay, and loggia, then commented that the hyphen still felt too wide despite being lowered in height. She noted that the loggia projection crowded the south courtyard and suggested thinning or pushing it back. She also felt the family room gable on the Indian Road façade looked too wide and low, giving the appearance of an overly large house, and recommended design changes to reduce its scale.

Ms. Shiverick shared concerns that the north elevation read too monolithic and suggested turning the first connector into a more glassed-in veranda or breezeway to lighten its appearance. She confirmed details about the front door and new entry terrace. She then commented that the garage design felt overly elaborate with its separate treatment, recommending it be simplified to better match the house.

Mr. Sammons suggested that design elements like the pergola and hyphen should function more distinctly, either as transparent connectors or garden walls, rather than extensions of the house. He noted that pergolas were typically treated differently on the inside and outside edges and encouraged more thoughtful detailing. He also pointed out small unused areas near the loggia, recommending adjustments to create more intentional and positive garden or circulation spaces.

Mr. Karakul praised the project for its design and the incorporation of the adjacent property to preserve more green space. He supported Ms. Shiverick's idea of reworking the hyphen into something lighter, such as French doors to create a garden-like feel. He suggested enhancing the landscaping along the front family room to add more interest.

Ms. Patterson liked the idea of adding glass to the office space.

Mr. Smith commented that the new balcony on the addition felt out of place, noting its heavy appearance and roof projection did not match the rest of the house's character. He added that while he is not particularly fond of the new family room gable, it generally worked within the design.

Mr. Phoenix said the design was strong overall, but could be elevated from good to great with some refinements. He suggested adding glass or material changes, such as stone, around the chimney and family room elevation to improve balance. He agreed with earlier concerns about the hyphens, felt the garage design was overly elaborate and would look better as a simplified carriage house, and noted the balconies may not be functional.

Chair Smith called for public comment. No one indicated a desire to speak.

A motion was made by Mr. Phoenix and seconded by Mr. Sammons to defer the project to the September 25, 2025, meeting, asking for a restudy of the following items on the north elevation: the hyphens, garage, chimney, balconies, and pergola. The motion was carried unanimously, 7-0.

10. ARC-25-0022 250 VIA LINDA. The applicant, Subtrust U/ Article Second of the Mtdt 2009 Descendants Trust (Nievera Williams Design), has filed an application requesting Architectural Commission review and approval for a driveway replacement with landscape and hardscape improvements.

Ms. Pardue provided staff comments on the project.

Ms. Connaughton disclosed ex parte communications.

Cory Meyer of Nievera Williams Design presented the landscape and hardscape plans for the site.

Mr. Sammons confirmed that the driveway was becoming smaller, but the runoff would remain about the same. He asked about the replacement material. Mr. Meyer responded.

Ms. Shiverick asked if another color, other than gray, could be considered. Mr. Meyer discussed the reasons for the chosen color.

When asked if a different material border could be added, Mr. Meyer confirmed it could.

Chair Smith called for public comment. No one indicated a desire to speak.

A motion was made by Ms. Shiverick and seconded by Mr. Karakul to approve the project with the condition that a coquina border be added to the driveway. The motion was carried unanimously, 7-0.

11. ARC-25-0039 390 N LAKE WAY The applicant, 390 NLWPB LLC (MHK Architecture), has filed an application requesting Architectural Commission review and approval for exterior modifications including a new front entry with landscape and hardscape changes.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex parte communications.

Caroline Forest of MHK Architecture presented the architectural plans for changing the front entrance.

Mr. Sammons questioned the choice of architectural order for the front windows and portico, noting inconsistencies with proportions and the selected Tuscan style. Ms. Forrest explained that while the rear of the house had more elaborate detailing, replicating those elements on the front made it appear too heavy. Ms. Forrest discussed the order chosen to fit the narrow proportions of the existing vertical element, emphasizing that the decision was intentional and based on working within the house's existing parameters.

Cory Meyer of Nievera Williams Design presented the landscape and hardscape plans for the site. Mr. Meyer confirmed that real grass would be used in the joints.

Chair Smith called for public comment. No one indicated a desire to speak.

Mr. Sammons stressed that the portico's proportions needed correction, noting that the current design misapplied the Tuscan order. He explained that the columns were too thick for the entablature, the frieze was too short, and the overall scale was oversized. He recommended lowering and properly proportioning the entablature, narrowing the spacing, and adjusting the

architrave to align with classical standards, improving the design's balance and allowing the railing to be better integrated.

A motion was made by Mr. Sammons and seconded by Ms. Patterson to approve the project with the following conditions: that the overall proportions and order of the front entrance be corrected, real grass joints be incorporated into the hardscape design, and the soffit be revised, with all items returning to staff for approval in coordination with the Chair. The motion was carried unanimously, 7-0.

12. ARC-25-0040 428 SEABREEZE AVE. The applicant, Chauncy & Deborah Crandall (Environment Design Group), has filed an application requesting Architectural Commission review and approval for sitewide landscape and hardscape alterations with installation of a generator.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex parte communications.

Dustin Mizell of Environment Design Group presented the modifications to the landscape and hardscape plans for the site.

Chair Smith called for public comment. No one indicated a desire to speak.

A motion was made by Mr. Phoenix and seconded by Ms. Patterson to approve the project as presented. The motion was carried unanimously, 7-0.

13. ARC-25-0044 (ZON-25-0045) 766 HI MOUNT RD (COMBO). The applicant, Christina Baker, owner (Maura Ziska and SKA Architects, representatives), has filed an application requesting Architectural Commission review and approval for removal and new construction of a glass enclosure on the west side of the cabana requiring a side yard setback. The Town Council shall review the application as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex parte communications.

Jackie Albarran of SKA Architect + Planner presented the architectural plans for the proposed modifications.

Ms. Shiverick wondered if this would be an opportunity to change the design of the greenhouse, as the existing one looked dated, and asked Ms. Albarran if that was possible. Ms. Albarran stated that the owner loved and wanted to replicate the design.

Mr. Phoenix commented that the proposed design felt dated and suggested this was an opportunity to create a more traditional glass structure compatible with the neighboring building. He stated he did not favor the current configuration and believed there were better ways to achieve the desired transparency and lake views.

Ms. Connaughton asked about the straight chamfer in the design and wondered if the curve could not be replicated.

Bijan Parsi of Botkin Parsi and Associates explained that the design used straight glass instead of curved glass due to impact resistance and material stress challenges. He noted that producing curved glass would require larger structural members, which the team had hoped to avoid, but confirmed they could adjust the design to incorporate curves if necessary.

Ms. Connaughton said she would prefer to see the structure recreated to more closely match the original design, rather than altering details such as divided lights or chamfers, which she felt were less successful. Mr. Parsi discussed the impact glass, and how the design was altered. Ms. Connaughton stated she would be in favor of replicating the original design.

Mr. Sammons thought there was an opportunity for a better design.

Mr. Smith agreed that better greenhouses were on the market and suggested more of a conservatory.

Chair Smith called for public comment. No one indicated a desire to speak.

A motion was made by Ms. Connaughton and seconded by Ms. Shiverick to defer the project to the October 29, 2025, meeting for a restudy. The motion was carried unanimously, 7-0.

14. ARC-25-0013 1263 N LAKE WAY. The applicant, Henry P. McIntosh, has filed an application requesting Architectural Commission review and approval for installation of solar panels on a single-family residence. *This item has been deferred to the September 25, 2025, meeting.*

***Note: Once the agenda was approved, this item was deferred to the meeting on September 25, 2025.**

ANY OTHER BUSINESS

Ms. Pardue stated that the letters the commission received for 940 N. Lake Way were for the September meeting.

Ms. Churney reminded the commission that the meeting in September was on a Thursday.

Ms. Mittner stated that the 2026 meeting dates were placed on the dais for the commission.

Ms. Mittner presented an overview of the seven quick fixes to the zoning code that would be presented to the Town Council at their September meeting.

MEETING SCHEDULE

15. The next meeting is scheduled for Thursday, September 25, 2025

ADJOURNMENT

A motion was made by Mr. Sammons and seconded by Mr. Phoenix to adjourn the meeting at 11:43 AM. The motion was carried unanimously, 7-0.

Respectfully Submitted,

Jeffery W. Smith, Chair

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Bob Miracle, CPA
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO Town Procurement and Contract Manager

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a purchase order to Kemira Water Solutions Inc. for FY26 in the amount of \$250,000 for Ferric Sulfide.
94-2025

Date: 8/27/2025

STAFF RECOMMENDATION

Town staff recommends approving Resolution 094-2025, approving a purchase order to Kemira Water Solutions Inc. for FY26 in the amount of \$250,000 for Ferric Sulfide.

GENERAL INFORMATION

The Town of Palm Beach's sanitary sewer system consists of forty-two (42) stations located throughout the island. The main pump station (S-2) is located in Bradley Park and utilizes a force main system to deliver collected wastewater to the East Central Water Reclamation Facility (ECR). As per the agreement with ECR and to limit the corrosion of the Town's subaqueous crossing, the wastewater is treated to reduce the level of dissolved sulfides to a level of three parts per million (3ppm) at the ECR facility. The chemical application system has two 2500-gallon storage tanks and various components used to test the sulfide levels and deliver the chemical to maintain the prescribed rate.

In 2014, Kemira Water Solutions Inc. installed the current chemical application system. Their services include remote monitoring and testing to ensure compliance, monthly maintenance of the test and application equipment, detailed daily reports and delivery of the appropriate chemical to the facility. The Town standardized the stations with Kemira equipment to support reduced level of dissolved sulfides.

The Town had originally piggybacked a contract for Kemira with the Town of Davie. During 2020, the piggyback contract was no longer an option and the Town of Palm Beach Procurement and Contract Management Division worked with the Town Attorney to finalize an agreement with Kemira so the Town could meet operational requirements

of the collection system.

The Public Works Department has provided additional outreach contact information to Procurement and Contract Management to allow outreach to both Palm Beach County and the City of West Palm Beach to secure their pricing for the chemical treatment product. The objective is to secure best pricing for the Town. During this process, the Town must still use this particular treatment process to comply with the ECR.

FUNDING/FISCAL IMPACT

Funding will be provided from the Public Works Operating Budget.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Environmental Stewardship

Strategic Focus Areas:

Water Resources

FUNDING

Operating

RESOLUTION NO. 94-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER TO KEMIRA WATER SOLUTIONS INC. FOR FY26 IN THE AMOUNT OF \$250,000 FOR FERRIC SULFIDE.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Town Council of the Town of Palm Beach hereby approves Resolution No. 094-2025, approving a purchase order to Kemira Water Solutions Inc. for FY26 in the amount of \$250,000 for Ferric Sulfide.

Section 2: The Town Manager or designee is hereby authorized to execute the purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of September 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Bob Miracle, CPA
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO Town Procurement and Contract Manager

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of the collection system.

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FUNDING/FISCAL IMPACT

Funding will be provided from the Public Works Operating Budget.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Environmental Stewardship

Strategic Focus Areas:

Water Resources

FUNDING

Operating

RESOLUTION NO. 94-2025

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Section 2: The Town Manager or designee is hereby authorized to execute the purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of September 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk Blouin

From: Joanne O'Connor, Town Attorney

Re: A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Designating The Planning, Zoning & Building Department As The Administrative Authority For Receiving, Reviewing And Processing Plat And Replat Submittals And Designating The Director Of Planning, Zoning & Building As The Administrative Official Authorized To Approve Plats And Replats Pursuant To Section 177.071, Florida Statutes; And Providing An Effective Date. 104-2025

Date: 8/15/2025

Attached is a memorandum from Joanne O'Connor, Town Attorney, related to Senate Bill 784 – Approval of Plats. In addition, you will find draft Resolution 104-2025 for your review and approval.

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation

Strategic Focus Areas:

Cooperative Relationships

Collaborative Town Government

FUNDING

No Fiscal Impact

RESOLUTION NO. 104-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, DESIGNATING THE PLANNING, ZONING & BUILDING DEPARTMENT AS THE ADMINISTRATIVE AUTHORITY FOR RECEIVING, REVIEWING AND PROCESSING PLAT AND REPLAT SUBMITTALS AND DESIGNATING THE DIRECTOR OF PLANNING, ZONING & BUILDING AS THE ADMINISTRATIVE OFFICIAL AUTHORIZED TO APPROVE PLATS AND REPLATS PURSUANT TO SECTION 177.071, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has amended Section 177.071, Florida Statutes, to require that plats and replats be subject only to an administrative review and approval by a designated local government official, and

WHEREAS, the recently adopted legislation provides that a plat shall be approved provided it complies with the statutory requirements for plats in the statute; and

WHEREAS, the amended statute requires that each local government designate, by ordinance or resolution, the administrative official responsible for the administrative approval of plats and replats; and

WHEREAS, the Town Council of the Town of Palm Beach adopts this resolution to comply with the requirements of Section 177.071, Florida Statutes, and facilitate the efficient review and approval of plats and replats.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2: Designation of Administrative Authority and Official. Pursuant to Section 177.071, Florida Statutes, the Town Council hereby designates the Planning, Zoning and Building Department as the administrative authority for receiving, reviewing, and processing plat and replat submittals. The Town Council further designates the Director of Planning, Zoning and Building as the administrative official authorized to approve, approve with conditions, or deny plat and replat submittals in accordance with Section 177.071 and based on compliance with the requirements of Section 177.091, Florida Statutes.

Section 3: Delegation of Duties. The Director of Planning, Zoning and Building is authorized to delegate review and processing duties to appropriate staff within the Planning, Zoning and Building Department or other relevant departments, or

town consultants consistent with the provisions of Section 177.071, Florida Statutes.

Section 4: Effective Date. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on September 9, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

Memo

To: Kirk Blouin, Town Manager
Wayne Bergman, Director of Planning Zoning & Building
From: Joanne M. O'Connor, Esq.
Date: August 11, 2025
Subject: Senate Bill 784 – Approval of Plats

Senate Bill 784 ("SB 784") became effective on **July 1, 2025**. SB 784 amends section 177.071, Fla. Stat., which governs the approval of plats by municipalities.

A. Must Designate Administrative Authority and Officer to Process Plats

The bill requires local governments to **establish an administrative authority and administrative officer to review, process, and approve plat or replat submittals** without the need for action or approval by the governing body. The administrative authority must be a department, division, or other agency of the local government, and include an administrative officer or employee as designated by an ordinance.

A **draft Resolution** is attached, designating the Planning, Zoning & Building Department as the responsible administrative authority and the Director of the Planning, Zoning & Building Department as the administrative officer. Of course, we can modify to identify another department and/or officer.

B. 7 Days to Substantively Review, Provide Timeline for Approval and Identify Missing Information.

The designated authority or officer must provide the applicant with written notice in response to a plat or replat submittal within seven (7) days acknowledging receipt, identifying any missing documents or information required, and providing information regarding the approval process including requirements and timeframes. Merely acknowledging receipt of an application within seven (7) days is insufficient. The designated authority or officer must also identify if they require any additional documentation or information, and provide a general timeframe for the approval process, including timeframes for reviewing, approving, and otherwise processing the plat or replat submittal. SB 784 does not specify an amount of time or give guidance on the amount of time a

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505 South Flagler Drive, Suite 1100
West Palm Beach, FL 33401
jonesfoster.com

municipality should give in its initial response to an applicant. A prior version of the bill included a 30 day requirement which was removed from the final bill.

C. Must Respond Within Approval Timeline Provided

Unless the applicant requests an extension of time, the designated authority or officer must approve, approve with conditions, or deny the submittal within the timeframe identified in the initial response by the administrative authority or officer. The administrative authority or officer is held to the timeframe they provided unless the applicant requests an extension of time. An administrative authority or officer cannot request that an applicant make a request for an extension of time.

D. Must Support any Denial with Explanation

A denial must be accompanied by an explanation of why the submittal was denied, specifically citing unmet requirements.

RESOLUTION NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, DESIGNATING THE PLANNING, ZONING & BUILDING DEPARTMENT AS THE ADMINISTRATIVE AUTHORITY FOR RECEIVING, REVIEWING AND PROCESSING PLAT AND REPLAT SUBMITTALS AND DESIGNATING THE DIRECTOR OF PLANNING, ZONING & BUILDING AS THE ADMINISTRATIVE OFFICIAL AUTHORIZED TO APPROVE PLATS AND REPLATS PURSUANT TO SECTION 177.071, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has amended Section 177.071, Florida Statutes, to require that plats and replats be subject only to an administrative review and approval by a designated local government official, and

WHEREAS, the recently adopted legislation provides that a plat shall be approved provided it complies with the statutory requirements for plats in the statute; and

WHEREAS, the amended statute requires that each local government designate, by ordinance or resolution, the administrative official responsible for the administrative approval of plats and replats; and

WHEREAS the Town Council of the Town of Palm Beach adopts this resolution to comply with the requirements of Section 177.071, Florida Statutes, and facilitate the efficient review and approval of plats and replats.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, FLORIDA, THAT:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Designation of Administrative Authority and Official. Pursuant to Section 177.071, Florida Statutes, the Town Council hereby designates the Planning, Zoning and Building Department as the administrative authority for receiving, reviewing, and processing plat and replat submittals. The Town Council further designates the Director of Planning, Zoning and Building as the administrative official authorized to approve, approve with conditions, or deny plat and replat submittals in accordance with Section 177.071 and based on compliance with the requirements of Section 177.091, Florida Statutes.

Section 3. Delegation of Duties. The Director of Planning, Zoning and Building is authorized to delegate review and processing duties to appropriate staff within the Planning, Zoning and Building Department or other relevant departments, or town consultants consistent with the provisions of Section 177.071, Florida Statutes.

Section 4. Effective Date. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2025 by the Town Council of the Town of Palm Beach, Florida.

APPROVED:

ATTEST:

Resolution XX-2025

Page 2

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Bob Miracle, CPA
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO Town Procurement and Contract Manager

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a change order to Janice M. Riley, DBA, The Paving Lady for Phase 5N and 6N Milling and Paving Improvements in the amount of \$440,554.89 for a total awarded Purchase Order of \$2,527,856.79.
106-2025

Date: 8/27/2025

STAFF RECOMMENDATION

Town staff recommends approving Resolution No. 106-2025 for the award of a Change Order to Janice M Riley, DBA The Paving Lady, for additional work and contingency in the amount of \$440,554.89 for a total awarded Purchase Order of \$2,527,856.79.

GENERAL INFORMATION

Janet M Riley, DBA The Paving Lady was awarded the ITB for the Phase 5N and 6N Milling and Paving Improvements at the May 13, 2025 Town Council Meeting with a contingency of \$272,256. The majority of this contingency was authorized to mill and resurface extended road limits on the north end of this project; North Lake Way and North Ocean Boulevard from Country Club Road to Bahama Lane, as all undergrounding work in those areas is complete, as well as a portion of Osceola Road.

The Town has requested a Change Order to include additional work that exceeds the remaining contingency in the areas and amounts below to address the various scopes of work:

1. Via Marila road reconstruction is necessary due to poor pavement condition including significant potholes and unraveling pavement along with multiple trench patches. Cost: \$161,491.00 (This portion of work is being brought forward retroactively in order to maintain the project schedule and complete work before November 1st. Work began here on September 2nd.)
2. Woodbridge Road grading adjustments by milling and resurfacing at the western end

of the road where a road crown does not exist and stormwater is not currently routed to the appropriate catch basins. Cost: \$47,611.85

3. North Ocean Boulevard trench drain repairs are needed across from the Palm Beach Country Club where the channel and steel structure have corroded. Cost: \$19,664.00

4. South Ocean Boulevard from Royal Palm Way to Chilean Avenue milling and resurfacing where the road is in poor condition, unraveling and potholes exist. Cost: \$111,788.04

The total of the above-requested Change Order is \$340,554.89 and with a contingency of \$100,000 added back to the project for any additional unforeseen conditions or work, the total project budget is increased from \$2,087,298.90 to \$2,527,856.79.

FUNDING/FISCAL IMPACT

Funding will be provided by the Capital Improvement Fund as noted above.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Community Culture and Character, Mobility and Transportation

Strategic Focus Areas:

Quality of Life

On-island Mobility

FUNDING

Capital

RESOLUTION NO. 106-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CHANGE ORDER TO JANICE M. RILEY, DBA, THE PAVING LADY FOR PHASE 5N AND 6N MILLING AND PAVING IMPROVEMENTS IN THE AMOUNT OF \$\$440,554.89 FOR A TOTAL AWARDED PURCHASE ORDER OF \$2,527,856.79.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Town Council of the Town of Palm Beach hereby approves Resolution No. 106-2025, approving the award of a Change Order to Janice M Riley, DBA The Paving Lady, for additional work and contingency in the amount of \$440,554.89 for a total awarded Purchase Order of \$2,527,856.79.

Section 2: The Town Manager or designee is hereby authorized to execute purchase orders on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of September 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member



1000 W. Industrial Ave. Boynton Beach, FL 33426 561-572-2600

To:	Town Of Palm Beach	Contact:	
Address:	Palm Beach, FL	Phone:	
		Fax:	
Project Name:	Town Of Palm Beach SN	Bid Number:	25 - 1842
Project Location:	Palm Beach, FL VIA Marila 4.5" M/P	Bid Date:	4/14/2025

- This proposal includes a total of 1 paving mobilization/s.
- Any additional paving mobilization will be priced \$5,500.00 each.
- Any additional Type S or SP overages will be priced \$165.00 Miami/WPB And \$180 Fort Pierce per Ton.
- Demo, Prep, Brick Pavers Protection and MOT excluded.
- All asphalt mixtures included in this proposal include recycled asphalt(R.A.P), unless explicitly described.
- Field measurements will prevail.

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
	General Conditions	1.00	LS	\$3,257.00	\$3,257.00
	M.O.T	1.00	DDAY	\$650.00	\$650.00
	Mob And Demob	5.00	UNIT	\$310.00	\$1,550.00
	Payment And Performance Bonds	1.00	UNIT	\$3,122.00	\$3,122.00
	Professional Video	1.00	EACH	\$1,475.00	\$1,475.00
	Survey, Layout	0.00	EACH	\$0.00	\$0.00
	Protect Private Property , Driveways , Landscaping	1.00	EACH	\$1,400.00	\$1,400.00
	Testing, QC	1.00	EACH	\$675.00	\$675.00
05	4.5" Asphalt Milling DEEP MILL AND REBUILD	3,128.00	SY	\$8.00	\$25,024.00
10	2.5" Type SP-12.5 Asphalt Overlay	3,128.00	SY	\$22.10	\$69,128.80
15	2" SP-9.5 Top Lift On-Site	3,128.00	SY	\$17.65	\$55,209.20

Total Bid Price: \$161,491.00

Notes:

- Due to the volatility of asphalt material costs in the current market, we cannot guarantee the future cost of materials for when this work is performed. This proposal reflects Ranger Construction FOB pricing as of 1/01/2025. Any change in material costs from this date will be charged as a change order and all required backup will be provided.

Payment Terms:

Net 30

ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Your Company Name _____ Authorized Signature: _____ Estimator: Tony Dixon tdixon@pavinglady.com
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1000 W. Industrial Ave. Boynton Beach, FL 33426 561-572-2600

To: Town Of Palm Beach	Contact:
Address: Palm Beach, FL <i>Woodbridge Rd.</i>	Phone:
	Fax:
Project Name: Town Of Palm Beach 6N	Bid Number: 25 - 1842
Project Location: Palm Beach, FL	Bid Date: 4/14/2025

- This proposal includes a total of 1 paving mobilization/s.
- Any additional paving mobilization will be priced \$5,500.00 each.
- Any additional Type S or SP overages will be priced \$165.00 Miami/WPB And \$180 Fort Pierce per Ton.
- Demo, Prep, Brick Pavers Protection and MOT excluded.
- All asphalt mixtures included in this proposal include recycled asphalt(R.A.P), unless explicitly described.
- Field measurements will prevail.

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
01	General Conditions Toilet \$500 Water Truck \$1500 Per Day Water Meter \$1500 Supervision 30 Days @ \$500 Parking \$400 Per Week 6 Weeks - \$3200	1.00	EACH	\$3,200.00	\$3,200.00
02	Performance And Payment Bond 2%	1.00	EACH	\$2,200.00	\$2,200.00
03	Mob And Demob	1.00	EACH	\$13,500.00	\$13,500.00
04	Survey And Layout	1.00	EACH	\$3,500.00	\$3,500.00
05	Professional Video	1.00	EACH	\$1,750.00	\$1,750.00
06	NPDES	1.00	EACH	\$2,500.00	\$2,500.00
07	M.O.T	1.00	EACH	\$4,200.00	\$4,200.00
08	Test And Inspections	1.00	EACH	\$2,100.00	\$2,100.00
09	Protect Private Property , Driveways , Landscaping	1.00	EACH	\$1,500.00	\$1,500.00
10	1" Asphalt Milling	255.00	SY	\$2.48	\$632.40
11	1" Type FC-9.5 Asphalt Overlay	255.00	SY	\$11.19	\$2,853.45
13	Asphalt Leveling	41.00	TON	\$236.00	\$9,676.00

Total Bid Price: \$47,611.85

Notes:

- Due to the volatility of asphalt material costs in the current market, we cannot guarantee the future cost of materials for when this work is performed. This proposal reflects Ranger Construction FOB pricing as of 1/01/2025. Any change in material costs from this date will be charged as a change order and all required backup will be provided.

Payment Terms:

Net 30

ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Your Company Name _____ Authorized Signature: _____ Estimator: Tony Dixon tdixon@pavinglady.com
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1000 W. Industrial Ave. Boynton Beach, FL 33426 561-572-2600

To: Town Of Palm Beach	Contact:
Address: Palm Beach, FL <i>N Ocean Blvd Trench Drains</i>	Phone:
	Fax:
Project Name: Town Of Palm Beach 5N	Bid Number: 25 - 1842
Project Location: Palm Beach, FL	Bid Date: 4/14/2025

- This proposal includes a total of 1 paving mobilization/s.
- Any additional paving mobilization will be priced \$5,500.00 each.
- Any additional Type S or SP overages will be priced \$165.00 Miami/WPB And \$180 Fort Pierce per Ton.
- Demo, Prep, Brick Pavers Protection and MOT excluded.
- All asphalt mixtures included in this proposal include recycled asphalt(R.A.P), unless explicitly described.
- Field measurements will prevail.

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
11	Remove Existing Grate Frame And Replace With New L Bracket Supplied By TOPB And Install Using SKIA Materials For Adhesion And Repairs On Cracked And Broken HDPE Trench Drain	210.00	LF	\$32.00	\$6,720.00
01	General Conditions	1.00	EACH	\$1,504.00	\$1,504.00
02	Performance And Payment Bond 2%	1.00	EACH	\$1,210.00	\$1,210.00
03	Mob And Demob	1.00	EACH	\$1,980.00	\$1,980.00
04	Survey And Layout	1.00	EACH	\$0.00	\$0.00
05	Pre And Post Video	1.00	EACH	\$1,300.00	\$1,300.00
06	NPDES	1.00	EACH	\$1,250.00	\$1,250.00
07	M.O.T	1.00	EACH	\$8,500.00	\$8,500.00

Total Bid Price: \$22,464.00

\$19,664.00

Notes:

- Due to the volatility of asphalt material costs in the current market, we cannot guarantee the future cost of materials for when this work is performed. This proposal reflects Ranger Construction FOB pricing as of 1/01/2025. Any change in material costs from this date will be charged as a change order and all required backup will be provided.

Payment Terms:

Net 30

ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Your Company Name Authorized Signature:  Estimator: Tony Dixon tdixon@pavinglady.com
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1000 W. Industrial Ave. Boynton Beach, FL 33426 561-572-2600

To:	Town Of Palm Beach	Contact:	
Address:	Palm Beach, FL <i>Solcan BLVD CO</i>	Phone:	
		Fax:	
Project Name:	Town Of Palm Beach 6N	Bid Number:	25 - 1842
Project Location:	Palm Beach, FL	Bid Date:	4/14/2025

- This proposal includes a total of 1 paving mobilization/s.
- Any additional paving mobilization will be priced \$5,500.00 each.
- Any additional Type S or SP overages will be priced \$165.00 Miami/WPB And \$180 Fort Pierce per Ton.
- Demo, Prep, Brick Pavers Protection and MOT excluded.
- All asphalt mixtures included in this proposal include recycled asphalt(R.A.P), unless explicitly described.
- Field measurements will prevail.

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
0	Mob And Demob	1.00	EACH	\$3,275.00	\$3,275.00
01	General Conditions	1.00	EACH	\$4,313.20	\$4,313.20
	Toilet \$500				
	Water Truck \$1500 Per Day				
	Water Meter \$1500				
	Supervision 30 Days @ \$500				
	Parking \$400 Per Week 6 Weeks - \$3200				
02	Performance And Payment Bond 2%	1.00	EACH	\$2,200.00	\$2,200.00
04	Survey And Layout	1.00	EACH	\$0.00	\$0.00
05	Professional Video	1.00	EACH	\$995.00	\$995.00
06	NPDES	1.00	EACH	\$1,490.00	\$1,490.00
07	M.O.T	1.00	EACH	\$9,850.00	\$9,850.00
08	Test And Inspections	1.00	EACH	\$1,650.00	\$1,650.00
09	Protect Private Property , Driveways , Landscaping	1.00	EACH	\$1,750.00	\$1,750.00
10	1" Asphalt Milling	4,532.00	SY	\$3.67	\$16,632.44
11	1" Type FC-9.5 Asphalt Overlay	4,532.00	SY	\$10.00	\$45,320.00
13	Asphalt Leveling	24.00	SY	\$236.00	\$5,664.00
14	Valve Box Riser Ring C-5	4.00	EACH	\$159.51	\$638.04
23	Temp Striping With RPMS	1.00	EACH	\$6,450.00	\$6,450.00
24	Thermo Plastic Markings Double Yellow With RPMs	3,256.00	LF	\$2.81	\$9,149.36
25	Thermo Plastic Markings Single White Striping	855.00	LF	\$0.96	\$820.80
26	Thermo Plastic Markings Stop Bars	16.00	EACH	\$85.89	\$1,374.24
27	Furnish And Install Blue Raised Pavement Markers For Fire Hydrants	6.00	EACH	\$13.50	\$81.00
28	Furnish And Install 1 Each White Raised Pavement Marker For FPL Transformer	2.00	EACH	\$13.50	\$27.00
29	Furnish And Install 2 Each White Raised Pavement Markers For FPL Switch Gear	4.00	EACH	\$26.99	\$107.96

Total Bid Price: \$111,788.04

Notes:

- Due to the volatility of asphalt material costs in the current market, we cannot guarantee the future cost of materials for when this work is performed. This proposal reflects Ranger Construction FOB pricing as of 1/01/2025. Any change in material costs from this date will be charged as a change order and all required backup will be provided.

Payment Terms:

Net 30

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Bob Miracle, CPA
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO Town Procurement and Contract Manager

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a purchase order to Miller Electric for IT Servers to support the Police Department in the amount of \$315,000, approving a contingency in the amount of \$31,000 and approving a project budget in the amount of \$346,000
109-2025

Date: 8/27/2025

STAFF RECOMMENDATION

Town staff recommends approving a purchase order to Miller Electric for IT Servers to support the Police Department in the amount of \$315,000, approving a contingency in the amount of \$31,000 and approving a project budget in the amount of \$346,000.

GENERAL INFORMATION

The purchase of new servers for the Generic system is necessary to support the Town's expanding camera infrastructure. The additional servers will provide the required storage capacity and processing power to increase the number of cameras in use, ensuring the system remains reliable and scalable for future expansion. To ensure the proposed solution meets both current and long-term needs, IT has collaborated closely with the Townwide Camera Committee and the vendor to review and approve the hardware proposal. This purchase will provide the necessary foundation to maintain system performance and support the Town's security and operational objectives.

FUNDING/FISCAL IMPACT

Funding for this project will be from the Equipment Replacement Fund, Donations, Enterprise Fund, and Operating Funds from the Police, Information Technology and Recreation. The Police and Fire Foundation has contributed a donation of \$135,000 to this initiative.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Governmental Leadership and Innovation

Strategic Focus Areas:

Sustainable Management of Town Assets

FUNDING

Donations

Capital

Operating

RESOLUTION NO. 109-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER TO MILLER ELECTRIC FOR IT SERVERS TO SUPPORT THE POLICE DEPARTMENT IN THE AMOUNT OF \$315,000, APPROVING A CONTINGENCY IN THE AMOUNT OF \$31,000 AND APPROVING A PROJECT BUDGET IN THE AMOUNT OF \$346,000

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Town Council of the Town of Palm Beach hereby approves Resolution No. 109-2025, approving a purchase order to Miller Electric for IT Servers to support the Police Department in the amount of \$315,000, approving a contingency in the amount of \$31,000 and approving a project budget in the amount of \$346,000.

Section 2: The Town Manager or designee is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on September 9, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Bob Miracle, CPA
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO Town Procurement and Contract Manager

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a waiver of formal bid and a ratification of a change order to Burkhardt Construction, Inc. for the Marina Compactor Relocation in the amount of \$577,211.14, approving a contingency in the amount of \$57,000 and approving a project budget in the amount of \$634,211.14
110-2025

Date: 8/27/2025

STAFF RECOMMENDATION

Town staff recommends approving a waiver of formal bid and approving a ratification of a change order to Burkhardt Construction, Inc. for the Marina Compactor Relocation in the amount of \$577,211.14, approving a contingency in the amount of \$57,000 and approving a project budget in the amount of \$634,211.14.

GENERAL INFORMATION

Procurement and Contract Management issued a formal bid on June 26, 2025, for the relocation of the Marina Compactor. Only one bid was received for this solicitation, which closed on July 15, 2025. The bid was found to be non-responsive by the Town's engineering consulting firm, Chen Moore and Associates (CMA). CMA was responsible for the engineering plans for the relocation of the unit.

In discussion with Town Council, Paul Brazil, P.E. explained the complexities and the estimated cost for relocation of the unit which was valued at an opinion of cost of \$600,000.

Because the Town received no responsive bids to the solicitation that was issued, Public Works and Procurement and Contract Management decided to reach out to Burkhardt Construction, Inc. (BCI). The objective of the relocation of the existing trash compactor located within the Town's Marina is to be more strategically located adjacent to the A-6 pump station. This new location will isolate the trash collection to minimize the noise

impact to the neighborhood.

The work is being performed under the Construction Management at Risk Contract associated with Phase 4 South Undergrounding and the A-6 Pump Station modifications. Utilizing this mechanism for contracting allows a number of efficiencies in executing the construction work. This contractor installed the existing compactor under the Marina contract, which minimizes shop drawing reviews and requests for information.

The request for formal waiver of bid is to allow the Town not to rebid, and that we had the opportunity to utilize BMI to complete additional work associated to the A-6 Pump Station modifications and Phase 4 South Undergrounding.

In discussion with BCI, there are opportunities to value engineer the project and reduce the overall bid submittal.

FUNDING/FISCAL IMPACT

This will be funded by the Marina Operating Funds.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation, Community Culture and Character,
Environmental Stewardship

Strategic Focus Areas:

Community Preservation
Sustainable Management of Town Assets

FUNDING

Operating

RESOLUTION NO. 110-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A WAIVER OF FORMAL BID AND A RATIFICATION OF A CHANGE ORDER TO BURKHARDT CONSTRUCTION, INC. FOR THE MARINA COMPACTOR RELOCATION IN THE AMOUNT OF \$577,211.14, APPROVING A CONTINGENCY IN THE AMOUNT OF \$57,000 AND APPROVING A PROJECT BUDGET IN THE AMOUNT OF \$634,211.14

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Town Council of the Town of Palm Beach hereby approves Resolution No. 110-2025, approving a waiver of formal bid and a ratification of a change order to Burkhardt Construction, Inc. for the Marina Compactor Relocation in the amount of \$577,211.14, approving a contingency in the amount of \$57,000 and approving a project budget in the amount of \$634,211.14

Section 2: The Town Manager or designee is hereby authorized to execute purchase orders on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on September 9, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

Town Of Palm Beach

Marina Compactor Relocation

Guaranteed Maximum Price

From: **Burkhardt Construction, Inc.**
Attn: Marc R. Kleisley
515 Palm Street
West Palm Beach, FL 33401
Tel: (561) 659-1400
Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
Public Works & Engineering Dept.
951 Old Okechobee Road
West Palm Beach, FL. 33401
Tel: (561) 845-0665
Fax: (561) 835-4691

Designer: **Chen Moore and Associates**
500 Australian Avenue South
Suite 850
West Palm Beach, FL. 33401
Ph: (561) 746-6900

Plans: **TOPB Marina Compactor Relocation**
Bid Set Of Plans Issued 06/20/2025
BCI Stamped Received 07/17/2025

Location: Town Of Palm Beach
320 S. Lake Drive
Palm Beach, FL. 33480

Proposal Date: August 20, 2025

Direct Construction Costs	\$	476,686.82
General Conditions	\$	53,024.33
Construction Phase Management Fee		NO CHARGE
Profit	\$	47,500.00

TOTAL GUARANTEED MAXIMUM PRICE **\$ 577,211.14**



Marina Compactor Relocation

Guaranteed Maximum Price

Direct Construction Costs
8/20/2025

Prepared by Burkhardt Construction, Inc.

LEGEND FOR ABBREVIATIONS

EA - Each
E/D - Each Day
DAY - Daily
LS - Lump Sum
ROL - Rolls
LF - Lineal Foot

SF - Square Foot
SY - Square Yard
TCY - Truck Cubic Yard
ALL - Allowance

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
MAINTENANCE OF TRAFFIC										
MOT TO INCLUDE BUT NOT LIMITED TO MOT PLAN / WORK ZONE SIGNS / TRAFFIC CONTROL SIGNS / SPECIALTY SIGNAGE ON TRUCK ROUTES / TEMPORARY BARRICADES - TYPE I, TYPE II, TEMPORARY CONSTRUCTION FENCE, PEDESTRIAN, & BARRIER WALL / DANGER RIBBON	1	LS	\$3,500.00	\$3,500.00			BCI / ALLOWANCE	3500.00		3500.00
GENERAL REQUIREMENTS										
NPDES FILING & REPORTING (BY OTHERS)	1	LS	\$2,000.00	\$2,000.00			BCI	2000.00		2000.00
FURNISH AND INSTALL SILT FENCE	492	LF	\$6.00	\$2,952.00			BCI	2952.00		2952.00
MAINTAIN SILT FENCE	1	LS	\$1,000.00	\$1,000.00			BCI	1000.00		1000.00
DEMOLITION										
EXISTING SWING GATES & POSTS TO BE REMOVED (SALVAGE AT TOPB DIRECTION)	2	EA	\$750.00	\$1,500.00			DSE			1500.00
CLEAR/GRUB/REMOVE & DISPOSE LANDSCAPING INCLUDING TREES	3,087	SF	\$2.66	\$8,211.42			ROOD	8211.42		8211.42
SAWCUT EXISTING ASPHALT	285	LF	\$5.00	\$1,425.00			DSE	1425.00		1425.00
REMOVE & DISPOSE OF EXISTING ASPHALT	1,239	SF	\$4.70	\$5,823.30			DSE	5823.30		5823.30
SITEWORK / EARTHWORK										
EXCAVATE/GRADE/COMPACT FOR 2' WIDE HEADER CURB FOR GATE RAIL	55	LF	\$15.00	\$825.00			DSE	825.00		825.00
EXCAVATE/GRADE/COMPACT/F&I COMPACTED 6" LIMEROCK BASE AT NEW STONE PAVER AREA	253	SF	\$10.00	\$2,530.00			DSE	2530.00		2530.00
EXCAVATE/GRADE/COMPACT FOR 8" x 8" CONCRETE BAND CURB FOR STONE PAVERS	92	SF	\$14.00	\$1,288.00			DSE	1288.00		1288.00
EXCAVATE TO SUBGRADE/COMPACT FOR THICKENED EDGE CONCRETE PAD (PER DETAIL 5 ON SHEET DET-1)	1,306	SF	\$3.50	\$4,571.00			DSE	4571.00		4571.00
F&I 6" LIMEROCK BASE/GRADE/COMPACT FOR CONCRETE PAD (PER DETAIL 5 ON SHEET DET-1)	1,306	SF	\$5.50	\$7,183.00			DSE	7183.00		7183.00
EXCAVATE/ COMPACT/ F&I 6" THICK BED OF #57 STONE BETWEEN FENCE AND COMPACTOR PAD	52	LF	\$20.00	\$1,040.00			DSE	1040.00		1040.00
F&I 6" STEEL PIPE BOLLARDS FILLED WITH CONCRETE AND PAINTED YELLOW	6	EA	\$1,280.00	\$7,680.00			DSE	7680.00		7680.00
ADJUST C.O. TO FINAL OVERLAY GRADE	1	EA	\$1,304.00	\$1,304.00			DSE	1304.00		1304.00
EXCAVATE/GRADE/COMPACT/F&I COMPACTED 8" LIMEROCK BASE AT NEW 3" ASPHALT AREA	66	SY	\$82.00	\$5,412.00			DSE	5412.00		5412.00
DRAINAGE										
ADJUST EXISTING SANITARY MANHOLE FRAME & COVER TO GRADE	2	EA	\$2,500.00	\$5,000.00			DSE	5000.00		5000.00
F&I A 18" PLUG/REQUIRED REDUCERS/ 6" CLEAN OUT AT S.E. END OF EXFILTRATION TRENCH	1	LS	\$1,750.00	\$1,750.00			DSE	1750.00		1750.00
F&I EXFILTRATION TRENCH INCLUDING EXCAVATION/ FILTER FABRIC/ ROCK/ 18" NON & PERFORATED PIPE	149	LF	\$70.47	\$10,500.03			DSE			10500.03
F&I TYPE "B" CATCH BASIN INCLUDING FRAME & GRATE/ TIE EXFILTRATION PIPE TO CATCH BASIN	1	EA	\$9,360.00	\$9,360.00			DSE	10500.03		9360.00
WATER DISTRIBUTION										
ADJUST EXISTING WATER VALVE BOX TO GRADE	1	EA	\$1,304.00	\$1,304.00			DSE	1304.00		1304.00
CONNECT TO EXISTING WATER SERVICE	1	EA	\$2,075.00	\$2,075.00			DSE	2075.00		2075.00
F&I 1/2" WATER SERVICE FOR HOSE BIB	31	LF	\$86.50	\$2,681.50			DSE	2681.50		2681.50
F&I HOSE BIB WITH VACUUM BREAKER	1	EA	\$1,063.00	\$1,063.00			DSE	1063.00		1063.00
CONCRETE										
F&I 2' WIDE CONCRETE HEADER CURB WITH 2 EACH #4 BARS FOR FENCE RAIL	55	LF	\$130.00	\$7,150.00			DSE	7150.00		7150.00
F&I 8" X 8" CONCRETE BAND CURB WITH 1 EACH #4 BAR FOR PAVERS	92	LF	\$90.00	\$8,280.00			DSE	8280.00		8280.00
F&I REINFORCED/ #4 BAR AT 12" O.C.E.W. / 4,000 PSI / 8" THICKENED EDGE CONCRETE PAD(PER DETAIL 5 ON SHEET DET-1)	1,306	SF	\$27.00	\$35,262.00			DSE	35262.00		35262.00
ASPHALT PAVING										
F&I 3" THICK SP9.5 ASPHALT IN 1.5" MAX LIFTS	66	SY	\$99.00	\$6,534.00			BIG D PAVING	6534.00		6534.00
F&I VARIABLE SP9.5 ASPHALT OVERBUILD	656	SY	\$79.00	\$51,824.00			BIG D PAVING	51824.00		51824.00
F&I VARIABLE SP9.5 SP9.5 ASPHALT OVERLAY	686	SY	\$38.00	\$26,068.00			BIG D PAVING	26068.00		26068.00
MILLING*NONE INDICATED ON DRAWINGS BUT SHOWN ON CMA'S S.O. VALUES*	0	SY	SEE ALTERNATES				BIG D PAVING SEE ALTERNATES			0.00

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
ELECTRICAL										
F&I 1-1" CONDUIT WITH 3 #10AWG CONDUCTORS FOR SWITCH CANOPY LIGHTING	53	LF	\$39.30	\$ 2,082.90			C.R. DUNN	2082.90		2082.90
F&I 1-1" CONDUIT WITH 3 #10AWG CONDUCTORS TO QUAD RECEPTACLE	5	LF	\$135.00	\$ 675.00			C.R. DUNN	675.00		675.00
F&I 1-1" CONDUIT WITH 5 #8AWG CONDUCTORS. (PATH SHOWN IS DIAGRAMMATIC ONLY)	32	LF	\$210.00	\$ 6,720.00			C.R. DUNN	6720.00		6720.00
F&I 1-1" CONDUIT WITH 5 #8AWG CONDUCTORS TO COMPACTOR 30A DISCONNECT	5	LF	\$170.00	\$ 850.00			C.R. DUNN	850.00		850.00
F&I 1-2" CONDUIT WITH 3 #10AWG CONDUCTORS	36	LF	\$73.00	\$ 2,628.00			C.R. DUNN	2628.00		2628.00
F&I 1-2" CONDUIT WITH 5 #8AWG (PHA, PHB, PHC, N, G) FOR COMPACTOR	12	LF	\$61.00	\$ 732.00			C.R. DUNN	732.00		732.00
F&I 1-2" CONDUIT WITH 6 #10AWG - (3 #10AWG QUAD RECEPTACLE) & (3 #10 AWG LIGHTING)	13	LF	\$53.00	\$ 689.00			C.R. DUNN	689.00		689.00
F&I 11" X 17" TIER 22 PULL BOX / COVER STAMPED "ELECTRICAL"	1	EA	\$1,280.00	\$ 1,280.00			C.R. DUNN	1280.00		1280.00
F&I 11" X 17" TIER 22 PULL BOX / COVER STAMPED "ELECTRICAL" / PROVIDE CONNECTION TO GATE CONTROLLER	1	EA	\$1,025.00	\$ 1,025.00			C.R. DUNN	1025.00		1025.00
F&I 11" X 17" TIER 22 PULL BOX / COVER STAMPED "LIGHTING" / CONNECT TO LIGHT FIXTURE	1	EA	\$1,025.00	\$ 1,025.00			C.R. DUNN	1025.00		1025.00
F&I 2-1" CONDUITS WITH 3 #10AWG CONDUCTORS IN EACH CONDUIT	41	LF	\$86.50	\$ 3,546.50			C.R. DUNN	3546.50		3546.50
F&I 20A BREAKERS (SPACES 38 & 40 OR EQUIVALENT)	2	EA	\$185.00	\$ 370.00			C.R. DUNN	370.00		370.00
F&I 3-POLE 240V-20A BREAKER IN SPACES 38,40,42 OR EQUIVALENT. EXISTING PANELBOARD L1	1	EA	\$758.00	\$ 758.00			C.R. DUNN	758.00		758.00
F&I CANOPY LIGHT FIXTURES	2	EA	\$3,750.00	\$ 7,500.00			C.R. DUNN	7500.00		7500.00
F&I LIGHT SWITCH / OUTDOOR RATED AND LED COMPATABLE	1	EA	\$872.00	\$ 872.00			C.R. DUNN	872.00		872.00
F&I PII CONCRETE PEDESTAL WITH SWING GATE SECURITY & ACCESS LIGHT FIXTURE	1	EA	\$4,720.00	\$ 4,720.00			C.R. DUNN	4720.00		4720.00
INTERCEPT EXISTING RACEWAY / LOCATE EXISTING CONDUIT & EXTEND TO COMPACTOR PULL BOX	1	LS	\$2,890.00	\$ 2,890.00			C.R. DUNN	2890.00		2890.00
PULL NEW 3 #10AWG CONDUCTORS (GATE #1) & 3 #10AWG CONDUCTORS (LIGHTING)	51	LF	\$29.50	\$ 1,504.50			C.R. DUNN	1504.50		1504.50
PULL NEW 5 #8AWG CONDUCTORS FOR COMPACTOR THROUGH EXISTING 2" CONDUIT	94	LF	\$16.70	\$ 1,569.80			C.R. DUNN	1569.80		1569.80
PULL NEW 6 #10AWG THROUGH EXISTING CONDUIT FOR QUAD-RECEPTACLE.	95	LF	\$18.75	\$ 1,781.25			C.R. DUNN	1781.25		1781.25
F&I PEDESTAL LIGHT NEAR 5' ENTRANCE GATE	1	EA	\$2,500.00	\$ 2,500.00			C.R. DUNN	2500.00		2500.00
RELOCATED EATON 30A/250V/60HZ HEAVY DUTY SAFETY SWITCH QUAD RECEPTACLE	1	EA	\$2,564.00	\$ 2,564.00			C.R. DUNN	2564.00		2564.00
DISCONNECT/REMOVE ALL ELECTRICAL EQUIPMENT FROM EXISTING COMPACTOR EQUIPMENT	1	LS	\$2,400.00	\$ 2,400.00			C.R. DUNN	2400.00		2400.00
LANDSCAPING										
F&I TREE PROTECTION FENCING	375	LF	\$2.50	\$ 937.50			ROOD	937.50		937.50
RELOCATE EXISTING PALM	5	EA	\$2,000.00	\$ 10,000.00			ROOD	10000.00		10000.00
F&I 10' OVERALL HT ARECA PALM	2	EA	\$525.00	\$ 1,050.00			ROOD	1050.00		1050.00
F&I JAPANESE YEW /PODOCARPUS MACROPHYLLUS/ 4'-6' OVERALL HT	20	EA	\$226.00	\$ 4,520.00			ROOD	4520.00		4520.00
F&I PITCH APPLE/ CLUSIA ROSEA 'PITCH APPLE' / 6' OVERALL HT	47	EA	\$236.00	\$ 11,092.00			ROOD	11092.00		11092.00
F&I SILVER SAW PALMETTO / SERENOA REPENS 'CINEREA 3'-4' OVERALL HT/ FULL	67	EA	\$825.00	\$ 55,275.00			ROOD	55275.00		55275.00
F&I 3" SHREDDED GRADE "A" EUCALYPTUS OR MELALEUCA MULCH WITH FABRIC	470	SF	\$0.96	\$ 451.20			ROOD	451.20		451.20
F&I 24" DEEP ROOT BARRIER	35	LF	\$35.00	\$ 1,225.00			ROOD	1225.00		1225.00
F&I PLANTING SOILS AS REQUIRED	1	LS	\$115.00	\$ 115.00			ROOD	115.00		115.00
F&I FERTILIZERS AS REQUIRED	1	LS	\$750.00	\$ 750.00			ROOD	750.00		750.00
REMOVE/REPLACE DAMAGED SOD/ MATCH EXISTING	222	SY	\$8.11	\$ 1,800.42			ROOD	1800.42		1800.42
EXCAVATE / PREP PLANTING AREAS AS NEEDED	1	LS	\$2,400.00	\$ 2,400.00			ROOD	2400.00		2400.00
IRRIGATION										
ADJUST / MODIFY EXISTING IRRIGATION AS NEEDED FOR NEW PLANTING AREAS	1	ALL	\$20,000.00	\$ 20,000.00			ROOD	20000.00		20000.00
MISC. CONSTRUCTION										
F&I COMPACTOR CANOPY STRUCTURE TO MATCH EXISTING CANOPY AT EXISTING COMPACTOR AREA.	715	SF	\$37.66	\$ 26,925.00			JONES AWING	26925.00		26925.00
F&I COBBLE STONE PAVERS AND SETTING BED / MATCH EXISTING	253	SF	\$18.50	\$ 4,680.50			DAVID WAYNE HARDSCAPES	4680.50		4680.50
F&I 4' WIDE VINYL COATED GATES WITH HDPE SLATS	4	EA	\$0.00	INCD W/ OPERATOR			COMET			0.00
F&I 5' WIDE VINYL COATED GATE WITH HDPE SLATS	1	EA	\$0.00	INCD W/ OPERATOR			COMET			0.00
F&I 5' HIGH VINYL COATED FENCE WITH HDPE SLATS	100	LF	\$0.00	INCD W/ OPERATOR			COMET			0.00
F&I 8' WIDE VINYL COATED GATES WITH HDPE SLATS	2	EA	\$0.00	INCD W/ OPERATOR			COMET			0.00
F&I 25' VINYL COATED SLIDE GATE WITH HDPE SLATS	1	EA	\$0.00	INCD W/ OPERATOR			COMET			0.00
F&I LIFTMASTER GATE OPERATOR WITH CONCRETE PAD	1	EA	\$28,801.00	\$ 28,801.00			COMET	28801.00		28801.00
F&I 24" THERMOPLASTIC STOP BAR	1	EA	\$1,500.00	\$ 1,500.00			Fineline	1500.00		1500.00
REMOVE/RELOCATE EXISTING COMPACTOR FROM EXISTING LOCATION TO NEW LOCATION	1	EA	\$2,385.00	\$ 2,385.00			LBJ EQUIPMENT	2385.00		2385.00
CONSTRUCTION CONTINGENCY	1	ALL	\$25,000.00	\$ 25,000.00			BCI	25000.00		25000.00

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
					Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
Marina Compactor Relocation Total Direct Costs					0.00	0.00	0.00	476686.82	0.00	476686.82
ALTERNATES				\$242,214.16						
	F& I New Compactor	1	EA	\$32,342.16	\$	32,342.16	LBJ EQUIPMENT	32342.16		32342.16
	F& I New New Disconnect Switch / Rack / & Quad Receptacle	1	LS	\$5,200.00	\$	5,200.00	CR DUNN	5200.00		5200.00
	(Option #1) Mill & Pave 1.5", Type SP9.5	656	SY	\$55.00	\$	36,080.00	BIG D	36080.00		36080.00
	(Option #2) Remove Existing Asphalt/Add Base Rock/Repave 3" SP9.5	656	SY	\$117.00	\$	76,752.00	BIG D	76752.00		76752.00
	(Option #3) Rebuild Full Depth Asphalt	656	SY	\$140.00	\$	91,840.00	BIG D	91840.00		91840.00
	SEE ATTACHED BIG D OPTIONS FOR FULL DESCRIPTION									

*SUBCONTRACTORS:
D.S.EAKINS
C.R.DUNN
ROOD LANDSCAPING
COMET FENCE
BIG D PAVING
JONES AWNING
LBJ EQUIPMENT

Town Of Palm Beach

Marina Compactor Relocation

Guaranteed Maximum Price GENERAL CONDITIONS

From: Burkhardt Construction, Inc.
Attn: Marc R. Kleisley
515 Palm Street
West Palm Beach, FL 33401
Tel: (561) 659-1400
Fax: (561) 659-1402

Owner: Town Of Palm Beach
Public Works & Engineering Dept.
951 Old Okechobee Road
West Palm Beach, FL. 33401
Tel: (561) 845-0665
Fax: (561) 835-4691

Designer: Chen Moore and Associates
500 Australian Avenue South
Suite 850
West Palm Beach, FL. 33401
Ph: (561) 746-6900

Plans: TOPB Marina Compactor Relocation
Bid Set Of Plans Issued 06/20/2025
BCI Stamped Received 07/17/2025

Location: Town Of Palm Beach
320 S. Lake Drive
Palm Beach, FL. 33480

**Proposal
Due Date:** August 20, 2025

Item Description						Amount
MOBILIZATION (move-in, move-out)						\$0.00
TRANSPORT	\$65.00 /	Hr	x	0		\$0.00
EQUIPMENT	\$35.00 /	Hr.	x	0		\$0.00
PROJECT FIELD OFFICE						\$7,575.00
OFFICE &/or CONSTRUCTION TRAILER	\$0.00 /	mo.	x	0		\$0.00
YARD	\$0.00 /	mo.	x	0		\$0.00
EMPLOYEE PARKING FEES	\$0.00 /	mo.	x	0		\$0.00
WORK PLATFORM FOR YARD	\$500.00 /	mo.	x	0		\$0.00
TEMPORARY FENCING FOR YARD	SEE DIRECT COSTS					
CONSTRUCTION YARD LIGHTING	\$0.00 /	mo.	x	0		\$0.00
OFFICE FURNISHINGS	\$500.00 /	mo.	x	0		\$0.00
COMPUTERS	\$300.00 /	mo.	x	0		\$0.00
SCHEDULING SOFTWARE	\$100.00 /	mo.	x	0		\$0.00
PROCORE MANAGEMENT SOFTWARE	\$1,500.00 /	ls	x	1		\$1,500.00



COPY MACHINE	\$200.00 /	mo.	x	0	\$0.00
FAX MACHINE	NOT REQUIRED	/	mo.	x	
INTERNET SERVICE	\$150.00 /	mo.	x	0	\$0.00
CELLULAR TELEPHONE	\$150.00 /	mo.	x	3	\$450.00
TELEPHONE	\$150.00 /	mo.	x	0	\$0.00
FEDERAL EXPRESS MAILINGS	\$100.00 /	mo.	x	0	\$0.00
POSTAGE	\$50.00 /	mo.	x	0	\$0.00
PHOTOGRAPHS					
AERIAL PHOTOS	\$110.00 /	mo.	x	0	\$0.00
JOB PHOTOS	\$100.00 /	mo.	x	3	\$300.00
PRE-CONSTRUCTION VIDEO	\$3,000.00 /	ls	x	1	\$3,000.00
PRINTING COSTS	\$750.00 /	ls	x	0	\$0.00
OFFICE SUPPLIES	\$100.00 /	mo.	x	0	\$0.00
FIRST AID SUPPLIES	\$50.00 /	mo.	x	3	\$150.00
WATER SERVICE	FURNISHED BY OWNER				
SANITARY SERVICE	FURNISHED BY OWNER				
ELECTRIC SERVICE	FURNISHED BY OWNER				
GARBAGE SERVICE	FURNISHED BY OWNER				
CONSTRUCTION WATER	\$500.00 /	mo.	x	3	\$1,500.00
JOHN DEERE GATOR	\$500.00 /	mo.	x	0	\$0.00
ICE	\$225.00 /	mo.	x	3	\$675.00

BONDS

GENERAL BOND	\$577,210.00	x	1.25%	\$7,215.13
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PARTNERING INITIATIVES

NOTICES, LETTERS, INFORMATION MEETINGS	\$0.00
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INSURANCE

					\$11,544.20
GENERAL INSURANCE	\$577,210.00	x	2.00%		\$11,544.20
Commercial General Liability					
Comprehensive Automobile Liability					
Owner Indemnification					
Professional (Errors/Omissions) Liability					
Excess/Umbrella Liability					
ADD'L INSUREDS	\$0.00 / ea.	x	0		\$0.00
ADDED INSURANCES REQUIRED	\$0.00	x	0		\$0.00
Project Specific policy	Not Included				
Builders Risk Insurance	By Owner				
Installation Floater	Not Included				
Flood Insurance	Not Required				
SUBCONTRACTORS' INSURANCE	Included in their direct costs				

SANITARY SERVICES

JOB TOILET (2ea.)/PROJECT	\$950.00 /	mo.	x	3	\$2,850.00
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TESTING COSTS

DENSITIES	\$25.00 /	TEST	x	30	\$750.00
PROCTORS	\$125.00 /	TEST		2	\$250.00
LIMEROCK BEARING RATIO	\$295.00 /	TEST		2	\$590.00
SIEVE ANALYSIS	\$50.00 /	TEST		0	\$0.00
ORGANIC CONTENT	\$48.00 /	TEST		0	\$0.00
CONCRETE CYLINDERS	\$25.00 /	CYL.		30	\$750.00
PARTICLE SHAPE TEST (ASTM S 2488)	\$125.00 /	TEST		0	\$0.00
ENGINEERING & REPORTING	\$2,500.00 /	LS		3	\$7,500.00
PRE/POST CONST. SURVEY/VIBRATION MONITORING					EXCLUDED



<i>FEES</i>						None Anticipated
	PERMIT FEES	EXCLUDED				
	SFWMD DEWATERING PERMIT	EXCLUDED				
	PALM BEACH COUNTY HEALTH DEPARTMENT	EXCLUDED				
<i>SURVEYING</i>						\$13,500.00
	LAYOUT & ASBUILTS	\$11,000.00 /	LS	x	1	\$11,000.00
	ALLOWANCE FOR RESTAKING & DRAFTING	\$2,500.00 /	LS	x	1	\$2,500.00
<i>SMALL HAND TOOLS/EQUIPMENT RENTAL</i>						\$500.00
GENERAL CONDITIONS/GENERAL REQUIREMENTS TOTAL						\$53,024.33



Town Of Palm Beach

Marina Compactor Relocation

Guaranteed Maximum Price Construction Phase Management Fee

From: Burkhardt Construction, Inc.
Attn: Marc R. Kleisley
515 Palm Street
West Palm Beach, FL 33401
Tel: (561) 659-1400
Fax: (561) 659-1402

Owner: Town Of Palm Beach
Public Works & Engineering Dept.
951 Old Okechobee Road
West Palm Beach, FL. 33401
Tel: (561) 845-0665
Fax: (561) 835-4691

Designer: Chen Moore and Associates
500 Australian Avenue South
Suite 850
West Palm Beach, FL. 33401

Plans: TOPB Marina Compactor Relocation
Bid Set Of Plans Issued 06/20/2025
BCI Stamped Received 07/17/2025

Location: Town Of Palm Beach
320 S. Lake Drive
Palm Beach, FL. 33480

**Proposal
Due Date:** August 20, 2025

MANAGEMENT TEAM					
Item Description	Quantity	(Hrs./Week)	Wks.	Rate/Hr.	Amount
Total project management duration is based on 3 mos.					
Project Principal	0	Hrs./Wk.	12	\$ 215.00	\$ -
Senior Project Manager	0	Hrs./Wk.	12	\$ 160.00	\$ -
Vertical Project Manager	0	Hrs./Wk.	0	\$ 125.00	\$ -
Project Manager	12	Hrs./Wk.	12	\$ 125.00	\$ 18,000.00
Assistant Project Manager	16	Hrs./Wk.	12	\$ 95.00	\$ 18,240.00
Hardscape Construction Field Manager	0	Hrs./Wk.	12	\$ 105.00	\$ -
Assistant Construction Field Manager	0	Hrs./Wk.	12	\$ 65.00	\$ -
Project Accountant	4	Hrs./Wk.	12	\$ 90.00	\$ 4,320.00
Administrative Assistant	4	Hrs./Wk.	12	\$ 55.00	\$ 2,640.00
Field Office Clerk	0	Hrs./Wk.	12	\$ 55.00	\$ -
General Conditions Total					\$ 43,200.00



**Town Of Palm Beach
Marina Compactor Relocation
Guaranteed Maximum Price**

Assumptions & Clarifications - 8/20/2025

GENERAL

- 1 Scope of work and quantities are based on TOPB Marina Compactor Relocation Plans from Chen Moore & Associates. Bid Set, date of issue 06/20/2025, BCI stamped received 07/17/2025.
- 2 GMP pricing is based on a project start date of September 2, 2025 based on material availability. Project duration shall be 3 months.
- 3 G.M.P. does not include a cost for a master permit fee, sub-permit fees, capital improvement fees, or connection fees.
- 4 It is understood that the Direct Construction Cost (Exhibit "A") is unit prices for the work shown in the plans and as modified by these exceptions and clarifications.
- 5 Project master schedule and schedule updates shall be a bar chart schedule acceptable to the Owner prepared by CMAR in house personnel.
- 6 Project Manual as described in the contract shall mean the closeout project manual which shall be updated periodically and presented to the Owner upon completion of the project. The information contained in this manual shall be as requested by the Owner.
- 7 G.M.P. cost estimate does not include premium time/overtime work hours.
- 8 G.M.P. cost estimate does not include additional insurance premiums for naming individual property owners as additional insureds.
- 9 All Construction easements shall be executed and recorded.
- 10 Direct Construction costs are based on a project start date of September 2025. Labor and equipment prices are firm for all work completed through December 2025.
- 12 All permits shall be obtained prior to start of construction and receipt of notice to proceed. Plans have not yet been through permitting and GMP does not reflect any special permitting requirements. Costs for any special permitting requirements shall be taken from the contingency with proper documentation. A Special Inspector is specifically excluded.
- 13 Burkhardt Construction, Inc. (BCI) is not liable for failure to perform such work or any damages that occur if such failure is as a result of Acts of God (including fire, flood, earthquake, storm, hurricane or other natural disaster). If BCI asserts Force Majeure as the reason for failure to perform such work or such damages occur as a result of any Act of God, then BCI must prove that they took reasonable steps to minimize delay or damages caused by unforeseeable events, that BCI substantially fulfilled all obligations, and that the owner was timely notified of the likelihood or actual occurrence of the event described as an Act of God (Force Majeure). Any construction related damages that took place as a result, shall be repaired or removed and replaced at the same contract unit prices and shall be paid with the Owner's contingency.
- 14 In the event that the terms and provisions of this G.M.P. conflict with the terms and provisions of the Contract, the terms and provisions of the attached G.M.P. shall govern with respect to the performance of the work.



- 15 G.M.P. does not include any vibration monitoring or a pre/post construction survey by a geotechnical engineer on the existing buildings or structures in the project area. Should either of those tasks be required, the value will be taken from contingency.
- 16 Due to the present volatile nature of the construction market, construction material costs could change substantially prior to construction. Due to the recent tariffs and the potential for future tariffs, material prices are increasing anywhere from 5% to 15% per month. The G.M.P. does not include any assumed material price increases.
- 17 Owner and Construction Manager (the "Parties") acknowledge and agree the GMP and Contract Time as defined in the Agreement do not include any cost impacts or schedule impacts (collectively "Impacts") associated with COVID-19, any other virus, disease, epidemic, or pandemic ("Epidemic"). The Parties agree if Construction Manager's work is delayed, suspended, disrupted, made more expensive, or otherwise adversely impacted, directly or indirectly, by an Epidemic, including, but not limited to the following impacts: (1) material or equipment supply chain disruptions; (2) illness and related costs; (3) unavailability of labor or increased labor costs, including, but not limited to any labor shortage or increased labor costs resulting from loss of labor productivity, strike, lockout or denial of labor by any union or collective bargaining unit, labor force reduction required by the CDC or OSHA guidelines, regulations, or governmental order; (4) government orders, shelter-in-place orders, closures, changes in the law, or other directives or restrictions that impact the work or the Project site; or (5) fulfillment of Construction Manager's contractual obligations regarding safety specific to COVID-19, any Epidemic, or both, then Construction Manager's shall be entitled to an equitable adjustment of the GMP and/or Contract Time for all such impacts. The Parties further agree, Construction Manager's will attempt to exercise due diligence with respect to the selection and management of material suppliers and supply chains in an effort to minimize the risk of disruption; however, Construction Manager does not warrant the performance of material suppliers, supply chains and supply chain management. Likewise, Construction Manager cannot foresee and is not carrying any necessary costs or contingencies for such Impacts and

DEMOLITION / CLEARING & GRUBBING

- 1 G.M.P. does not include costs for removal / remediation of asbestos cement pipe or any other hazardous materials.

EARTHWORK / GRADING / FIELD CONSTRUCTION

- 1 G.M.P. does not include removal or replacement of any unsuitable subsoils. Demucking is specifically excluded. Rock excavation is specifically excluded.
- 2 Prices are based on re-using excavated material. No unsuitable subsoil excavation, removal, replacement or stabilization is included. Unsuitable soil, if encountered shall be removed, disposed of, replaced as directed by the Owner and billed to the Owner at the actual direct cost.
- 3 G.M.P. is based on the assumption that the entire site will be closed during construction.



WATER / SEWER / STORM DRAINAGE

- 1 G.M.P. cost estimate assumes existing water valves can be shut off to perform required offset work. If the line cannot be shut down, line stops will be required and the costs associated shall be paid from ..
- 2 G.M.P. cost estimate does not include any Town of Palm Beach / City Of West Palm Beach meter installation and hook-up fees.
- 3 Cleaning of existing storm drainage lines is not included in the GMP.
- 4 G.M.P. does not include any cost for disposal/treatment of contaminated ground water if dewatering operations take place. It is assumed that clean groundwater generated by dewatering operations will be discharged into the existing storm drainage system.
- 5 G.M.P. cost estimate does not include any sanitary sewer work.

FRANCHISE UTILITIES / ELECTRICAL

- 1 G.M.P. cost estimate does not include any design, engineering or installation fees which may be charged to the Owner by franchise utility companies. (electric, telephone, cable tv, gas). G.M.P. does not include the undergrounding of franchise utilities or any costs associated with modifying existing franchise utilities.
- 2 The Construction Manager at Risk shall not assume liability or warranty any work performed by FPL, COMCAST, ATT, Florida Public Utilities and/or their subcontractors.
- 3 G.M.P. cost estimate does not include furnishing or installation of cameras, camera equipment, Wi-Fi, Wi-Fi equipment, audio equipment or wiring for these items.

LANDSCAPE / IRRIGATION

- 1 G.M.P. cost estimate does not include an annual landscape maintenance agreement.
- 2 G.M.P. includes minor modifications to the existing irrigation system.



TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk Blouin, Town Manager

From: Bob Miracle, Deputy Town Manager, Finance and Administration

Re: A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees for the Town of Palm Beach. 111-2025

Date: 9/1/2025

GENERAL INFORMATION

The Finance Department is proposing several minor updates to the Master Fee Schedule, which is regularly reviewed and revised. Below is a summary of the proposed changes to each section of the Town of Palm Beach Master Fee Schedule, and attached is the draft document showing the proposed changes in red text.

ADDED

PERMITS, OTHER		
CHARITABLE SOLICITATION PERMIT		
<u>Closing Out/Distress Sale Permit</u>	<u>\$200.00</u>	<u>TCO</u>
SPECIAL EVENTS PERMITS		
<u>Damage Deposit Fees - All Locations</u>	<u>\$2,500.00</u>	<u>TCO</u>
RIGHTS-OF-WAY FEES		
<u>Application Fee for ALL Right-of-Way Permit Types (other than Delivery, by hand), non-refundable</u>	<u>\$25.00</u>	<u>PW</u>
<u>BOND, Mill or Resurface, Performance or Maintenance, or Other</u>	<u>135% of estimated value</u>	<u>PW</u>
<u>Delivery of Material (2-hours maximum, by hand, using no equipment)</u>	<u>\$30.00</u>	<u>PW</u>
<u>Re-inspection/Re-Test Fee</u>	<u>\$200.00</u>	<u>PW</u>
<u>Restoration/repair of Right-of-Way following construction/excavation activities</u>	<u>\$36.00/day until restoration is complete</u>	<u>PW</u>
<u>Work in Right-of-Way BEFORE Permit Issuance</u>	<u>200% of Permit Fee PLUS \$150.00/day</u>	<u>PW</u>
VIOLATIONS, FINES, PENALTIES, & LATE FEES (ALL)		
PARKING FINES - RIGHT-OF-WAY CONSTRUCTION PARKING:		
<u>Fee for Strike 2 (in addition to Fine for Strike)</u>	<u>\$250.00</u>	<u>PW</u>
<u>Fee for Strike 3 (in addition to Fine for Strike)</u>	<u>\$500.00</u>	<u>PW</u>
<u>Fee for Strike 4 (in addition to Fine for Strike)</u>	<u>\$2,500.00</u>	<u>PW</u>
<u>Fee for Strike 5 and subsequent (in addition to Fine for Strike)</u>	<u>\$5,000.00</u>	<u>PW</u>

REVISED

PARKING METER FEES		
Bradley Place (100 Block), Peruvian (200 and 300 Blocks), Phipps Ocean Park All other ParkMobile Spaces	\$5.00/hour	FIN
Royal Palm Way (100 Block), North County (100, 200 & 300 Blocks), Sunrise (100 Block), South Ocean Blvd (Mid-Town Beach) and a portion of the 100 Blocks of Brazilian, Australian, Chilean, Peruvian, Worth and Hammon in the ParkMobile zone 46100. Remaining 100 block of Hammon	\$7.00/hour	FIN
PUBLIC SAFETY SERVICES, POLICE		
SPECIAL ASSIGNMENT (OFF-DUTY) DETAILS FEE:		
Special Assignment Details (3 hour minimum)	\$80.00/hr. <u>\$90.00/hr.</u>	PD
Special Assignment Details (3 hour minimum) - Premium Days (<u>requests within 4 days will be considered Premium Days, as defined by Res. No. 176-2015</u>)	\$110.00/hr. <u>\$130.00/hr.</u>	PD
VIOLATIONS, FINES, PENALTIES, & LATE FEES (ALL)		
PARKING FINES - RIGHT-OF-WAY CONSTRUCTION PARKING:		
First Offense, per day, per vehicle	\$75.00 <u>\$150.00</u>	CE & PW
Second Offense, per day, per vehicle	\$150.00 <u>\$250.00</u>	CE & PW
Third and All Subsequent Offenses, per day, per vehicle (may also result in a stop work order)	\$250.00 <u>\$500.00</u>	CE & PW

REMOVED

VIOLATIONS, FINES, PENALTIES, & LATE FEES (ALL)		
CHARITABLE SOLICITATION PERMIT LATE FEES:		
Late Application, 31-59 Days Before Event:		
— Events Estimated to Raise \$5,000 or less	125% of permit fee	TCO
— First Event Estimated to Raise over \$5,000	125% of permit fee	TCO
— Second Event Estimated to Raise over \$5,000	125% of permit fee	TCO
Late Application, 16-30 Days Before Event:		
— Events Estimated to Raise \$5,000 or less	150% of permit fee	TCO
— First Event Estimated to Raise over \$5,000	150% of permit fee	TCO
— Second Event Estimated to Raise over \$5,000	150% of permit fee	TCO
Late Application, 15-8 Days Before Event:		
— Events Estimated to Raise \$5,000 or less	175% of permit fee	TCO
— First Event Estimated to Raise over \$5,000	175% of permit fee	TCO
— Second Event Estimated to Raise over \$5,000	175% of permit fee	TCO
Late Application, 7 Days or Less Before Event:		
— Events Estimated to Raise \$5,000 or less	200% of permit fee	TCO
— First Event Estimated to Raise over \$5,000	200% of permit fee	TCO
— Second Event Estimated to Raise over \$5,000	200% of permit fee	TCO
Permit Issued After the Fact (fee is in addition to base permit fee and any Code Enforcement Board Fees):		
— Events Estimated to Raise \$5,000 or less	\$600.00-	TCO
— First Event Estimated to Raise over \$5,000	\$1,260.00-	TCO
— Second Event Estimated to Raise over \$5,000	\$600.00-	TCO
SPECIAL EVENT/TEMPORARY ANIMAL PERMIT LATE FEE:		
Late Application, less than 30 days before event	\$100.00-	TCO
Permit Issued After the Fact (fee is in addition to any Code Enforcement Board Admin Fees)	\$75.00-	TCO

STAFF RECOMMENDATION

Staff is recommending that the Town Council review and approve the proposed changes to the Master Fee Schedule. Staff further recommends that the Town Council approve Resolution No. 111-2025 to implement the revised fees.

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Community Culture and Character

Strategic Focus Areas:

Sound Fiscal Management

Cooperative Relationships

FUNDING
No Funding

RESOLUTION NO. 111-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING REVISED FEES FOR THE TOWN OF PALM BEACH.

WHEREAS, the Town Council has adopted the Town of Palm Beach Master Fee Schedule; and

WHEREAS, Town staff has proposed revisions to several of the Fees contained within the Master Fee Schedule,

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Town of Palm Beach Master Fee Schedule is revised with the changes found in Exhibit "A" (attached). Section 2: This resolution shall become effective immediately.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on September 9, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

Town of Palm Beach Master Fee Schedule

Fee Categories

Business Tax Receipts
Data Processing Services (Labels)
Development Review Fees (Includes Architectural and Landmark Reviews)
Environmental & Sanitation Fees
Liens & Open Permit Searches
Notarization Services
Parking Meter Fees
Permits, Construction (Includes Dune Construction)
Permits, Parking & Transportation (Includes Parking Placards)
Permits, Other
Public Safety Services, Alarms (Fire and Burglar)
Public Safety Services, Fire-Rescue
Public Safety Services, Police
Records Request Fees
Recreation Fees
Returned Check Fees
Rights-of-Way Fees
Violations, Fines, Penalties, & Late Fees (All)

Department Codes & Contact Information

Code Enforcement Department (CE)	(561) 227-7080
Finance Department (FIN)	(561) 838-5444
Fire-Rescue Department (FR)	(561) 838-5420
Police Department (PD)	(561) 838-5454
Public Works Department (PW)	(561) 838-5440
Planning, Zoning, & Building Department (PZB)	(561) 838-5431
Town Clerk's Office (TCO)	(561) 838-5416

Fee Category	Fee	Dept.
BUSINESS TAX RECEIPTS		
BUSINESS TYPE:		
Abstractors of Title	\$489.00	PZB
Accountant/Auditor/C.P.A., Firm (includes one professional)	\$489.00	PZB
Accountant/Auditor/C.P.A.	\$489.00	PZB
Adult Entertainment	\$1,413.00	PZB
Administrative Office	\$396.00	PZB
Answer Phone (support business services)	\$489.00	PZB
Apartments (see Rental Dwellings)		
Architect	\$489.00	PZB
Art Gallery, up to 400 sq ft	\$208.00	PZB
Art Gallery, 401 - 2,000 sq ft	\$489.00	PZB
Art Gallery, 2,001 - 4,000 sq ft	\$564.00	PZB
Art Gallery, 4,001 - 8,000 sq ft	\$1,129.00	PZB
Art Gallery, over 8,000 sq ft	\$1,697.00	PZB
Artist	\$376.00	PZB
Astrologer, Phrenologist, Crystal Reading, Palm Reader, Soothsayer, Fortune Teller and Clairvoyant	\$512.00	PZB
Bakery	\$245.00	PZB
Bank, Trust Company	\$1,415.00	PZB
Barber	\$187.00	PZB
Barber, Shop (includes one Barber)	\$187.00	PZB
Beauty, Shop (see Cosmetology Salon)		
Bicycle Shop Rentals	\$187.00	PZB
Bicycle Shop, Sales (see Merchants)		
Boat Dealer (Yacht Broker)	\$376.00	PZB
Broadcasting Station (Radio or TV)	\$543.00	PZB
Broker	\$489.00	PZB
Brokerage/Investment Company (includes one Broker)	\$1,415.00	PZB
Business Office Only (two people maximum)	\$245.00	PZB
Car Rental Agency	\$753.00	PZB
Catering	\$245.00	PZB
Chiropractor	\$489.00	PZB
Coin-Operated Machines (inside, exclusive of news racks)	\$130.00	PZB
Consultant	\$489.00	PZB
Contractor Office (Construction)	\$543.00	PZB
Cosmetologist	\$187.00	PZB
Cosmetology Salon (includes one Cosmetologist)	\$187.00	PZB
Dance Instructor	\$245.00	PZB
Dance Studio/School	\$489.00	PZB
Dentist	\$489.00	PZB
Dining Room, 40 chairs or less (hotel, business, etc.)	\$245.00	PZB
<i>Plus, for each chair up to 40</i>	\$3.83	PZB
Dining Room, over 40 chairs (hotel, business, etc.)	\$489.00	PZB
<i>Plus, for every chair</i>	\$3.83	PZB
Dining, Club (see Dining Room)		
Electric Light Company	\$424.00	PZB
Employment Agency	\$489.00	PZB
Engineer	\$489.00	PZB
Facialist, Registered (FA) or Specialist (FB)	\$55.25	PZB
Full Specialist	\$55.25	PZB
Full Registration	\$55.25	PZB
Gas Company	\$424.00	PZB
Golf Course	\$543.00	PZB
Health Studio	\$489.00	PZB
Hotel, 10 rooms or less	\$74.00	PZB
Hotel, more than 10 rooms	\$74.00	PZB
<i>Plus, each additional room</i>	\$9.00	PZB
Insurance Broker, Company/Agency	\$489.00	PZB
Insurance Salesperson	\$245.00	PZB

Fee Category	Fee	Dept.
Interior Decorator	\$489.00	PZB
Interior Designer	\$489.00	PZB
Jeweler	\$850.00	PZB
Law Firm (includes one Lawyer)	\$489.00	PZB
Lawyer	\$489.00	PZB
Massage Therapist	\$489.00	PZB
Massage Establishment (includes one Massage Therapist)	\$489.00	PZB
Merchant, up to 400 sq ft	\$208.00	PZB
Merchant, 401 - 2,000 sq ft	\$489.00	PZB
Merchant, 2,001 - 4,000 sq ft	\$564.00	PZB
Merchant, 4,001 - 8,000 sq ft	\$1,129.00	PZB
Merchant, over 8,000 sq ft	\$1,697.00	PZB
Mortgage Broker	\$489.00	PZB
Mortgage Company	\$489.00	PZB
Motor Scooter and Motorcycle Rental	\$1,530.00	PZB
Music Service	\$489.00	PZB
Nail Registration (FV) or Nail Specialist (FT)	\$55.25	PZB
Newspaper (see Publisher)		
Nightclub, with Dance Floor	\$1,412.00	PZB
Nightclub, without Dance Floor	\$925.00	PZB
Nurse	\$489.00	PZB
Nursing Agency (includes one Nurse)	\$489.00	PZB
Optician	\$489.00	PZB
Optometrist	\$489.00	PZB
Parking Garage	\$489.00	PZB
Parking Lot (see Chapter 22, Article VI, Parking Lots for further provisions)	\$245.00	PZB
Pharmacist (Individual)	\$489.00	PZB
Pharmacy (includes one Pharmacist)	\$489.00	PZB
Photographer	\$245.00	PZB
Physician	\$489.00	PZB
Printing Company	\$489.00	PZB
Profession, Not Listed	\$489.00	PZB
Property Management	\$245.00	PZB
Public Relations	\$489.00	PZB
Publisher	\$489.00	PZB
Real Estate Broker	\$489.00	PZB
Rental Dwellings, per unit (minimum two units)	\$48.00	PZB
Repair Shop (other than Auto Repair)	\$489.00	PZB
Restaurant, 40 chairs or less	\$245.00	PZB
<i>Plus, for each chair up to 40</i>	\$4.00	PZB
Restaurant, more than 40 chairs	\$489.00	PZB
<i>Plus, for each chair</i>	\$4.00	PZB
Savings and Loan Association	\$1,415.00	PZB
School, Private	\$489.00	PZB
Security Agency, Private (includes one Security Officer)	\$245.00	PZB
Security Officer, Private	\$36.00	PZB
Service Station (includes Auto Repair)	\$543.00	PZB
Services, Not Listed	\$245.00	PZB
Swimming Pools, Public	\$489.00	PZB
Talent Agency	\$489.00	PZB
Taxicabs, each Company or Stand	\$376.00	PZB
Telecommunications Company (formerly Telegraph)	\$424.00	PZB
Telephone Company	\$424.00	PZB
(nothing in this chapter will be construed as requiring a license tax for coin-operated telephones)		
Theater	\$1,697.00	PZB
<i>Plus, for each seat</i>	\$2.60	PZB
Travel Bureau/Agency	\$489.00	PZB
Trust Agency	\$1,415.00	PZB
Unclassified, Business Not Listed	\$397.00	PZB

Fee Category	Fee	Dept.
Veterinarian	\$489.00	PZB
Veterinary Establishment	\$489.00	PZB
TRANSFER FEE:		
Technology Fee (a 2% technology fee is added to all transactions)	2% of Permit Fee	PZB
Transfer BTR to New Owner or Location	10% of Fee, Max. \$25.00	PZB
DATA PROCESSING SERVICES (LABELS)		
Data Processing/Address Labels Services	\$50.00	PZB
Labels	\$5.00/sheet	PZB
eRecording Fee (up to 6 pages)	\$100 + \$10/pg thereafter	PZB
DEVELOPMENT REVIEW FEES		
Address Change	\$500.00	PZB
Agreement, Declaration of Use	\$2,500 plus actual Town attorney fees	PZB
Agreement, Kitchen	\$500.00	PZB
Agreement, Other (Restrictive Covenant, Deed Restriction, etc)	\$750.00	PZB
Appeal, Administrative Decision	\$2,000.00	PZB
ARCOM After-the-Fact Approval for work that deviates from previously approved plan; Administrative or Commission	200% of total fees	PZB
ARCOM Appeal of Administrative Review	\$2,000.00	PZB
ARCOM Appeal of Board Determination	\$2,000.00	PZB
ARCOM Application, Administrative Review	\$350.00	PZB
ARCOM Application, Major	\$2,750.00	PZB
ARCOM Application, Minor	\$1,750.00	PZB
ARCOM Extension of Time	\$500.00	PZB
ARCOM Resubmittal Fee, Major	\$1,000.00	PZB
ARCOM Resubmittal Fee, Minor	\$500.00	PZB
ARCOM Square Footage Fee - Commercial/Other, New Construction	.50 per sq ft - Max. \$75k	PZB
ARCOM Square Footage Fee - Residential Single Family over 10,000 sq.ft., New Construction	.15 per sq ft - Max. \$75k	PZB
Clarification Hearing Request, by Applicant	\$1,000.00	PZB
Comp Plan, FLUM Amendment, Large-Scale	\$6,000.00	PZB
Comp Plan, FLUM Amendment, Small-Scale	\$5,000.00	PZB
Comp Plan, Text Amendment	\$5,000.00	PZB
DEP Permit Zoning Determination Letter Request	\$500.00	PZB
Development Review Consultant Reports & Escrow	As Quoted	PZB
Historically Significant Building After-the-Fact Approval for work that deviates from previously approved plan; Administrative or Commission	200% of total fees	PZB
Historically Significant Building Application	\$750.00	PZB
Historically Significant Building Determination Letter	\$250.00	PZB
Historically Significant Building Extension of Time	\$500.00	PZB
Historically Significant Building Resubmittal	\$250.00	PZB
Historically Significant Building Square Footage Fee - Commercial/Other, New Construction	.50 per sq ft - Max. \$75k	PZB
Historically Significant Building Square Footage Fee - Residential Single Family over 10,000 sq.ft., New Construction	.15 per sq ft - Max. \$75k	PZB
Historically Significant Building, Administrative Review	\$150.00	PZB
Historically Significant Building, Administrative Review Appeal	\$2,000.00	PZB
Landmark COA After-the-Fact Approval for work that deviates from previously approved plan; Administrative or Commission	200% of total fees	PZB
Landmark COA Amendment	\$750.00	PZB
Landmark COA Appeal of Board Determination	\$2,000.00	PZB
Landmark COA Application	\$1,000.00	PZB
Landmark COA Application, Administrative Review	\$150.00	PZB
Landmark COA Extension of Time	\$500.00	PZB
Landmark COA Resubmittal Fee	\$250.00	PZB
Landmark Commission Square Footage Fee - Commercial/Other, New Construction	.50 per sq ft - Max. \$75k	PZB
Landmark Commission Square Footage Fee - Residential Single Family over 10,000 sq.ft., New Construction	.15 per sq ft - Max. \$75k	PZB
Landmark Manual, Non-Owners	Actual Cost	PZB
Landmark Manual, Owner, all subsequent ones	Actual Cost	PZB

Fee Category	Fee	Dept.
Landmark Manual, Owner, first one	No Charge	PZB
Landmark Plaque, Owner, all subsequent ones	Actual Cost	PZB
Landmark Plaque, Owner, first one	No Charge	PZB
Landmark Tax Abatement Fee	\$1,500.00	PZB
Landmarks Commission Appeal of Administrative Review	\$2,000.00	PZB
Lot Split Application	\$3,000.00	PZB
Outdoor Café - Per Seat	\$50.00	PZB
Outdoor Café Permit, Annual, Plus Per Seat Below	\$1,000.00	PZB
Planning Verification Letter (per parcel or address)	\$500.00	PZB
Plat	\$5,000.00	PZB
Planned Unit Development Amendment	\$6,000.00	PZB
Replat	\$5,000.00	PZB
Site Plan Review, Administrative	\$1,500.00	PZB
Site Plan Review, All SFD; and PUD/MFD/Commercial, 200 sq ft or less	\$2,250.00	PZB
Site Plan Review, PUD, MFD/Commercial, over 200 sq ft	\$5,000.00	PZB
Site Plan Review, Resubmittal	\$1,000.00	PZB
Special Exception	\$3,000.00	PZB
Special Exception, MFD/Commercial	\$3,500.00	PZB
Special Exception, Resubmittal	\$1,000.00	PZB
Special Exception, Use, Modification, and/or Expansion	\$2,000.00	PZB
Subdivision, Final	\$5,000.00	PZB
Subdivision, Impact Study	Minimum 2% of Estimate of Sub-Division Improvements Plus Either \$300/Platted Lot or \$10/FF/Lot, Whichever is Greater	PZB
Subdivision, Preliminary	\$5,000.00	PZB
Technology Fee (a 2% technology fee is added to all transactions)	2% of Permit Fee	PZB
Town Council After-the-Fact Approval for work that deviates from previously approved plan; Administrative or Commission	200% of total fees	PZB
Town Council Extension of Time	\$500.00	PZB
Traffic Concurrency Determinations and Escrow		
Parking Study Review	\$9,000.00	PZB
Traffic Impact Assessment Review (less than 20 peak hour trips)	\$5,500.00	PZB
Traffic Impact Study Review (more than 20 peak hour trips)	\$9,000.00	PZB
Valet Parking Analysis Review	\$6,000.00	PZB
Unity of Title Agreement	\$750.00	PZB
Variance, Flood	\$2,500.00	PZB
Variance, MFD/Commercial	\$3,000.00	PZB
Variance, Resubmittal	\$1,000.00	PZB
Variance, SFD	\$2,000.00	PZB
Variance, Uses or Structures	\$3,000.00	PZB
Waiver, Dimensional	\$2,000.00	PZB
Zoning Code, Text Amendment-Proposed	\$1,500.00	PZB
Zoning Code, Text Amendment-Studied	\$5,000.00	PZB
Zoning Code, Zoning District Change	\$5,000.00	PZB
Zoning Verification Letter (per parcel or address)	\$500.00	PZB
ENVIRONMENTAL & SANITATION FEES		
Technology Fee (a 2% technology fee is added to all transactions)	2% of Permit Fee	PZB
HISTORIC TREES:		
Annual Inspection and Maintenance, per tree	\$221.00	PW
INDUSTRIAL WASTE SURCHARGE RATES**:		
BOD (biochemical oxygen demand in mg/L)	\$0.40/pound	PW
TSS (total suspended solids in mg/L)	\$0.40/pound	PW
OG (oil and grease in mg/L)	\$7.30/pound	PW
**Monthly surcharges shall be calculated as follows:		
SANITARY SEWER CAPITAL CONNECTION FEES (Based on Water Meter Size):		
5/8"	\$550.00	PW

Fee Category	Fee	Dept.
3/4"	\$825.00	PW
1"	\$1,375.00	PW
1 1/2"	\$2,750.00	PW
2"	\$4,400.00	PW
3"	\$8,250.00	PW
4"	\$13,750.00	PW
6"	\$27,500.00	PW
8"	\$44,000.00	PW
SEWER CONNECTION FEES (SANITARY OR STORM):		
Connections:		
Up to 5" pipe	\$150.00	PW
Up to 12" pipe	\$180.00	PW
13" to 18" pipe	\$225.00	PW
Larger than 18"	\$300.00	PW
Connection Re-inspections (post failed inspections):	\$300.00	PW
Construction Catch Basin	\$150.00	PW
Construct Manhole	\$150.00	PW
De-Watering to Gravity System:		
Up to 2" Discharge, per month	\$150.00	PW
Up to 6" Discharge, per month	\$180.00	PW
Larger than 6" discharge, per month	\$225.00	PW
De-watering to Pump Station (cost per 1000 gallons; contractor must submit pumping calculations)	Rate TBD by Public Works PW	PW
Initial Cap-off and connection fee	\$150.00	PW
Cap-off and connection re-inspection fee	\$300.00	PW
Disconnect or Cap Off	\$150.00	PW
Inspection of Building Sewer Lateral Flushing Operation for Discontinuing the Use of Detention and Screening Chambers, Where Required	\$150.00	PW
Re-Inspection Fee	\$300.00	PW
Occupancy Fee, if required	Rate TBD by Town Council	PW
Private Sanitary Sewer Lateral Locate (Existing)	\$250.00	PW
SPECIAL TRASH PICK-UPS (White Goods, etc.):		
1/4 Truck	\$105.60	PW
1/2 Truck	\$211.20	PW
3/4 Truck	\$316.80	PW
Full Truck	\$420.00	PW
SPECIAL VEGETATIVE TRASH PICK-UPS (Ficus Hedge Collection & Disposal):		
Collection & Disposal Fee - First 100' of Hedge Material (3-hour crew minimum)	\$700.00	PW
Collection & Disposal Fee - Each Additional Hour	\$300.00	PW
SPECIAL GARBAGE COLLECTION (Multi-Family Weekend Service):		
Weekend Service (Fee for Condo Weekend Service is Based on Assessment Rate Set by the Town Council Every September)		PW
LIENS & OPEN PERMIT SEARCHES		
Lien Searches (within 7 days)	\$100.00	FIN
Lien Searches, expedited (within 2 days)	\$200.00	FIN
Open Permit Searches (within 7 days)	\$100.00	PZB
Open Permit Searches, expedited (within 2 days)	\$200.00	PZB
NOTARIZATION SERVICES		
Notarization, per document, Residents, Employees, & Town Project or Contract Documents	No Charge	Notaries
Notarization, per document, All Other Individuals & Documents	\$10.00	Notaries
PARKING METER FEES		
Bradley Place (100 Block), Peruvian (200 and 300 Blocks), Phipps Ocean Park All other ParkMobile Spaces	\$5.00/hour	FIN
Royal Palm Way (100 Block), North County (100, 200 & 300 Blocks), Sunrise (100 Block), South Ocean Blvd (Mid-Town Beach) and a portion of the 100 Blocks of Brazilian, Australian, Chilean, Peruvian, Worth and Hammon in the ParkMobile zone 46100. Remaining 100 block of Hammon	\$7.00/hour	FIN
Royal Palm Way/Recreation Center Lot	\$3.00/hour	FIN

Fee Category	Fee	Dept.
PERMITS, CONSTRUCTION		
Technology Fee (a 2% technology fee is added to all transactions)	2% of Permit Fee	PZB
Agreement, Construction Management (Commercial/Multi-Family)	\$500.00	PZB
Agreement, Electrical Release	\$150.00	PZB
Agreement, Hold-Harmless	\$500.00	PZB
Agreement, Mechanical Equipment Screening	\$250.00	PZB
Annual License/Registration Fee - Private Providers, Contract Plan Reviewers/Inspectors for EPL Access	\$2,500.00	PZB
(BCAIF) Building Code Administrators & Inspectors Fund Surcharge (F.S. 468.631)	1.5% of Permit Fee, Minimum \$2.01	PZB
Building Board of Adjustments, Appeal of Building Official Determination	\$1,000.00	PZB
Certificate of Completion	\$200.00	PZB
Construction Permit Fee, including Conservation, Tent and Landscape Permits	Town plan review and Town inspections - 2.8% of Construction Value, Minimum \$100.00;	PZB
Construction Permit Fee, including Conservation, Tent and Landscape Permits	Private Provider plan review and Town inspections - 2.59% of Construction Value, Minimum \$100.00	PZB
Construction Permit Fee, including Conservation, Tent and Landscape Permits	Town plan review and Private Provider inspections - 2.1% of Construction Value, Minimum \$100.00;	PZB
Construction Permit Fee, including Conservation, Tent and Landscape Permits	Private Provider plan review and Private Provider inspections - 1.89%, Minimum \$100.00	PZB
Waiver of Construction Hours	1% of remaining value of work to complete project	PZB
Project/Permit Time Extension	1% of remaining value of work to complete project	PZB
Construction Permit, Reactivation Fee, Processing Fee, Re-inspection Fee, Re-issuance Fee, and Renewal Fee	\$200.00	PZB
Construction Permit, Issuance Fee	70% of Permit Fee Calculation	PZB
Construction Permit, Plan Review Fee, each permit	30% of Permit Fee Calculation, Min. \$75.00	PZB
Construction Permit, Refund Processing Fee	\$200.00	PZB
Construction, Permit Revision Fee (includes one page)	\$150 + \$50/pg. thereafter	PZB
Construction Permit, Transfer Fee	\$200.00	PZB
Construction Product Approval Review	\$2,000.00	PZB
Flood Plain Management Fee	\$450.00	PZB
Flood Zone Certification (FIRM) Letter	\$100.00	PZB
(HMWR) Department of Business and Professional Regulation Surcharge (F.S. 553.721)	1.0% of Permit Fee, Minimum \$2.00	PZB
Milestone Inspection Report Review Fee, Phase I or Phase II	\$500.00	PZB
Preliminary Plan Review Fee (separate from Plans Examination Fee)	\$1,500.00	PZB
Special Inspector Overtime (up to 4 hours)	\$300.00	PZB
Tent Permit, Extension Fee (Use over 15 days)	\$1,500/month, or portion thereof	PZB
Tent Permit, Re-inspection Fee for Multiple Events, Per Event	\$100.00	PZB
Work Completion Bond	135% of Construction Value	PZB
Work Completion Bond Processing Fee	\$200.00	PZB
PERMITS, PARKING & TRANSPORTATION (Includes Parking Placards)		
Parking, Construction (see Rights-of-Way Fees section)		

Fee Category	Fee	Dept.
Parking Permit, Residential	\$50.00	FIN
Parking Permit, Group, Temporary (required to have 2 visitor/service permits before issuance)	No Charge	CE
Parking Permit, Valet, annual permit application fee, for each staging area	\$400.00	FIN
Parking Permit, Valet, Temporary, application fee, for each staging area	\$50.00	FIN
Parking Permit, Valet, transfer fee for revocable annual valet permit	\$300.00	FIN
Parking Permit, Visitor/Service	\$50.00	FIN
Parking Placard, 1 month period	\$165.00	FIN
Parking Placard, 4 month period	\$554.00	FIN
Parking Placard, 6 month period	\$777.00	FIN
Parking Placard, 12 month period	\$1,454.00	FIN
Vehicle Permit, Limousine, per vehicle	\$225.00	FIN
Vehicle Permit, Taxi Cab, per vehicle	\$225.00	FIN
Vehicle Permit, Taxi Cab, Transfer Fee, per vehicle	\$225.00	FIN
PERMITS, OTHER		
Auction Permit	\$200.00	TCO
CHARITABLE SOLICITATION PERMIT		
Application Fee, 60 days or greater from event	\$500.00	TCO
Application Fee, less than 60 days from event	\$750.00	TCO
<u>Closing Out/Distress Sale Permit</u>	<u>\$200.00</u>	<u>TCO</u>
Commercial Motion Picture Filming Permit	\$1,500.00, in addition to \$1,000.00/day filming fee	TCO
Door-to-Door Solicitation (requires Livescan fingerprinting, additional \$50 fee)	\$50.00	CE
Erection and Display of Unattended Symbols Relating to Religious Holidays Permit	\$150.00	TCO
Garage Sale Permit	\$30.00	FIN
Newsrack Administration Fee	\$25.00	FIN
Parade Permit	\$360.00	CE
TEMPORARY ANIMAL PERMIT		
Application Fee, 60 days or greater from event	\$300.00	TCO
Application Fee, less than 60 days from event	\$500.00	TCO
Application Fee, Annual	\$3,500.00	TCO
SPECIAL EVENTS PERMITS		
Application Fee, 60 days or greater from event	\$500.00	TCO
Application Fee, less than 60 days from event	\$750.00	TCO
<u>Damage Deposit Fees - All Locations</u>	<u>\$2,500.00</u>	<u>TCO</u>
Usage Fees, residents-all locations	\$500.00/hour	TCO
Usage Fees, non-residents - all locations	\$750.00/hour	TCO
Technology Fee (a 2% technology fee is added to all transactions)	2% of Permit Fee	PZB
PUBLIC SAFETY SERVICES, ALARMS (FIRE & BURGLAR)		
REGISTRATION FEES:		
Security Alarms, per year	\$50.00	FIN
Direct Connect Business, Under 1000 sq ft, per year	\$100.00	FIN
Direct Connect Business, 1000+ sq ft, per year	\$250.00	FIN
Direct Connect Residential, annual fee (service available 10/1/2014)	\$100.00	FIN
Direct Connect Residential, one-time Administrative Fee for initial set-up	\$100.00	FIN
FALSE ALARM FEES, BURGLAR:		
3-4 times, each instance	\$150.00	FIN
5-10 times, each instance	\$300.00	FIN
11-15 times, each instance	\$750.00	FIN
16 or more times, each instance	\$1,000.00	FIN
FALSE ALARM FEES, DIRECT CONNECT BURGLAR:		
16-17 times, each instance	\$150.00	FIN
18-23 times, each instance	\$300.00	FIN
24-28 times, each instance	\$750.00	FIN
29 or more times, each instance	\$1,000.00	FIN
FALSE ALARM FEES, FIRE:		
3-4 times, each instance	\$250.00	FIN
5-10 times, each instance	\$500.00	FIN
11-15 times, each instance	\$1,000.00	FIN

Fee Category	Fee	Dept.
16 or more times, each instance	\$1,750.00	FIN
PUBLIC SAFETY SERVICES, FIRE-RESCUE		
ANNUAL FIRE & LIFE SAFETY INSPECTION FEES:		
Educational Schools and Day Care		
Small 50 students or less	\$125.00	FR
Large 51 students or greater	\$250.00	FR
Lodging, Rooming Houses, Hotels, Dormitories, and Condominiums		
Condo Small 20 units or less	\$125.00	FR
Condo Large 21 units or greater	\$250.00	FR
Hotel, Transient Lodging Small 10 rooms or less	\$125.00	FR
Hotel, Transient Lodging Large 11 rooms or more	\$250.00	FR
Marinas and Docks	\$75.00	FR
Mercantile, Business and Retail		
Business Small 4,000 sq ft or less	\$125.00	FR
Business Large 4,001 sq ft or greater	\$250.00	FR
Retail Small 4,000 sq ft or less	\$125.00	FR
Retail Large 4,001 sq ft or greater	\$250.00	FR
Restaurants, Cafes, Public Eating Places, Dining, Nightclub, Theater, Assembly		
Small 40 chairs or less	\$150.00	FR
Large 41 chairs or greater	\$250.00	FR
Unclassified Businesses or Properties	\$125.00	FR
Re-inspection Fee	\$125.00	FR
EMS TRANSPORTATION FEES:		
Basic Life Support Transportation Fee	\$750.00	FR
Advanced Life Support-Level 1 Transportation Fee	\$750.00	FR
Advanced Life Support-Level 2 Transportation Fee	\$850.00	FR
Ambulance Ground Mileage, in Addition to Transportation Fee	\$12.00/mile	FR
FIRE PREVENTION FEES:		
Technical Fire Inspections	\$250.00	FR
Fixed Fire Suppression Systems	\$250.00	FR
Hazardous, Flammable or Explosive Materials		
Fire hydrant flow test witness	\$275.00	FR
Bonfire permit	\$300.00	FR
Fireworks and pyrotechnic displays Permit Fee	\$2,000.00	FR
Hot work operation permit	\$100.00	FR
Public assembly plans review and inspection	\$75.00	FR
MISCELLANEOUS FEES:		
Meeting Room Rental-South Fire Station	\$28.00/hr.	FR
Meeting Room Rental Deposit-South Fire Station (required for rental)	\$200.00	FR
SPECIAL ASSIGNMENT (OFF-DUTY) DETAILS FEE:		
Special Assignment Details (3 hour minimum)	\$80.00/hr.	FR
Special Assignment Details (3 hour minimum) - Premium Days (as defined by Res. No. 176-2015)	\$110.00/hr.	FR
PUBLIC SAFETY SERVICES, POLICE		
FINGERPRINTING FEES:		
Fingerprinting-physical card, Town Resident Civilians (except employee applicants)	\$30.00	PD
Fingerprinting-Livescan, Town Required (except employee applicants)	\$50.00	PD
Fingerprinting, Children	No Charge	PD
MISCELLANEOUS FEES:		
Identification Cards, each (good for 1 year)	\$50.00	PD
Passport Photos, for 2 photos	\$15.00	PD
SPECIAL ASSIGNMENT (OFF-DUTY) DETAILS FEE:		
Special Assignment Details (3 hour minimum)	\$80.00/hr. \$90.00/hr.	PD
Special Assignment Details (3 hour minimum) - Premium Days (requests within 4 days will be considered Premium Days, as defined by Res. No. 176-2015)	\$110.00/hr. \$130.00/hr.	PD
RECORDS REQUEST FEES		
These costs vary by department and scope of the request.	Based on actual costs	TCO
NOTE: All Duplication Fees are Subject to F.S. Ch. 119, as May be Amended From Time to Time		
RECREATION FEES		

Fee Category	Fee	Dept.
The Town of Palm Beach is proud to offer the best recreational programs and facilities around! As our recreation programs and fees fluctuate, please check out www.palmbeachrecreation.com , www.golfonthecean.com , or www.townofpalmbeachmarina.com		
RETURNED CHECK FEES		
Check Amount \$0.01 to \$50.00	\$25.00	FIN
Check Amount \$50.01 to \$300.00	\$30.00	FIN
Check Amount \$300.01 to \$800.00	\$40.00	FIN
Check Amount Greater than \$800.00	5% of check	FIN
If payment is not received within 30 days, the Town may file a civil action against the check writer for three times the amount of the check.		
RIGHTS-OF-WAY FEES		
<u>Application Fee for ALL Right-of-Way Permit Types (other than Delivery, by hand), non-refundable</u>	<u>\$25.00</u>	<u>PW</u>
<u>BOND, Mill or Resurface, Performance or Maintenance, or Other</u>	<u>135% of estimated value</u>	<u>PW</u>
<u>Delivery of Material (2-hours maximum, by hand, using no equipment)</u>	<u>\$30.00</u>	<u>PW</u>
<u>Re-inspection/Re-Test Fee</u>	<u>\$200.00</u>	<u>PW</u>
<u>Restoration/repair of Right-of-Way following construction/excavation activities</u>	<u>\$36.00/day until restoration is complete</u>	<u>PW</u>
<u>Work in Right-of-Way BEFORE Permit Issuance</u>	<u>200% of Permit Fee PLUS \$150.00/day</u>	<u>PW</u>
ABANDONMENTS & EASEMENTS:		
Technology Fee (a 2% technology fee is added to all transactions)	2% of Permit Fee	PZB
Abandonment of Streets Rights of Way & Easements Application	\$1,200.00	PW
PUBLIC WORKS AGREEMENTS:		
Preparation and/or Review (Stormwater Management, Stormwater Management Recertifications, Driveway/Walkway)	\$100.00	PW
Preparation and/or Review (Easement Installation & Removal, Wall Maintenance, ROW Installation & Maintenance, etc.)	\$250.00	PW
Recordation (up to 6 pages)	\$100 + \$10/pg. thereafter	PW
CONSTRUCTION PARKING - METERED SPACES (Excludes Worth Avenue):		
Per Vehicle (3 vehicles maximum)	\$48.00	PW
Per Month (3 vehicles maximum)	\$1,056.00/vehicle	PW
CONSTRUCTION PARKING - MID-TOWN BEACH & PHIPPS OCEAN PARK:		
Per Vehicle (3 vehicles maximum)	\$48.00/day	PW
Per Month (3 vehicles maximum)	\$1,056.00/vehicle	PW
CONSTRUCTION PARKING - NON-METERED SPACES (Excludes Worth Avenue):		
Up to 3 Days, per vehicle (3 vehicles maximum)	\$180.00	PW
4 or More Days, per vehicle	\$36.00/per day	PW
Per Month	\$540.00/per vehicle	PW
CONSTRUCTION PARKING - NON-METERED SPACES, ADDITIONAL PERMITS (Excludes Worth Avenue):		
During 3 Week Close-Out Period, per vehicle	\$90.00/per week	PW
Owner's Permit, per month, (1 vehicle maximum)	\$90.00/per vehicle	PW
CONSTRUCTION PARKING - WORTH AVENUE ONLY:		
Per Space, Per Month or Any Lesser Period (2 spaces max., active loading/unloading and essential construction activities only)	\$360.00	PW
DRIVEWAY APPROACH, USE, & EXCAVATION PERMIT FEES:		
Driveway Approach, up to 20 lineal ft width	\$180.00	PW
Driveway Approach, 20+ lineal ft width, per lineal ft	\$3.60	PW
Delivery of Materials (2 hours or less, will not block a major roadway or a moving lane of traffic.)	\$30.00	PW
ROW Use, up to 3 days	\$180.00	PW
ROW Use, 4 or more days, per day	\$36.00	PW
ROW Use, per month	\$540.00	PW
ROW Excavation*, up to 3 days	\$180.00	PW
ROW Excavation*, 4 or more days, per day until ROW is completely restored to original or better condition	\$36.00	PW
* ROW Restoration Includes Sidewalks, Medians, and Roads.		
VIOLATIONS, FINES, PENALTIES, & LATE FEES (ALL)		

Fee Category	Fee	Dept.
BUSINESS TAX RECEIPT, ANNUAL CAFE SEATING PERMIT and FIRE PREVENTION & LIFE SAFETY LATE FEES:-		
1 - 31 Days Late	10% of Annual Fee	PZB
32 - 61 Days Late	15% of Annual Fee	PZB
62 - 92 Days Late	20% of Annual Fee	PZB
93 Days Or More Late	25% of Annual Fee	PZB
Failure to Pay Within 150 Days of Initial Notice of Tax Due (Owner may also be subject to code enforcement board actions relating to violation of this section and may also be subject to civil actions and penalties, including court costs, reasonable attorney's fees, and additional administrative costs incurred as a result of collection efforts).	\$250.00 in Addition to any other Penalty	PZB
CHARITABLE SOLICITATION PERMIT LATE FEES:-		
Late Application, 31-59 Days Before Event:-		
—Events Estimated to Raise \$5,000 or less	125% of permit fee	TCO
—First Event Estimated to Raise over \$5,000	125% of permit fee	TCO
—Second Event Estimated to Raise over \$5,000	125% of permit fee	TCO
Late Application, 16-30 Days Before Event:-		
—Events Estimated to Raise \$5,000 or less	150% of permit fee	TCO
—First Event Estimated to Raise over \$5,000	150% of permit fee	TCO
—Second Event Estimated to Raise over \$5,000	150% of permit fee	TCO
Late Application, 15-8 Days Before Event:-		
—Events Estimated to Raise \$5,000 or less	175% of permit fee	TCO
—First Event Estimated to Raise over \$5,000	175% of permit fee	TCO
—Second Event Estimated to Raise over \$5,000	175% of permit fee	TCO
Late Application, 7 Days or Less Before Event:-		
—Events Estimated to Raise \$5,000 or less	200% of permit fee	TCO
—First Event Estimated to Raise over \$5,000	200% of permit fee	TCO
—Second Event Estimated to Raise over \$5,000	200% of permit fee	TCO
Permit Issued After the Fact (fee is in addition to base permit fee and any Code Enforcement Board Fees):-		
—Events Estimated to Raise \$5,000 or less	\$600.00-	TCO
—First Event Estimated to Raise over \$5,000	\$1,260.00-	TCO
—Second Event Estimated to Raise over \$5,000	\$600.00-	TCO
Technology Fee (a 2% technology fee is added to all transactions)	2% of Permit Fee	PZB
CODE VIOLATION FINES:		
Class I Violations:		
First Offense	\$75.00	CE
Second Offense	\$125.00	CE
Third Offense	\$250.00	CE
Fourth and subsequent offense	\$500.00	CE
Class II Violations:		
First Offense	\$125.00	CE
Second Offense	\$250.00	CE
Third Offense	\$400.00	CE
Fourth and subsequent offense	\$500.00	CE
Class III Violations:		
First Offense	\$250.00	CE
Second Offense subsequent offense	\$500.00	CE
Class IV Violations:		
First and Subsequent Offenses	\$500.00	CE
CONSTRUCTION PERMIT (AFTER THE FACT) CONSTRUCTION:		
Construction Without a Permit	300% of Permit Fee PZB	PZB
CONSTRUCTION WORK IN RIGHTS-OF-WAY EXCEEDING TIME PERMITTED PENALTY FEE:		
Work Performed After the Time Allowed in the Applicable Permit	\$1,000.00/per day PZB	PZB
DEMOLITION PERMIT VIOLATIONS:		
Violations of Conditions Placed Upon Granting of Demolition Permit, per violation	\$250.00/per day PZB	PZB
FIRE & LIFE SAFETY INSPECTION LATE FEE:		
Late Payments Finance Charge	10% of Inspection Fee FR	FR
PARKING FINES - COMMERCIAL ZONING DISTRICTS:		
Overtime Parking as Referenced in Section 118-92 (a)(1)	\$60.00	FIN
Parking on Wrong Side of Street as Referenced in Section 118-92 (a)(2)	\$60.00	FIN

Fee Category	Fee	Dept.
Parking at Yellow Curb as Referenced in Section 118-92 (a)(3)	\$60.00	FIN
Blocking Driveway as Referenced in Section 118-92 (a)(4)	\$60.00	FIN
Parking on Sidewalk as Referenced in Section 118-92 (a)(5)	\$60.00	FIN
Trespassing by Vehicle as Referenced in Section 118-92 (a)(6)	\$60.00	FIN
No Parking (designated hours) as Referenced in Section 118-92 (a)(7)	\$60.00	FIN
Parking Too Close to Fire Hydrant as Referenced in Section 118-92 (a)(8)	\$60.00	FIN
No Parking Anytime as Referenced in Section 118-92 (a)(9)	\$60.00	FIN
Double Parking as Referenced in Section 118-92 (a)(10)	\$60.00	FIN
Obstructing Traffic as Referenced in Section 118-92 (a)(11)	\$60.00	FIN
Parking in Loading Zone as Referenced in Section 118-92 (a)(12)	\$60.00	FIN
Residential Parking as Referenced in Section 118-92 (a)(13)	\$60.00	FIN
Vehicle Parked Across Lines Designating Parking Space as Referenced in Section 118-92 (a)(14)	\$60.00	FIN
Vehicle Parked in Wrong Direction on One-Way Street as Referenced in Section 118-92 (a)(15)	\$60.00	FIN
Parking at Curbs Designated in Red as Referenced in Section 118-92 (a)(16) Expired Meter as Referenced in Section 118-92 (a)(17)	\$60.00	FIN
Official Parking Only as Referenced in Section 118-92 (a)(18)	\$60.00	FIN
Parking in Crosswalk as Referenced in Section 118-92 (a)(19)	\$60.00	FIN
Parking in Passenger Loading Zone as Referenced in Section 118-92 (a)(20)	\$60.00	FIN
Overtime Parking in a Designated Parking Zone (in addition to any other parking regulation violation noted at the time of fine issuance) as Referenced in Section 118-92 (a)(21)	\$60.00	FIN
All Other Parking Violations as Prescribed by Appropriate State Statue or Other Town Ordinance as Referenced in Section 118-92 (b)	\$60.00	FIN
PARKING FINES - RESIDENTIAL ZONING DISTRICTS:		
Overtime Parking as Referenced in Section 118-92 (a)(1)	\$75.00	FIN
Parking on Wrong Side of Street as Referenced in Section 118-92 (a)(2)	\$75.00	FIN
Parking at Yellow Curb as Referenced in Section 118-92 (a)(3)	\$75.00	FIN
Blocking Driveway as Referenced in Section 118-92 (a)(4)	\$75.00	FIN
Parking on Sidewalk as Referenced in Section 118-92 (a)(5)	\$75.00	FIN
Trespassing by Vehicle as Referenced in Section 118-92 (a)(6)	\$75.00	FIN
No Parking (designated hours) as Referenced in Section 118-92 (a)(7)	\$75.00	FIN
Parking Too Close to Fire Hydrant as Referenced in Section 118-92 (a)(8)	\$75.00	FIN
No Parking Anytime as Referenced in Section 118-92 (a)(9)	\$75.00	FIN
Double Parking as Referenced in Section 118-92 (a)(10)	\$75.00	FIN
Obstructing Traffic as Referenced in Section 118-92 (a)(11)	\$75.00	FIN
Parking in Loading Zone as Referenced in Section 118-92 (a)(12)	\$75.00	FIN
Residential Parking as Referenced in Section 118-92 (a)(13)	\$75.00	FIN
Vehicle Parked Across Lines Designating Parking Space as Referenced in Section 118-92 (a)(14)	\$75.00	FIN
Vehicle Parked in Wrong Direction on One-Way Street as Referenced in Section 118-92 (a)(15)	\$75.00	FIN
Parking at Curbs Designated in Red as Referenced in Section 118-92 (a)(16) Expired Meter as Referenced in Section 118-92 (a)(17)	\$75.00	FIN
Official Parking Only as Referenced in Section 118-92 (a)(18)	\$75.00	FIN
Parking in Crosswalk as Referenced in Section 118-92 (a)(19)	\$75.00	FIN
Parking in Passenger Loading Zone as Referenced in Section 118-92 (a)(20)	\$75.00	FIN
Overtime Parking in a Designated Parking Zone (in addition to any other parking regulation violation noted at the time of fine issuance) as Referenced in Section 118-92 (a)(21)	\$75.00	FIN
All Other Parking Violations as Prescribed by Appropriate State Statue or Other Town Ordinance as Referenced in Section 118-92 (b)	\$75.00	FIN
PARKING FINES - RIGHT-OF-WAY CONSTRUCTION PARKING:		
First Offense, per day, per vehicle	\$75.00 <u>\$150.00</u>	CE & PW
Second Offense, per day, per vehicle	\$150.00 <u>\$250.00</u>	CE & PW
Third and All Subsequent Offenses, per day, per vehicle (may also result in a stop work order)	\$250.00 <u>\$500.00</u>	CE & PW
Fee for Strike 2 (in addition to Fine for Strike)	<u>\$250.00</u>	PW
Fee for Strike 3 (in addition to Fine for Strike)	<u>\$500.00</u>	PW
Fee for Strike 4 (in addition to Fine for Strike)	<u>\$2,500.00</u>	PW
Fee for Strike 5 and subsequent (in addition to Fine for Strike)	<u>\$5,000.00</u>	PW
PARKING FINES - FAILURE TO PAY CITATION (Does Not Include ROW Parking Violations):		
Failure to Pay Penalties for Violations of Sections 118-91 and 118-92 Within Fourteen Days from the Time of Issuance of the Violation Shall Result in an Additional Delinquency Penalty to the Violator as	\$20.00	FIN

Fee Category	Fee	Dept.
Failure to Pay Penalties and Delinquency Assessments for Violations of Sections 118-91 and 118-92 and in Accordance with Section 118-93 within 60 Days of Issuance of the Parking Violation Shall Result in a Service Charge to the Violator per Citation in Addition to the Cost of the Violation and Delinquent Penalty as Referenced in Section 118-94	\$20.00	FIN
Failure to pay penalties and delinquency assessments for violations of Sections 118-91 and 118-92 and in accordance with Section 118-93 within 90 days of issuance of the parking violation shall result in an	\$25.00	FIN
Failure to pay penalties and delinquency assessments for violations of Sections 118-91 and 118-92 and in accordance with Section 118-93 within 120 days of issuance of the parking violation shall result in an additional service charge to the violator per citation in addition to the cost of the violation of the	\$25.00	FIN
Fee for Removal of an Immobilizing Device as Referenced in Section 118-95(2)	\$350.00	FIN
PUBLIC SAFETY SPECIAL ASSIGNMENT (Off-Duty) DETAILS FEES - FAILURE TO PAY BILL WITHIN 30 DAYS:		
In the event said fees are not paid within 30 days of billing, an automatic ten percent penalty per month shall be assessed for nonpayment of said delinquent fees (Applies to both regular and premium day assignments)	10% per month delinquent	PD or FR, based on detail
SEWAGE DISPOSAL VIOLATION FINES:		
Failure to Comply with the 24 Hour Notification Requirement for the Industrial User Out of Compliance as Referenced in Section 122-118 (2)	\$100.00	PW
Failure to comply with resampling rules as referenced in Section 122-118 (3)	\$150.00	PW
Failure to Comply with Waste Water Facility (WWF) Monitoring and 45 Day Compliance Schedule as Referenced in Section 122-118 (4)	\$250.00	PW
Fine for significant noncompliance for industrial user in violation as referenced in Section 122-118 (5)	\$400.00	PW
Failure to Respond within 15 Days to Formal Notice of Significant Non-Compliance for Industrial User as Referenced in Section 122-118 (6)	\$500.00	PW
Failure to Respond within 15 Days for Failure to Demonstrate Compliance with Notice of Significant Violation (NOSV) During the 90 Day Schedule for Industrial User as Referenced in Section 122-118 (7)	\$500.00	PW
Construction of Pretreatment Facilities Does Not Achieve Compliance as Referenced in Section 122-118 (8)	\$500.00	PW
Industrial User Failure to Show Cause to Comply as Referenced in Section 122-118 (8)	Up to \$500.00/day	PW
SPECIAL EVENT/TEMPORARY ANIMAL PERMIT LATE FEE:		
Late Application, less than 30 days before event	\$100.00	TCO
Permit Issued After the Fact (fee is in addition to any Code Enforcement Board Admin Fees)	\$75.00	TCO
WATER CONSERVATION/RESTRICTIONS VIOLATION FINES:		
First Offense, within any 180-day period	\$75.00	CE
Second Offense, within any 180-day period	\$125.00	CE
Third Offense, within any 180-day period	\$250.00	CE
Fourth and Subsequent Offenses, within any 180-day period	\$500.00	CE
WATER CONSERVATION/RESTRICTIONS VIOLATION FINES: CURTAILMENT AUTHORIZED (Emergency Order):		
First Offense	\$125.00	CE
Second Offense	\$250.00	CE
Third Offense	\$400.00	CE
Fourth and subsequent offense	\$500.00	CE
VEHICLE PERMIT PENALTIES:		
Late Annual Renewal	\$100.00	FIN

RESOLUTION NO. 112-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, SUPPORTING THE CONSTRUCTION OF HONORARY DESIGNATION MARKERS ON A PORTION OF SOUTHERN BOULEVARD IN THE TOWN OF PALM BEACH IN HONOR OF THE 45TH AND 47TH PRESIDENT, DONALD J. TRUMP, RECOGNIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION AS THE AGENCY RESPONSIBLE FOR THE DESIGNATION MARKERS, PROVIDING SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Donald J. Trump served as the 45th President of the United States from 2017 through 2021 and currently serves as the 47th President of the United States; and

WHEREAS, in 1985, President Donald J. Trump acquired Mar-a-Lago, a National Historic Landmark built for Marjorie Merriwether Post between 1924 and 1927; and

WHEREAS, President Donald J. Trump has used Mar-a-Lago as a residence for himself and his family for approximately 40 years; and

WHEREAS, Mar-a-Lago is located at the intersection of Southern Boulevard and S. Ocean Boulevard in the Town;

WHEREAS, the bridge across Southern Boulevard is one of only three access points directly into the barrier island that is the Town of Palm Beach; and

WHEREAS, President Trump, together with his family and his guests at Mar-a-Lago, frequently travel on Southern Boulevard from the Palm Beach International Airport to the Town of Palm Beach; and

WHEREAS, on July 8, 2025, the Palm Beach County Board of County Commissioners unanimously passed Resolution No. 2025-0883 in support of designating that roadway segment between the facility used by Air Force One at Palm Beach International Airport and Mar-a-Lago, which segment is located between Kirk Road in West Palm Beach and S. Ocean Boulevard in the Town of Palm Beach (the "Roadway"), as "*President Donald J. Trump Boulevard*"; and

WHEREAS, Section 334.071 (3), Florida Statutes, requires that the appropriate city or county commission pass a resolution in support of any proposed honorary designation markers prior to their construction; and

WHEREAS, a portion of the Roadway where the proposed honorary designation will be constructed lies within the jurisdictional limits of the Town of Palm Beach; and

WHEREAS, the Town of Palm Beach supports the honorary designation and naming of the Roadway as "*Presidential Donald J. Trump Boulevard*."

WHEREAS, Southern Boulevard is within FDOT's jurisdictional limits, and FDOT will be responsible for the design, construction, and maintenance of the honorary designation markers for the Roadway; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The foregoing recitals are hereby ratified and confirmed.

Section 2: The Town approves the honorary designation and naming of the Roadway as "*President Donald J. Trump Boulevard*."

Section 3. The Town will coordinate with FDOT for sign design and placement.

Section 4. The appropriate Town officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 5. This Resolution shall take effect immediately upon execution.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on September 9, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning, & Building

Re: Request to Hear Proposed Ordinance Nos. 009-2025, 010-2025, 011-2025, 012-2025, 013-2025, 014-2025, 015-2025 Prior to 5:00 p.m. on the Wednesday, September 10, 2025, Town Council Development Review Meeting.

Date: 8/26/2025

STAFF RECOMMENDATION

Staff recommends that the Town Council, acting as the Local Planning Agency, conduct the public hearing on Ordinance Nos. 009-2025, 010-2025, 011-2025, 012-2025, 013-2025, 014-2025, 015-2025 at the Town Council meeting before 5:00 p.m. The Ordinances will be heard at first reading on September 10, 2025, with a possible adoption hearing on October 15, 2025.

GENERAL INFORMATION

Pursuant to Chapter 166.041, F.S., the local governing body is required to hold two (2) advertised public hearings on a proposed ordinance. At least one hearing held after 5:00 p.m. on a weekday, unless the local governing body, by a majority plus one vote, elects to conduct that hearing at another time of day. The first public hearing shall be held at least seven (7) days after the day that the first advertisement is published. The second hearing shall be held at least 10 days after the first hearing and shall be advertised at least five (5) days prior to the public hearing.

TOWN ATTORNEY REVIEW

The subject code amendments have been reviewed and approved for legal form and sufficiency.

ATTACHMENT

Business Impact Statement

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation

Strategic Focus Areas:

Cooperative Relationships

FUNDING

No Fiscal Impact



THE TOWN OF PALM BEACH

Business Impact Estimate

TITLE OF ORDINANCES:

ORDINANCE NO. 009-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134, ZONING BY AMENDING ARTICLE VIII, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 3. – HEIGHT AND OTHER EXCEPTIONS AT SECTION 134-1607.-PERMITTED EXCEPTIONS; AND AMENDING, ARTICLE VIII, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 6. – STRUCTURES, SUBDIVISION II. – ACCESSORY BUILDINGS AND OTHER STRUCTURES AT SECTIONS 134-1728.-AIR CONDITIONING AND SWIMMING POOL, AND FOUNTAIN EQUIPMENT AND 134-1729.-GENERATORS TO UPDATE THE TOWN’S MECHANICAL EQUIPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 010-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134, ZONING, ARTICLE IV, NONCONFORMITIES, DIVISION 4. – LAND AT SECTION 134-446; ARTICLE VI, DISTRICT REGULATIONS, DIVISION 2. -RAA, DIVISION 3.- R-A AND DIVISION 4.-R-B AT SECTIONS 134-793, 134-843 AND 134-893, RESPECTIVELY, TO SIMPLIFY THE PROCESS FOR DEVELOPMENT OF SINGLE-FAMILY DWELLINGS ON CERTAIN NONCONFORMING LOTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 011-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134, ZONING AT ARTICLE I, -IN GENERAL, BY AMENDING SECTION 134-2 DEFINITIONS; AT ARTICLE VI, DISTRICT REGULATIONS, DIVISION 2.- R-AA LARGE ESTATE RESIDENTIAL DISTRICT BY AMENDING SECTION 134-793; AT ARTICLE VI, DISTRICT REGULATIONS, DIVISION 3.- R-A ESTATE RESIDENTIAL DISTRICT BY AMENDING SECTION 134-843; AND AT ARTICLE VI, DISTRICT REGULATIONS, DIVISION 4.- R-B LOW DENSITY RESIDENTIAL DISTRICT BY AMENDING SECTION 134-893 TO DEFINE BUILDING ANGLE OF VISION AND TO REMOVE THE BUILDING ANGLE OF VISION REQUIREMENT FOR ONE-STORY BUILDINGS AND BUILDINGS ON LOTS FRONTING ON CUL-DE-SACS IN THE R-AA, R-A AND R-B RESIDENTIAL DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 012-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134, ZONING, ARTICLE II, ADMINISTRATION, DIVISION 4. – SPECIAL EXCEPTIONS, VARIANCES, AND DIMENSIONAL WAIVERS, SUBDIVISION III. - SPECIAL EXCEPTIONS BY REPEALING SECTION 134-231.-RESIDENTIAL USE IN C-TS, C-WA OR C-OPI DISTRICT; ONE-FAMILY USE ABOVE FIRST FLOOR IN C-TS, C-WA OR C-PC DISTRICT AND BY RENUMBERING SECTION 134-232.-PREFERRED LOCATION OF GROUP HOMES AND FOSTER CARE FACILITIES AND SECTION 134-233.-APPLICABILITY OF WORTH AVENUE DESIGN GUIDELINES IN C-WA DISTRICT AND ADDING A NEW SECTION 134-233.-RESERVED; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 013-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, IMPROVING THE UNIFORMITY OF THE APPEALS PROCESSES FOR DEVELOPMENT REVIEW MATTERS BY AMENDING CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, ARCHITECTURAL REVIEW, DIVISION 2, ARCHITECTURAL COMMISSION, SECTION 18-177, APPEALS AND REVIEW; BY AMENDING CHAPTER 54, HISTORICAL PRESERVATION, ARTICLE II, LANDMARKS PRESERVATION COMMISSION, SECTION 54-41; AND BY AMENDING CHAPTER 134, ZONING, ARTICLE II, ADMINISTRATION, DIVISION 3, APPEALS, SECTIONS 134-141 THROUGH 134-145 AND SECTION 134-174; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 014-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, - ARCHITECTURAL REVIEW, AT SECTION 18-203 DURATION OF APPROVAL; TIME EXTENSION; DENIAL OF APPLICATION; DETERMINATION; CLARIFICATION; DEFERRAL; AMENDING CHAPTER 54, HISTORICAL PRESERVATION, ARTICLE III – CERTIFICATE OF APPROPRIATENESS, DIVISION 2-PROCEDURES AND EFFECT, AT SECTION 54-94 – DURATION OF APPROVAL; TIME EXTENSION: DENIAL OF APPLICATION; DETERMINATION: CLARIFICATION; DEFERRAL; AND AT CHAPTER 134- ZONING, DIVISION 4-SPECIAL EXCEPTIONS, VARINACES, AND DIMENSIONAL WAIVERS, SUBDIVISION 1 – IN GENERAL, AT SECTION 134-173 – DEFERRAL REQUEST; DENIAL OF APPLICATION; DURATION OF APPROVAL; TIME EXTENSION; CLARIFICATION TO CONFORM ALL DEVELOPMENT REVIEW APPROVAL TIMEFRAMES AT 24 MONTHS FROM DATE OF RENDERED DEVELOPMENT ORDER OR WRITTEN DECISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 015-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 54, HISTORIC PRESERVATION, ARTICLE III, CERTIFICATE OF APPROPRIATENESS, DIVISION 2, PROCEDURES AND EFFECT, AT SECTION 54-93, UNIFORM DEVELOPMENT REVIEW PROCEDURES, TO CHANGE THE NOTICE REQUIREMENTS FOR CERTAIN FLOODPLAIN VARIANCE REQUESTS; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BUSINESS IMPACT ESTIMATE:

This is provided in accordance with section 166.041(4), Florida Statutes. According to Section 166.041(4)(c) of the Florida Statutes, if one or more boxes are checked below, state law does not require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation.
- ☐ The proposed ordinance relates to the issuance or refinancing of debt.
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.

☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.

☐ The proposed ordinance is an emergency ordinance.

☐ The ordinance relates to procurement; or

☐ The proposed ordinance is enacted to implement the following:

a. Development orders and development permits, as those terms are defined in s.163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220 - 163.3243.

b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts.

d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention

In accordance with the provisions of controlling law, the Town hereby publishes the following information:

1. Summary of the proposed ordinance:

The Ordinances are all prepared to make the zoning regulations easier to understand and to simplify the zoning process.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:

No negative impact on any resident or business is anticipated once the Ordinances are adopted.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The Ordinances will apply to all land-use applications and building permits, thereby impacting any business that is renovated or constructed.

4. Additional information the governing body deems useful (if any):

Nothing in the proposed Ordinances are more restrictive and the changes to the code are all designed to simplify the zoning process and to make the regulation easier to understand.

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Town of Palm Beach's website by the time notice of the proposed enactment of the ordinance is published.

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Kelly Churney, CMC, Town Clerk

Re: Appointment to the Landmarks Preservation Commission

Date: 8/29/2025

Staff recommends that the Town Council review the submitted applications and appoint one (1) regular member to the Landmarks Preservation Commission to fill the vacancy created by Anne Fairfax's resignation. The term will expire in March 2026. The Town Clerk's Office has received the following applications:

PROMOTION TO REGULAR MEMBER (currently serving as alternates):

1. Catherine Brooker, 127 Root Trail, Palm Beach, FL
2. Henry Ittleson, 132 El Brillo Way, Palm Beach, FL

NEW APPOINTMENT

1. Michelle Cohen, 235 Sunrise Ave., #2027, Palm Beach, FL
2. Karen Glover, 233 Via Linda, Palm Beach, FL
3. Isabella Gonzalez, 361 S. County Rd., Apt. 4, Palm Beach, FL
4. Kate Gubelmann, 265 Tradewind Dr., Palm Beach, FL
5. Patrick Segraves, 2500 S. Ocean Blvd., Apt. 2A1, Palm Beach, FL
6. Christine Schott, 2295 S. Ocean Blvd., Palm Beach, FL

All applications are on file in the Town Clerk's Office and are available for review upon request.

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation, Community Culture and Character

Strategic Focus Areas:

Cooperative Relationships

Collaborative Town Government

FUNDING

No Fiscal Impact

LANDMARKS PRESERVATION COMMISSION

Next appointment: Tuesday, September 9, 2025, Town Council meeting

Openings advertised via news release: Week of June 7, 2025

Deadline to submit applications: Friday, August 29, 2025

Number of openings: **1 Regular Member**

Applicants

NAME	SEEKING
Catherine Brooker	Promotion to Regular Member
Henry Ittleson	Promotion to Regular Member
Michelle Cohen	New Appointment
Karen Glover	New Appointment
Isabella Gonzalez	New Appointment
Kate Gubelmann	New Appointment
Christine Schott	New Appointment
Patrick Segraves	New Appointment

Current members and open seats

NAME	TERM EXPIRES
Regular Members	
Brittain Damgard	March 2027
Kim Coleman	March 2028
Jacqueline Albarran	March 2026
Julie Herzig Desnick	March 2026
Alexander Hufty Griswold	March 2026
Alexander Ives	March 2028
VACANT	March 2026
Alternates	
Catherine Brooker	March 2026
Jane Lindsay-Scott	March 2028
Henry Ittleson	March 2026

Highlighted in yellow = Open position

*=Applied for reappointment

**=Will be termed out

Town of Palm Beach, FL - Member Attendance Report - 2025

Landmarks Preservation Commission

Member	Jan 22, 2025	Feb 19, 2025	Mar 19, 2025	Apr 16, 2025	May 21, 2025	Jun 18, 2025	Jul 16, 2025	Aug 20, 2025	TOTALS
Henry A Ittleson			E	P	A	P	P	P	66.67%
Jane E Lindsay-Scott			P	P	P	A	P	P	83.33%
Alexander C Ives	P	P	P	P	P	P	P	P	100.0%
Alexander Hufty Griswold	P	P	P	P	P	E	P	A	75.0%
Julie Herzig Desnick	P	P	P	P	A	A	P	P	75.0%
Anne Fairfax	P	P	P	P	P	A			83.33%
Brittain B Damgard	A	P	P	P	P	P	P	P	87.5%
Jacqueline Albarran	P	P	P	P	P	P	P	P	100.0%
Catherine E Brooker	P	P	P	P	P	P	P	P	100.0%
Kim Coleman	P	P	P	P	P	P	A	P	87.5%
Anne G. Metzger	P	P							100.0%
Sue Patterson	P	P							100.0%

Present:	9	10	9	10	8	6	8	8	88.31%
Absent:	1	0	0	0	2	3	1	1	10.39%
Excused:	0	0	1	0	0	0	0	0	1.3%

- * P = Present
- * A = Absent
- * E = Excused
- * C = Canceled

Ballot For Appointment of Regular Member
to the Landmarks Preservation Commission
September 9, 2025, Town Council Meeting

Position(s) to be filled: 1 Regular Member

Please circle one (1) name from the list of names appearing below.

Alternate Member(s) Applying for Promotion

Catherine Brooker

Henry Ittleson

Others Who Have Submitted Applications

Michelle Cohen

Karen Glover

Isabella Gonzalez

Kate Gubelmann

Christine Schott

Patrick Segraves

Signature of Town Council Member: _____

Town Council Member

Memo

To: Mayor Moore and Town Council Members
Cc: Kirk Blouin, Town Manager
From: Joanne M. O'Connor
Date: August 26, 2025
Re: Litigation Status Report – September 2025

This report provides a brief summary of litigation against the Town that is pending as of June 1, 2025 and that concluded in the preceding quarter.

PENDING LITIGATION

1. Paramount Litigation

WEG Paramount LLC has challenged the Town Council's July 15, 2024 Development Order denying its application for Special Exceptions with Site Plan Review by invoking an alternative dispute resolution process available under the Florida Land Use and Environmental Resolution Act, Fla. Stat. 70.51 ("FLUEDRA"), a part of the Bert Harris Act. FLUEDRA has been in effect for 15 years. It operates under the guidance of a special magistrate in a two-stage process by which the special magistrate (1) acts as a mediator charged with facilitating a resolution between the property owner and the government entity and (2) acts more like an administrative law judge who holds a public hearing(s) and then issues recommended findings of fact and conclusions of law that the developer and the Town can ultimately accept, modify or reject.

The purpose of the FLUEDRA statute is to encourage property owners and local governments to explore mutually acceptable alternatives to the development order at issue.

The Division of Administrative Hearings assigned Special Magistrate Francine Ffolkes to this matter. On November 14, 2024, the proceeding was mediated to an impasse. Pursuant to the requirements of the Act, the parties convened for mediation before the Special Magistrate on November 14. While unable to reach a resolution during initial mediation, the parties have continued to utilize the FLUEDRA mediation framework to evaluate potential modifications and adjustments to the owner's proposed project in accordance with the Act's stated purpose.

On June 3, 2025, the Special Magistrate placed the case in abeyance subject to the parties' obligation to advise her of the status by September 1, 2025.

The owner submitted a letter of intent for a revised development concept to the Town. The Town Council had discussion on the revised development concept at its public hearing on July 8, 2025. It is anticipated that the owner will submit a revised development application to Town Staff and that application would be heard at the Town Council's November 2025 public hearing.

FLUEDRA tolls the time for the developer to pursue other litigation against the Town. WEG Paramount LLC filed a "Protective Petition for Certiorari" against the Town appealing the

Town Council's decision. That Petition has been stayed by order of the Court and agreement of the parties.

2. Taylor Litigation

a. Simon Taylor v Town of Palm Beach, et al, Case No: 502024CA004394XXXAMB AF (15th Jud. Cir. in and for Palm Beach Cnty, Fla.) ("Playhouse Case") (Simon Taylor v Town of Palm Beach, et al, Case No: 4D2025-0965 (Fourth District Court of Appeal)

b. Simon Taylor v Town of Palm Beach, Case No: 502025CA002471XXXAMB AA (15th Jud. Cir. in and for Palm Beach Cnty, Fla.)

Simon Taylor brought two (2) Public Records Act suits against the Town and certain of its officials and departments at the beginning of August 2024. These cases arise out of public records requests made by Mr. Taylor for records concerning the Royal Poinciana Playhouse and Mar-a-Lago. Mr. Taylor is a lawyer admitted to practice in Florida in 1974, representing himself *pro se*.

The Town charged Mr. Taylor fees to produce the voluminous records sought, as the Public Records Act permits. He sued the Town for unlawful refusal to produce records before paying those fees. The Town obtained dismissals without prejudice of both cases. Mr. Taylor declined to amend either case within the time provided by the Court.

In the meantime, Mr. Taylor paid the associated fees and the Town produced voluminous records. He dismissed the Mar-a-Lago suit.

As to the Playhouse matter, Mr. Taylor has now obtained a final order of dismissal as to the Town officials and departments and appealed to the Fourth District. On August 22nd, the Fourth District entered an order directing Mr. Taylor to show cause by September 1st why is appeal should not be dismissed for failure to timely the record on appeal.

In the meantime, he refiled his suit against the Town in the circuit court. We have moved again to dismiss his claims.

3. Form 6 Litigation

By Resolution 005-2024, the Town Council authorized participation by the Town and any elected officials that wished to participate in lawsuits seeking a declaration that the provisions of Section § 112.144(1)(d), Florida Statutes that require municipal elected officials to file Form 6 financial disclosure forms is unconstitutional and invalid. The Town, Mayor Moore and all the Town Council members have elected to participate. The law firm of Weiss Serota Helfman Cole & Bierman has filed two separate lawsuits against the members of the Florida Commission on Ethics, which is the agency charged with implementing and enforcing the State's financial disclosure laws:

1. **The Federal Form 6 Suit:** *Loper v. Lukis*, Case No. 1:24-cv-20604 (S.D. Fla.). This suit is brought only on behalf of the elected officials, asserting that the Form 6 requirement compels content-based, non-commercial speech in violation of the First Amendment to the United States Constitution.

On June 10, 2024, after an evidentiary hearing in April, U.S. District Judge Melissa Damian preliminarily enjoined the operation of the Form 6 requirement set forth in SB 774 until otherwise ordered. The parties have filed cross motions for summary judgment, which are pending and awaiting a ruling.

2. **The State Form 6 Suit:** *Loper v. Lukis*, filed in the Circuit Court of the Second Judicial Circuit in and for Leon County, Fla. This suit is brought on behalf of the municipalities and elected officials, asserting that the Form 6 requirement violates the right to privacy under the Florida Constitution. The case was assigned to a new judge and a motion to dismiss is pending.

4. **Midtown Beach: Private Property Rights Challenges.**

a. ***George A. Cloutier, Tiffany Dawn Cloutier v Town of Palm Beach***, Case No: 502022CA003744XXXXMB AN (15th Jud. Cir. in and for Palm Beach Cnty, Fla.).

b. ***The Condominium Association of Ocean Towers, Inc. and Warden House Association, Inc. v Town of Palm Beach***, Case No: 502022CA005042XXXXMB AO (15th Jud. Cir. in and for Palm Beach Cnty, Fla.)

Residents who own oceanfront property between Sunrise Avenue and Wells Road sued the Town in 2022. These residents own parcels that encompass a portion of the dry sand beach upland of the Erosion Control Line ("ECL") that was recorded on January 7, 2003 (the State holds title to land seaward of the ECL).

Plaintiffs ask the Circuit Court to declare their respective property rights in the beach areas and their ability to post the boundaries of their private beach areas with post and rope and "no trespassing" signs. They have also alleged that the Town's failure to enforce trespass ordinances—including as to persons using their beach areas for traditional beach uses, such as sunbathing and dog walking—constitutes a temporary "taking" of their property without compensation.

The Town has asserted numerous defenses, including that the sand added to Plaintiffs' beach areas upland of the ECL following publicly funded beach renourishments are "subject to a public easement for traditional uses of the sandy beach" pursuant to Florida law. Fla. Stat. § 161.141.

Mediation occurred on October 27, 2023 and was unsuccessful.

Following a three-hour hearing on July 9, Judge Kerner denied Plaintiffs' motions for summary judgment against the Town. The Town's responses to those motions were supported by extensive testimony from current and former residents and from Town staff. The Town sought judgment in its favor on the takings claim, which the Court also denied.

Plaintiffs have filed motions for partial summary judgment directed to certain of the Town's affirmative defenses, which will be heard on September 5th.

While Plaintiffs have not quantified any potential inverse condemnation claim, an adverse damages ruling against the Town—which we believe unlikely—could be significant given the high value of the beachfront properties at issue. Only if the Court were to find a

taking would damages then be determined in a subsequent proceeding.

The Court has specially set this case for a nonjury trial the **week of January 12, 2026**.

5. *State of Florida ex rel. Virginia E. Dadey, Gregory J. Englesbe and Peter Kaupe v Town of Palm Beach*, Case No: 502022CA008479XXXXMB AI (15th Jud. Cir. in and for Palm Beach Cnty, Fla.). Town residents in the 200 Block of Atlantic Avenue challenge the status of the beach access at the east end of Atlantic Avenue. Certain owners in the 100 Block of Atlantic Avenue asserted a private ownership right to the access point based on a recorded plat. In December 2020, the Town publicly announced that it agreed with this determination. Plaintiffs brought two-counts: (1) a claim to abate a purported public nuisance (the gate and any other obstructions of the access); and (2) a claim that the Town has violated the Public Records Act.

On March 7, 2025, the Court granted the Town's motion for summary judgment on **Count I** regarding the ownership rights to the Atlantic Avenue beach access. To avoid further expense and time involved with a potential appeal of that ruling as well as an unknown ruling and potential prevailing attorneys' fees on the remaining **Count I** public records claim, the parties have agreed to settle all of Plaintiffs' claims by a payment of \$6,000 from the Town to Plaintiffs.

6. *Leslie Daniels and 100 Everglades, LLC v Town of Palm Beach*, Case No: 9:25-cv-80368-RLR (United States Southern District of Florida). This case filed against the Town in March 2025 arises from the same facts as those underlying the suits by Cloutier, et al., above. Mr. Daniels owns an oceanfront parcel and filed this federal lawsuit asserting the Town's actions in citing him for posting his property with cones, not enforcing trespass laws, and recognizing a public easement following beach renourishment (pursuant to Fla. Stat. § 161.141) constitute: (1) a taking under the Fifth and Fourteenth Amendments; (2) a violation of Procedural Due Process; (3) a violation of his First Amendment rights; and (4) First Amendment retaliation.

On August 18, 2025, the Court granted the Town's motion to dismiss, in part, dismissing Count II for Procedural Due Process and Count IV for First Amendment Retaliation. The Town will proceed to answer and assert affirmative defenses.

Mr. Daniels seeks damages for Count I – Taking and declaratory/injunctive relief on the remaining counts. His claims are brought pursuant to 42 U.S.C. 1983, which would entitle Daniels to recover attorneys' fees. Should the Town prevail on any one of the claims, it may have grounds to recover its attorneys' fees pursuant to 42 U.S.C. 1988 if the Court deems plaintiff's claims "frivolous, unreasonable, or without foundation."

An adverse damages ruling against the Town on the takings claim could be significant given the high value of the beachfront properties at issue. Only if the Court were to find a taking would damages then be determined in a subsequent proceeding.

The case is set for trial on a docket in **March, 2026**. The deadline to take discovery is November 10th.

7. *Palm Beach Synagogue Litigation - Benacerraf, et al v Town of Palm Beach and Palm Beach Orthodox Synagogue, Inc., etc.*, Case No: 502025CA001595XXXAMB AY (15th Jud. Cir. in and for Palm Beach Cnty, Fla.)

This is an appeal from a January 2025 development order by the Town Council granting the Palm Beach Orthodox Synagogue ("PB Synagogue") nine (9) variances and three (3) special exceptions further to a project whereby more than 50% of the synagogue would be demolished and the structure redeveloped together with an adjoining building. The variances included a variance to reduce the number of required on-site parking spaces And another to permit the single, approximately 32,0000 square foot building in excess of the maximum square footage allowed in the C-TS zoning district.

This is a first-tier petition for certiorari pending before the Circuit Court appellate division, which reviews the petition for compliance with the essential requirements of law, procedural due process and competent substantial evidence.

On April 24, 2025, the Town and PB Synagogue filed a joint motion to dismiss the challenges to the special exceptions on jurisdictional grounds since those challenges were not timely brought as an independent action for declaratory relief within 30 days of the Council's decision. The Fourth District denied that motion, with prejudice to the Town's and PB Synagogue's rights to assert the jurisdictional grounds for dismissal of the special exception challenges in their briefs on the merits.

The Town and PB Synagogue each filed answer briefs on July 23rd.

The Appellants' reply brief is due on or before September 15th. At that time, the matter will be fully briefed. A ruling from the Circuit Court Appellate Division could take several months.

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Patricia Strayer, P.E., Town Engineer

Re: Town-wide Undergrounding Project - Review of Project and Dashboard,
Summary of Project Status

Date: 8/18/2025

GENERAL INFORMATION

I. COMMUNICATIONS:

A. Community Meetings:

None to Report

B. Significant Residential Communications:

None to report

II. PROGRESS SUMMARY:

Overall, Town-wide progress, all phases are either complete or in progress/ funded for construction. In Phase 4 South FPL is in the process of de-energizing and starting to wreck out materials. FPL has committed to multiple crews for pole removal in Phase 4 and 5 South to ensure poles are removed by November 1, 2025, assuming there are no storm interruptions. Phase 5 south FPL wreck out has begun. In Phase 6 North, most poles have been removed. Phase 6 South has begun conversions to the underground network. Phase 7 north conversions are approximately sixty percent (60%) complete. Phase 7 South is moving along very well with the conduit installation. Phase 8 construction is progressing on completing all drilling on north and south streets prior to November 1, 2025.

A. Construction Progress:

Phase 1 North Construction:

From the Inlet south to Onondaga Avenue

- Completed

Phase 1 South Construction:

From southern Town limits north to Sloan 's Curve.

- Completed

Phase 2 North Construction:

From Esplanade Way to Ocean Terrance.

- Completed

Phase 2 South Construction:

From Sloan's Curve to the intersection of South Ocean Boulevard and South County Road.

- Completed

Phase 3 North Construction:

From Osceola Way to the north-side of La Puerta Way.

- Completed

Phase 3 South Construction:

From South Ocean Boulevard and South County Road to the alleyway south of Worth Avenue.

- Completed

Phase 4 North Construction:

From the south-side of La Puerta Way to the north-side of List Road.

- Completed

Phase 4 South Construction:

From Peruvian Avenue to Royal Palm Way.

- Construction is 97% complete
- ATT and Comcast are complete
- FPL wreck out has begun

Phase 5 North Construction:

From Country Club Road to Southland Road.

- Completed

Phase 5 South Construction:

From South Lake Drive / Hibiscus Avenue and Peruvian Avenue / Royal Palm Way, properties between the intracostal waterway and the Atlantic Ocean and from Royal Palm Way to Seaspray Avenue.

- Construction phase is complete
- Pole removal has begun

Phase 6 North Construction:

From Chateaux Drive and Kawama Lane to the south-side of Plantation Road.

- Completed

Phase 6 South Construction:

Seaspray Avenue to the south of Royal Poinciana Way.

- Construction is 81% complete.
- Conversions have begun.
- Poles should come down in 2026.

Phase 7 North Construction:

Palm Beach Country Club north to the south side of List Road.

- Construction is 73% completed.
- Targeting pole removal by March 2026. This depends on FPL, ATT , and Comcast completing switching and conversions.

Phase 7 South Construction:

Atlantic Avenue north to Via Los Incas and Sanford Avenue

- Construction is 30% completed.

Phase 8 Construction:

Royal Poinciana Way north to Everglade Avenue

- Construction is 7% completed.

III. FINANCIAL SUMMARY:

A. FEMA Grant Update:

Fema has been granted the request for an extension of the completion deadline.

B. Project Budget Summary:

There have been no significant changes since the last report. Updates include processing of vendor pay applications for design and work performed in active phases.

cc. Bob Miracle, Deputy Town Manager
Kevin Schanen , Kimley-Horn & Associates

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Community Culture and Character

Strategic Focus Areas: Emergency Management Quality of Life

FUNDING

Capital

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Community Culture and Character

Strategic Focus Areas:

Emergency Management

Quality of Life

FUNDING

Capital

Underground Utility Project Budget
Project Financial Summary
July 31, 2025

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,773,514	\$ 12,718,730	99.6%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 13,669,545	\$ 13,639,472	99.8%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 18,447,002	\$ 15,571,928	84.4%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 19,081,845	\$ 19,154,005	100.4%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 18,517,330	\$ 16,325,425	88.2%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 19,966,261	\$ 14,042,089	70.3%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ 24,777,484	\$ 13,704,719	55.3%
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ 19,278,073	\$ 3,485,857	18.1%
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 146,511,053	\$ 108,642,225	74.2%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 2,987,964	\$ 2,987,964	\$ 2,847,721	95.3%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 122,892,609	\$ 149,499,017	\$ 111,489,946	74.6%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 21,947,999	\$ 21,947,709	100.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 690,317	\$ 1,686,453	244.3%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 122,892,609	\$ 150,189,334	\$ 135,124,108	90.0%

Total Project Budget - Opinion of cost for construction	\$ 122,892,609
% Budgeted/Encumbered To Date Project Costs	121.65%
% Spent to Date - Project Costs	90.72%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ 18,329,914	\$ 18,329,914	0.0%
Assessment Revenue	\$ 25,280,000	\$ 33,097,725	130.9%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest	\$ 1,667,009	\$ 6,742,354	404.5%
GO Bond Proceeds 2018	\$ 60,500,000	\$ 60,499,897	100.0%
GO Bond Proceeds 2021	\$ 9,198,896	\$ 9,198,896	100.0%
1 Cent Sales Tax (CIP Pay go)	\$ 5,000,000	\$ 4,500,000	90.0%
FPL	\$ 450,246	\$ 450,246	100.0%
FEMA Grant	\$ 8,500,000	\$ 3,919,184	46.1%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (401) Fund Marina	\$ 5,200,000	\$ 15,300,000	294.2%
Transfer from (001) General Fund - PM Salary	\$ 942,116	\$ 1,209,157	128.3%
Total Project Revenues	\$ 138,674,922	\$ 156,889,015	113.1%

Underground Utility Project Budget
Phase 1 Project Costs
July 31, 2025

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Project Engineering					
Task 2.1 - Detailed Design North End	590,000		472,063	472,063	100.0%
Task 2.2 - Detailed Design South End	740,000		619,411	619,411	100.0%
Task 2.3 - Permitting Assistance			17,790	17,790	100.0%
Task 2.4 - Bid Phase Assistance			42,166	42,166	100.0%
Task 2.5 - Meetings - Design Phase			125,399	125,383	100.0%
Subtotal Design Phase	\$ 1,330,000	\$ 1,280,000	\$ 1,276,829	\$ 1,276,813	100.0%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,606,916	100.2%
Street Light Conversion			\$ 135,322	135,322	100.0%
Change Order for AT&T and Comcast Conduit			\$ 500,655	491,883	98.2%
Utility Design Costs			\$ 15,595	79,767	511.5%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	325,523	68.3%
Construction Engineering (KH)			\$ 207,771	205,818	99.1%
	\$ 4,210,000	\$ 4,930,000	\$ 4,953,984	\$ 4,864,949	98.2%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	4,518,572	101.5%
Utility Design Costs			\$ 33,013	119,725	362.7%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,250,395	91.0%
Construction Engineering (KH)			\$ 317,963	317,483	99.8%
	\$ 6,800,000	\$ 6,350,000	\$ 6,198,347	\$ 6,228,375	100.5%
Easement Recording Fees			\$ 740	740	100.0%
Legal Costs/Easement Acquisition - Jones Foster	\$ 280,000	\$ 350,000	\$ 301,359	\$ 306,723	101.8%
Legal Sketch and Description - Easements			34,000	33,215	97.7%
Easement Abandonment			\$ 8,256	5,120	62.0%
Legal Advertising				2,795	
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,773,514	\$ 12,718,730	99.6%

Underground Utility Project Budget
Phase 2 Project Costs
July 31, 2025

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 2 Design					
Kimley Horn					
Task 1.1 Phase 2 North Design	335,000		\$ 281,304	\$ 281,304	100.0%
Task 1.2 Phase 2 South Design	400,000		\$ 335,353	\$ 335,353	100.0%
Task 1.3 Permitting Assistance North and South			\$ 12,674	\$ 12,674	100.0%
Task 1.4 Bid Phase Assistance North and South			\$ 40,565	\$ 40,565	100.0%
Task 1.6 Meetings North and South			\$ 136,617	\$ 131,510	96.3%
Total Phase 2 Design	\$ 735,000	\$ 807,000	\$ 806,513	\$ 801,406	99.4%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 3,932,792	3,932,792	100.0%
Owner Purchased Supplies			\$ 253,631	253,631	100.0%
FPL Design Cost			\$ 34,936	34,936	100.0%
ATT Design Cost			\$ 10,000	\$ 10,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 423,898	85.4%
FPL - Additional Vista Switches			\$ 55,000	\$ 54,938	99.9%
Construction Engineering (KH)			\$ 248,121	\$ 246,227	99.2%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 5,070,787	\$ 4,992,974	98.5%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	87,667	250.5%
Burkhardt Construction			\$ 6,419,862	6,383,736	99.4%
Owner Supplied Materials			\$ 175,898	175,898	100.0%
FPL Design Cost			\$ 34,936	34,936	100.0%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 601,448	\$ 601,448	100.0%
Reimburse John Moran				\$ 39,240	
Construction Engineering (KH)	-		\$ 325,280	\$ 324,908	99.9%
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,602,424	\$ 7,657,414	100.7%
Easement Acquisition/Abandonment	200,000	219,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1.5 Easement Assistance North			\$ 64,936	\$ 64,935	100.0%
Task 1.5 Easement Assistance South			\$ 77,466	\$ 77,467	100.0%
<i>Surveys</i>					
Task 1.7 Legal Sketch North			\$ 14,020	\$ 14,020	100.0%
Task 1.7 Legal Sketch South			\$ 21,725	\$ 20,689	95.2%
Advertising			\$ 1,200	\$ 1,101	91.7%
Recording Costs			\$ 3,605	\$ 3,473	96.3%
Easement Abandonment			\$ 6,870	\$ 5,994	87.2%
Total Easement Acquisition Costs	200,000	219,000	\$ 189,822	\$ 187,678	98.9%
Total Phase 2 Costs	\$ 9,170,000	\$ 13,470,000	\$ 13,669,545	\$ 13,639,472	99.8%

Underground Utility Project Budget
Phase 3 Project Costs
July 31, 2025

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 3 Design					
Kimley Horn					
Task 1.1 Phase 3 North Design	\$ 325,000		\$ 280,189	\$ 280,189	100.0%
Task 1.2 Phase 3 South Design	\$ 535,000		\$ 486,333	\$ 486,323	100.0%
Task 1.3 Permitting Assistance			\$ 13,739	\$ 13,739	100.0%
Task 1.4 Bid Phase Assistance			\$ 36,834	\$ 36,834	100.0%
Task 1.5 Meetings			\$ 77,411	\$ 76,626	99.0%
Total Phase 3 Design	\$ 860,000	\$ 895,000	\$ 894,505	\$ 893,710	99.9%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000			
Preconstruction			\$ 24,580	\$ 24,580	100.0%
Construction - Burkhardt			\$ 4,100,697	\$ 4,100,697	100.0%
Owner supplied materials			\$ 2,797	\$ 3,456	123.6%
FPL Design Cost			\$ 12,850	\$ 2,700	21.0%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 3,128	\$ 3,128	100.0%
FPL Construction			\$ 87,101	\$ 87,101	100.0%
Street Light Conversion			\$ 4,249	\$ 7,012	165.0%
Utility Costs (Comcast & ATT)			\$ 409,387	\$ 428,207	104.6%
Construction Engineering (KH)			\$ 236,976	\$ 224,829	94.9%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 457,851	\$ 457,851	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			\$ 85,796	\$ 85,796	100.0%
Comcast Nightingale/LaPuerta - Townwide Portion			\$ 8,885	\$ 8,885	100.0%
AT&T Nightingale/LaPuerta Townwide Portion			\$ 30,555	\$ 30,555	100.0%
Billing for Arnold Fisher relocate transformer Deanna Davis and Cohlan			\$ (17,647)	(17,647)	100.0%
Total Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000	\$ 5,452,205	\$ 5,452,150	100.0%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction			\$ 33,400	\$ 33,400	100.0%
Construction		\$ 8,029,385	\$ 9,937,101	\$ 6,843,859	68.9%
Owner supplied Pipe			\$ 153,809	\$ 138,366	90.0%
FPL Construction			\$ 562,000	\$ 562,905	100.2%
FPL Design Cost			\$ 11,359	\$ 17,159	151.1%
FPL - 101 El Brillo			\$ 10,875	\$ 10,875	100.0%
ATT Design and Construction Cost			\$ 537,254	\$ 631,371	117.5%
Comcast Design and Construction Cost			\$ 195,128	\$ 335,723	172.1%
Construction Engineering (KH)			\$ 322,540	\$ 319,620	99.1%
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 11,763,466	\$ 8,893,277	75.6%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 271,913	99.5%
Easement Amendment			\$ 49,285	\$ 49,198	99.8%
<i>Surveys</i>					
Recording Costs			\$ 6,000	\$ 5,137	85.6%
Easement Abandonment			\$ 8,150	\$ 6,542	80.3%
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 336,825	\$ 332,791	98.8%
Total Phase 3 Costs	\$ 10,910,000	\$ 15,400,000	\$ 18,447,002	\$ 15,571,928	84.4%

Underground Utility Project Budget
Phase 4 Project Costs
July 31, 2025

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000		\$ 312,317	312,317	100.0%
Task 1.2 Phase 4 South Design	\$ 413,000		\$ 451,284	451,284	100.0%
Task 1.3 Permitting Assistance			\$ 14,468	14,468	100.0%
Task 1.4 Bid Phase Assistance			\$ 37,899	37,899	100.0%
Task 1.6 Meetings			\$ 77,911	77,383	99.3%
Total Phase 4 Design	\$ 815,000	\$ 894,000	\$ 893,879	893,351	99.9%
Construction Costs					
Phase 4 North Construction	4,605,000	6,275,000			
Preconstruction			\$ 22,270	22,270	100.0%
Construction Costs			\$ 5,016,315	4,923,217	98.1%
Owner Supplied Pipe and Vaults			\$ 156,238	156,238	100.0%
FPL BCE			\$ 91,543	91,543	100.0%
FPL Design Cost			\$ 12,757	12,850	100.7%
ATT Design Cost			\$ 5,000	91,208	1824.2%
Comcast Design and Construction Cost			\$ 173,151	3,128	1.8%
Utility Costs (FPL, Comcast, AT&T)			\$ 353,715	353,715	100.0%
Street Light Conversion FPL			\$ 4,222	4,222	100.0%
Construction Engineering (KH)			\$ 324,309	324,023	99.9%
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 6,159,520	5,982,413	97.1%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction			\$ 34,800	34,800	100.0%
Construction			\$ 8,909,957	9,079,053	101.9%
Construction with Lake Drive Park			\$ 320,311	363,499	113.5%
Owner Supplied Pipes			\$ 2,170	2,170	100.0%
Reimbursement from Preservation Foundation			\$ (102,500)	(102,500)	100.0%
Street Light Conversion (FPL)			\$ 7,098	7,098	100.0%
FPL Design Cost			\$ 13,160	1,350	10.3%
ATT Design Cost			\$ 5,000	5,000	100.0%
Comcast Design Cost			\$ 3,128	3,128	100.0%
Kimley Horn - Design services Hibiscus Ave			\$ 12,047	11,940	99.1%
Utility Costs (FPL, Comcast, AT&T)			\$ 2,013,298	2,075,861	103.1%
Construction Engineering (KH)			\$ 333,659	324,954	97.4%
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 11,552,128	11,806,352	102.2%
Easement Acquisition/Abandonment	\$ 240,000	\$ 411,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 280,270	280,254	100.0%
Easement Assistance (KH) -- Switches			\$ 67,747	67,481	99.6%
Easement Assistance (KH)			\$ 59,369	60,956	102.7%
<i>Surveys</i>					
Legal Sketch			\$ 38,230	38,092	99.6%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs			\$ 7,000	6,371	91.0%
Easement Abandonment			\$ 18,735	18,735	100.0%
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 476,318	471,889	99.1%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 19,081,845	19,154,005	100.4%

Underground Utility Project Budget
Phase 5 Project Costs
July 31, 2025

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	\$ 520,000		\$ 454,210	\$ 454,210	100.0%
Task 1.2 Phase 5 South Design	\$ 600,000		\$ 606,951	\$ 606,951	100.0%
Task 1.3 Permitting Assistance North/South			\$ 17,100	\$ 17,100	100.0%
Task 1.4 Bid Phase Assistance North/South			\$ 37,899	\$ 37,899	100.0%
Task 1.6 Meetings North/South			\$ 77,911	\$ 77,905	100.0%
Total Phase 5 Design	\$ 1,120,000	\$ 1,195,000	\$ 1,194,071	\$ 1,194,065	100.0%
Construction Costs					
Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000			
Preconstruction			\$ 59,100	59,100	100.0%
Construction			\$ 6,456,367	6,075,336	94.1%
Construction Manager - Burkhardt			\$ 940,702	1,008,643	107.2%
Utility Costs (FPL, Comcast, AT&T)			\$ 333,639	1,009,224	302.5%
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 16,223	30,330	187.0%
Reimburse Caren and Gary Marder work performed			\$ 6,100	6,100	100.0%
Construction Engineering (KH)			\$ 334,147	325,507	97.4%
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 8,151,279	\$ 8,519,240	104.5%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction			\$ 59,100	59,100	100.0%
Construction			\$ 6,629,361	4,354,656	65.7%
Infrastructure from Phase 4 south bid - Not part of Grant			\$ 163,350	57,460	35.2%
Construction Manager - Burkhardt			\$ 979,098	783,278	80.0%
Four Arts Reimbursement			\$ (8,493)	(8,493)	
Utility Costs (FPL, Comcast, AT&T)			\$ 641,597	676,082	105.4%
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 21,043	21,043	100.0%
Construction Engineering (KH)			\$ 334,159	324,546	97.1%
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 8,824,214	\$ 6,272,672	71.1%
Easement Acquisition/Abandonment	\$ 330,000	\$ 365,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 218,600	\$ 218,602	100.0%
Easement Assistance			\$ 81,086	\$ 78,699	97.1%
<i>Surveys</i>					
Legal Sketch			\$ 41,080	\$ 35,672	86.8%
Legal Ads			\$ 1,000	\$ 585	58.5%
Recording Costs			\$ 6,000	\$ 5,891	98.2%
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 347,766	\$ 339,448	97.6%
FEMA Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$ 14,090,000	\$ 11,694,645	\$ 18,517,330	\$ 16,325,425	88.2%

Underground Utility Project Budget
Phase 6 Project Costs
July 31, 2025

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	\$ 420,000		\$ 475,019	\$ 475,019	100.0%
Task 1.2 Phase 6 South Design	\$ 940,000		\$ 826,551	\$ 826,551	100.0%
Task 1.3 Permitting Assistance North/South			\$ 17,694	\$ 17,694	100.0%
Task 1.4 Bid Phase Assistance North/South			\$ 35,938	\$ 35,938	100.0%
Task 1.6 Meetings North			\$ 84,791	\$ 84,765	100.0%
Total Phase 6 Design	\$ 1,360,000	\$ 1,440,000	\$ 1,439,993	\$ 1,439,967	100.0%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000			
Preconstruction			\$ 24,270	24,270	100.0%
Construction			\$ 7,867,296	4,198,832	53.4%
Approved Change Orders					
FPL Design Cost			\$ 15,868	29,198	184.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)			\$ 295,632	554,193	187.5%
Construction Engineering (KH)			\$ 344,177	336,899	97.9%
Total Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ 8,547,243	\$ 5,143,391	60.2%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000			
Preconstruction			\$ 24,270	24,270	100.0%
Construction			\$ 8,400,000	5,708,742	68.0%
Approved Change Orders					
FPL Design Cost			\$ 29,924	29,924	100.0%
ATT Design Cost			\$ 10,000	10,000	100.0%
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)			\$ 754,815	952,480	126.2%
Construction Engineering (KH)			\$ 344,007	319,187	92.8%
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ 9,563,016	\$ 7,044,602	73.7%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 371,979	105.8%
<i>Surveys</i>					
Legal Sketch			\$ 58,415	\$ 38,011	65.1%
Legal Ads			\$ 1,000	\$ 113	11.3%
Recording Costs			\$ 5,000	\$ 4,025	80.5%
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 416,009	\$ 414,128	99.5%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 19,966,261	\$ 14,042,089	70.3%

Underground Utility Project Budget
Phase 7 Project Costs
July 31, 2025

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 7 Design					
Kimley Horn					
Task 1.1 Phase 7 North Design	\$ 450,000		\$ 492,488	\$ 492,488	100.0%
Task 1.2 Phase 7 South Design	\$ 480,000		\$ 630,830	\$ 630,830	100.0%
Task 1.3 Bid Phase Assistance North and South			\$ 35,938	\$ 35,938	100.0%
Task 1.4 Meetings North and South			\$ 77,616	\$ 77,535	99.9%
Total Phase 7 Design	\$ 930,000	\$ 1,237,000	\$ 1,236,872	\$ 1,236,791	100.0%
Utility and Construction Costs					
Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000			
Preconstruction			\$ 47,500	11,515	24.2%
Construction			\$ 10,472,977	8,375,900	80.0%
Chicane Demonstrations			\$ 47,500	19,558	41.2%
FPL Design Cost			\$ 15,806	41,728	264.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)			\$ 245,460	245,460	100.0%
Construction Engineering (KH)			\$ 354,458	301,037	84.9%
Total Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000	\$ 11,183,701	\$ 8,995,198	80.4%
Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000			
Preconstruction			\$ 47,500	35,785	75.3%
Construction			\$ 11,442,770	2,842,583	
Chicane Demonstrations			\$ 47,500	19,558	41.2%
FPL Design Cost			\$ 19,953	19,953	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)				-	
Construction Engineering (KH)			\$ 376,765	133,589	
Total Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000	\$ 11,934,488	\$ 3,051,468	25.6%
Easement Acquisition/Abandonment	\$ 280,000	\$ 348,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 346,459	\$ 346,356	100.0%
Easement Assistance			\$ 69,964	\$ 69,919	99.9%
<i>Surveys</i>					
Legal Sketch					
Legal Ads			\$ 1,000	\$ 113	11.3%
American Acquisition Group					
Temp Services					
Legal Advertising					
Recording Costs			\$ 5,000	\$ 4,875	97.5%
Total Easement Acquisition Costs	\$ 280,000	\$ 348,000	\$ 422,423	\$ 421,262	99.7%
Total Phase 7 Costs	\$ 11,730,000	\$ 15,910,000	\$ 24,777,484	\$ 13,704,719	55.3%

Underground Utility Project Budget
Phase 8 Project Costs
July 31, 2025

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 8 Design					
Kimley Horn					
Task 1.1 Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,029,017	\$ 1,029,017	100.0%
Task 1.2 Permitting Assistance			\$ 17,694	\$ 17,694	100.0%
Task 1.3 Bid Phase Assistance			\$ 14,430	\$ 14,430	100.0%
Task 1.4 Meetings			\$ 89,778	\$ 89,752	100.0%
Task 1.5 Easement Assistance			\$ 129,997	\$ 129,993	100.0%
Total Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,280,916	\$ 1,280,886	100.0%
Utility and Construction Costs					
Phase 8 Construction	\$ 10,990,000	\$ 13,107,000			
Preconstruction				26,610	
Construction			\$ 16,113,771	710,103	
Approved Change Orders					
FPL Design Cost			\$ 13,160	13,160	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)			\$ 1,100,000	1,007,485	
Construction Engineering (KH)			\$ 409,356	99,008	
Total Phase 8 North Construction	\$ 10,990,000	\$ 13,107,000	\$ 17,636,287	\$ 1,856,366	10.5%
Easement Acquisition/Abandonment	\$ 300,000	\$ 242,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 227,724	\$ 226,073	99.3%
Additional Easement Assistance PO240618			\$ 78,372	\$ 78,281	99.9%
<i>Surveys</i>					
Legal Sketch					
Legal Ads				\$ 56	
American Acquisition Group					
Kimley Horn Grant Assistance BRIC Grant			\$ 49,774	\$ 41,587	83.6%
Temp Services					
Recording Costs			\$ 5,000	\$ 2,608	52.2%
Total Easement Acquisition Costs	\$ 300,000	\$ 242,000	\$ 360,870	\$ 348,605	96.6%
Total Phase 8 Costs	\$ 12,300,000	\$ 14,500,000	\$ 19,278,073	\$ 3,485,857	18.1%

Underground Utility Project Budget
Other Project Costs
July 31, 2025

Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	\$ 88,021	\$ 88,021	100.0%
Task 1.1a Data Collection for Future Communications	\$ 23,511	\$ 23,511	100.0%
Task 1.2 - Conceptual Design and Master Plan	\$ 161,756	\$ 161,756	100.0%
Task 1.3 - Project Sequencing and Phasing	\$ 31,244	\$ 31,244	100.0%
Task 1.4 - Assessment of Traffic Impacts	\$ 77,660	\$ 77,660	100.0%
Task 1.5 - Project Delivery Methods	\$ 17,448	\$ 17,448	100.0%
Task 1.6 - Master Plan Document	\$ 45,053	\$ 45,053	100.0%
Task 1.7 - Meetings Master Planning Phase	\$ 113,135	\$ 113,123	100.0%
Task 1.8 - Master Plan Second Half	\$ 40,067	\$ 40,067	100.0%
Subtotal Master Planning	\$ 597,895	\$ 597,883	100.0%
Comcast Preplanning - Master Plan	\$ 12,015	\$ 12,015	100.0%
Assessment Costs, Legal, Fees and Discounts	\$ 950,000	\$ 952,774	100.3%
Project Manager - Pay and benefits	\$ 840,000	\$ 786,590	93.6%
Temp Services - Easement Acquisition	\$ 150,000	\$ 106,050	70.7%
Other Miscellaneous Expenses		\$ 32,259	
General Easement Assistance	\$ 55,535	\$ 32,477	58.5%
Community Outreach	\$ 282,519	\$ 227,674	80.6%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 2,987,964	\$ 2,847,721	95.3%

Debt Service and Related Debt Issuance Costs

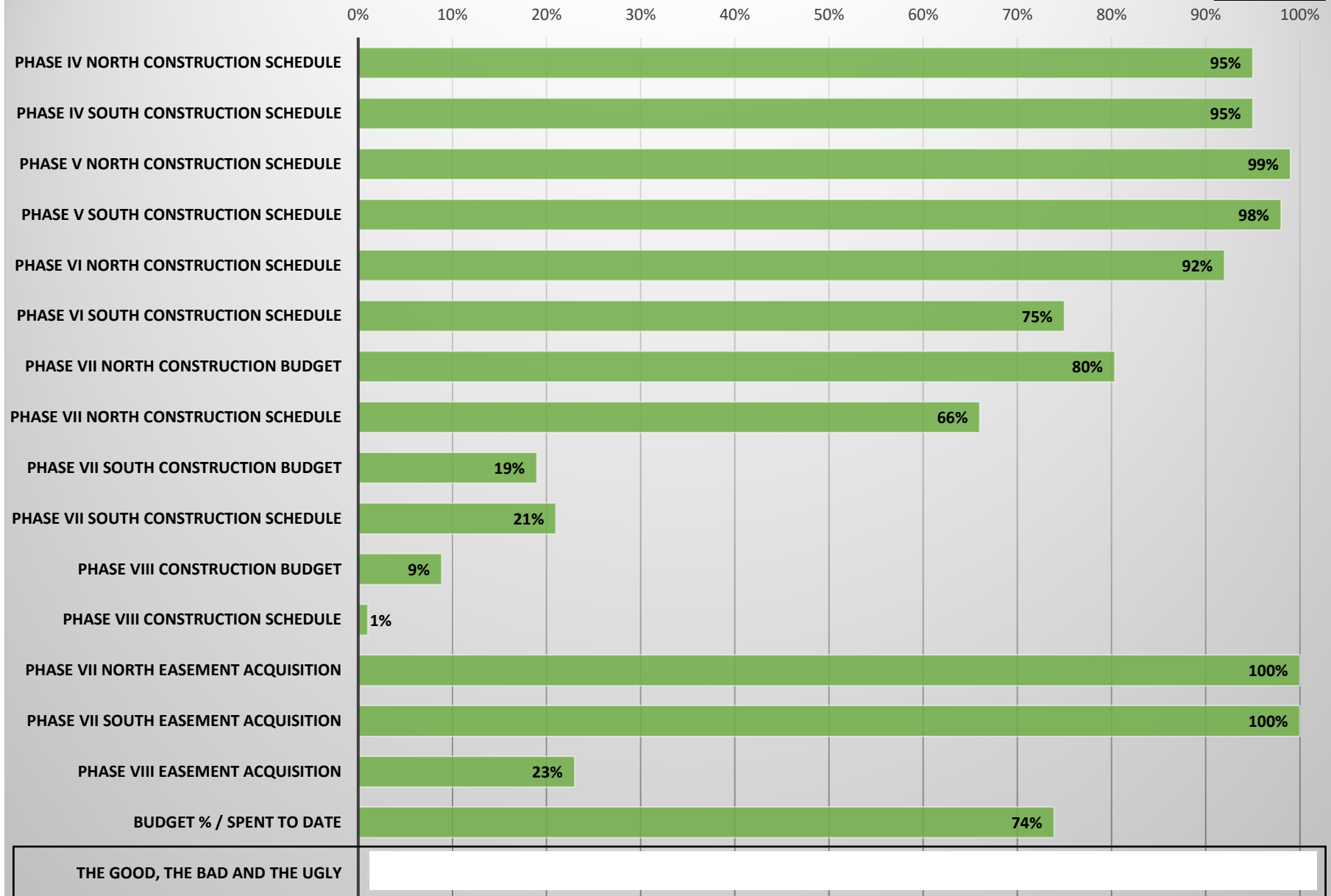
	Budget	Actual	% Expended
Commercial Paper Issuance Cost	\$ 260,116	\$ 260,116	100.0%
Commercial Paper Interest	\$ 243,096	\$ 243,096	100.0%
Arbitrage Rebate Calculation	\$ 2,500	\$ 4,300	172.0%
Debt Service Fees	\$ 2,000	\$ 500	25.0%
GO Bond Closing Costs 2018	\$ 488,271	\$ 487,471	99.8%
GO Bond Closing Costs 2021	\$ 202,169	\$ 202,380	100.1%
GO Bond Debt Service	\$ 20,749,847	\$ 20,749,847	100.0%
Total Debt Service and Related Debt Issuance Costs	\$ 21,947,999	\$ 21,947,709	100.0%

Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	\$ 25,231	\$ 24,430	96.8%
Project Construction	\$ 351,081	\$ 351,081	100.0%
Project Construction Engineering	\$ 11,607	\$ 12,849	110.7%
Utility Cost (FPL, Comcast, AT&T)	\$ 134,333	\$ 127,531	94.9%
Project Meeting Attendance	\$ 3,334	\$ 2,914	87.4%
Total Lake Worth Section	\$ 525,586	\$ 518,805	98.7%
Ibis Way PGD Improvements	\$ 14,583	\$ 14,583	100.0%
Crosswalk Spare Conduits	\$ 26,148	\$ 24,841	95.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		\$ 183,701	
Kosberg v TPB Legal and Other Costs		\$ 615,602	
PBT Real Estate v TPB		\$ 197,178	
Gardner, Bist Bowden, Bush (Shef Wright)		\$ 24,799	
Telecommunications Consultant	\$ 89,000	\$ 83,210	93.5%
Peter Brandt (Contract Negotiations)	\$ 35,000	\$ 23,735	67.8%
Total Related Costs Outside of the Budget	\$ 690,317	\$ 1,686,453	244.3%

Town of Palm Beach - Underground Utility Project Dashboard - July 2025

Status Legend
 Green - On Task
 Yellow - Caution
 Red - Not on Task
 Complete - Not Shown



TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

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

Re: ATT Cell Service Update

Date: 8/22/2025

STAFF RECOMMENDATION

Town staff was directed to provide Town Council with a report on potential options to improve ATT Cell service within the Town of Palm Beach. ATT representatives will present additional information at the September 9, 2025 Town Council meeting.

GENERAL INFORMATION

Staff met with representatives from ATT on August 18. ATT provided information on present signal strength for ATT cell service within the Town of Palm Beach. ATT is aware of areas within the Town that have limited service. ATT is presently working on implementing two (2) antennas on buildings along the west shore of Lake Worth Lagoon. One (1) location would directly improve the services in the northern portion of the Town of Palm Beach. The second (2nd) location is further south.

ATT also presented an option for locating "flagpole" type structures within the Town of Palm Beach. The locations would be strategically located to improve cell service throughout the Town. Two (2) of the three (3) locations would require cooperation between ATT and private property owners. One (1) potential location for the southern portion of the Town would be South Fire. ATT has provided pictures and locations of existing "flagpole" type structures.

The tallest flagpole cell tower in southern Florida. 172' flagpole/monopole cell tower painted black and is located at Palm Beach Polo and Country Club. You can view using Google or Bing Maps street view and zoom to see the stealth package with antenna bay spaces atop the steel monopole has been expanded to support newer technology antennas. The diameter of the three (3) bay spaces was originally 27" and now expanded to two (2) at 34" and one at 36". The diameter of the steel monopole at its base is 50".

A 115' flagpole cell tower is located at 1876 Benoist Farms Road. A 100' flagpole cell tower is located at 232 Jog Road. A 125' flagpole cell tower is located along the Turnpike at Yamato Road. There is a smaller flagpole cell tower at the Juno Fire Station. This one (1) is more in line with what the Town might expect. These pictures are attached.

FUNDING/FISCAL IMPACT

There is no funding/fiscal impact related to this item.

Attachment

cc. Patricia Strayer, P.E, Town Engineer
Julie Parham
Jason Debrincat

STRATEGIC PLAN

Strategic Priorities:

Community Culture and Character

Strategic Focus Areas:

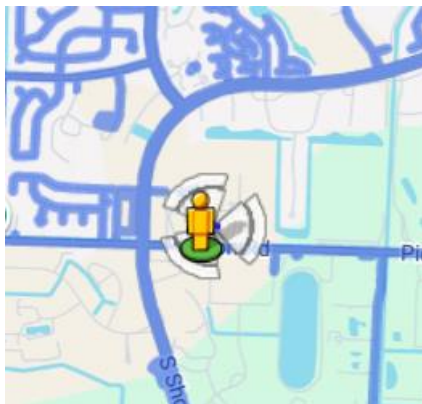
Emergency Management

Quality of Life

FUNDING

No Funding

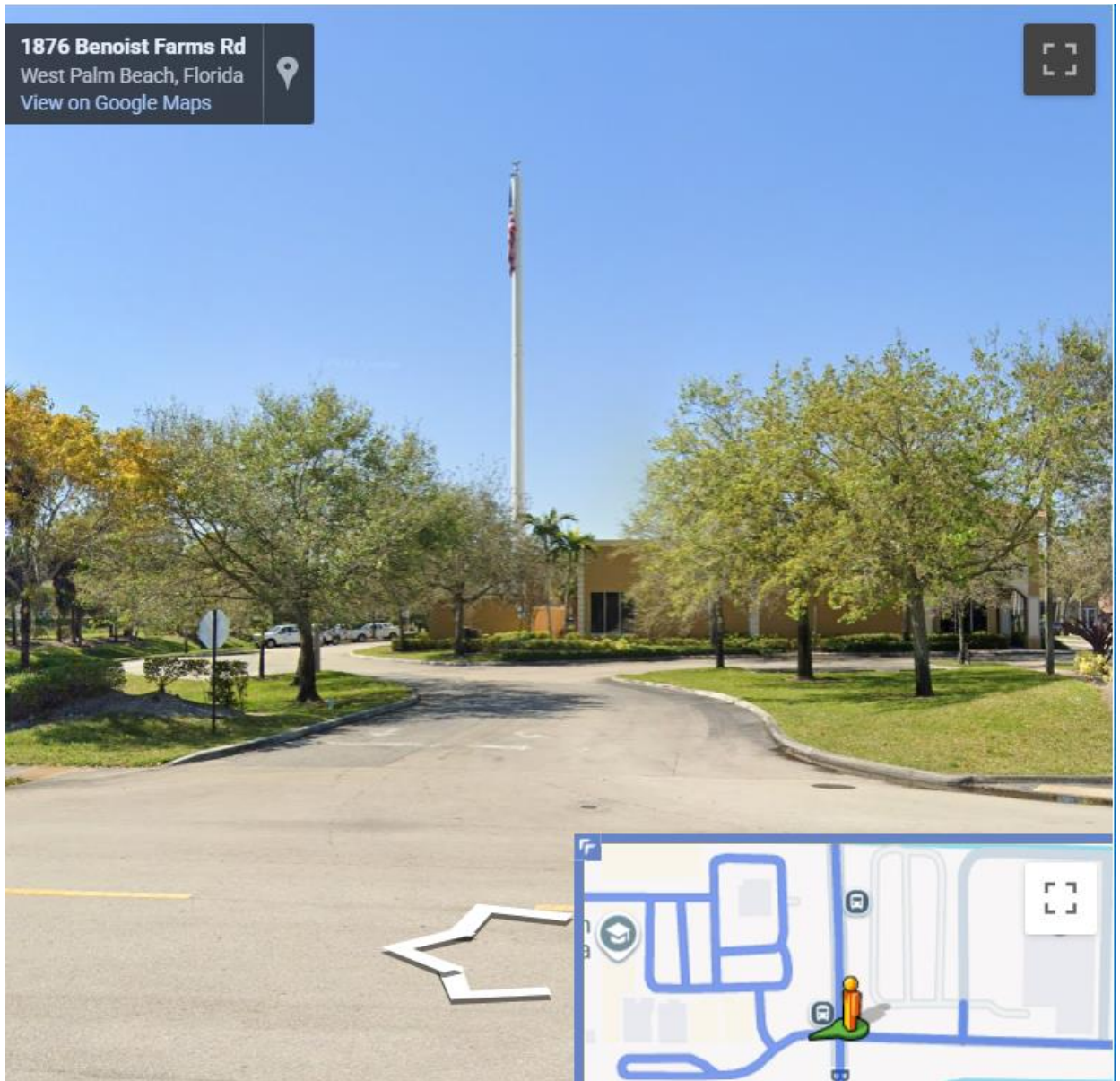
Sample 1.



The tallest flagpole cell tower in southern Florida. 172' flagpole/monopole cell tower painted black, flag no longer used. Located at Palm Beach Polo and Country Club. You can view using Google or Bing Maps street view and zoom to see the stealth package with antenna bay spaces atop the steel monopole has been expanded to support newer technology antennas. The diameter of the three bay spaces was originally 27" and now expanded to two at 34" and one at 36". The diameter of the steel monopole at its base is 50".

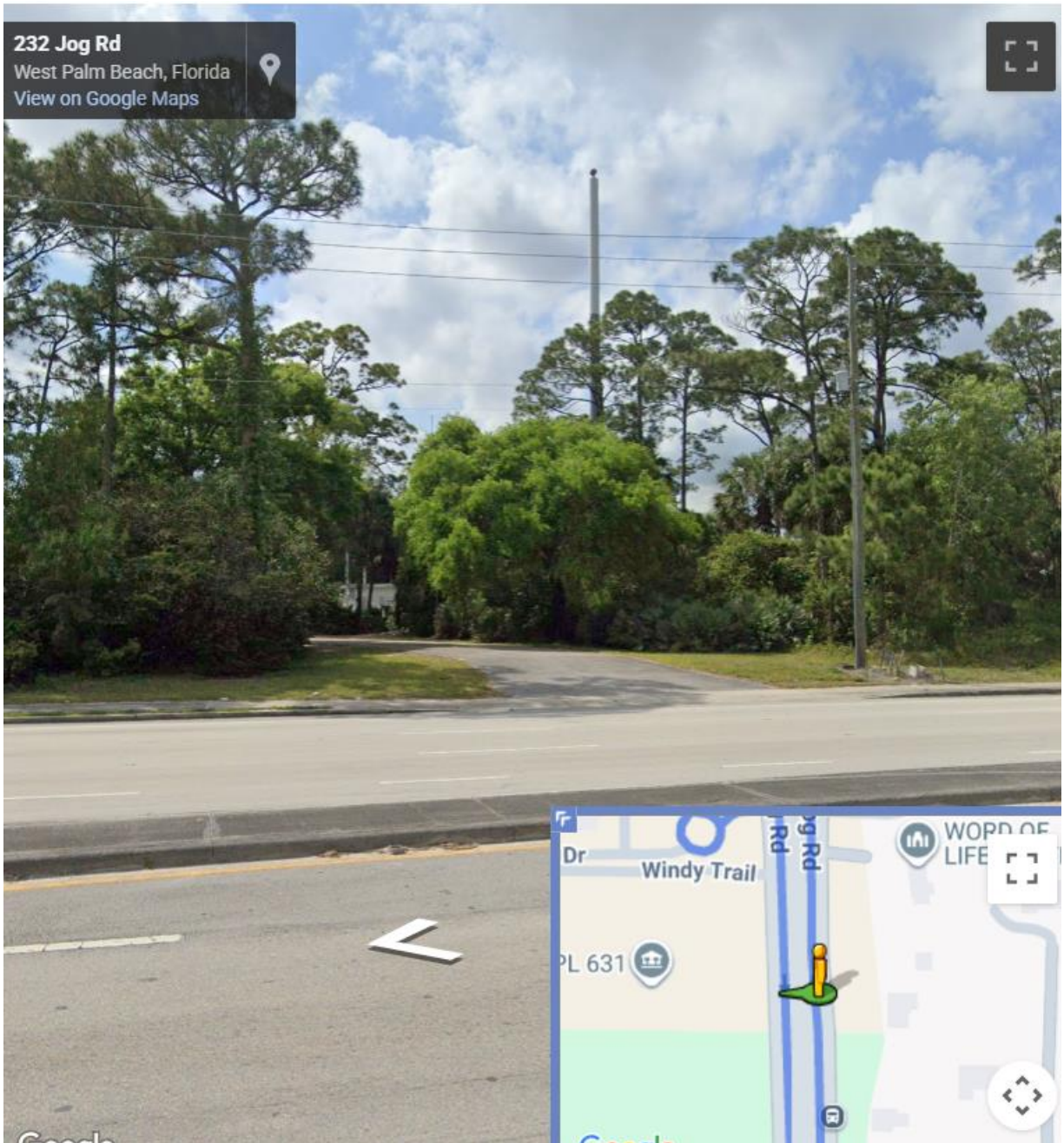


Sample 2.



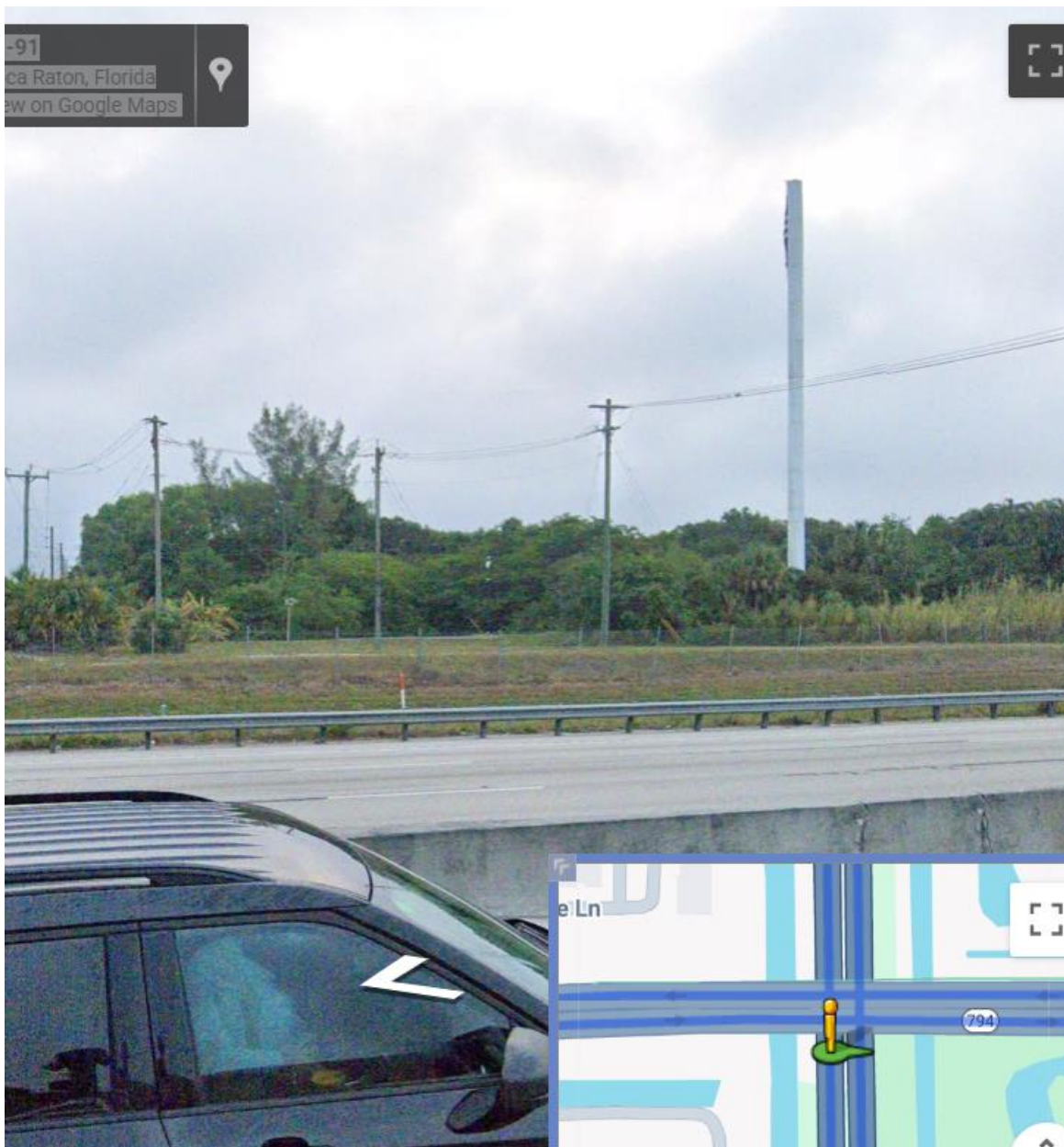
115' flagpole/monopole cell tower, painted white.
Monopole base 44" diameter and stealth package bay
diameters are 27"

Sample 3.



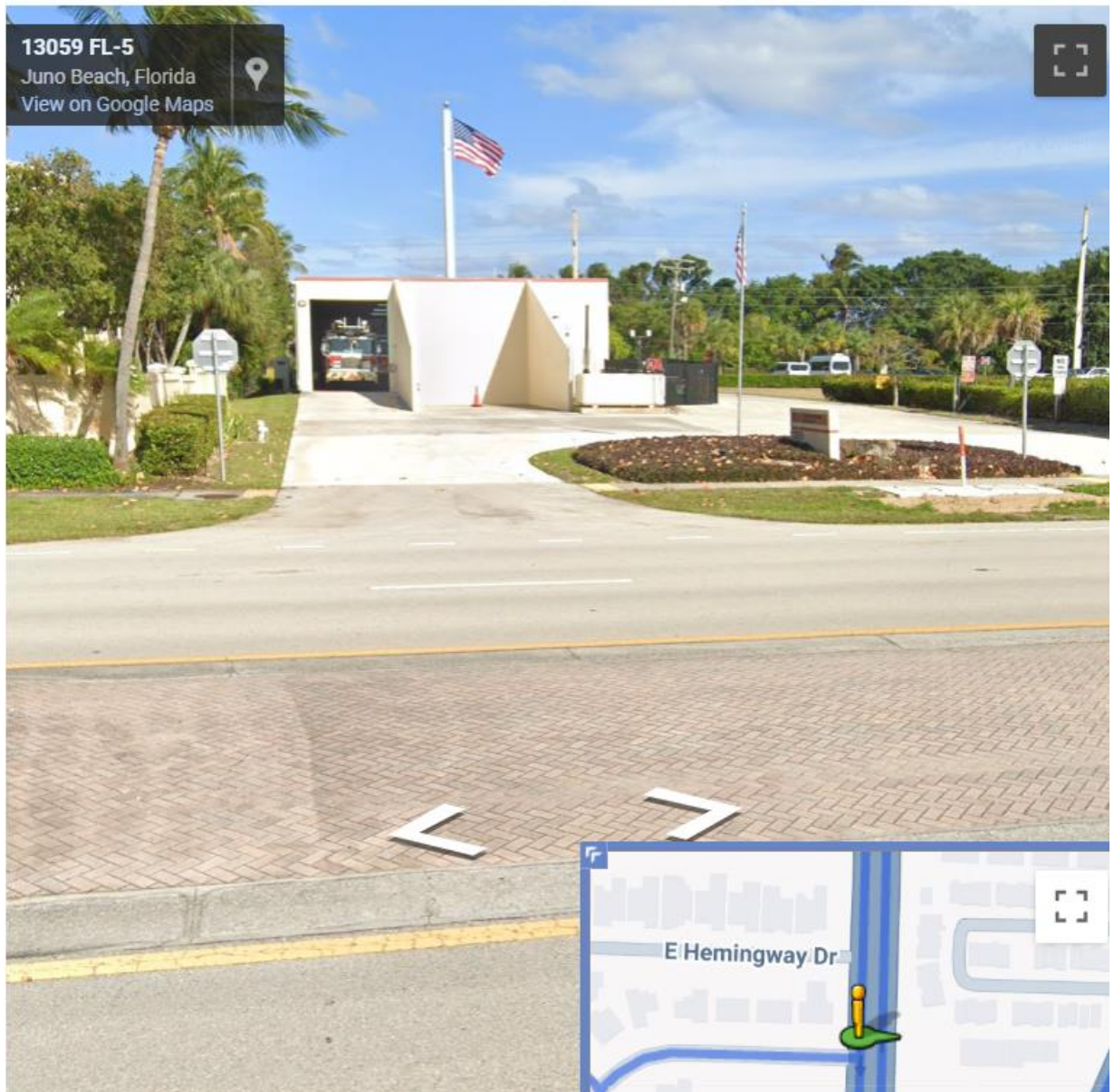
100' flagpole/monopole cell tower, painted white.

Sample 4.



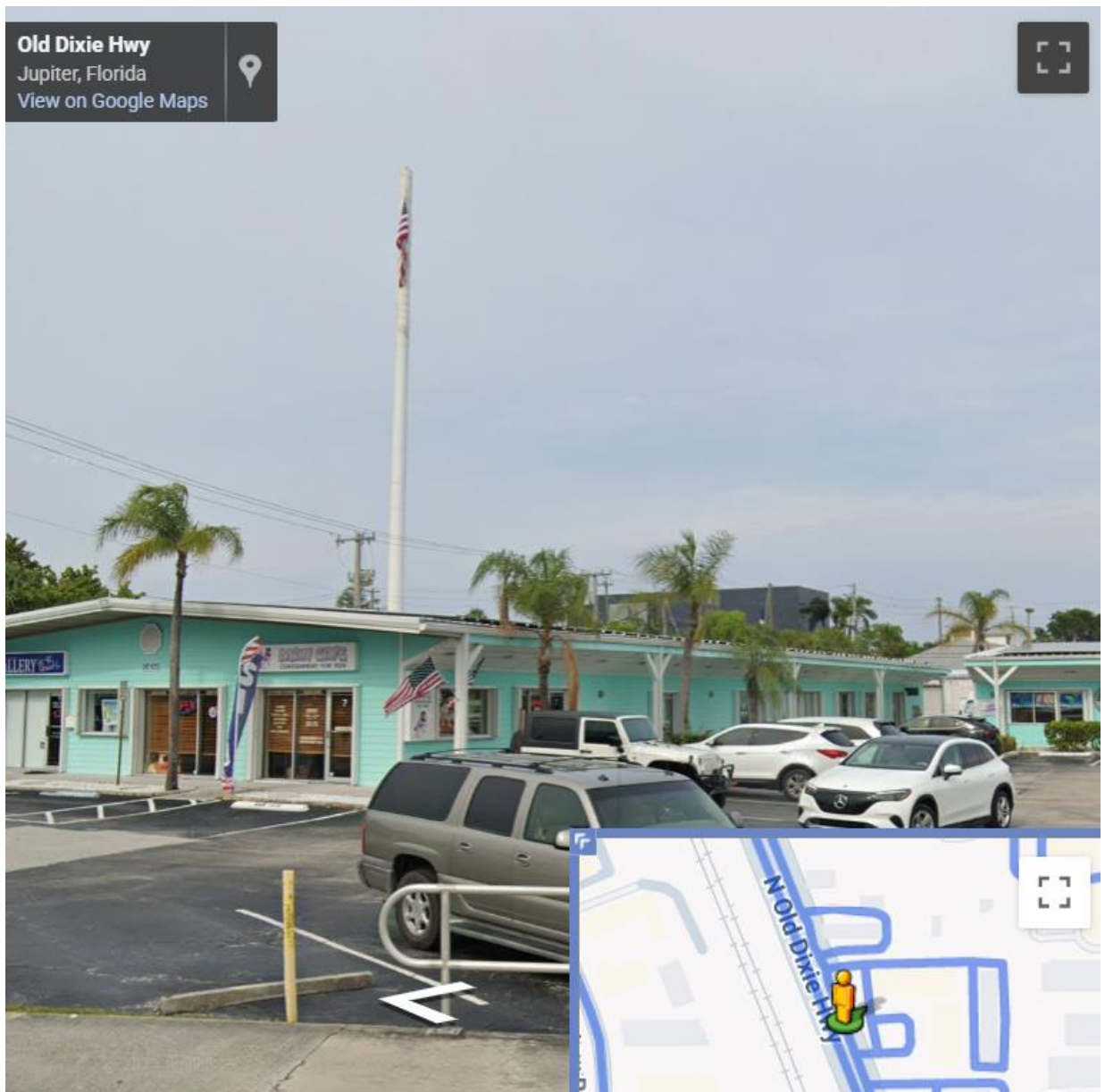
125' flagpole/monopole cell tower, painted white.
Located in SE quadrant of Florida Turnpike and Yamato
Rd. Monopole and stealth diameter 44". This is one of the
beefiest towers in AT&T inventory

Sample 5.



80' flagpole/monopole cell tower at Juno Fire Station, painted white. Single bay space, monopole and stealth package both 27" diameter

Sample 6.



130' flagpole/monopole cell tower, painted white.
Located in Jupiter/Tequesta. Monopole 46" base diameter
and stealth package diameter 34".

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

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

Re: A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute the Cooperation Agreement Between the Department of the Army and the Town of Palm Beach, Florida for the Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment.
108-2025

Date: 8/25/2025

STAFF RECOMMENDATION

Town staff recommends Town Council authorize the Mayor to sign the Amendment Number One (1) to the Project Partnership Agreement between the Department of the Army and the Town of Palm Beach for the Mid-Town Beach Renourishment Project and the Cooperation Agreement between the Department of the Army and the Town of Palm Beach for Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment.

GENERAL INFORMATION

The United States Army Corps of Engineers, Jacksonville District (USACE), completed the Engineer Documentation Report eliminating thirteen-hundred (1,300) feet of shorefront lands at the north boundary of the Mid-Town Segment of the Federally Authorized Coastal Storm Risk Management Project. As a result, the new project boundaries for sand placement for the Flood Control and Coastal Emergencies (FCCE) project will be from Seminole Avenue to Banyan Road. As a result of completing this analysis and report, the Project Partnership Agreement that was executed between the Town of Palm Beach and the Department of the Army is being amended. The attached agreement simply modifies the new limits of the Mid-Town segment of the project. This agreement is required to be executed by the Mayor of the Town of Palm Beach prior to the project being advertised for bids September 19, 2025.

The second agreement is a result of the Assistant Secretary of the Army for Civil Works (ASACW) guidance dated June 30, 2025, addressing the language in the 2024 Water

Resources Development Act. The guidance included the following:

8. An agreement is required before conducting any work under this authority. Such agreement shall acknowledge specifically that (1) the Town of Palm Beach is responsible for the costs assigned to benefits to privately owned shores or to prevention of losses of private lands in accordance with Section 103(d) and paragraph 5.b. above; (2) the Section 1145(d) authority terminates on January 4, 2027; (3) unless the appropriate real estate interest is acquired in accordance with Section 103(d) and current policy guaranteeing a public beach, public access, public use, and access for any work necessary and incident to the construction, periodic nourishment, and operation, maintenance, repair, rehabilitation, and replacement, there shall be no additional Federal participation with respect to the project or any necessary nourishments, including but not limited to under the existing project authorization, any repair or rehabilitation under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), or any other Federal assistance to the project; and (4) the Town of Palm Beach will be responsible at full non-Federal expense for acquiring easements for periodic nourishment of the project, and such additional acquisitions are not creditable.

Staff and Council have reviewed both agreements and recommend approval. This is the last hurdle in meeting USACE requirements allowing the advertisement and award of the upcoming FCCE project.

FUNDING/FISCAL IMPACT

Town Council approved a resolution at the August Town Council meeting providing \$3,000,000 as the Public Sponsor's obligation of funds for the FCCE implementation.

Attachments

cc: Jason Debrincat, P.E., Deputy Director of Public Works
Patricia Strayer, P.E., Town Engineer
Sara Gutekunst, Coastal Coordinator
Joanne O'Connor, Town Attorney, Jones Foster

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Environmental Stewardship

Strategic Focus Areas:

Cooperative Relationships

Quality of Life

Management of Environmental Threats

FUNDING

Capital

RESOLUTION NO. 108-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE COOPERATION AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND THE TOWN OF PALM BEACH, FLORIDA FOR THE PALM BEACH COUNTY, FROM LAKE WORTH INLET TO SOUTH LAKE WORTH INLET, FLORIDA COASTAL STORM RISK MANAGEMENT PROJECT MID-TOWN SEGMENT.

WHEREAS, the Government constructed the Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment (hereinafter the "Project") which was authorized by Section 101 of the River and Harbor Act of 1958, Public Law 85-500;

WHEREAS, pursuant to Public Law 84-99, as amended (33 U.S.C. 701n), the Government is authorized to conduct repair or restoration of the Project (hereinafter "rehabilitation work", as defined in Article I.A. of this Agreement);

WHEREAS, pursuant to Section 1145(d) of the Water Resources Development Act (WRDA) of 2024, Public Law 118-272 (33 U.S.C. 598c), the Government is authorized during a 2-year period beginning on January 4, 2025, to carry out the rehabilitation work in a manner consistent with the previously completed initial construction and periodic nourishments of the Project, including repair and restoration work on the Project under 33 U.S.C. 701n;

WHEREAS, Section 103(d) of WRDA 1986, Public Law 99-662, as amended (33 U.S.C. 2213) provides that all costs assigned to benefits of periodic nourishment projects or measures to privately owned shores where use of such shores is limited to private interests, or to prevention of losses of private land shall be borne by the Public Sponsor;

WHEREAS, on December 8, 2022, the Public Sponsor requested in writing that the Government undertake the rehabilitation work; and 2

WHEREAS, the Government and the Public Sponsor have the full authority and capability to perform the rehabilitation work in accordance with the terms of this Agreement and acknowledge that Section 221 of the Flood Control Act of 1970, as amended (42 U.S.C. 1962d-5b), provides that this Agreement shall be enforceable in the appropriate district court of the United States.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The foregoing recitals are hereby ratified and confirmed.

Section 2: The Town Council hereby authorizes the Cooperation Agreement with the Department of the Army for the Palm Beach County Federal Shore Protection Project, Mid-Town Segment.

Section 3: The Mayor is hereby authorized to execute the Cooperation Agreement, on behalf of the Town.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on this 9th day of September 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

COOPERATION AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
THE TOWN OF PALM BEACH, FLORIDA
FOR
THE PALM BEACH COUNTY, FROM LAKE WORTH INLET TO
SOUTH LAKE WORTH INLET, FLORIDA
COASTAL STORM RISK MANAEMENT PROJECT
MID-TOWN SEGMENT

THIS AGREEMENT is entered into this ____ day of _____,
_____, by and between the Department of the Army (hereinafter the "Government"),
represented by the District Commander for Jacksonville District (hereinafter the "District
Commander") and the Town of Palm Beach, Florida (hereinafter the "Public Sponsor"),
represented by its Mayor.

WITNESSETH, THAT:

WHEREAS, the Government constructed the Palm Beach County, from Lake
Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project
Mid-Town Segment (hereinafter the "Project") which was authorized by Section 101 of
the River and Harbor Act of 1958, Public Law 85-500;

WHEREAS, pursuant to Public Law 84-99, as amended (33 U.S.C. 701n), the
Government is authorized to conduct repair or restoration of the Project (hereinafter
"rehabilitation work", as defined in Article I.A. of this Agreement);

WHEREAS, pursuant to Section 1145(d) of the Water Resources Development
Act (WRDA) of 2024, Public Law 118-272 (33 U.S.C. 598c), the Government is
authorized during a 2-year period beginning on January 4, 2025, to carry out the
rehabilitation work in a manner consistent with the previously completed initial
construction and periodic nourishments of the Project, including repair and restoration
work on the Project under 33 U.S.C. 701n;

WHEREAS, Section 103(d) of WRDA 1986, Public Law 99-662, as amended (33
U.S.C. 2213) provides that all costs assigned to benefits of periodic nourishment
projects or measures to privately owned shores where use of such shores is limited to
private interests, or to prevention of losses of private land shall be borne by the Public
Sponsor;

WHEREAS, on December 8, 2022, the Public Sponsor requested in writing that
the Government undertake the rehabilitation work; and

WHEREAS, the Government and the Public Sponsor have the full authority and capability to perform the rehabilitation work in accordance with the terms of this Agreement and acknowledge that Section 221 of the Flood Control Act of 1970, as amended (42 U.S.C. 1962d-5b), provides that this Agreement shall be enforceable in the appropriate district court of the United States.

NOW, THEREFORE, the parties agree as follows:

ARTICLE I - DEFINITIONS

A. The term “rehabilitation work” means full restoration of the Palm Beach County, From Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment to its full construction template by placing approximately 598,800 cubic yards of material between Florida Department of Environmental Protection Monuments R-91 to R-102, as generally described in the Project Information Report for the Rehabilitation Effort for the Palm Beach County, From Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project, Mid-Town Segment Palm Beach County, Florida dated May 2023 and approved by the Director of Contingency Operations, Homeland Security and Northwestern Division/Pacific Ocean Division RIT Leader on July 10, 2023.

B. The term “HTRW” means hazardous, toxic, and radioactive wastes, which includes any material listed as a “hazardous substance” (42 U.S.C. 9601(14)) regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (hereinafter “CERCLA”) (42 U.S.C. 9601-9675) and any other regulated material in accordance with applicable laws and regulations.

C. The term “rehabilitation costs” means all costs incurred by the Government that are directly related to the design and construction of the rehabilitation work. The term includes the Government’s engineering, design, and construction costs; the Government’s supervision and administration costs; and the costs of historic preservation activities except for data recovery for historic properties. The term does not include costs for operation and maintenance; real property interests, placement area improvements, and relocations; HTRW investigations, cleanup, and response; betterments; audits; or increased costs to correct deficient, deferred, or inadequate maintenance, or for the Public Sponsor’s preferred alternatives.

D. The term “betterment” means the difference in construction of an element of the rehabilitation work that results from the application of standards that the Government determines exceed those that the Government would otherwise apply to construction of that element.

ARTICLE II - OBLIGATIONS OF THE PARTIES

A. In accordance with applicable Federal laws, regulations, and policies, the Government shall undertake the rehabilitation work. Any contract(s) for the rehabilitation work performed pursuant to Section 1145(d) must be awarded by January 4, 2027. In carrying out its obligations under this Agreement, the Public Sponsor shall comply with all the requirements of applicable Federal laws and implementing regulations, including but not limited to, if applicable, Section 601 of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d), and Department of Defense Directive 5500.11 issued pursuant thereto; the Age Discrimination Act of 1975 (42 U.S.C. 6102); and the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Army Regulation 600-7 issued pursuant thereto.

B. The Government, subject to the availability of funds, shall design and construct the rehabilitation work at Federal expense pursuant to Section 1145(d) of WRDA 2024, except that the Public Sponsor shall provide 100 percent of rehabilitation costs allocated by the Government to beach improvements with exclusively private benefits; 100 percent of rehabilitation costs improvements and other work located within the Coastal Barrier Resources System that the Government has determined are ineligible for Federal financial participation; 100 percent of the rehabilitation costs allocated by the Government to the prevention of losses of undeveloped private lands (hereinafter collectively referred to as the “non-Federal rehabilitation costs”); and provide the following, in accordance with the provisions of this paragraph:

1. As further specified in Article III, the Public Sponsor, at no cost to the Government, shall provide the real property interests, placement area improvements, and relocations required for the rehabilitation work.

2. In accordance with Article IV, the Public Sponsor, at no cost to the Government, shall be responsible for undertaking any investigations required by the Government for the rehabilitation work that are necessary to identify the existence and extent of any hazardous, toxic, and radioactive wastes (hereinafter “HTRW”), which includes any material listed as a “hazardous substance” (42 U.S.C. 9601(14)) regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (hereinafter “CERCLA”) (42 U.S.C. 9601-9675) and any other regulated material in accordance with applicable laws and regulations.

3. The Government shall provide written notice to the Public Sponsor of the estimated amount of funds required to cover the non-Federal rehabilitation costs in advance of the Government performing such work. No later than 60 calendar days after receipt of such written notice, the Public Sponsor shall make this full amount available to the Government by delivering a check payable to “FAO, USAED, Jacksonville (K3)” to the District Commander, or by providing an Electronic Funds Transfer of such funds in accordance with procedures established by the Government. If at any time the Government determines that additional funds are required to cover such costs, the

Public Sponsor shall provide those funds within 30 calendar days from receipt of written notice from the Government.

a. As of the effective date of this Agreement, the non-Federal rehabilitation costs, as determined by the Government, are projected to be \$3,000,000. Such estimated costs are subject to adjustment based on costs actually incurred and are not to be construed as the total financial responsibilities of the Public Sponsor.

b. The Government shall provide the Public Sponsor with quarterly financial reports setting forth the estimated non-Federal rehabilitation costs incurred by the Government to date for such work.

c. Upon completion or termination of construction of the rehabilitation work, the Government shall conduct a final accounting and furnish the Public Sponsor with the written results of such final accounting. Should the final accounting determine that additional funds are required from the Public Sponsor to cover the non-Federal rehabilitation costs, the Public Sponsor, within 60 calendar days of receipt of written notice from the Government, shall provide the Government with the full amount of such additional required funds through either payment method specified in paragraph B.3. of this Article. Such final accounting does not limit the Public Sponsor's responsibility to pay the non-Federal rehabilitation costs, including contract claims or any other liability that may become known after the final accounting. If the final accounting determines that funds provided by the Public Sponsor exceed the amount that was required for the Government to cover non-Federal rehabilitation costs, the Government shall refund any remaining unobligated funds.

d. To the extent permitted under applicable Federal laws and regulations, the Government shall allow the Public Sponsor to inspect books, records, documents, or other evidence pertaining to costs and expenses maintained by the Government for the rehabilitation work. The Public Sponsor shall pay the costs of non-Federal audits without reimbursement or credit by the Government.

C. To the extent practicable and in accordance with Federal law, regulations, and policies, the Government shall afford the Public Sponsor the opportunity to review and comment on contract solicitations, including relevant plans and specifications, prior to the Government's issuance of such solicitations; proposed contract modifications, including change orders; and contract claims prior to resolution thereof. Ultimately, the contents of solicitations, award of contracts, execution of contract modifications, and resolution of contract claims shall be exclusively within the control of the Government.

D. Within 30 calendar days of the District Commander determining that the rehabilitation work is complete, the District Commander shall so notify the Public Sponsor in writing. The Government shall furnish the Public Sponsor with an update to the Operation, Maintenance, Repair, Rehabilitation, and Replacement Manual (hereinafter the "OMRR&R Manual") to reflect changed conditions resulting from the rehabilitation work and copies of all as-built drawings for the completed work.

1. The Government undertaking the rehabilitation work has no effect on the Public Sponsor's responsibility for operation, maintenance, repair, rehabilitation, and replacement of the Project, to include any additional responsibilities related to the rehabilitation work, at no cost to the Government. The Public Sponsor shall continue to operate and maintain the Project in a manner compatible with the authorized purpose of the Project and in accordance with applicable Federal laws and regulations, and the Government's specific directions in the OMRR&R Manual. The Government and the Public Sponsor shall consult on any subsequent updates or amendments to the OMRR&R Manual.

2. The Government may enter, at reasonable times and in a reasonable manner, upon real property interests that the Public Sponsor now or hereafter owns or controls to inspect the Project, and, if necessary, to undertake any work necessary to the functioning of the Project for its authorized purpose. If the Government determines that the Public Sponsor is failing to perform its obligations under this Agreement and the Public Sponsor does not correct such failures within a reasonable time after notification by the Government, the Government, at its sole discretion, may undertake any operation, maintenance, repair, rehabilitation, or replacement of the Project. No operation, maintenance, repair, rehabilitation, or replacement by the Government shall relieve the Public Sponsor of its obligations under this Agreement or preclude the Government from pursuing any other remedy at law or equity to ensure faithful performance of this Agreement.

E. The Public Sponsor shall not use Federal program funds to meet any of its obligations under this Agreement unless the funds are not expressly prohibited from such use and the Federal agency providing the funds verifies in writing that the funds are otherwise eligible to be used for rehabilitation of the Project. Federal program funds are those funds provided by a Federal agency, plus any non-Federal contribution required as a matching share therefor.

F. The Public Sponsor shall hold and save the Government free from all damages arising from the rehabilitation work, and for operation and maintenance of the Project, except for damages due to the fault or negligence of the Government or the Government's contractors.

G. The Public Sponsor may request in writing that the Government perform betterments on the Public Sponsor's behalf. Each request shall be subject to review and written approval by the Division Commander for South Atlantic Division. If the Government agrees to such request, the Government shall provide written notice to the Public Sponsor of the amount of funds required to cover the costs of such work in advance of the Government performing the work. In addition, the Public Sponsor is responsible for providing, at no cost to the Government, any additional real property interests, relocations, and placement area improvements determined by the Government to be required for such work.

1. As of the effective date of this Agreement, the costs for betterments are projected to be \$0.

2. No later than 60 calendar days of receiving written notice from the Government of the costs of betterments, the Public Sponsor shall make the full amount of such required funds available to the Government by delivering a check payable to "FAO, USAED, Jacksonville (K3)" to the District Commander, or by providing an Electronic Funds Transfer of such funds in accordance with procedures established by the Government. If at any time the Government determines that additional funds are required to cover such costs, the Public Sponsors shall provide those funds within 30 calendar days from receipt of written notice from the Government. If the Government determines that funds provided by the Public Sponsor exceed the amount that was required for the Government to complete such work, the Government shall refund any remaining unobligated amount.

3. To the extent permitted under applicable Federal laws and regulations, the Government shall allow the Public Sponsor to inspect books, records, documents, or other evidence pertaining to costs and expenses maintained by the Government for the betterments. The Public Sponsor shall pay the costs of non-Federal audits without reimbursement or credit by the Government.

H. For shores, other than Federal shores, protected pursuant to this Agreement using Federal funds, the Public Sponsor shall ensure the public use of, and access to, such shores by all on equal terms in a manner compatible with the authorized purpose of the Project.

I. The Public Sponsor shall provide and maintain necessary access roads, parking areas, and other associated public use facilities, open and available to all on equal terms.

ARTICLE III - REAL PROPERTY INTERESTS, PLACEMENT AREA IMPROVEMENTS, AND RELOCATIONS

A. The Government, after consultation with the Public Sponsor, shall determine the real property interests required for the rehabilitation work. The Government shall provide the Public Sponsor with general written descriptions, including maps as appropriate, of the real property interests that the Government determines the Public Sponsor must provide for the rehabilitation work. The real property interests required for the rehabilitation work may be provided incrementally for each construction contract. In accordance with Article IV, the Public Sponsor shall investigate to verify that HTRW does not exist in, on, or under any of the real property interests required for the rehabilitation work. For real property interests currently owned or controlled by the Public Sponsor, such HTRW investigations must be completed prior to the Government advertising a construction contract for that work. For any additional real property interests to be acquired by the Public Sponsor, such HTRW investigations must be

completed by the Public Sponsor prior to the Government providing the Public Sponsor with a written notice to proceed with that acquisition. The Public Sponsor shall provide the Government with authorization for entry to such real property interests according to the Government's construction schedule for that work. The Public Sponsor shall ensure that real property interests they provide are retained in public ownership for uses compatible with the authorized purposes of the Project.

B. The Government, after consultation with the Public Sponsor, shall determine the placement area improvements required for the rehabilitation work, provide the Public Sponsor with general written descriptions, including maps as appropriate, of such improvements, and provide the Public Sponsor with a written notice to proceed with such improvements. The Public Sponsor shall construct the improvements in accordance with the Government's construction schedule for that work.

C. The Government, after consultation with the Public Sponsor, shall determine the relocations required for the rehabilitation work, provide the Public Sponsor with general written descriptions, including maps as appropriate, of such relocations, and provide the Public Sponsor with a written notice to proceed with such relocations. The Public Sponsor shall perform or ensure the performance of these relocations in accordance with the Government's construction schedule for that work.

D. In acquiring the real property interests for the rehabilitation work, the Public Sponsor assures the Government that it will comply with the following:

(1) fair and reasonable relocation payments and assistance shall be provided to or for displaced persons, as are required to be provided by a Federal agency under 42 U.S.C. 4622, 4623 and 4624;

(2) relocation assistance programs offering the services described in 42 U.S.C. 4625 shall be provided to such displaced persons;

(3) within a reasonable period of time prior to displacement, comparable replacement dwellings will be available to displaced persons in accordance with 42 U.S.C. 4625(c)(3);

(4) in acquiring real property, the Public Sponsor will be guided, to the greatest extent practicable under State or Commonwealth law, by the land acquisition policies in 42 U.S.C. 4651 and the provisions of 42 U.S.C. 4652; and

(5) displaced persons will be paid or reimbursed for necessary expenses as specified in 42 U.S.C. 4653 and 4654.

E. After January 4, 2027, no new contracts may be awarded for rehabilitation work pursuant to Section 1145(d). Further, there shall be no additional Federal participation in the Project or any necessary nourishments, including but not limited to under the existing Project authorization, any repair or rehabilitation under 33 U.S.C.

701n, or any other Federal assistance to the Project unless the Public Sponsor acquires the required real estate interests for the entire Project footprint guaranteeing a public beach, public access, public use, and access for any work necessary and incidental to the construction, periodic nourishment, and operation, maintenance, repair, rehabilitation, and replacement. The Public Sponsor shall be responsible for all costs of acquiring the additional real estate interests for the Project at no cost to the Government and without credit or reimbursement for such costs.

ARTICLE IV - HTRW

A. The Public Sponsor shall be responsible for undertaking any investigations to identify the existence and extent of any HTRW regulated under applicable law that may exist in, on, or under real property interests required for the rehabilitation work.

B. In the event it is discovered that HTRW exists in, on, or under any of the real property interests needed for the rehabilitation work, the Public Sponsor and the Government shall provide written notice to each other within 15 calendar days of such discovery, in addition to providing any other notice required by applicable law. If HTRW is discovered prior to acquisition, the Public Sponsor shall not proceed with the acquisition of such real property interests until the parties agree that the Public Sponsor should proceed. If HTRW is discovered in, on, or under real property interests that the Public Sponsor currently owns or controls or after acquisition of the real property interests, no further rehabilitation activities within the contaminated area shall proceed until the parties agree on an appropriate course of action.

C. If HTRW is found to exist in, on, or under any required real property interests, the parties shall consider any liability that might arise under applicable law and determine whether to initiate construction, or if already initiated, whether to continue, suspend, or terminate construction.

1. Should the parties initiate or continue construction, the Public Sponsor shall be solely responsible, as between the Government and the Public Sponsor, for the performance and costs of HTRW cleanup and response, including the costs of any studies and investigations necessary to determine an appropriate response to the contamination. The Public Sponsor shall pay such costs without reimbursement or credit by the Government. In no event will the Government proceed with that construction before the Public Sponsor has completed the required cleanup and response actions.

2. In the event the parties cannot reach agreement on how to proceed or the Public Sponsor fails to discharge its responsibilities under this Article upon direction by the Government, the Government may suspend or terminate construction. Additionally, the Government may undertake any actions it determines necessary to avoid a release of such HTRW with the Public Sponsor responsible for such costs without credit or reimbursement by the Government.

D. In the event of a HTRW discovery, the Public Sponsor and the Government shall initiate consultation with each other within 15 calendar days in an effort to ensure that responsible parties bear any necessary cleanup and response costs as required by applicable law. Any decision made pursuant to this Article shall not relieve any third party from any HTRW liability that may arise under applicable law.

E. To the maximum extent practicable, the Government and Public Sponsor shall perform their responsibilities under this Agreement in a manner that will not cause HTRW liability to arise under applicable law.

F. As between the Government and the Public Sponsor, the Public Sponsor shall be considered the owner and operator of the Project, including the rehabilitation work, for purposes of CERCLA liability or other applicable law.

ARTICLE V - TERMINATION OR SUSPENSION

A. If at any time the Public Sponsor fails to fulfill its obligations under this Agreement, the Government may suspend or terminate construction unless the Assistant Secretary of the Army (Civil Works) determines that continuation of such work is in the interest of the United States or is necessary in order to satisfy agreements with other non-Federal interests.

B. If the Government determines at any time that the Federal funds made available for rehabilitation of the Project are not sufficient to complete such work, the Government shall so notify the Public Sponsor in writing within 30 calendar days, and upon exhaustion of such funds, the Government shall suspend construction until there are sufficient funds available to allow construction to resume.

C. If HTRW is found to exist in, on, or under any required real property interests, the parties shall follow the procedures set forth in Article IV.

D. In the event of termination, the parties shall conclude their activities relating to rehabilitation of the Project. To provide for this eventuality, the Government may reserve a percentage of available funds as a contingency to pay the costs of termination, including any costs of resolution of real property acquisition, resolution of contract claims, and resolution of contract modifications.

E. Any suspension or termination shall not relieve the parties of liability for any obligation incurred. Any delinquent payment owed by the Public Sponsor pursuant to this Agreement shall be charged interest at a rate, to be determined by the Secretary of the Treasury, equal to 150 per centum of the average bond equivalent rate of the 13 week Treasury bills auctioned immediately prior to the date on which such payment became delinquent, or auctioned immediately prior to the beginning of each additional 3 month period if the period of delinquency exceeds 3 months.

ARTICLE VI - RELATIONSHIP OF PARTIES

In the exercise of their respective rights and obligations under this Agreement, the Government and the Public Sponsor each act in an independent capacity, and neither is to be considered the officer, agent, or employee of the other. Neither party shall provide, without the consent of the other party, any contractor with a release that waives or purports to waive any rights a party may have to seek relief or redress against that contractor.

ARTICLE VII - NOTICES

A. Any notice, request, demand, or other communication required or permitted to be given under this Agreement shall be deemed to have been duly given if in writing and delivered personally or mailed by registered or certified mail, with return receipt, as follows:

If to the Public Sponsor:

Coastal Program Manager
Town of Palm Beach, Florida
951 Okeechobee Road
West Palm Beach, Florida 33401

If to the Government:

District Commander
U.S. Army Corps of Engineers, Jacksonville District
P.O. Box 4970
Jacksonville, Florida 32232-0019

B. A party may change the recipient or address to which such communications are to be directed by giving written notice to the other party in the manner provided in this Article.

ARTICLE VIII - CONFIDENTIALITY

To the extent permitted by the laws governing each party, the parties agree to maintain the confidentiality of exchanged information when requested to do so by the providing party.

ARTICLE IX - THIRD PARTY RIGHTS, BENEFITS, OR LIABILITIES

Nothing in this Agreement is intended, nor may be construed, to create any rights, confer any benefits, or relieve any liability, of any kind whatsoever in any third person not a party to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement,
which shall become effective upon the date it is signed by the District Commander.

DEPARTMENT OF THE ARMY

TOWN OF PALM BEACH, FLORIDA

BY: _____
Brandon L. Bowman
Colonel, U.S. Army
District Commander

BY: _____
Danielle H. Moore
Mayor

DATE: _____

DATE: _____

CERTIFICATE OF AUTHORITY

I, Joanne M. O'Connor, do hereby certify that I am the principal legal officer for the Town of Palm Beach, Florida, that the Town of Palm Beach Florida is a legally constituted public body with full authority and legal capability to perform the terms of the Agreement between the Department of the Army and the Town of Palm Beach, Florida in connection with the Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment, and to pay damages, if necessary, in the event of the failure to perform in accordance with the terms of this Agreement, as required by Section 221 of Public Law 91-611, as amended (42 U.S.C. 1962d-5b), and that the person who executed this Agreement on behalf of the Town of Palm Beach, Florida acted within her statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this
_____ day of _____ 20____.

Joanne M. O'Connor
Town Attorney
Town of Palm Beach, Florida

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Danielle H. Moore
Mayor
Town of Palm Beach, Florida

DATE: _____

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

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

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute the Amendment Number 1 to the Project Partnership Agreement Between the Department of the Army and the Town of Palm Beach for Renourishment of the Palm Beach County Federal Shore Protection Project, Mid-Town Segment the Mid-Town Beach Renourishment Project.
113-2025

Date: 8/25/2025

STAFF RECOMMENDATION

Town staff recommends Town Council authorize the Mayor to sign the Amendment Number One (1) to the Project Partnership Agreement between the Department of the Army and the Town of Palm Beach for the Mid-Town Beach Renourishment Project and the Cooperation Agreement between the Department of the Army and the Town of Palm Beach for Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment.

GENERAL INFORMATION

The United States Army Corps of Engineers, Jacksonville District (USACE), completed the Engineer Documentation Report eliminating thirteen-hundred (1,300) feet of shorefront lands at the north boundary of the Mid-Town Segment of the Federally Authorized Coastal Storm Risk Management Project. As a result, the new project boundaries for sand placement for the Flood Control and Coastal Emergencies (FCCE) project will be from Seminole Avenue to Banyan Road. As a result of completing this analysis and report, the Project Partnership Agreement that was executed between the Town of Palm Beach and the Department of the Army is being amended. The attached agreement simply modifies the new limits of the Mid-Town segment of the project. This agreement is required to be executed by the Mayor of the Town of Palm Beach prior to the project being advertised for bids September 19, 2025.

The second agreement is a result of the Assistant Secretary of the Army for Civil Works

(ASACW) guidance dated June 30, 2025, addressing the language in the 2024 Water Resources Development Act. The guidance included the following:

8. An agreement is required before conducting any work under this authority. Such agreement shall acknowledge specifically that (1) the Town of Palm Beach is responsible for the costs assigned to benefits to privately owned shores or to prevention of losses of private lands in accordance with Section 103(d) and paragraph 5.b. above; (2) the Section 1145(d) authority terminates on January 4, 2027; (3) unless the appropriate real estate interest is acquired in accordance with Section 103(d) and current policy guaranteeing a public beach, public access, public use, and access for any work necessary and incident to the construction, periodic nourishment, and operation, maintenance, repair, rehabilitation, and replacement, there shall be no additional Federal participation with respect to the project or any necessary nourishments, including but not limited to under the existing project authorization, any repair or rehabilitation under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), or any other Federal assistance to the project; and (4) the Town of Palm Beach will be responsible at full non-Federal expense for acquiring easements for periodic nourishment of the project, and such additional acquisitions are not creditable.

Staff and Council have reviewed both agreements and recommend approval. This is the last hurdle in meeting USACE requirements allowing the advertisement and award of the upcoming FCCE project.

FUNDING/FISCAL IMPACT

Town Council approved a resolution at the August Town Council meeting providing \$3,000,000 as the Public Sponsor's obligation of funds for the FCCE implementation.

Attachments

cc: Jason Debrincat, P.E., Deputy Director of Public Works
Patricia Strayer, P.E., Town Engineer
Sara Gutekunst, Coastal Coordinator
Joanne O'Connor, Town Attorney, Jones Foster

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Environmental Stewardship

Strategic Focus Areas:

Cooperative Relationships

Quality of Life

Management of Environmental Threats

FUNDING

Capital

RESOLUTION NO. 113-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT NUMBER 1 TO THE PROJECT PARTNERSHIP AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND THE TOWN OF PALM BEACH FOR RENOURISHMENT OF THE PALM BEACH COUNTY FEDERAL SHORE PROTECTION PROJECT, MID-TOWN SEGMENT THE MID-TOWN BEACH RENOURISHMENT PROJECT.

WHEREAS, the parties desire to amend the Agreement to reflect the change in the Engineering Documentation Report.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The foregoing recitals are hereby ratified and confirmed.

Section 2: The Town Council hereby authorizes Amendment Number One (1) to the Project Partnership Agreement with the U.S. Army Corps of Engineers (USACE) for the Palm Beach County Federal Shore Protection Project, Mid-Town Segment.

Section 3: The Mayor is hereby authorized to execute Amendment Number One (1), on behalf of the Town.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on September 9, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

AMENDMENT NUMBER 1
TO THE
PROJECT PARTNERSHIP AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
THE TOWN OF PALM BEACH, FLORIDA
FOR
THE PALM BEACH COUNTY,
FROM LAKE WORTH INLET TO SOUTH LAKE WORTH INLET, FLORIDA COASTAL
STORM RISK MANAGEMENT PROJECT
MID-TOWN SEGMENT

This Amendment Number 1 is entered into this _____ day of _____, 2025, by and between the Department of the Army (hereinafter the “Government”), represented by the District Commander for Jacksonville District (hereinafter the “District Commander”) and the Town of Palm Beach, Florida (hereinafter the “Non-Federal Sponsor”), represented by its Mayor.

WITNESSETH, THAT:

WHEREAS, on November 4, 2019, the Government and the Non-Federal Sponsor entered into a Project Partnership Agreement (hereinafter the “Agreement”) for construction of the Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment;

WHEREAS, on July 9, 2025, the District Commander for the Jacksonville District approved the Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment Engineering Documentation Report Segment Length Modification and Additional Sand Sources, dated June 2025 (hereinafter the “Engineering Documentation Report”), which, at the request of the Non-Federal Sponsor, removed from the Project footprint approximately 1,300 feet of shorefront lands between Florida Department of Environmental Protection monuments 91 to 92.1 resulting in modified Project boundaries that include approximately 3.2 miles of shoreline with a northern boundary of Seminole Avenue at FDEP monument R-92.1 and a southern boundary of Southern Boulevard at monument R-106.5; and

WHEREAS, the parties desire to amend the Agreement to reflect the change in the Engineering Documentation Report.

NOW, THEREFORE, the Government and the Non-Federal Sponsor agree to amend the Agreement as follows:

1. Insert after the fourth WHEREAS clause the following:

“WHEREAS, on July 9, 2025, the District Commander for Jacksonville District approved the Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment Engineering Documentation Report Segment Length Modification and Additional Sand Sources, dated June 2025, which, with support of the Non-Federal Sponsor, includes final design of the Project footprint to construct approximately 3.2 miles of shoreline with a northern boundary of Seminole Avenue at Florida Department of Environmental Protection (FDEP) monument 92.1 and a southern boundary of Southern Boulevard at monument R-106.5, resulting in approximately 1,300 feet of shorefront lands between FDEP monuments 91 to 92.1 not being constructed for periodic nourishment;”

2. Delete Article I.A and replace it with the following:

“The term “Project” means initial construction of approximately 3.4 miles of shoreline with a northern boundary of Wells Road at FDEP monument R-91 and a southern boundary of Southern Boulevard at monument R-106.5, and periodic nourishment of approximately 3.2 miles of shoreline with a northern boundary of Seminole Avenue at FDEP monument R-92.1 and a southern boundary of Southern Boulevard at monument R-106.5, as generally described in the Beach Erosion Control Projects for Palm Beach County, Florida General Design Memorandum with Environmental Impact Statement, dated April 1987 and approved by the Chief of the Engineering Division for the South Atlantic Division on May 13, 1987, with cost sharing updates in the Letter Report for Palm Beach County, Florida, From Lake Worth Inlet to South Lake Worth Inlet, Florida, Coastal Storm Risk Management Project – Midtown Segment Cost Sharing Update, dated October 2019 and approved by the Chief of the Planning and Policy Division for South Atlantic Division on October 21, 2019, with modifications as described in the Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment Engineering Documentation Report Segment Length Modification and Additional Sand Sources (hereinafter “EDR”) dated June 2025 (hereinafter collectively referred to as the “Decision Document”).”

3. All other terms and conditions of the Agreement, as amended, remain unchanged.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment Number 1, which shall become effective upon the date it is signed by the District Commander.

DEPARTMENT OF THE ARMY

TOWN OF PALM BEACH, FLORIDA

BY: _____

Brandon L. Bowman
Colonel, U.S. Army
District Commander

BY: _____

Danielle H. Moore
Mayor

DATE: _____

DATE: _____

CERTIFICATE OF AUTHORITY

I, Joanne M. O'Connor, do hereby certify that I am the principal legal officer for the Town of Palm Beach, Florida, that the Town of Palm Beach, Florida is a legally constituted public body with full authority and legal capability to perform the terms of the Amendment Number 1 between the Department of the Army and the Town of Palm Beach, Florida in connection with the Palm Beach County, from Lake Worth Inlet to South Lake Worth Inlet, Florida Coastal Storm Risk Management Project Mid-Town Segment, and to pay damages, if necessary, in the event of the failure to perform in accordance with the terms of this Amendment, as required by Section 221 of Public Law 91-611, as amended (42 U.S.C. 1962d-5b), and that the person who executed this Amendment on behalf of the Town of Palm Beach, Florida acted within her statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this
_____ day of _____ 20____.

Joanne M. O'Connor
Town Attorney
Town of Palm Beach, Florida

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Danielle H. Moore
Mayor
Town of Palm Beach, Florida

DATE: _____

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

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

Re: Waivers to Town Code for Construction Dates, Hours, and Noise for Staging and Construction of Army Corps Mid-Town FCCE Project

Date: 8/21/2025

STAFF RECOMMENDATION

Town staff recommends Town Council approve a waiver for the United States Army Corps of Engineers (USACE) to allow construction related activities outside of the Town Code of Ordinances restrictions for construction dates, hours, and noise levels in the staging area and beach placement areas shown in the request from the USACE.

GENERAL INFORMATION

The USACE plans to commence the beach renourishment project for the Palm Beach County, Florida, Mid-Town Segment as early as January 2026. Material will be dredged from Lake Worth Inlet and Harbor and from two (2) offshore borrow areas. The dredged material will be placed in the permitted beach renourishment area between Seminole Avenue and Banyan Road. The work is expected to be completed no later than April 30, 2025. Final cleanup and demobilization may occur through June 2026. The contractor is anticipated to operate marine and shore-based equipment 24 hours a day / 7 days a week.

Construction access areas are planned at Sunset Avenue and Peruvian Avenue, and staging areas are planned on the beach at Clarke Avenue and Peruvian Avenue. USACE intends for their contractor to utilize the Lake Worth Lagoon for project staging of offshore equipment.

Work performed within the jurisdictional limits of the Town of Palm Beach must either conform to the Town Code of Ordinances or be allowed by Town Council. This USACE request includes waivers of the following sections of the Town Code of Ordinances:

Section 42-198 – prohibits operation of equipment or machinery during winter, Sundays, and legal holidays (commencing on December 1st and ending May 1st).

Section 42-199 – prohibits work between 5:00 p.m. and 8:00 a.m.

Sections 42-226 through 229 – regulates noise, equipment operation, work hours, and the standard

Town requirement to “stand down for the season”.

FUNDING/FISCAL IMPACT

There is no funding/fiscal impact related to this item.

Attachment

cc. Patricia Strayer, P.E, Town Engineer
Sara Gutekunst, Coastal Coordinator
Chris McNees, USACE

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community

Strategic Focus Areas:

Cooperative Relationships

Collaborative Town Government

FUNDING

Funded



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FL 32207-8915

Programs and Project Management Division
Water Resources Branch

August 7, 2025

Ms. Sara Gutekunst
Coastal Coordinator
Town of Palm Beach
951 Okeechobee Road, Suite A
West Palm Beach, FL 33401

Dear Ms. Gutekunst:

The Jacksonville District, U.S. Army Corps of Engineers (Corps) is preparing to initiate a beach renourishment project for the Palm Beach County, Florida, Mid-Town Segment. The contract is scheduled to be awarded in November 2025. The beach-quality material will be dredged from Palm Beach Harbor's entrance channel and settling basins and from northern borrow areas (NBAs) -1 and -2. The dredged material will be placed on the Mid-Town Segment between Seminole Avenue and Banyan Road. Beach placement work may start as early as January 2026 but is expected to be complete in April 2026, and final cleanup/demobilization may occur through May/June 2026. The Contractor is anticipated to operate marine and shore-based equipment 24 hours a day / 7 days a week. Construction access onto the beach is planned at Sunset Avenue and Peruvian Avenue, and staging areas are planned on the beach at the terminus of Clark Avenue and Peruvian Avenue. The beach work areas are shown on the attached figures from the project's plans and circled for your ease of reference.

The Corps is requesting variance on the following Town Code of Ordinances for the proposed work:

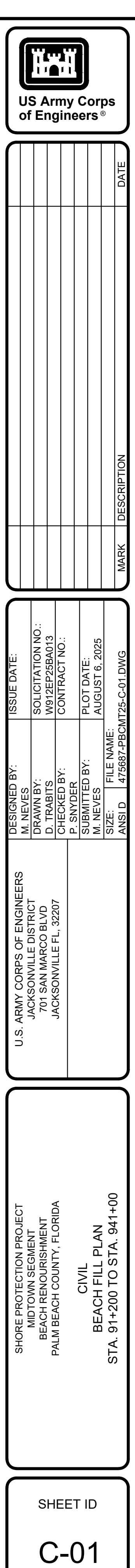
- Section 42-198 – prohibits operation of equipment or machinery during winter, Sundays, and legal holidays
- Section 42-199 – prohibits work between 5:00 pm and 8:00 am
- Sections 42-226 through 229 – regulates noise, equipment operation, and work hours and the standard Town "stand down for the season" requirement

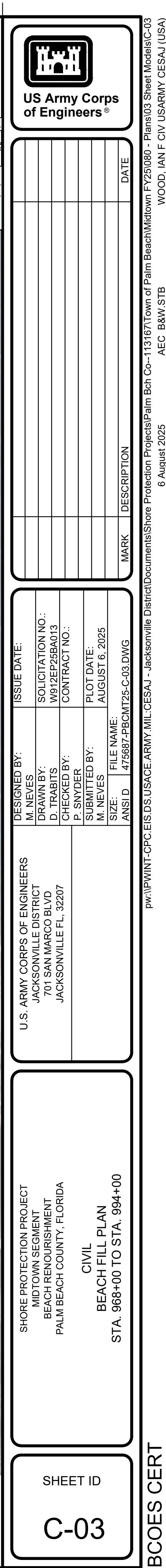
If you have any further questions or need any additional information, please feel free to contact the undersigned at 904-232-2132.

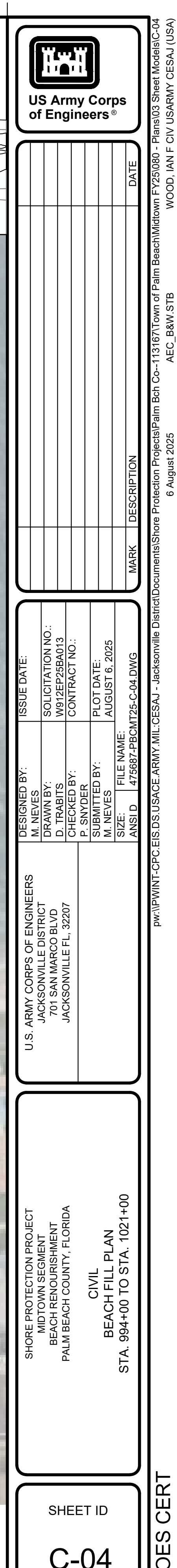
Sincerely,

Chris McNees

M. Chris McNees
Project Manager







TOWN OF PALM BEACH

SHORELINE CONDITION PHOTOGRAPHS

Town Council Meeting - September 9, 2025

HURRICANE ERIN
PRE TO POST STORM COMPARISONS
AUGUST 2025





TOWN OF PALM BEACH SHORES

SAND TRANSFER PLANT/LAKE WORTH INLET NORTH JETTY



Pre-Storm

Post-Storm





REACH 1

SAND TRANSFER PLANT DISCHARGE

LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 2

PALMO WAY

LOOKING NORTH



Pre-Storm

Post-Storm





REACH 2 EL PUEBLO WAY LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 2 CASA BENDITA LOOKING NORTH



Pre-Storm*

Post-Storm





REACH 2 CASA BENDITA LOOKING SOUTH



Pre-Storm*

Post-Storm





REACH 3 DUNBAR ROAD LOOKING NORTH



Pre-Storm

Post-Storm





REACH 3 ATLANTIC AVENUE LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 3 SUNSET AVENUE LOOKING NORTH



Pre-Storm

Post-Storm





REACH 3 SUNSET AVENUE LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 4 CLARKE AVENUE LOOKING NORTH



Pre-Storm

Post-Storm





REACH 4 GULFSTREAM ROAD LOOKING NORTH



Pre-Storm

Post-Storm





REACH 4 GULFSTREAM ROAD LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 5

SOUTH OF BANYAN ROAD

LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 6 VIA AGAPE



LOOKING SOUTH

Pre-Storm

Post-Storm





REACH 7

OLD SOUTH OCEAN BOULEVARD

LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 7 AMBASSADOR HOTEL LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 8 BELLARIA CONDOMINIUM LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 8

PATRICIAN CONDOMINIUM

LOOKING SOUTH



Pre-Storm

Post-Storm





REACH 9

TOWN OF SOUTH PALM BEACH, PALMSEA CONDOMINIUM



Pre-Storm

LOOKING NORTH

Post-Storm



TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Bob Miracle, CPA
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO Town Procurement and Contract Manager

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a change order to A Cut Above for Royal Poinciana Median in the amount of \$131,216.29 and approving a new project budget of \$979,901.79.
114-2025

Date: 9/2/2025

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 114-2025, approving a change order to A Cut Above for Royal Poinciana Median in the amount of \$131,216.29 and approving a new project budget of \$979,901.79.

SUMMARY EXPLANATION/BACKGROUND

Town staff have worked with the Palm Beach Garden Club over the past year to support the donated project to improve and beautify the Royal Poinciana medians. Staff presented the original proposed project to the Town Council at the May 14, 2024, meeting. At that time, the sidewalks were included as the hardscape. Town Council directed staff to accept the offer from SMI Landscape Architecture to donate their time to submit the proposed project to the Landmarks Preservation Commission (LPC).

SMI Landscape Architecture submitted an administrative application which at that time included gravel pathways. The application received staff approval, which is defined as being reviewed and approved by staff and the LPC Chairperson, Patterson. The project was then advertised on July 12, 2024, and presented to Town Council on September 11, 2024. The SMI plan, which included gravel pathways, was approved by Town Council.

Town staff continued independently to work with SMI, the Garden Club and Chen Moore to develop final plans and specifications for bidding purposes. Staff worked with all parties to value engineer the project to achieve a project that met the aesthetic objectives while reducing the total cost of the project. Staff were not aware that the

LPC staff approval was for gravel paths.

Once plans and specifications were completed, which included the value engineering, the plans were advertised for bidding. The final plans that were bid include concrete pathways. Town Council approved Resolution No. 037-2025 awarding the contract for this work to A Cut Above Landscaping at the May 13, 2025, meeting.

On July 18, we were notified that since the pathways were inconsistent with LPC staff approval, the project would have to be returned to LPC Chair for approval. Staff attempted to get administrative approval for the pathway material change and were not successful. Staff have submitted the LPC application for the September 17, 2025, LPC meeting.

While pursuing LPC approval for the material change for the pathway, the contractor was directed to continue working on the median beautification project. On August 25, 2025, the contractor indicated that to keep the project on schedule, the concrete pathway for the west median would need to be formed and subsequently poured beginning the week of August 25, 2025.

Staff directed the contractor not to move forward with the concrete pathway. A proposal for construction a gravel pathway has been received and is attached. The pre-negotiation cost is \$131,216.29. Based on the contractor's schedule projections, the project cannot be completed by November 1, 2025, if the pathway is changed to gravel. If the contractor moves forward with the concrete pathway, the project will be completed by November 1, 2025.

FUNDING/FISCAL IMPACT

When the Town Council approved Resolution No.037-2025 at the May 13, 2025, Town Council Meeting, the approval was in the amount of \$737,987.50, approving a contingency in the amount of \$110,698 and approving a project budget in the amount of \$848,685.50 and accepting a donation from the Garden Club of Palm Beach in the amount of \$575,000 for the project. The Change Order being requested is an additional \$131,216.29, for a new overall project budget of \$979,901.79.

This remaining approval of funding will be from the unbudgeted Capital Improvement Fund in the amount of \$131,216.29.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:

Community Culture and Character

Strategic Focus Areas:
Community Preservation
Quality of Life

FUNDING
Capital

RESOLUTION NO. 114-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CHANGE ORDER TO A CUT ABOVE FOR ROYAL POINCIANA MEDIAN IN THE AMOUNT OF \$131,216.29 AND APPROVING A NEW PROJECT BUDGET OF \$979,901.79.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Town Council of the Town of Palm Beach hereby approves Resolution No. 114-2025, approving a change order to A Cut Above for Royal Poinciana Median in the amount of \$131,216.29 and approving a new project budget of \$979,901.79.

Section 2: The Town Manager or designee is hereby authorized to execute the change order on behalf of the Town of Palm Beach for these improvements,

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on 9th day of September 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

A CUT ABOVE

LANDSCAPE & IRRIGATION

Design • Installation • Maintenance

1686 D ROAD
LOXAHATCHEE, FL 33470
561.795.1995 - PH
561.795.8898 - FX



CHANGE ORDER REQUEST

PBC SBE Vendor #VC0000009701

DATE	COR #
8/26/2025	18524

DESCRIPTION	QTY	COST	TOTAL
RE: ROYAL POICIANA WAY (PATHWAY OPTION)			
ACA to provide any/all necessary equipment, labor, supervision, materials and supplies to complete the following:			
ACA TO PROVIDE & INSTALL THE FOLLOWING:			
4" of compacted Base Rock (Per C.Y.)	162	200.00	32,400.00
3" compacted Crushed Coquina Rock (Per C.Y.)	126	600.00	75,600.00
Permaloc CleanLine XL Aluminum Edging Mill Finish (Per L.F.)	5,072	18.00	91,296.00
LESS SIDEWALK CREDIT:		-105,909.00	-105,909.00
Sub-Total:			93,387.00
GENERAL CONDITIONS: Admin / Mobilization		2,500.00	2,500.00
MATERIALS PROVIDED & SERVICES COMPLETED:			
#1 Clean Fill (Per Load) *Includes Freight	15	460.00	6,900.00
Equipment & Labor (Spread & Compact)		11,270.00	11,270.00
Supervision (Per Day @ \$100 / Hr.):	4	600.00	2,400.00
REMOVAL:			
Equipment & Labor (Cut & Load) *75% of Import	0.75	11,270.00	8,452.50
Freight (Per Load)	15	150.00	2,250.00
Supervision (Per Day @ \$100 / Hr.):	3	600.00	1,800.00
Sub-Total:			35,572.50
Payment & Performance Bond *Increase	0.0175	128,959.50	2,256.79
CUSTOMER AUTHORIZATION: X_____	TOTAL \$131,216.29		

ALL LANDSCAPING SHALL BE INSTALLED ACCORDING TO SOUND NURSERY PRACTICES AND SHALL BE FLORIDA NO. 1 OR BETTER AS GIVEN IN GRADES AND STANDARDS FOR NURSERY "PLANTS", STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE. YOUR SIGNATURE ABOVE CONFIRMS YOUR UNDERSTANDING OF ACA'S COLLECTION POLICY AND GRANTS PERMISSION TO ACA TO COMMENCE PROPOSED WORK.

****PRICING IS VALID FOR 30 DAYS FROM DATE OF PROPOSAL****

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Discussion - Mooring Vessels

Date: 9/3/2025

GENERAL INFORMATION

In May 2025, Governor DeSantis signed House Bill 481 (Chapter 2025-39, Laws of Florida), expanding local authority over anchoring vessels in Florida's most populous counties. This legislation removes the long-standing state preemption and grants Miami-Dade, Broward, Palm Beach, and Hillsborough Counties the authority to directly regulate anchoring activity.

Under HB 481, counties, and by extension, municipalities within those counties, may now regulate vessels that anchor for one hour or more overnight (30 minutes after sunset to 30 minutes before sunrise) if they remain in place for more than 30 days within any six-month period. Previously, such restrictions required approval through a state-administered process overseen by the Florida Fish and Wildlife Conservation Commission (FWC).

This expanded authority provides municipalities the ability to address navigation safety, congestion, and environmental impacts within their waters.

STAFF RECOMMENDATION

Staff recommends that the Town Council consider an amendment to **Sec. 74-268, Mooring Vessels**, to address increasing concerns related to extended overnight anchoring and the presence of live-aboard vessels within the jurisdictional boundaries of the Town of Palm Beach. A proposed amendment should:

- Establish a **30-night limit** on overnight anchoring within any consecutive six-month period in Town jurisdictional waters.

- Prohibit **live-aboard vessels, houseboats, and certain commercial vessels** from anchoring or mooring outside of approved marinas, designated mooring fields, or private docks with adequate utilities and sanitation services.
- Provide **clear definitions** for “live-aboard vessel,” “overnight anchoring,” and “mooring,” consistent with Chapter 327, Florida Statutes.
- Include **exemptions** for non-motorized small craft, vessels lawfully docked or moored, vessels engaged in permitted marine construction, and vessels temporarily anchored due to emergency conditions.
- Authorize **enforcement measures** for removal of non-compliant vessels and recovery of associated costs.

The proposed revisions are intended to protect the environment, enhance navigational safety, and preserve the scenic and residential character of the Town’s waterfront.

Attachments

NC/dw

cc: Carolyn Stone, Deputy Town Manager
Robert Miracle, Deputy Town Manager
Paul Brazil, Director of Public Works
O’Connor, Joanne, Town Attorney

STRATEGIC PLAN

Strategic Priorities:

Environmental Stewardship

Strategic Focus Areas:

Management of Environmental Threats

FUNDING

No Fiscal Impact

CHAPTER 2025-39

Committee Substitute for Committee Substitute for House Bill No. 481

An act relating to anchoring limitation areas; amending s. 327.60, F.S.; restricting local regulation of vessels outside the marked boundaries of mooring fields in certain counties; amending s. 327.4108, F.S.; designating specified sections of Biscayne Bay in Miami-Dade County as grandfathered-in anchoring limitation areas; amending s. 327.4109, F.S.; increasing the prohibited anchoring and mooring distance of vessels and floating structures near public mooring fields; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (f) of subsection (2) of section 327.60, Florida Statutes, is amended to read:

327.60 **Local regulations; limitations.—**

(2) This chapter and chapter 328 do not prevent the adoption of any ordinance or local regulation relating to operation of vessels, except that a county or municipality may not enact, continue in effect, or enforce any ordinance or local regulation:

(f) Regulating the anchoring of vessels outside the marked boundaries of mooring fields permitted as provided in s. 327.40, except for:

1. Live-aboard vessels; and
2. Commercial vessels, excluding commercial fishing vessels; and
3. Vessels anchored for a period of 1 hour or more between one-half hour after sunset and one-half hour before sunrise for more than 30 days in any 6-month period within the jurisdiction of a county with a population of 1.5 million or more, excluding any time the vessel is anchored overnight within the boundaries of a marked mooring field or any time the vessel is anchored overnight for the purpose of completing permitted marine construction, installation, or maintenance work;

Section 2. Paragraph (c) of subsection (1) of section 327.4108, Florida Statutes, is amended to read:

327.4108 **Anchoring of vessels in anchoring limitation areas.—**

(1) The following densely populated urban areas, which have narrow state waterways, residential docking facilities, and significant recreational boating traffic, are designated as and shall be considered to be grandfathered-in anchoring limitation areas, within which a person may not

anchor a vessel at any time during the period between one-half hour after sunset and one-half hour before sunrise, except as provided in subsections (4) and (5):

(c) The sections of Biscayne Bay in Miami-Dade County lying between:

1. Palm Island and State Road A1A.

2. Palm Island and Star Island.

3. Palm Island and Hibiscus Island.

4. Palm Island and Watson Island.

~~5.2.~~ Rivo Alto Island and Di Lido Island.

~~6.3.~~ San Marino Island and Di Lido Island.

~~7.4.~~ San Marino Island and San Marco Island.

~~8.5.~~ San Marco Island and Biscayne Island.

9. The Sunset Islands.

10. Sunset Island I and State Road 112.

Section 3. Paragraph (a) of subsection (1) of section 327.4109, Florida Statutes, is amended to read:

327.4109 Anchoring or mooring prohibited; exceptions; penalties.—

(1)(a) The owner or operator of a vessel or floating structure may not anchor or moor such that the nearest approach of the anchored or moored vessel or floating structure is:

1. Within 150 feet of any public or private marina, boat ramp, boatyard, or other public vessel launching or loading facility;

2. Within 500 feet of a superyacht repair facility. For purposes of this subparagraph, the term “superyacht repair facility” means a facility that services or repairs a yacht with a water line of 120 feet or more in length; or

3. Within 300 ~~100~~ feet outward from the marked boundary of a public mooring field or a lesser distance if approved by the commission upon request of a local government within which the mooring field is located. The commission may adopt rules to implement this subparagraph.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor May 19, 2025.

Filed in Office Secretary of State May 19, 2025.





The 2024 Florida Statutes (including 2025 Special Session C)

[Title XXIV](#)
VESSELS

[Chapter 327](#)
VESSEL SAFETY

[View Entire Chapter](#)

327.4109 Anchoring or mooring prohibited; exceptions; penalties.—

(1)(a) The owner or operator of a vessel or floating structure may not anchor or moor such that the nearest approach of the anchored or moored vessel or floating structure is:

1. Within 150 feet of any public or private marina, boat ramp, boatyard, or other public vessel launching or loading facility;
2. Within 500 feet of a superyacht repair facility. For purposes of this subparagraph, the term “superyacht repair facility” means a facility that services or repairs a yacht with a water line of 120 feet or more in length; or
3. Within 100 feet outward from the marked boundary of a public mooring field or a lesser distance if approved by the commission upon request of a local government within which the mooring field is located. The commission may adopt rules to implement this subparagraph.

(b) This subsection does not apply to:

1. A vessel owned or operated by a governmental entity.
2. A construction or dredging vessel on an active job site.
3. A commercial fishing vessel actively engaged in commercial fishing.
4. A vessel actively engaged in recreational fishing if the persons onboard are actively tending hook and line fishing gear or nets.

(2) Notwithstanding subsection (1), an owner or operator of a vessel may anchor or moor within 150 feet of any public or private marina, boat ramp, boatyard, or other public vessel launching or loading facility; within 500 feet of a superyacht repair facility; or within 100 feet outward from the marked boundary of a public mooring field if:

(a) The vessel suffers a mechanical failure that poses an unreasonable risk of harm to the vessel or the persons onboard such vessel. The owner or operator of the vessel may anchor or moor for 5 business days or until the vessel is repaired, whichever occurs first.

(b) Imminent or existing weather conditions in the vicinity of the vessel pose an unreasonable risk of harm to the vessel or the persons onboard such vessel. The owner or operator of the vessel may anchor or moor until weather conditions no longer pose such risk. During a hurricane or tropical storm, weather conditions are deemed to no longer pose an unreasonable risk of harm when the hurricane or tropical storm warning affecting the area has expired.

(3) The owner or operator of a vessel or floating structure may not anchor or moor within the marked boundary of a public mooring field unless the owner or operator has a lawful right to do so by contractual agreement or other business arrangement.

(4) The owner or operator of a vessel or floating structure may not anchor, moor, tie, or otherwise affix or allow the vessel or floating structure to remain anchored, moored, tied, or otherwise affixed to an unpermitted, unauthorized, or otherwise unlawful object that is on or affixed to the bottom of the waters of this state. This subsection does not apply to a private mooring owned by the owner of privately owned submerged lands.

(5) A violation of this section is a noncriminal infraction, punishable as provided in s. [327.73\(1\)\(bb\)](#).

History.—s. 6, ch. 2017-163; s. 2, ch. 2019-54; s. 14, ch. 2021-184; s. 11, ch. 2024-3.

68D-23.111 Enforcement.

This chapter shall be enforced by the division and its officers, the sheriffs of the various counties and their deputies, municipal police officers, and any other law enforcement officer as defined in Section 943.10, F.S., as provided in Section 327.70, F.S., all of whom shall have the authority to remove or cause the removal of any marker found to be in violation of this chapter.

Rulemaking Authority 327.40, 327.41 FS. Law Implemented 327.22, 327.40, 327.41, 327.46, 327.60, 327.70, 379.2431 FS. History—New 12-23-01, Amended 10-6-10.

68D-23.107 Federal System Adopted.

(1) The following are adopted and incorporated by reference:

- (a) The United States Aids to Navigation System, Part 62 of Title 33 of the Code of Federal Regulations (April 1, 2010);
- (b) The United States Coast Guard Aids to Navigation Manual – Administration (COMDTINST M16500.7A, March 2, 2005);
- (c) The United States Coast Guard Aids to Navigation Manual – Technical (COMDTINST M16500.3A, February 11, 2005).
- (d) The United States Coast Guard Aids to Navigation Manual – Structures (COMDTINST M16500.25, November 7, 2005).

(2) All markers, including mooring buoys, placed or maintained in, on or over the waters of the state or the shores thereof must conform to the United States Aids to Navigation System.

(a) Any marker in, on or over the waters of the state or the shores thereof that does not conform to the United States Aids to Navigation System and all provisions of this chapter, must be brought into conformity or be removed from the waters or shores of the state.

(b) No person, municipality, county, or other governmental entity shall place, maintain, or permit to remain in, on or over the waters of the state or shores thereof any nonconforming marker.

(c) All nonconforming markers in place in, on or over the waters of the state or shores thereof are declared a nuisance. The division and its officers and all other law enforcement officers charged with the enforcement of Chapter 327, F.S., have the authority to remove or cause the removal of any such nonconforming marker.

Rulemaking Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS. History—New 12-23-01, Amended 10-5-06, 10-6-10.

Select Year: 2024 ▼ Go

The 2024 Florida Statutes (including 2025 Special Session C)

[Title XXIV](#)
VESSELS

[Chapter 327](#)
VESSEL SAFETY

[View Entire Chapter](#)

327.40 Uniform waterway markers.—

(1) Waters of this state shall be marked only in conformity with the United States Aids to Navigation System, 33 C.F.R. part 62.

(2)(a) Application for marking inland lakes and state waters and any navigable waters under concurrent jurisdiction of the Coast Guard and the division shall be made to the division, accompanied by a map locating the approximate placement of markers, a list of the markers to be placed, a statement of the specification of the markers, a statement of the purpose of marking, and the names of persons responsible for the placement and upkeep of such markers. The division will assist the applicant to secure the proper permission from the Coast Guard where required, make such investigations as needed, and issue a permit. The division shall furnish the applicant with the information concerning the system adopted and the rules existing for placing and maintaining the markers. The division shall keep records of all approvals given and counsel with individuals, counties, municipalities, motorboat clubs, or other groups desiring to mark waterways for safety and navigation purposes in Florida.

(b)1. No person or municipality, county, or other governmental entity shall place any uniform waterway marker in, on, or over the waters or shores of the state without a permit from the division.

2. The placement of information markers by counties, municipalities, or other governmental entities on inland lakes and their associated canals are exempt from permitting under this section.

(c) The commission is authorized to adopt rules pursuant to chapter 120 to implement this section.

(3) The placement under this section or s. [327.41](#) of any uniform waterway marker on state submerged lands does not subject such lands to the lease requirements of chapter 253.

History.—s. 6, ch. 63-105; s. 1, ch. 65-361; ss. 25, 35, ch. 69-106; s. 4, ch. 90-219; s. 14, ch. 2000-362; s. 1, ch. 2005-217; s. 10, ch. 2009-86.

Note.—Former s. 371.521.

68D-23.104 Permits Required; Application for Permits.

(1) Except as provided in subsection 68D-23.112(4), F.A.C., no person, municipality, county or other governmental entity shall place, cause to be placed, or maintain in place any marker in, on or over the waters of the state or the shores thereof without a permit from the Boating and Waterways Section.

(2) Any person, municipality, county, or other governmental entity desiring to place a marker shall apply to the Boating and Waterways Section on the Florida Uniform Waterway Marker Application form, FWCDLE 153 (07/2010), which is adopted and incorporated herein by reference. Application forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or waterway.management@myfwc.com or by downloading the application from the Commission website at: <https://www.myfwc.com/boating/waterways/markers>. Each application must include:

(a) One or more scale drawings no larger than 8 1/2 inches by 11 inches, reproducible on standard office photocopying equipment, showing the intended locations for the placement of all proposed markers with each proposed marker labeled to correspond to the list required in paragraph (b), below.

1. If the application is for regulatory markers, the drawing must also depict the exact boundaries of the area within which regulation or restriction is to be in effect.

2. If the application is for the following markers the drawing must also depict:

a. The location of the danger, hazard to navigation, or obstruction if the application is for a danger marker, isolated danger mark, or inland waters obstruction mark.

b. Water depths within and adjacent to the area being marked if the application is for lateral marks, preferred channel marks, or safe water marks.

c. The location and boundaries of the anchorage, mooring field, park, cable or pipeline area, marine event, or other special area or feature for which the markers are proposed if the application is for special marks.

d. Any information needed to identify and support the proposed information marker.

3. If the application is for mooring buoys of any type, the drawing must also depict the watch circle and water depth for each mooring and any channels or fairways within 500 feet of the proposed mooring buoys.

(b) A list of the markers proposed, labeled to correspond to the drawing(s) required above.

(c) A statement of the specifications for the markers proposed, including:

1. A description giving the type, size, shape, color, material, height above mean high water for each marker sign or buoy, and the number, letter or message displayed thereon,

2. A description of the type, size, and material used for:

a. Any structure which will support a marker sign,

b. Any anchor, anchoring system, chain, tether, rode, or other ground tackle which will secure a marker buoy, including a mooring buoy, to the bottom,

3. A statement of the color, characteristic, height above mean high water, intensity, and nominal range of any light which will be placed on the markers,

4. A statement of the type signal (whistle, horn, bell, etc.) and characteristic for any audible signal.

5. The latitude and longitude of the location where each marker will be placed, expressed in degrees and decimal minutes and referenced to the WGS-84 datum.

(d) A statement of the purpose for placing the proposed markers.

1. If the application is for regulatory markers, this statement must include the purpose for regulating or restricting vessel speed or operation in sufficient detail to permit the Boating and Waterways Section to ascertain whether there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of the regulation or restriction on vessel speed or operation.

2. If the application is for a danger marker, isolated danger mark, or inland obstruction mark, this statement must include a description of the danger, hazard to navigation, or obstruction in sufficient detail to

permit the Boating and Waterways Section to ascertain whether there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of the danger, hazard to navigation, or obstruction.

3. If the application is for lateral marks, preferred channel marks, or safe water marks, this statement must include a description of the channel, fairway, or other area of safe water in sufficient detail to permit the Boating and Waterways Section to ascertain whether there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of channel, preferred channel, fairway, or safe water area.

4. If the application is for special marks, this statement must include a description of the anchorage, mooring field, park, cable or pipeline area, marine event, or other special area or feature for which the markers are proposed in sufficient detail to permit the Boating and Waterways Section to ascertain whether there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of the area's or feature's nature, location, and boundaries.

5. If the application is for mooring buoys, this statement must include the following:

a. A statement of the type, maximum overall length, and maximum draft of vessels that will be allowed to moor at each buoy.

b. An estimate of the average daily weekday traffic and average daily weekend and holiday traffic that will be arriving or departing the proposed moorings.

c. A description of any navigation channels or fairways within 500 feet of the proposed mooring buoys and a description of nature and volume of vessel traffic within such channels or fairways.

d. A description of any upland amenities that will be provided to vessels moored at the proposed mooring buoys.

e. A list of any rules, regulations, requirements, or prohibitions that will be imposed on vessels moored at the proposed mooring buoys.

f. A statement of whether the area in which the mooring buoys are proposed to be located has been designated by the United States Coast Guard as a special anchorage area (i.e., vessels moored there will not need to display anchor lights), or whether the applicant intends to seek such a designation.

g. A statement of whether the mooring buoys will be managed together as a mooring field and, if so, whether the applicant intends to seek the adoption of an ordinance prohibiting anchoring within the marked boundaries of the mooring field. This information must be provided in sufficient detail to permit the Boating and Waterways Section to ascertain whether the placement of mooring buoys and the mooring of vessels at the proposed locations may be safely accomplished and whether the mooring of vessels at the proposed locations will unreasonably or unnecessarily constitute a navigational hazard or otherwise obstruct, impede, or interfere with the navigation of other vessels.

(e) A list of the names or titles of the individuals responsible for the placement and maintenance of the markers along with an address and a contact telephone number for each individual.

(f) If the application is for regulatory markers, the applicant must include proof of the lawful imposition of a regulation or restriction on the speed or operation of vessels for which the regulatory markers are proposed, as follows:

1. For regulatory markers to implement boating-restricted areas established by a municipal or county ordinance:

a. A copy of an ordinance adopted pursuant to Section 327.46(1)(b), F.S., which imposes the restriction for reasons of vessel traffic safety or public safety, or

b. A copy of an ordinance approved by the commission pursuant to Section 327.46(1)(c), F.S., or

c. A copy of an ordinance approved by the commission pursuant to Section 379.2431(2)(p), F.S., such approval shall be coordinated through the commission's Imperiled Species Management Section.

2. For all other regulatory markers, a copy of the statute, special act, rule, regulation, order, or other instrument which imposes the regulation or restriction and a statement of the specific authority under which the restriction is imposed.

Rulemaking Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS. History—New 12-23-01, Amended 10-5-06, 10-6-10, 7-16-24.

68D-23.106 Marker Placement Requirements.

(1) All persons placing or maintaining in place any markers must comply with the following requirements:

(a) Placement of these markers must be exactly as requested in the application. Any deviation will require that the permittee apply to have the permit amended.

(b) The permittee must display the permit number (except as provided below) on each marker and the ordinance number, code section number, statute number, regulation or rule number (etc.) on each regulatory marker. These numbers must be displayed in black, block characters approximately one inch in height.

1. On all regulatory markers, the permit number must be displayed in the lower left corner on the face of each regulatory marker. The ordinance number, code section number, statute number, regulation or rule number (etc.) must be displayed in the lower right corner on the face of each regulatory marker.

2. On all markers other than regulatory markers, the permit number must be displayed in the lower left corner on the face of each marker.

3. Information markers placed by counties, municipalities, or other governmental entities on inland lakes and their associated canals are exempt from permitting under this rule. Such markers, if not permitted, must display in lieu of a permit number, the name of the county, municipality, or other governmental entity that placed the marker.

(c) Upon completion of the installation of markers, the permittee must notify the Boating and Waterways Section in writing within 30 days. If the latitude and longitude of each marker, as installed, is different from that listed in the application, this notification must include the correct latitude and longitude in degrees and decimal minutes as referenced to the WGS-84-datum along with a request for the permit to be amended.

(d) All markers must be maintained in proper condition at all times. A discrepancy exists whenever a marker is not exactly as described in the approved application or is destroyed, damaged, moved, or is otherwise unserviceable or not watching properly. The permittee must immediately report any discrepancy in the marker to the Boating and Waterways Section by telephone, by sending an email to waterway.management@myfwc.com, or by other similarly rapid means of communication. The permittee must correct any discrepancy within 30 calendar days and must notify the Boating and Waterways Section when the correction is accomplished.

(e) A permit for the placement of a marker does not authorize any invasion of private rights, nor grant any exclusive privileges, nor does it obviate the necessity of complying with any other federal, state or local laws or regulations.

(f) All permits issued pursuant to this chapter are contingent upon the consent of and, if necessary, the issuance of appropriate permits by the United States Army Corps of Engineers authorizing the placement of structures for the support of the proposed markers. Consent may be by nationwide permit, regional permit, letter permit, authorization letter, statement of no objection, or other similar means.

(g) All permits issued pursuant to this chapter are contingent upon the consent of and, if necessary, the issuance of appropriate permits by the United States Coast Guard authorizing the establishment of private aids to navigation pursuant to Part 66 of Title 33 of the Code of Federal Regulations.

(h) It is unlawful to place markers, buoys, or signs on submerged lands, or other property or structure not owned by the person or governmental entity placing them without first receiving the written consent of the owner of the submerged lands, other property, or structure to the placement of said markers, buoys, or signs. For markers, buoys, or signs placed pursuant to a permit issued under this rule, the permit is contingent upon the permittee providing a copy of such consent to the Boating and Waterways Section.

(i) By accepting any permit and placing the markers authorized therein, the permittee, to the extent authorized by law, agrees and promises to hold harmless the State of Florida and its agencies, employees, agents, or successors from fault with respect to any claim or claims arising from alleged negligence in the placement, maintenance, operation and removal of any and all markers placed by the permittee pursuant to such permit. The permittee further agrees to indemnify the State of Florida for any and all legal fees and costs incurred in defense of any suit brought against the State as a result of alleged negligence by the permittee in the placement, maintenance, operation or removal of the markers.

(2) Additional requirements for regulatory markers.

(a) All regulatory markers must be supported by a statute, special act, rule, regulation, ordinance, order, or other similar regulatory instrument which imposes the restriction displayed on the marker.

(b) If the regulatory instrument supporting a regulatory marker is amended or if it is repealed, rescinded, revoked, or otherwise becomes a nullity, the permit holder must within 30 days notify the Boating and Waterways Section of the change and must also:

1. In the case of an amendment to the regulatory instrument, file an amended permit application showing the markers that will

be removed, replaced, modified, or added in order to implement the amendment to the regulatory instrument.

2. In the case of the repeal, rescission, revocation, or other nullification of the regulatory instrument, remove from the waters of this state and the shores thereof all regulatory markers implementing that regulatory instrument.

(c) Applicants for permits to place regulatory markers or the governmental entities establishing the rules, ordinances, or other actions imposing the regulations must provide for the enforcement of regulations or operating restrictions noticed by said markers. The issuance of a permit authorizing the placement of regulatory markers does not obligate the Fish and Wildlife Conservation Commission or its officers to enforce the regulations or operating restrictions noticed by said markers.

(3) After obtaining the requested permit, the permittee must install, inspect, maintain, and remove the permitted marker at its own expense and as directed by the Boating and Waterways Section.

(4) Discontinuance and removal. Any permitted waterway marker may be discontinued and removed by the permittee owner after 30 days notice to the Boating and Waterways Section. Upon completion of the removal of the marker, the permittee must notify the Boating and Waterways Section in writing within 30 days.

(5) The division and its officers and all other law enforcement officers charged with the enforcement of Chapter 327, F.S., have the authority to remove or cause the removal of any marker found in violation of the requirements imposed under this section or conditions imposed in the permit authorizing the placement of the marker if the violation is not corrected within 30 days following notification of the permittee of the violation.

Rulemaking Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41, 327.70 FS. History—New 12-23-01, Amended 10-5-06, 10-6-10, 7-16-24.



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TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

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

Re: A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Adopting The Town's Right-Of-Way Manual Revisions In Its Entirety, Replacing The Previously Amended Version 107-2025

Date: 8/21/2025

STAFF RECOMMENDATION

Town staff recommends Town Council approve Resolution No. 107-2025 amending the Town's Right-of- Way Manual in it's entirety.

GENERAL INFORMATION

The Standards Applicable to Rights-of-Way and Easements within the Town of Palm Beach were originally developed over thirty (30) years ago and have since been amended twenty-two (22) times. The Public Works Department identified the need to update and reorganize the Standards to better reflect the past revisions, remove and update obsolete requirements, and make the document more user-friendly.

The majority of the requirements contained in the Standards as well as the overall intent remain the same; this was not a major re-write to introduce new or significantly different requirements than previously existed. The new material in the document generally clarifies previous requirements or serves to better document and describes how the Standards are currently being applied to proposed improvements within the rights-of - way and easements within the Town. A summary of the more significant changes follows below:

- The description of the Right-of-Way permitting process was clarified to capture how the Town is currently administering the process of reviewing and approving applications.

- Much of the content in Chapter 12, Miscellaneous Provisions, was removed and relocated to other sections of the Standards based on applicability. This is intended to enhance useability of the document.
- The definition of the time period generally referred to as “the season” was clarified to be consistent with upcoming changes to the Town’s Code.
- A 5’x5’ sidewalk corner clip was added to the Standards to provide better visibility between driveway and sidewalk crossings.
- Various material specifications and standards were modernized to reflect updates in technology and industry standards.
- The Fee Schedule in the Appendix was removed and replaced with various document references to the Town’s Master Fee Schedule.
- The Forms in the Appendix were removed and replaced with various document references to the Town’s website where current forms can be obtained.
- The Standard Details were updated to reflect modernizations that have occurred since the development of the original standard details. Details were also updated to clarify the intent of the Standards.

Attachment

cc. Patricia Strayer, P.E, Town Engineer
 Jason Debrincat, Deputy Director of Public Works
 Julie Parham, Deputy Town Engineer

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Mobility and Transportation

Strategic Focus Areas:

On-island Mobility

FUNDING

No Funding

RESOLUTION NO. 107-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING THE TOWN'S RIGHT-OF-WAY MANUAL REVISIONS IN ITS ENTIRETY, REPLACING THE PREVIOUSLY AMENDED VERSION

WHEREAS, the Town of Palm Beach, Town Council authorized the creation of the Department of Public Works, Engineering Division Standards Applicable to Public Rights-of-Way and Easements by Ordinance 11-94 on July 12, 1994; and

WHEREAS, the Department of Public Works, Engineering Division Standards Applicable to Public Rights-of-Way and Easements is reviewed from time-to-time and may be modified by Resolution of the Town Council; and

WHEREAS, the Town has determined, that since the adoption of the Right-of-Way manual in May of 1994, there has been twenty-two (22) modifications to the manual by resolution. Therefore, the structure, form and applicable certain engineering standards were found to be inconsistent and out of date; and

WHEREAS, the Town has determined that it is necessary to amend the Town's Right-of-Way Manual in its entirety to adopt standard language, updated engineering specifications, and ensure consistency throughout the Right-of-Way manual; and

WHEREAS, the Town has determined that the start of winter construction season as presently reflected in the Right-of-Way manual should be adjusted to begin November 1, 2025, which is reflected in the revised Right-of-Way Manual

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on September 9, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

**PUBLIC WORKS
DEPARTMENT**



STANDARDS APPLICABLE TO

**RIGHTS-OF-WAY
AND EASEMENTS**

MAY 1994

AS REVISED THROUGH SEPTEMBER 2025

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List of Appendices

Appendix A

- Standard Details

INTRODUCTION

These “Standards Applicable to Rights-of-Way and Easements within the Town of Palm Beach” (“Standards”) have been developed and compiled by the Engineering Division of the Public Works Department of the Town of Palm Beach, Florida. The creation of this manual has been authorized by Ordinance Number 10-94, adopted by the Town Council on July 12, 1994.

These "Standards" were attached to, and made part of, Resolution Number 36-94, adopted by the Town Council of the Town of Palm Beach on November 9, 1994.

These "Standards" became effective November 9, 1994. These "Standards" are meant to amend and supplement those standards previously in effect in the Town's Code of Ordinances. This document will be reviewed and revised from time-to-time by Resolution by the Town Council.

Revised July 9, 1996 by Resolution Number 33-96
Revised May 12, 1998 by Resolution Number 3-98
Revised August 10, 1999 by Resolution Number 17-99
Revised September 17, 1999 by Resolution Number 15-99
Revised October 12, 1999 by Resolution Number 29-99
Revised November 14, 2000 by Resolution Number 55-00
Revised March 12, 2002 by Resolution Number 25-02
Revised June 11, 2002 by Resolution Number 41-02
Revised August 13, 2002 by Resolution Number 58-02
Revised September 9, 2003 by Resolution Number 26-03
Revised April 13, 2004 by Resolution Number 17-04
Revised March 14, 2012 by Resolution Number 10-2012
Revised May 7, 2013 by Resolution Number 76-2013
Revised June 11, 2013 by Resolution Number 95-2013
Revised December 8, 2015 by Resolution Number 195-2015
Revised December 13, 2016 by Resolution Number 212-2016
Revised May 9, 2017 by Resolution Number 060-2017
Revised September 26, 2017 by Resolution Number 131-2017
Revised June 21, 2018 by Resolution Number 144-2016
Revised July 9, 2018 by Resolution Number 083-2018
Revised July 10, 2018 by Resolution Number 101-2018
Revised January 11, 2022 by Resolution No. 001-2022
Revised September 12, 2025 by Resolution No. 107-2025

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CHAPTER 1: TITLE, INTENT, AND APPLICATION

1. Title

- 1.1. These regulations shall be known as the "Standards Applicable to Rights-of-Way and Easements within the Town of Palm Beach," and may be referred to as the "Standards."
- 1.2. The right-of-way within the Town of Palm Beach which these "Standards" apply to are all public rights-of-way within the Town including all Florida Department of Transportation (FDOT) roadways and all roads open for use by the public, including private roads. On FDOT roadways where these "Standards" conflict with FDOT standards, the FDOT standards will prevail. However, if the Town "Standards" contained within have additional requirements that are not in conflict with the FDOT Standards, these requirements shall be met to the greatest extent practical.
- 1.3. Easements shall refer to all dedicated utility easements, whether dedicated by plat or separate recording instrument or prescriptive, or whether said easement is dedicated to one specific entity or all utility companies.

2. Intent

- 2.1. The intent of these "Standards" is to provide for the safe and orderly use and development of the rights-of-way and public or private easements within the Town and to see that the public's best interests are served.
- 2.2. These regulations set forth the minimum standards and have been made as broad as possible to serve as standards of quality to maintain uniformity in the utilization of the rights-of-way and easements. If a specific standard has not been included, the Town will refer to FDOT standards.
- 2.3. Any permit issued prior to the effective date of these "Standards" shall be valid on the terms under which it was issued.

3. Application

- 3.1. With the exceptions noted in Section 3.2, the provisions of these "Standards" do not apply to existing facilities within rights-of-way or easements, but will apply to any extension made after the effective date of these regulations.

However, the Town reserves the right to require replacement of existing infrastructure to current standards when;

- a. The condition of said infrastructure threatens the health, safety, and welfare of the public, or
 - b. Where repeated repairs are causing significant disruption and damage to the Town roadway system.
- 3.2. When the Town initiates an infrastructure or facilities project where roads and/or Town-owned infrastructure is being constructed or reconstructed to Town standards, existing utilities within the right-of-way which conflict with the proposed construction, or are inconsistent with current published or adopted standards, may have to be modified or relocated to meet the new requirements. These changes, if required, will have to be made in accordance with the latest adopted version of these "Standards," or current industry standards, whichever is more stringent. Relocation and/or reconstruction costs shall be at the expense of each respective utility owner.

When a private entity initiates a project that impacts the right-of-way or extension of existing infrastructure, said private entity shall be required to pay for all relocations, adjustments, or extensions of existing utilities in accordance with each utility company policy concerning such matters.

CHAPTER 2: DEFINITIONS OF TERMS

1. Definitions

Whenever the following terms, or pronouns in place of them, appear in these Standards", the intent and meaning shall be construed as follows:

Agreements – Definitions of the various agreements that are required between the Town and the property owner follow below:

Agreement - Stormwater Management Agreement

An agreement signed by the owner acknowledging that the owner is responsible for the proper maintenance and operation of the storm drainage system shall be recorded in the public records of the County prior to issuance of a certificate of occupancy or certificate of completion.

Agreement - Wall Maintenance Stormwater Barrier

An agreement signed by the owner acknowledging that the owner is responsible for satisfying all of the then applicable requirements for the site development and stormwater management system pursuant to Section 86 of the Town's Code. An agreement for the use of a neighbors' wall shall be recorded in the public records of the County prior to issuance of a certificate of occupancy or certificate of completion.

Agreement – Landscape

An agreement signed by the owner acknowledging that the owner is responsible for the proper maintenance of landscape materials installed within and adjacent to major and minor roadways within the Town that shall be recorded in the public records of the County prior to issuance of a certificate of occupancy or certificate of completion.

Agreement - Easement Installation and Removal

An agreement signed by the owner acknowledging that the owner is responsible for the maintenance and potential removal of improvement installed within an easement within the Town that shall be recorded in the public records of the County prior to issuance of a certificate of occupancy or certificate of completion.

Agreement - Installation and Maintenance Agreement

An agreement signed by the owner acknowledging that the owner is responsible for the maintenance of a private improvement installed within the

right-of-way of the Town that shall be recorded in the public records of the County prior to issuance of a certificate of occupancy or certificate of completion.

Best Management Practices (BMPs) - Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce pollution into the Town's storm water collection system and thence to the waters of the United States. BMPs also include practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Council - The Town Council of the Town of Palm Beach, Florida

Contractor - The duly qualified person, firm or corporation responsible for the construction of the permitted work.

Delivery Permit - A permit secured to off-load equipment and materials made by hand only, with no mechanical or equipment assistance for unloading, and must be made by a box truck (or similar) that is 30 feet or less in total length. Deliveries made under a delivery permit shall take less than two hours and will not block traffic on a major road in Town. The fee for a delivery permit shall be as stated in the Town's most current permit fee schedule.

Driveway Agreement - An agreement by a property owner to restore their driveway which lies within a right-of-way or easement, if said driveway is excavated for public utility or other municipal purposes. This agreement is required only for driveways not constructed of plainly finished concrete and asphalt. The agreement is required to be recorded in the Official Records of Palm Beach County.

Easement - Land dedicated, deeded, used, or to be used for utility, access, or roadway purposes, whether public or private.

Engineer - Engineer of Record (or their representative) whose plans and specifications have been approved by the Engineering Division.

Engineering Division - The Engineering Division of the Town of Palm Beach Public Works Department.

FDOT Standards – This term is defined as both the Standard Plans for Road and Bridge Construction, latest edition, and the Standard Specifications for Road and Bridge Construction, latest edition, as published by the Florida Department of Transportation.

Green Book - The "Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways" published by the Florida Department of Transportation under Rule #14-15.002, FAC. Also commonly known as the "Florida Greenbook."

Major Roadways - Major Roadways are defined as: Bradley Place, Coconut Row north of Royal Palm Way, North County Road, North Lake Way south of Mediterranean Road, North Ocean Boulevard, Slope Trail, South County Road, and South Ocean Boulevard.

Permit - A Town of Palm Beach Public Works Department "Right-of-Way" permit to work within rights-of-way and easements. The following are types of Right of Way Permits:

Construction Parking Permit - Required for any construction related parking that is not confined within the job site. Owner's AND contractor's signatures are required acknowledging receipt of Notice of 3-strike Construction Parking and Construction Site Management Rule.

Dewatering Permit - Required to discharge water from a property or facility into the Town drainage system.

Driveway Permit - Required for alteration, addition or removal of any driveway in the Town. If any portion of the driveway within the right-of-way or utility easement is not plain concrete or asphalt, a "DRIVEWAY AGREEMENT" must be executed by the property owner, recorded with the property and submitted to the Engineering Division before a permit will be issued. Decorative driveways are NOT permitted in the right-of-way where a sidewalk or bicycle path exist.

Excavate in Right-of-Way - Required for digging in or under any pavement, sidewalk, median or easement. The Contractor shall notify the Sunshine State One Call of Florida (SSOCF) service at 811, at least two (2) full working days prior to digging for direct bury and ten (10) days prior to digging for initiating construction of underground construction activities, as required by Florida Statutes Chapter 556 throughout the duration of the construction project. The Contractor will be required to obtain and submit notification from the franchise utility being work on. For Sanitary Sewer Connection or work on the Main a separate Sewer ROW Permit shall be required.

Use of or Work in Right-of-Way - Required for operating all trucks (depending on size), cranes, loaders, and similar equipment on right-of-way. Vehicles greater than 30 feet in length may have difficulty navigating roadways in Town and additional MOT's may be needed. Refer to Traffic Study for more detail.

Sewer Right-of-Way Permit - Required to connect or disconnect these services in right-of-way or easement. Inspection required before backfilling/excavation. An Excavate in Right-of-Way Permit shall also be required to dig within the roadway or easement. A Dewatering Permit may also be required.

Public Works Inspector - An authorized representative of the Engineering Division.

Qualified Applicant - Any current Town franchise, telecommunications provider, or utility regulated by the Florida Public Service Commission, or other entity so authorized by the Town.

Any person, firm, or corporation currently registered to work in the Town and certified by the appropriate County or State Licensing Boards or qualified by a currently certified officer of the firm or corporation to perform the class(es) of work in the rights-of-way and/or easements for which a permit is being sought.

Resident Project Representative - An authorized representative of the Engineer.

Right-of-way - Land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress or egress, or other purpose by the public, certain designated individuals, or governing bodies. (Florida Statutes, Chapter 177, Section 177.031 (16)). Easements, whether public or private, for roads, utilities, and related purposes shall be considered as right-of-way in the application of these standards. Private roads that provide utility services and/or access to more than one property shall also be considered as right of way in the application of these standards.

Season - That period of time between November 1st and April 30th when work in the right-of-way and easements is prohibited, unless noted elsewhere or specifically approved by the Town.

Standards - The Standards Applicable to Rights-of-Way and Easements within the Town of Palm Beach.

Sub-Contractor - A person, firm or corporation duly qualified in the Town, having a contract with the contractor.

Three "Strike" Rule – Rules and procedures for managing construction parking on public streets and construction site management in order to protect the public's health and welfare.

Town - Town of Palm Beach, Florida

Traffic Control Manual - The "Manual on Uniform Traffic Control Devices" (MUTCD) as published by the U.S. Department of Transportation, Federal Highway Administration and adopted by the Florida Department of Transportation.

Utility - For purposes of this document, any water, sewer, gas, air, drainage, sprinkler or culvert facility and any electric power, telephone, signal, communication, or cable T.V. facility, or operator thereof, serving the public, shall be considered a Utility.

Utility Inspector - An authorized field representative of any utility serving the area where work is performed.

2. Approvals

Where any term such as "approved," "or equal," "or equivalent," "accepted," or "permitted" appears in this document, it shall be construed to mean "by" or "in the judgment of" the "Engineering Division," unless specifically noted otherwise.

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CHAPTER 3: PERMITS, FEES, AND BONDS

Procedures for Obtaining a Permit

The procedure to secure a permit to perform work within the rights-of-way or easements will vary dependent upon the complexity and scope of the job.

1. General Conditions

- 1.1. Public Works Right-of-Way Permits will be issued to qualified applicants only. Permits will be issued to the contractor, subcontractor, material supplier or equipment rental company. Necessary application forms are available on the Town's website (www.townofpalmbeach.com). Applications are to be completed and submitted online through the Town's permitting portal. Applicants will be notified via email regarding the status of their application. The application, when approved by the Town, shall constitute the Permit to occupy the right of way or begin construction in the right of way, as applicable. A sample of the "Application for Permit for Construction in the Public Right-of-Way" can be found on the Town of Palm Beach website at: <https://townofpalmbeach.com/423/Permits-and-Licenses>.
- 1.2. Each contractor, subcontractor, utility company, telecommunications firm, the City of West Palm Beach, and the Florida Department of Transportation shall be required to provide to the Town 24-hour contact information whenever working within the Town right-of-way. The designated individual or individuals shall be required to respond to the Town within a reasonable period of time to address any matters involving work within the right-of-way located within the Town.

2. Construction Drawings Review

- 2.1. All permit applications should be made online through the Town's permitting portal. When application is made, electronic copies of the applicable plans and specifications should be submitted with the application. The application, along with the plans, will be forwarded to the Engineering Division for review. Permits, when approved, shall be distributed through the permitting portal.
- 2.2. For all new construction, and for major remodeling, the Engineering Division requires:
 - a. A topographical survey of the property just prior to starting work.

- b. A topographical drawing showing proposed or modified structures, landscaping and surface grade elevation contours.
 - c. An "as-built" record topographical survey signed and sealed by a licensed land surveyor is to be submitted upon completion of work to the Engineering Division to obtain Public Works sign-off for certificate of occupancy.
- 2.3. For work involving excavation of more than 250 square feet of pavement, work affecting more than one property, requested connections to the Town storm drainage system, plans which will alter elevations or locations of curbs, sidewalks, driveways, utility poles or other utility structures, plans must be signed and sealed by an engineer registered in the State of Florida or those individuals who qualify for an exemption as defined in Chapter 471, Florida Statutes.
- 2.4. New swimming pool construction requires a record survey showing all utilities, easements and rights-of-way, to be submitted with the permit application.
- 2.5. As soon as circumstances allow, (normally within two weeks), the applicant will be advised, in writing, of the approvability of the drawings and what, if any, comments have been made that need to be addressed. If necessary, each drawing noting all required revisions shall be returned to the applicant with an explanatory email correspondence, or an approved permit will be returned to the applicant through the permitting portal.
- 2.6. When the drawings are approved by ARCOM, Landmarks Preservation Commission, Town Council, as may be applicable, application for a permit to construct may be made. Construction drawing approvals shall be void after six months unless an Engineering Division permit to construct the approved facilities is in effect.
- 2.7. In the event that applicable standards, regulations or laws change subsequent to construction drawing approval, but prior to permit issuance, revised plans must be submitted for approval under the new requirements.
- 2.8. Plan approval is based primarily upon the information contained thereon. Subsequent minor revisions may be indicated upon approved drawings and specifications, but such changes must be signed and dated by the Engineer of Record and representatives of the Engineering Division, prior to the contractor proceeding with the revision.

- 2.9. Engineering Division plan approvals and permits notwithstanding, all installations in public rights-of-way shall be in accordance with requirements of the Green Book, the Traffic Control Manual, and these Standards.

3. Fees and Bonds

- 3.1. No permit will be issued for work in any right-of-way until the required fees have been paid, and all required Performance and Maintenance Bonds have been posted. Construction shall not commence within any right-of-way until the applicant has obtained all necessary approvals and permits from other authorities/agencies who may have jurisdiction and has notified the Engineering Division of the same.
- 3.2. The Construction Permit fee, Occupancy fee, Construction Parking fee, Performance and Maintenance Bond, and any other applicable charges, when required, shall be determined by the Engineering Division. Fee and bond amounts shall be based upon rates and conditions as approved by the Town Council. See the Master Fee Schedule for list of applicable charges.
- 3.3. Permit fees and other applicable fees and charges may be paid in the form of credit card or check. Checks should be payable to the "Town of Palm Beach".
- 3.4. Performance and Maintenance Bonds may be posted in the form of cash, Certified Checks, Letters of Credit or Surety Bonds. Said bonds shall be irrevocable and shall indemnify the Town Council of the Town of Palm Beach against costs of restoring or maintaining the public rights-of-way due to or arising from failure of the permittee to properly complete the work, to pay fully for labor, material or equipment supplied for the project, or for a failure in the rights-of-way related to the permitted installation, for a period of one (1) year after the permitted work is complete and accepted by the Engineering Division. The Bond or Letter of Credit form must be acceptable to the Town Attorney. The amount of the bond shall be no less than 135% of the estimated value of the work to be performed.
- 3.5. No bonds shall be required for driveway connections to paved roadways.
- 3.6. Franchised utility companies, telecommunications providers, and the City of West Palm Beach Utility Department are not required to provide Performance and Maintenance Bonds on projects initiated by themselves.

4. Permit Expiration

- 4.1. Permits are valid for the dates noted on the permit, unless other provisions have been made with the Engineering Division.

- 4.2. If the permittee wishes to begin, continue, or resume work after permit expiration, a new permit must be obtained with all current conditions and regulations having to be met including new plan approval. A new permit fee will be charged for the uncompleted portion only.
- 4.3. Permits will be marked as Final upon completion of the permitted work and acceptance of the installation, including restoration of the right-of-way by the owner, operator, all regulatory agencies involved, and the Engineering Division.

CHAPTER 4: GENERAL PROVISIONS

1. Permits Required

A right-of-way permit is required for all construction, and most maintenance activities, in the public rights-of-way and easements within the Town of Palm Beach. The Right-of-Way Permit Application can be found on the Town of Palm Beach website at: <https://www.townofpalmbeach.com/423/Permits-and-Licenses>. If the proposed work is in a Florida Department of Transportation (FDOT) right-of-way, an FDOT permit must also be obtained in addition to the Town right of way permit before commencing with construction. Additional circumstances and exceptions are described below.

1.1. Lake Trail and other Bicycle/Walking Paths and Trails

- a. A right-of-way permit is required when construction is to take place on or under the Lake Trail. Additionally, if the path is to be used as an access road or will be blocked to perform construction or landscaping on adjacent properties, a right-of-way permit will be required.
- b. The above conditions are also applicable to the bicycle path along North County Road from Wells Road to Country Club Drive, the bicycle trail adjacent to the Flagler Museum, Whitehall Way, and Cocoanut Row, and to the bicycle path along South Ocean Boulevard from Sloan's Curve to the southerly Town limits, including all access walkways.

1.2. Landscaping Maintenance

- a. Minor landscaping operations such as hedge trimming, cutting grass, edging, tree trimming, etc., which does not obstruct traffic, and occurs only on minor roads, will not require a permit. However, working along the edge of a roadway will require the placement of a 2'x2' "WORKERS AHEAD" sign and 36" traffic cones. Landscape trimming that occurs on any major roadways requires a right of way permit.
- b. A right-of-way permit is required for landscape work that occurs on major roadways. Furthermore, major landscaping work, which requires vehicles to block any portion of the roadway on minor roads shall also require a permit. This includes, but is not limited to, cranes, tree cranes, bucket trucks, skid-steer loaders, end loaders, backhoes, forklifts, and equipment hauler/transport for any of these. Metal

tracked equipment is prohibited from operating in the right-of-way without a Public Works permit. This includes loading and unloading of the equipment onto or off of an equipment transport vehicle. Advance warning signs and traffic cones will be required.

1.3. Material Deliveries

- a. Delivery of materials which will not block a major roadway or a moving lane of traffic, and will take less than two (2) hours, requires a “delivery permit.” Such deliveries may be made by hand only, with no mechanical or equipment assistance for unloading, and must be made by a box truck (or similar) that is 30 feet or less in total length. This permit can be obtained through the permitting portal. Associated fees are listed in the Master Fee Schedule.
- b. Material Deliveries shall not be made outside of the Construction Hours described in this Chapter. Deliveries are recommended to occur between the hours of 10:00am to 2:00pm.
- c. For all other circumstances concerning deliveries, including all crane work and construction equipment deliveries, or use of vehicles greater than 30 feet in total length, a right-of-way permit is required.

1.4 Material Storage in Rights-of-Way

- a. In general, the storage of materials within the road right-of-way is prohibited. Temporary placement of palletized materials may be allowed if a right of way permit is secured.

1.5 Pressure Cleaning/Sandblasting

- a. Permits for pressure cleaning and sandblasting must provide for pedestrian safety and adequate protection from debris, chemicals, and sand from entering the storm drainage system. At the end of each day, the right-of-way shall be swept clean and filter fabric removed from each catch basin cover.
- b. The National Pollutant Discharge Elimination System (NPDES) requirements shall be followed. The Town of Palm Beach is a Municipal Separate Storm Sewer Systems (MS4s). No chemicals can be allowed to enter the Town’s Drainage System.

1.6 Surveyors

- a. Surveyors are exempt from the requirement of obtaining right-of-way permits. However, surveying crews are required to place and maintain adequate advance warning signs and cones around equipment in the right-of-way. Where equipment blocks a lane of traffic, adequate signs and cones must be placed for proper traffic control. A flagger may be required. All surveying crew members shall wear orange vests when working in the right-of-way.
- b. A minimum of five-days advance notification needs to be provided to the Public Works Division when surveyor operations are expected to exceed 2 hours in duration and impact major roadways within the Town.

1.7 Tar Kettles

- a. In accordance with Section 42-198 of the Town Code of Ordinances, the use of tar kettles shall be prohibited between November 1st and April 30th, and on all Sundays and legal holidays.
- b. During the times not mentioned above, tar pots shall be located upon private property, if at all possible. If the tar pot must be placed within the road right-of-way, it shall be placed to minimize conflict with pedestrians. A suitable material shall be placed under the tar pot to catch any spills. A right-of-way permit is required.

2. Permits from Other Agencies

Construction shall not commence within any right-of-way until the applicant has obtained all necessary approvals and permits from other authorities/agencies who may have jurisdiction and has notified the Engineering Division of the same. Applicable agencies include, but not limited to, the Florida Department of Transportation, Palm Beach County Public Health Unit, Florida Department of Environmental Protection, Palm Beach County Department of Environmental Resources Management and the Town of Palm Beach Planning, Zoning and Building Department. The applicant shall coordinate with the Town of Palm Beach Public Works Department during the permitting processes with other agencies.

3. No Construction Before Permit

Except for exemptions provided elsewhere in this section, no construction shall be started until a permit for the proposed activity has been granted. Failure to comply will result in cessation of operations and the removal of project-related obstructions

from the right-of-way until compliance is achieved. Penalties for violation of this section shall be as described in the Master Fee Schedule.

4. Pre-Work Meetings

On significant construction projects, at the option of the Engineering Division, the applicant for a right-of-way permit may be required to coordinate a jobsite meeting to discuss a pending construction project. Pre-work meeting minutes shall be taken and distributed to all in attendance by the entity requesting the permit.

5. Emergency Work

Emergency repair work is defined, for the purposes of this manual, as that which must be done immediately upon discovery, in order to protect the public's health, safety, and welfare. The work could include, but not be limited to, excavations, aerial work on pole lines (until Town Wide Undergrounding has been completed) or work in an existing manhole system. In the event of an emergency, as defined above, repair work may be started without a permit upon verbal notification being given to the Engineering Division at (561) 838-5440. If the Engineering Division offices are closed, then notification must be given to the Public Works Department Water Resources Division ON-CALL through (561) 838-5454. Requests for emergency locates after normal business hours shall be made at (561) 838-5454. Written notification describing the emergency work conducted shall be prepared and submitted to the Engineering Division within two (2) business days of the beginning of the emergency. No subsequent written notice need be given for emergency work that did not involve excavation. If the repair work did require excavation, an Excavate in Right of Way Permit application will need to be filed with the Town of Palm Beach after the work is completed. This includes valve box replacements. All work shall comply with these "Standards."

Work that can be scheduled ahead of time will not be considered emergency work.

6. Franchised Utilities

6.1. All franchised utility companies, including West Palm Beach Utilities Department, Florida Power and Light, Florida Public Utilities, and telecommunications providers shall obtain a right-of-way permit for all construction activities which require excavating a road right-of-way or easement. Routine maintenance, service connections, or excavations in easements that are minor in scope, do not impact the flow of traffic, and are backfilled within two (2) business days do not require a permit. For purposes of this section, routine maintenance is defined as activity within an easement which involves work totally confined within the easement, involving replacement only (and not new or additional construction) and, which work

does not require use of the right-of-way or blockage of the right-of-way by utility vehicles. All excavations within two feet (2') of a roadway surface will require a permit. No fee will be charged for permits, however, all applicable penalties will apply for violation of these "Standards". When a franchised utility or telecommunications provider hires a contractor to perform any work on their behalf, the contractor must obtain the right-of-way permit.

- 6.2. Construction plans, signed and sealed by a Florida Registered Professional Engineer, with all other existing utility facilities indicated, will be required for work that requires excavations, placement of new facilities, or relocation of existing facilities. Please be aware that facilities relocated within easements which are initiated at the request of a property owner, as opposed to a utility initiated request, may require sign-offs from adjacent owners. In case of excavation, the drawings shall show other existing utilities.
- 6.3. Detailed maintenance of traffic plans, specific for each job location, will be required. The use of a flagman or off-duty police officers will be required if two-way traffic cannot be maintained or conditions warrant in the opinion of the Engineering Division.
- 6.4. All applicable industry standards must be met. All Town infrastructure, including but not limited to, curbs, driveways, sidewalks, asphalt pavement, base and landscaping, shall be warranted for one (1) year after completion of work.

7. General Requirements

7.1. Availability of Approved Plans and Permit

A Public Works Department permit must be available at the site when work is in progress. A set of plans for the project, bearing the Public Works Department's reviewed stamp must be located on the job-site whenever work is in progress.

7.2. Ownership of Facilities

All facilities within the public right-of-way must be owned and maintained by a public service utility, telecommunications provider, franchised utility, or by a political entity competent to function within the State of Florida, and shall remain the liability of the last operating entity until removed. The only exceptions shall be sanitary sewer laterals (including private force mains), which are privately owned to the sewer main, including the connection fitting on the main. Other exceptions must obtain approval of the Engineering

Division and enter into an Installation and Maintenance Agreement with the Town.

7.3. Protection of Existing Facilities

It shall be the responsibility of all persons utilizing the right-of-way and easements to protect existing Town infrastructure from damage. When damage occurs, full replacement is required. No patching, grinding or skim coats will be allowed on concrete. Asphalt surfaces shall be cut out and patched or overlaid at the option of the Engineering Division.

7.4. Scaffolding

- a. On jobs which require the erection of scaffolding over the sidewalk, a pedestrian walkway must be maintained under said scaffolding. The minimum dimensions of this walkway shall be four feet (4') wide and eight feet (8') high, clear dimensions. Adequate lighting must be installed. Provisions must be made to prevent debris from falling onto the sidewalk or roadway.
- b. The Town's Planning, Zoning & Building Department must approve the structural adequacy of the scaffolding and the electrical lighting plan. Signed and Sealed scaffolding plans shall be required. Scaffolding shall NOT be fastened on or into the sidewalk material. Down systems to the LEGS of the scaffolding for stability are recommended. Engineer of Record needs to review scaffolding installation prior to use.

7.5. Excavation in the Right-of-way or Easements

Before excavating in any right-of-way or easement (including pavement, sidewalks, medians, or curbs) the permittee must cause to be located any and all underground utilities in the vicinity of the proposed excavation. A Public Works Permit is required before the work is started, except for emergency work, which can be filed after the emergency work is performed. To obtain locations for all utilities underground that may include electric, telephone, gas, water, cable TV or Town of Palm Beach utilities that include sanitary sewer, storm sewer, street lighting, and traffic control call SUNSHINE STATE ONE CALL at SUNSHINE 811 from Monday thru Friday between the hours of 6:00 a.m. and 5:00 p.m. A minimum of forty-eight (48) hours notice is required for any field locate. Requests for emergency locates after normal business hours shall be made at (561) 838-5454.

7.6. Exfiltration Trenches

The use of exfiltration trenches (french drains) for stormwater retention and swimming pool drains are encouraged. The seasonal high water table elevation to be used for design calculations shall be 1.5' NAVD, as determined by the South Florida Water Management District.

7.7. Underground Facilities

- a. All underground and in-ground facilities in the right-of-way or easements reasonably expected to be subject to vehicular traffic shall be designed and installed so as to safely sustain any legal vehicular loads that might be placed upon them.
- b. Prior to placing any underground facility in the public right-of-way, unless otherwise approved by the Engineering Division, the permittee shall remove all muck and other deleterious material existing within the zone extending from the ground level to the horizontal plane three feet (3') below the facility's intended location and from the vertical plane two feet (2') beyond one side of the facility's intended location to the vertical plane two feet (2') beyond the opposite side of facility's intended location. Backfill shall be with 3/4 inch washed rock up to the bottom of the new facility. If so, doing this would endanger an existing facility, contractor shall de-muck only that area which can be done without such endangerment. In these situations, the Engineer can submit an alternate recommendation for muck/deleterious material removal and backfilling to the Engineering Division for review.
- c. In areas to be paved, underground utility lines not yet in service shall be tested by the maintaining agency after the roadway base has been constructed before the wearing course(s) have been placed, to determine serviceability. All damaged or defective portions of such facilities shall be replaced or repaired and re-tested, and the roadway base restored by said maintaining entity. At that point, the facility shall again be tested for serviceability. This procedure shall be repeated until the facility is determined to be serviceable, after which the wearing course(s) may be placed.
- d. Utilities located underground shall, to the extent reasonably possible and practical, be maintained as underground lines.

7.8. Utility Facilities Additions and Adjustments

- a. The location or relocation of utility facilities within the Town of Palm Beach shall be made under the supervision and with the approval of the Town of Palm Beach Director of Public Works or their designee. Utilities shall be located or relocated so as to interfere as minimally as possible with traffic over streets, alleys, sidewalks, bridges, and public areas within the Town. The Town reserves the right to require aesthetic improvements and/or landscape screening.
- b. In the event a property owner within the Town requests the relocation of existing above ground utility facilities, that owner shall obtain a written consent from adjacent property owners, as directed by a representative of the Town's Public Works Department. "Adjacent property owners" may include properties across a street.

7.9. Utility Structure Sight Screening

All above ground utility structures shall be sight screened with appropriate landscaped material as directed by Town Staff.

7.10. Driving Pipe Under Existing Pavements (Trenchless Methods)

- a. Each underground utility crossing of paved roads shall be made by trenchless methods, where feasible, unless an alternate method is approved by the Engineering Division. Proposed open cuts shall be shown on the drawings submitted for approval.
- b. When a pipe is driven through the earth under pavement, jetting, or the use of air or water forced into direct contact with the earth shall be prohibited. Pipe driving shall leave no voids in the underlying earth. This requirement does not prohibit the use of air hammers for driving.
- c. Plans for trenchless operations shall include both plan and profile. All existing and proposed facilities shall be shown. A description and/or sketches of the equipment staging/operating areas required for the installation shall be submitted with the permit application.
- d. Extraction of Pipe from Bore: The extraction of pipe or conduit from beneath any roadway, generally, is prohibited. If circumstances exist that the pipe must be removed, the roadway must be excavated and restored. Alternate methods of bore hole stabilization shall be submitted to the Engineering Division for review. Prior approval must

be received from the Engineering Division for any pipe/conduit extractions.

7.11. Notice Required

If required by the permit conditions, one business day's minimum notice must be given to the Engineering Division prior to the start of construction. Two (2) business days' notice is required when scheduling any required tests and/or inspections.

7.12. Inspections, Tests, and Certifications

When indicated by the permit, inspections, and tests necessary to ensure construction in conformity with the plans and specifications as approved by the Public Works Department, shall be made by or under the direct supervision of an engineer registered in the State of Florida, or by those individuals who qualify to perform such services under Chapter 471 of the Florida Statutes. The Registered Engineer or individual authorized under Chapter 471 of the Florida Statutes shall carefully observe and inspect all portions of the permitted installation sufficiently to determine that the contractor has substantially complied with all approved plans and specifications related thereto, and shall so certify at the completion of the work.

7.13. Supervision of Construction

- a. The permittee shall keep sufficient competent supervision on the site while work is in progress to ensure that the work is being performed properly, in accordance with permit conditions, and in a safe and orderly manner.
- b. The Town may require, on significant utility projects, that the utility hire and pay for a third-party project inspector who would report to the Town to oversee the work for compliance with the plans, specifications, and applicable Town regulations (Reference Resolution No. 10-2012)

7.14. Performance of Tests

No labor, material, or equipment required for testing of facilities, shall be furnished by the Engineering Division. The contractor shall perform the test(s) in the presence of the Engineer and an Engineering Division representative. If the Engineering Division fails to witness a properly scheduled test, the certification of the Engineer of Record can be submitted for review and acceptance.

7.15. Reports

Any reports relating to construction progress, tests, or other matters which may be required by the Engineering Division, the FDOT, City of West Palm Beach, the Palm Beach County Public Health Unit, or the Engineer of Record shall be sent to the Engineering Division without charge. All final tests and inspections shall be witnessed by a representative of the Engineering Division, unless the Engineering Division fails to attend such properly scheduled event, in which case the certification of the Engineer of Record can be submitted for review and acceptance.

7.16. Interruption and Restoration of Services

Adequate provision shall be made for the safe, continuous operation of any utilities, drainage facilities or sanitary sewer facilities encountered during construction. If an interruption of service is required, notification and approval must be received from the affected agency and the Engineering Division. If a facility is damaged during construction, the affected utility shall be notified immediately, and all such services and structures shall be satisfactorily restored to the owner's specifications upon completion of the work.

7.17. Erosion Into Roadways and Drainage Systems

- a. During construction and demolition activities, suitable methods must be employed to prevent wind and water carried dirt and debris from being deposited onto the roadway or into the storm drainage system. At the time of building/right-of-way/demolition permit application, the contractor shall submit an Erosion Control Plan for review and approval by the Public Works Department. In accordance with the National Pollutant Discharge Elimination System (NPDES) Program administered by the Florida Department of Environmental Protection (DEP) for the United States Environmental Protection Agency, Best Management Practices (BMPs) shall be employed on every construction project to prevent wind and/or water carried sediment from entering the Town's municipal storm drainage system. Upon the approval of the Engineering Division, the downstream catch basin(s) shall be covered with filter fabric and in the case of open throated catch basins, approved inlet protection shall be placed to block the openings. During light rainfall events, the contractor will be responsible to restrict all debris from the storm system. This includes material caught on the filter fabric or debris clogging the catch basin. The filter fabric shall be removed from all catch basins prior to a heavy rainfall event and replaced after the rainfall event.

- b. For excavations off the roadways, whether on public or privately-owned land, BMPs shall be employed to prevent sediment from reaching the Town roadway system. Typical methods employed include grassed berms, staked turbidity screens and/or excavated areas filled with 3/4 inch stone. The selected BMP shall be described with the permit application.
- c. Contractor shall immediately clean up the right-of-way of any dirt or debris which has migrated from a construction site. It shall be the responsibility of the offending party to clean any storm or sanitary sewer system of dirt and debris which has migrated from a construction site. An Illicit Discharge from the site Violation may be issued for each occurrence.

7.18. Disposal of Water from Excavation

- a. Permit applications for dewatering must state the purpose of the dewatering request; (i.e. construction of a new swimming pool, swimming pool repair/resurfacing, excavation for subgrade construction, underground utility repair, etc.). No water may be discharged directly onto the street. All water must be discharged through a closed conduit and/or flexible hose to a discharge point designated by the Public Works Department. Pumping systems must be flushed on-site to produce only clear water before being connected to the discharge system leading to the Town storm water system. Water used to flush the system must be retained on-site. A Public Works inspector must be on the job site to observe start-up of dewatering discharge to the Town storm water system.
- b. Adequate provision shall be made for the satisfactory disposal of water resulting from de-watering or pumping operations or from encounter with water in any manner. All pumps utilized for dewatering shall meet the applicable Town Noise Ordinance standards. Generally, gasoline and diesel driven pumps are not to be used outside the normal construction working hours. The method of handling or disposing of such water shall be to pipe the groundwater directly into a catch basin. The discharge line should follow the gutter line to the catch basin. If the discharge line crosses a driveway, a flexible hose section must be installed at said driveway that a passenger vehicle can reasonably traverse. The pipe must be securely attached to the catch basin and the flow directed so as to not cause flooding of the pavement around the inlet.

- c. When a discharge line crosses a public sidewalk that has a parkway, the discharge line shall be placed under the sidewalk. When a discharge line crosses a sidewalk/curb combination, an Americans with Disabilities Act (ADA) compliant pedestrian ramp must be constructed over the discharge pipe.
- d. Minor discharges and/or those dewatering operations lasting four (4) hours or less may be relieved of direct piping to an inlet.
- e. Water discharging to the Town storm drainage system or directly into the intracoastal waterway must meet all applicable Federal, State and local water quality standards. The contractor shall be responsible to clean any Town structures or pipes into which dirt and debris washes as a result of the discharge activities. Fines levied by any regulatory agency, due to a contractor's permitted or unpermitted activity, shall be paid by said contractor whose operation caused the violation.
- f. In compliance with South Florida Water Management District (SFWMD) regulations, during a water shortage alert issued by the South Florida Water Management District, a certified test of groundwater to establish chloride content is required prior to discharging of groundwater into a Town storm sewer system during dewatering operations. Water chloride levels of 250 mg/l or less cannot be discharged to tidal waters without specific approval from the SFWMD.

7.19. Maintenance of Traffic / Temporary Traffic Control (TTC)

- a. When a plan is required for maintenance of traffic, the contractor shall adhere to such plan as approved, in strict accordance with the provisions of the FDOT Standards and the Manual of Uniform Traffic Control Devices, throughout the construction period. Temporary measures must be taken, if necessary, to provide a minimum of one lane of traffic in each direction on each affected road at all times, unless specific permission is obtained from the Engineering Division to deviate from this requirement. Contractor must also provide for pedestrian and vehicular access to each home and place of business or assembly abutting the affected right-of-way.
- b. The right-of-way must be maintained by the contractor in safe and drivable condition until the permitted work is complete and the right-of-way is restored and accepted for maintenance by the Engineering Division.

- c. The provisions of this section shall be in effect under all weather conditions, twenty-four (24) hours per day, every day, from the commencement of work until final acceptance by the Engineering Division, except in time of emergency, when the provisions of Section 5 of this chapter shall apply.
- d. Detailed maintenance of traffic plans, specific for each job location, will be required. Maintenance of Traffic plans must be certified by someone with an Advanced Maintenance of Traffic certification for impacts to major roads. Said plan must be approved by the Engineering Division prior to the issuance of a permit.
- e. The use of a flagman or off-duty police officers will be required if two-way traffic cannot be maintained, if a moving lane of traffic must be blocked, or if conditions warrant in the opinion of the Engineering Division.
- f. Detours/Lane Closures: Work at certain locations on major arteries within the Town will require the use of off-duty police officers to assist with traffic control. The owner/contractor shall be responsible for paying for off-duty police assistance. Please contact the Palm Beach Police Department at 838-5454 to obtain rates of pay per hour, minimum time required and to schedule police assistance.

7.20. Dust

Provisions must be made to control dust. If blowing dust becomes a problem, as determined by the Engineering Division, the job must be shut down until the problem is corrected. This includes clean up of public and private property impacted by the blown dust.

7.21. Job-Site Safety

All permitted work in the right-of-way must be done in strict accordance with the provisions of the Occupational Safety and Health Administration (OSHA) Regulations, and all other applicable codes. The Contractor shall be solely responsible for job-site safety.

7.22. Demolition

- a. The Planning, Zoning & Building Department issues permits for demolition. A copy of the Demolition Checklist can be found on the Town of Palm Beach website at: <https://www.townofpalmbeach.com/423/Permits-and-Licenses>. Prior

to obtaining a demolition permit, a plot plan of the property and a written description of the work is required to be reviewed by the Engineering Division. The plan will indicate what measures will be taken to protect the pavements, curbs, medians, and sidewalks in the right-of-way adjacent to the property; and the measures that will be taken for erosion control to prevent migration of debris, dirt, dust, and water from the property to the right-of-way and storm drainage system. See also Sewer Cap-off in Chapter 7 for further details.

- b. Any damage to the roadway, sidewalk, or rights-of-way shall be immediately repaired. A Right-of-Way Excavate permit will be required to make the repairs. Failure to make repairs in a timely fashion can result in fines per day until repairs are made. Fines shall be in accordance with the Master Fee Schedule.

7.23. Removal of Pavement, Drives, Sidewalks, Curbs and Gutters

- a. Edges of permanent type pavement shall be pre-cut straight, clean, and square beyond any damaged base area, including well point locations. When the removal of sidewalks, curbs or gutters is necessary for construction, they shall be removed in full sections (entire flags) or a minimum of five (5) feet in length, and all broken edges cut smooth by use of a suitable power saw or other appropriate means.
- b. All applicable industry standards must be met for new or restored Town infrastructure. All Town infrastructure, including but not limited to, curbs, driveways, sidewalks, asphalt pavement, base and landscaping, shall be warranted for one (1) year after completion of work.

7.24. Disposition of Excavated Materials

Broken pavement and other debris shall be removed from the site as soon as practical, unless otherwise directed by the Engineering Division. Excavated materials shall not be stockpiled in the right-of-way during construction without specific approval of the Engineering Division. All excess materials shall be removed from the work site and disposed of legally by the permittee at his own expense.

7.25. Bracing and Shoring

Sheeting, bracing, etc., shall be used as required to support the sides of the excavation and to prevent any movements which can in any way alter the grade of or injure the facility being installed, diminish the width of excavation or otherwise injure or delay the work or endanger personnel, adjacent pavements or other structures. Safety procedures shall be followed, and adequate protection shall be furnished to all personnel as required by OSHA. All sheeting or bracing which is not left in place shall be removed in a manner that will not endanger the work, personnel or adjacent structures.

7.26. Traffic and Utility Controls

- a. Excavation for pipe, structures or cable laying operations shall be conducted in a manner that will cause the least interruption to traffic. To the extent possible, fire hydrants, valve boxes, traffic control boxes and traffic signing shall be left unobstructed and accessible during the construction period. When such obstruction is unavoidable, it must be held to the minimum, and the contractor shall give sufficient notice to the affected parties to allow other provisions to be made.
- b. Contractor shall provide notice to the Town of anticipated obstructions and shall not continue work which causes obstructions until instructed otherwise by the Town.

7.27. Backfilling and Compaction

- a. Embankments

Backfill material shall be placed in layers not to exceed six (6) inches in thickness, with each layer carefully compacted to 98% of the maximum density, per AASHTO T-180 and tested, before placing succeeding layers. Swale areas need only be compacted to 95% of maximum density, per AASHTO T-180. Density tests shall be taken at intervals and depths as approved by the Engineering Division. Copies of required testing results shall be forwarded to the Engineering Division.

- b. Pits and Trenches

- i. After a structure, cable, conduit or pipe is acceptably installed, tested and approved, backfilling shall be done with approved material.

- ii. In dry trenches, backfill material shall be placed evenly and carefully around and over the pipe in six-inch maximum layers, each layer being thoroughly compacted, until reaching the top of the pipe. From the top of the pipe to one foot of cover above the top of the pipe, place and compact backfill per the Stage 2 requirements shown on the trench details in these Standards. The remaining trench portion up to the pavement base shall be back-filled in layers not exceeding six (6) inches with each layer being compacted to 98% of the maximum density, per AASHTO T-180 and tested at intervals of 100 feet maximum before placing succeeding layers.
- iii. Swale areas shall be compacted to 95% of maximum dry density, per AASHTO T-180, and testing shall be at the Public Works Inspector's discretion. All materials shall be able to pass through a two-inch ring.
- iv. Laboratory testing for the optimum moisture and maximum soil density shall conform to the specifications of AASHTO T-180 (Modified Proctor). Restoration of the roadway shall be in accordance with the standard details.
- v. At the contractor's option, with the approval of the Engineer of Record, and with the Public Works Inspector's approval, after the compacted backfill has reached the center line of the newly installed pipe or conduit, the remaining trench backfill may be placed to one foot above the ground water level without interim compaction, provided that the water is allowed to rise in the trench to its natural level and then be pumped down to the pipe invert, at least twice. The balance of the trench backfill must then be placed and compacted as described for dry trenches.

c. Narrow Trenches

Narrow trenches, not greater than twelve inches (12") in width, may be backfilled with excavatable flowable fill, 200 psi max., to a point coincident with the bottom of the existing roadway base layer. The remainder of the trench shall be filled to a point two inches (2") below the finished roadway surface with a non-excavatable flowable concrete mixture as defined in the FDOT Standards, placed wet and allowed to set overnight. The top two inches (2") of the trench may be filled with sand when the non-excavatable flowable fill is wet. The sand shall be removed on the following day and the permanent asphalt

patch placed and rolled in, unless other provisions are made with the Engineering Division.

7.28. Detection Aids

After non-metallic utilities have been installed, but before backfill has progressed beyond the top of these facilities, approved electro-magnetic location devices or metallic tape shall be placed in the locations specified hereinafter. A metallic cable or pull-wire installed with the conduit at time of construction or as otherwise approved shall satisfy this requirement.

7.29. Restoration of Right-of-way

- a. The entire work area utilized for the performance of any permitted work shall be restored by the permittee to the condition equal to or better than that which existed before work began. Non-excavatable flowable fill roadway base is recommended on small patches. It is required on narrow trenches less than twelve (12) inches in width.
- b. Each roadway patch shall have the roadway milled and surfaced for a distance of 50 feet on each side of a cut for at least the full width of the affected lane, or a minimum of 10 feet wide, or as directed by the Engineering Division. Should this area exceed 50% of any block, then the entire block shall be milled and resurfaced. Where multiple blocks are involved, the milling and resurfacing shall be continuous through the intersections between the blocks. Where the distance between milled areas is 50 feet or less, that area must also be milled and resurfaced.
- c. Where cuts are made in front of an individual property for services to said property, the milling and resurfacing shall be limited to the area directly in front of the property. A minimum milling and resurfacing of 100 feet must be made, unless the property is less than 100 feet in which case the entire property frontage and portions of the neighboring properties is to be milled and resurfaced. Paving operations shall not terminate within an existing driveway opening. This requirement pertains to all entities that excavate the Town's roadways.
- d. Exceptions to these requirements may be granted by the Director of Public Works when a scheduled Town project will be excavating the roadway in the affected area within one (1) year. The Town will require a bond equal to the cost of the milling and resurfacing plus 35%. If the Town does not complete a project within the area, the Town will require the property owner to perform the required work and the bond will be

released. If the work is not performed by the property owner, the Town will utilize the bond to complete the required milling and resurfacing.

- e. In circumstances where the Town does complete a project within the area, the property owner shall be responsible for the actual cost of the milling and resurfacing of the area covered by their bond. The rates shall be based on the bid price of the contract as approved by the Town Council. The Town will release the remainder of the bond to the property owner at the time of project acceptance.
- f. An annual report of planned infrastructure improvements shall be submitted to the Town by all entities operating and maintaining infrastructure within the Town. The report shall cover a five (5) year period. The Town reserves the right to amend the schedule of planned infrastructure improvements as may be required.
- g. Annually, the Town shall notify entities operating and maintaining infrastructure within the Town of the Town's planned improvements and roadway resurfacing plans.
- h. Paved sections shall conform in type, shape, elevation, and texture with adjacent paved areas and shall be of at least equal quality. Design mixes for flexible pavements shall be subject to approval by the Engineering Division. All damaged or undermined areas of existing pavement, not previously removed, shall be removed and restored in the specified manner. Where pavement is removed for installation, maintenance, or removal of any underground facility, restoration shall be in accordance with the standard details. Equipment shall not travel over loose rock fragments or other hard material lying on sections of pavement which are not to be removed.
- i. Swale areas, medians, sidewalks, driveways, etc., shall be restored in kind to a condition equal to or better than that which was disturbed.
- j. All benchmarks and Permanent Reference survey markers disturbed during the course of construction shall be replaced at an equal or better level of precision, at the permittee's expense, by a Professional Land Surveyor registered in the State of Florida.
- k. All pavement striping impacted by the work shall be restored as described in Chapter 6 of these Standards.

7.30. Completion of Work

Until the right-of-way is fully restored to its original, or better condition following construction/excavation activities, there will be a per day charge as described in the Master Fee Schedule for each day past the permit expiration date until restoration is complete. This condition includes restoration of sidewalks, medians, landscaping, and roads. This also includes all benchmarks and Permanent Reference Survey Markers disturbed during the course of construction, as described in this Chapter

7.31. Temporary Pavement Patches

Excavated roadways shall be patched with asphalt for vehicular traffic at the end of each work day, unless otherwise approved by the Engineering Division.

7.32. Construction Dumpsters

- a. Placement of construction dumpsters within the road right-of-way is prohibited. This prohibition includes the temporary placement during pick-up and delivery of dumpsters. The fine for violation shall be as described in the Master Fee Schedule. Damage to any Town infrastructure (i.e., curbs, sidewalks, roadways, landscaping, drainage facilities, etc.), shall be repaired by the contractor who secured the dumpster service.
- b. A right-of-way permit is not required for delivery or pick-up of dumpsters. However, if the truck must block or hinder traffic during pick-up and delivery, a flagman with a DOT approved vest and flag is required for traffic control.

7.33. Obstructions

No obstructions that will impede traffic or create a hazard to the public are allowed in public or private right-of-way. Placement of concrete pyramids, concrete buttons, speed bumps, posts, stones, or boulders within the Town's rights-of-way is prohibited.

7.34. Record Drawings

Upon completion of construction and prior to final inspection or commencement of any bonded maintenance period, the Engineer of Record shall furnish to the Engineering Division "Record" drawings certified in conformity with all applicable Standards. Record Drawings are to be

submitted through the Town's permitting portal. Specific requirements for various types of installations are detailed in these Standards.

7.35. Abandoned Facilities

All exposed facilities and such underground facilities as may be designated by the Engineering Division that are abandoned within the public right-of-way, shall be removed by the owner of the facility unless other provision is approved by the Engineering Division. Any abandoned facility allowed to remain in the right-of-way shall continue to be the responsibility of the owner or operator by whom it was last used. Such owner or operator shall be liable for all costs arising from the presence of the abandoned facility in the rights-of-way. Conduits/Pipes that are 3" or larger in diameter shall be grout filled if not removed.

7.36. Construction Hours

- a. The days and hours of construction are as follows:

The permitted days and hours of construction are described in the Town of Palm Beach Code of Ordinances, Section 42-199. Please note that no equipment shall be started or deliveries made outside the work hours described in this ordinance.

- b. Seasonal Restrictions applicable to construction in the Right of Way:

Construction and construction related activities in the right of way in all zoning districts is generally not permitted during the months of November, December, January, February, March, and April of each year.

Work is prohibited in the road rights-of-way during the above-described time periods unless the operation is considered emergency work as described in this Chapter.

8. Major Construction Projects

- 8.1. Florida Department of Transportation, City of West Palm Beach Utilities Department, franchised utility providers, telecommunication providers and other authorized utility providers are required to follow the Town's construction project communication process as stated below for all major construction projects. Projects or a group of projects affecting the Town rights-of-way or easements will be designated "major" by the Town Manager.

- 8.2. Florida Department of Transportation, City of West Palm Beach Utilities Department, franchised utility providers, telecommunication providers and other authorized utility providers shall provide notice for every major construction project in rights-of-way and easements to all property owners of record adjacent to the project area by first class mail not less than thirty (30) days prior to the commencement of work. Notification should include information on the nature of the work and contact information of the contractor and associated subcontractors.
- 8.3. Florida Department of Transportation, City of West Palm Beach Utilities Department, franchised utility providers, telecommunications providers, other authorized utility providers, and permit holders of designated major construction projects are required to submit a status report to the Director of Public Works once a month. The status report shall include progress made during the previous month on the major construction project and anticipated progress for the next month. Status reports may be mailed, hand delivered, faxed, or sent electronically, but must be received by the Director of Public Works by the first of each and every month for the duration of the project.
- 8.4. Each contractor, subcontractor, utility company, telecommunications firm, the City of West Palm Beach, and the Florida Department of Transportation shall be required to provide to the Town twenty-four (24) hour contact information whenever working within the Town rights-of-way. The designated individual or individuals shall be required to respond to the Town within a reasonable period of time to address any matters involving work within the rights-of-way located within the Town.

9. Renovations to Property

- 9.1. When fifty percent (50%) or more of a property area is being redeveloped, or 50% of the roadway frontage is affected by the improvements, such as a driveway relocation, the sidewalk, driveway, and curbs must be inspected by the Public Works Department for deficiencies. The property owner will be responsible to correct any deficiencies noted by removing and replacing to bring the affected sidewalks, driveway, and/or curbs up to current Town standards.
- 9.2. When the cost of any reconstruction, rehabilitation, addition, or other improvement of a structure exceeds fifty percent (50%) or more of the market value of the structure, it is the responsibility of the owner to verify the pipe size and condition of the sewer lateral to determine if upgrades are required to support the new improvements. Additionally, the Water Resources Division will inspect all laterals serving the property that exist in the right-of-way or

easement. If any laterals are found to be deficient after inspection, the owner will be responsible to replace the deficient laterals at their sole expense.

10. Use of Rights-of-Way as Work Area

It is not permitted to utilize the rights-of-way for fabrication of any materials for use on a construction project being undertaken on private property. All such work activities shall take place on private property.

11. Review or Revision of Town Standards

11.1. Any request for review or revision of these "Standards" shall be made to the Director of Public Works in writing, stating the item to be considered and setting forth the objections and suggestions for revision. The Director shall respond in writing as soon as possible thereafter, but in any event, within 60 days after receipt of such request.

11.2. Appeal to Town Council

If any individual or entity requests a review of these standards as provided in the Section above and disagrees with the decision of the Director of Public Works, said individual or entity may appeal to the Town of Palm Beach, Town Council.

12. Regulations Pertaining to Telecommunications Providers

12.1. Special Provisions

This section contains special provisions pertaining to Telecommunications Providers. Certain construction activities will be permitted when new service (the establishment of service to a newly constructed building) is required to be established during time periods in which construction in the right of way is prohibited, as described in Section 5, within the guidelines outlined in this Section. These special provisions do not relieve a Telecommunications Provider from complying with all other Standards, Town Ordinances, Resolutions and policies.

- a. A single lane of traffic may be blocked to work in manholes. Telecommunications Providers must give seven (7) days notice to Town and residents on the street.
- b. Excavation may occur on residential east-west streets and easements between Royal Palm Way and Royal Poinciana Way, east-west streets and easements north of Sunrise Avenue, and east-west streets and

easements south of Worth Avenue after providing seven (7) days notice to residents on the street.

- c. Excavations may be approved in rights-of-way of major streets which will not block vehicular traffic or pedestrian traffic for the purpose of providing additional services and for maintenance of lines that have problems.
- d. Telecommunications Provider will discuss need with staff and can proceed if staff agrees. Otherwise, Telecommunications Provider will seek Town Council permission at next regularly scheduled meeting.
- e. Work by Telecommunications Providers, other than emergencies, will not be permitted during the following periods:
 - i. Thanksgiving weekend
 - ii. December 15th through January 2nd
 - iii. President's Day Weekend
 - iv. Three (3) days before and after the beginning of Passover
 - v. The week before Easter Sunday
- f. Refer to Town of Palm Beach Code of Ordinances, Section 116, Telecommunications and Section 42-199, Hours for Construction Work, for more detailed requirements.

13. Hurricane Preparedness

Upon issuance of a hurricane watch by the National Weather Service, all projects underway within the road rights-of-way and easements shall be immediately secured. All excavations shall be backfilled, all filter fabric/inlet barriers shall be removed, and all paved/concreted areas that are disturbed shall be temporary paved. All construction materials, equipment, barricades, and signage shall be secured on-site or removed off-site. Once the jobsite is secured, call the Town Public Works Department at 838-5440 to report your jobsite safe and secure. All construction vehicles, equipment, and trailers must be removed from the roadways.

14. Fines

- a. Failure to comply with the Engineering Division Standards will result in fines as described in the Master Fee Schedule, until the deficiency is corrected.

- b. All fines must be paid within ten (10) business days of formal written notice by the Town. Failure to promptly pay fines may result in the Town refusing to issue building/right-of-way permits on future applications.

CHAPTER 5: PAVING AND DRAINAGE - GENERAL REQUIREMENTS

1. Permits

1.1. Permits for construction, modification or maintenance of roadways, sidewalks, drainage or related facilities shall be granted only after the following requirements have been met:

- a. Paving and drainage plans must have been reviewed and be deemed approvable prior to submittal of application for permit. Review and approval of concept Paving and Drainage plans during the ARCOM and/or Landmarks Preservation Commission approval process does not constitute a right of way and/or easement permit approval. A right of way and/or easement permit application must be submitted subsequent to the ARCOM and/or Landmarks Preservation Commission approval, as applicable.
- b. The provisions of Chapter 3 of this document.

2. Permit Fees and Bonds

Permit fees and bonds will be charged in accordance with the provisions contained in these Standards. See Chapter 3, Permits, Fees and Bonds for more information.

3. Plans and Specifications

- 3.1. Electronically submit plans signed and sealed by a Professional Engineer licensed in the State of Florida to the Engineering Division for review and approval via the permitting portal.
- 3.2. All plans shall be submitted electronically white backgrounds and black lines. Color renderings and photography provided on the plans is also acceptable. In addition to the proposed project, plans shall show all existing facilities as well as all other planned facilities sufficiently to permit assessment of the compatibility of the proposed work with the existing systems.
- 3.3. Plans must be submitted electronically via the permitting portal, formatted for 24x36 or 11x17 sheet sizes, provided that scale requirements are met. Exhibits may be provided in 8.5x11 or 8.5x14 sheet sizes.

- 3.4. Any general area layout shall be prepared at a scale of 100 feet or less to the inch. Detailed plans shall be prepared at a scale of 40 feet or less to the inch. Design drawings shall include both plans and profiles where the facility being installed is not replacing an existing utility of the same size and location, or if there are other facilities in the area and a profile is warranted to detail potential conflicts. When profiles are drawn, they shall be to the same horizontal scale as the plan.
- 3.5. Dimensions of right-of-way and easement widths shall be indicated.
- 3.6. All plans shall show suitable legends.
- 3.7. New pavement shall be indicated by notes and/or light shading.
- 3.8. Cross-sections and/or typical sections, or proposed road and drainage construction, shall show dimensions, materials and purposes of all existing (to remain) facilities as well as all proposed facilities within the right-of-way.
- 3.9. Elevations of the existing project area as well as the proposed project elements shall be clearly provided.

4. Drainage Standards

Drainage plans and designs must meet the requirements of the Town of Palm Beach Code of Ordinances, Chapter 86, Planning, Article III, Stormwater Management and comply with the Town's adopted level of service as described in Town of Palm Beach Code of Ordinances, Chapter 30, Consistency and Concurrency, Section 30-114, (a) Drainage and (b) Management Procedures, as well as these Standards.

5. Paving and Drainage Materials

- 5.1. Materials specified within the design of Paving and Drainage systems shall be clearly stated on the Plans and Specifications.
- 5.2. Paving and Drainage materials shall meet the requirements provided in these Standards. In the absence of a specific material or product requirement listed in these Standards, the FDOT Standards shall apply.

6. Installation

- 6.1. The applicable provisions of Chapters 3 and 4 of these "Standards" shall govern the work in the right-of- way.

CHAPTER 6: ROADWAY - TECHNICAL REQUIREMENTS

1. Roadways

1.1. Minimum Design Criteria

As a minimum, roads and/or streets and related facilities shall be designed in substantial accordance with the latest edition of the "Manual of Minimum Standards for Design, Construction and Maintenance for Streets & Highways" and the Utility Accommodation Guide, as published by the State of Florida, and the provisions of the applicable sections of Chapters 106 and 110 of the Code of Ordinances, Town of Palm Beach, Florida.

1.2. Construction Criteria

Construction materials and methods shall meet the requirements of the latest edition of the Florida Department of Transportation "Standard Specifications for Road and Bridge Construction" and supplements, except as modified herein.

1.2.1. Temporary Facilities

- a. Temporary facilities, unrelated to any on-going construction in the right-of-way, and intended to provide an essential service for a period of time not to exceed one (1) year, may be constructed in the right-of-way, contingent upon Engineering Division approval of project plans and specifications, and issuance of Public Works Right-of-way Permit. There will be no relaxation of safety requirements, but lighter duty construction will be allowed, where public interests will not suffer.
- b. In cases where temporary facilities must be constructed to provide or maintain an essential feature around portions of a public right-of-way for public safety or convenience during construction, such temporary facility must be clearly drawn in sufficient detail on standard size drafting sheets, and submitted to the Engineering Division for review and approval prior to implementation.

1.3. Typical Sections

At the option of the design engineer, sketches of proposed typical sections may be submitted to the Engineering Division for approval prior to beginning the preparation of plans, and shall show or note all existing conditions or facilities that might influence a proper engineering evaluation of the proposed project.

1.4 Subgrades

- a. All subgrade material supporting the roadway and shoulders shall have a minimum LBR of 40. The subgrade shall be a minimum of 12" thick and be compacted to 98% of maximum dry density as per AASHTO T-180. Where unsuitable materials exist below a proposed roadway, demucking or installation of filter fabric will be required to provide adequate support of the roadway. Alternative subgrade designs, and designs over areas that are not proposed to be fully demucked shall be submitted to the Engineering Division for review and approval.
- b. Stabilized subgrades will be considered for full depth asphalt bases or for bases less than 8" thick upon recommendation from the Engineer of Record.
- c. Non-Stabilized subgrades meeting the above compaction requirements will be considered by the Engineering Division if the base course depth is increased by a thickness that yields an equivalent structural number. Such alternative designs are subject to review and approval by the Engineering Division.

1.5 Bases

1.5.1 Material

Limerock or crushed concrete bases shall be a minimum of eight inches (8") thick, compacted in a 6" maximum lift. Limerock shall have a minimum LBR of 100 and crushed concrete shall have a minimum LBR of 150. Limerock of the Miami formation shall be used, having a minimum percentage of carbonates of calcium and magnesium of 70, unless otherwise approved. Crushed concrete shall have a maximum size of 1". Full depth asphalt base will be considered upon recommendation from the Engineer of Record. No other base material is allowed.

1.5.2 Base Density Requirements

Base material shall be compacted to a density of not less than 98% of maximum dry density as determined by AASHTO T-180 under all paved areas.

1.6 Wearing (Surface) Courses

- a. Surface courses are to be a minimum of 2" thick asphaltic concrete construction in one or two lifts as determined by the Engineering Division.
- b. Bottom Course - 3/4" min. thick, Type S-III, or 1-1/2" min. thick Type S-I or SP-12.5
- c. Top Course - 3/4" min. thick, Type S-III, or 3/4" min. thick SP-9.5
- d. A tack coat shall be used between paving courses, and a prime coat shall be used on the finished rock base.
- e. Wearing courses shall not be placed until all underground utilities are installed and accepted, and, when requested, a finished Rock Survey has been submitted to the Engineering Division and accepted.

1.7 Curb/Gutter

- a. All curb elements shall have a foundation or "pad" with a minimum LBR of 100 and shall be at least 4" in thickness, extending 6" (min.) beyond the edges of the concrete, compacted to 98% of maximum density, per AASHTO T-180, unless otherwise approved by the Engineering Division.
- b. Whenever properties are developed or redeveloped, fifty percent (50%) or more, the existing condition or absence of the curb shall be brought into conformance with these Standards at that time. The type of curb shall be determined by the Engineering Division.

1.8 Swales

Bottom of swales, measured from top of turf, shall be at least four inches (4") below the edge of adjoining pavement. Swales shall be compacted to 95% of maximum density, per AASHTO T-180.

1.9 Drainage

- a. All drainage pipe installations in rights-of-way and easements shall be of reinforced concrete, conforming to ASTM specification C. The minimum size pipe to be used shall be 15" diameter. Ductile iron, HDPE, and PVC, 12" min. in size, may be substituted upon approval of the Engineering Division.
- b. Perforated corrugated aluminum or HDPE pipe may be substituted for slotted reinforced concrete pipe upon approval by the Engineering Division.
- c. All drainage pipe in the public right-of-way shall have a minimum of 18" of cover, unless otherwise approved by the Engineering Division.
- d. Drainage manholes shall be not less than four feet (4') inside dimension between opposing walls and shall meet the requirements of ASTM Standard C-478. Walls shall be not less than six inches (8") thick. Top and bottom slabs shall be not less than eight inches (8") thick.

1.10 Sidewalks

- a. Sidewalks shall be of Portland Cement Concrete, a minimum of 3,000 psi, four inches (4") thick, and five feet (5.0') wide. Sidewalks shall extend across driveways, at which locations they shall have a minimum thickness of 6". Additionally, any sidewalk that is directly adjacent to a vehicular travel or parking lane, shall be 6" thick.
- b. Any necessary obstruction shall be placed so as to maintain the maximum clear width and meet the requirements of the Americans with Disabilities Act. Sidewalks shall be maintained by the Town. The abutting properties shall maintain driveways, including the sidewalk sections.
- c. Sidewalks shall have a transverse slope no greater than 2% (1:50) down towards the swale or gutter and shall be given transverse hair broom finish. Special surface treatments such as pavers, tile, etc., and paint are not permitted.
- d. Ramps meeting the requirements of the Florida Accessibility Code shall be placed at all corners and crosswalks.
- e. Decorative driveway surfaces will be permitted in areas where sidewalks do not exist. A "driveway agreement" must be recorded in the

Official Records of Palm Beach County. A sample copy of a Driveway Agreement can be found on the Town of Palm Beach website at: <https://townofpalmbeach.com/423/Permits-and-Licenses>.

1.11 Grassing

Any grassed areas disturbed by construction or maintenance activities shall be sodded to equal or better condition than that which existed prior to the permitted activity.

1.12 Restoration

The entire work area utilized for the performance of any permitted work shall be restored to equal or better condition than that which existed prior to the permitted activity by the permittee.

1.13 "Record" Drawings & Certifications

- a. If required, "record" drawings of the finished rock base must be submitted to the Engineering Division for approval before proceeding with asphalt pavement. These drawings must be signed and sealed by a Land Surveyor registered in the State of Florida and must show finished rock base elevations and offsets at center line, edge of pavement, plus elevations of bottom of swale or flow line of gutter, top of curb and right-of-way line, at high and low points, intersections and breaks in grade. Elevations shall be verified and shown at intervals not to exceed 25 feet measured along the profile grade line.
- b. Compaction must be verified by an independent certified Engineering Testing Laboratory by making Field Density Tests of each layer of compacted material at prescribed intervals before the succeeding layer is placed. Test reports and rock "Record Drawings" must be submitted to the Engineering Division before paving operations begin.

1.14 Final Inspection and Acceptance

After construction is completed and all certifications, record drawings and other required documents have been submitted to the Engineering Division, and accepted, but before the one-year Bonded Maintenance period begins, the permittee shall request a final inspection of the project. The Engineering Division and all other interested parties shall jointly perform such inspection to determine the acceptability of the project for maintenance. Following the inspection, any noted defects will be corrected by the permittee, after which the Engineering Division will issue a notice of acceptance. Copies of

acceptance notices from other maintaining agencies may be required to be submitted to the Engineering Division. This will mark the start of the one-year warrantee period.

2. Pavement Marking/Signing

2.1 Pavement Markings

2.1.1 General

The design and construction of pavement marking systems shall be in accordance with the following standards:

- FDOT Standards
- Florida Green Book Standards
- Manual on Uniform Traffic Control Devices

2.1.2 Pavement Marking Plan

Pavement marking and signing plans shall be submitted to the Engineering Division for review and approval as part of the total paving and drainage package. These plans shall show all new markings including tie-ins to existing markings. Removals of existing markings shall be shown. Materials shall be specified. The location of raised reflective pavement markers shall be identified.

2.1.3 Permanent Pavement Markings

Permanent pavement markings shall consist of alkyd-based thermoplastic or inlaid preformed plastic material. All such materials shall be fully reflectorized.

2.1.4 Temporary Pavement Markings

- a. Temporary pavement markings may be used during intermediate phases of road construction or where overlayment or further construction of the road is to occur.
- b. Temporary markings shall consist of paint or traffic tape. All such markings shall be fully reflectorized.

2.1.5 Removal of Old Pavement Markings

Old pavement markings shall be covered by a pavement overlay prior to installing new markings. Old markings can be painted over with black paint as a temporary measure only.

2.1.6 Construction/Resurfacing

Pavement markings (either permanent or temporary) shall be installed on the project as soon as practicable following paving. In the event that a road is placed in service, the temporary or permanent pavement striping shall be applied by the end of each day's operation unless precluded by inclement weather, in which case it shall be striped during the next daylight period. Any road placed in service without striping shall have the traffic lanes delineated in accordance with the "Manual of Uniform Traffic Control Devices."

2.2 Signs

2.2.1 General

The design and construction of traffic signs shall be in accordance with the following standards:

- FDOT Standards
- Florida Green Book Standards
- Manual on Uniform Traffic Control Devices

2.2.2 Signing Plan

Signing and pavement marking plans shall be submitted to the Engineering Division for review and approval, as part of the total paving and drainage submittal. The plan shall show all new signs and all existing signs to remain shall be shown.

2.2.3 Materials

All "STOP," "YIELD," "DO NOT ENTER," and "WRONG WAY" signs and street name signs shall be fabricated entirely with High Intensity reflective sheeting. Other signs shall be fabricated using engineering grade materials. Post-mounted signs shall be mounted on single or double steel U-Channel posts. Tubular posts shall not be used unless specifically approved by the Engineering Division. Decorative sign posts may be required in certain areas of the Town as directed by the Engineering Division.

2.2.4 Maintenance of Signs During Construction

It shall be the contractor's responsibility to place and maintain all required temporary signing throughout the life of the project.

3. Driveways and Driveway Approaches

- 3.1 The Director of Public Works, or his/her designee, shall review and approve the location of driveways for all properties within the Town of Palm Beach. The siting of these driveways shall conform to the following conditions or criteria:
- a. Corner Lots - For corner lot properties where there is new construction or that are being substantially renovated and which adjoin a major roadway, driveway shall be located on the minor roadway beginning at a minimum distance of thirty feet (30') from the major street curb line or edge of pavement, whichever is greater. Required driveway locations per this section may be appealed pursuant to written request to the Director of Public Works.
 - b. Renovations - In instances where an existing property is being renovated and the footprint of the structure and garage remains the same, driveways leading to the major thoroughfare rather than the side street may be maintained. However, sight visibility criteria must be reviewed and that sight visibility to the maximum extent possible be established. This may require relocation or elimination of existing walls, fences, trees and/or hedges.
- 3.2 Major Roadways – Major Roadways are defined as: Bradley Place, Cocoanut Row north of Royal Palm Way, North County Road, North Lake Way south of Mediterranean Road, North Ocean Boulevard, Slope Trail, South County Road, and South Ocean Boulevard.
- 3.3 Driveway Corner Clips – Minor Streets - All driveways connecting to minor streets shall have minimum driveway corner clips established measuring eight (8) feet by fifteen (15) feet on each side of the driveway. The eight foot (8') dimension shall be measured perpendicular to the edge of the roadway and the fifteen foot (15') dimension shall be measured along the roadway from the outside edge of driveway. No obstructions to vision greater than thirty inches (30") or landscaping with a mature height greater than thirty inches (30") are allowed within driveway corner clip.
- 3.4 Sidewalk Corner Clips - All driveways that cross a pedestrian sidewalk or pathway shall have minimum sidewalk corner clips established measuring

five (5) feet by five (5) feet on each side of the driveway. One of the five foot (5') dimensions shall be measured perpendicular to the edge of the sidewalk along the outside edge of the driveway and the other five foot (5') dimension shall be measured perpendicular to the edge of the driveway along the backside of the sidewalk. No obstructions to vision greater than thirty inches (30") or landscaping with a mature height greater than thirty inches (30") are allowed within sidewalk corner clip.

- 3.5 Driveway Sight Visibility Triangles – Major Streets - All driveways connecting to major streets shall have minimum sight visibility triangles as shown in the Standard Details. No obstructions or landscaping shall be allowed to block visibility, as shown in Standard Details. When deemed necessary, the Director of Public Works or his designee may require that an engineering analysis be conducted to determine the proper sight visibility triangle or to establish other criteria on a site-specific basis. This includes parcels which are located mid-block on major streets or renovations as described above. F.D.O.T Design Manual may also be used to determine driveway sight triangle dimensions. Sight triangle dimensions may also be determined based on the AASHTO Publication, A Policy on Geometric Design of Highways and Streets. Applicants are required to use the most stringent vehicle that can reasonably be expected to use the driveway.
- 3.6 Plans Required - A plan showing measurements indicating the width of driveway and/or approach(es) and the distance from edge of driveway/approach(es) to property line and a structural drawing of any portion of work done in the rights-of-way must be submitted with the application for a rights-of-way permit. All driveways shall be a minimum distance of six feet (6') from the property line.
- 3.7 Separation Joint - A separation between that part of the driveway located on private property and that portion of driveway lying within the limits of the right-of-way shall be installed as required by the Town Engineer. This separation may be made with an expansion joint or other material as may be specified and approved by the Town Engineer.
- 3.8 Curbs Required - Driveways that abut roads without curbs shall, prior to installation of driveway, install a header curb or drop vertical curb across the front of the entire driveway. In addition, driveways of loose gravel shall install, at a minimum, a two foot (2') wide by six inch (6") thick concrete gravel stop across the entire front of the driveway.
- 3.9 Driveway Drainage Considerations – Driveways shall be graded or provided with drainage features that allow on-site detention requirements specified in the Town's Code of Ordinances to be met.

- 3.10 Driveway Agreement - If any driveway approach located within the right-of-way is other than plain asphalt or concrete, the property owner must submit a recorded Driveway Agreement before a permit for the work will be issued. A Driveway Agreement is an agreement by a property owner to restore their driveway which lies within a road right-of-way or easement, if said driveway is excavated for public utility or other municipal purposes. The agreement is required to be recorded by the property owner in the Palm Beach County Official Records.
- 3.11 Inspections, form work, and other preparation for construction of driveways and approaches within the right-of-way will be inspected by a Public Works Inspector before installation of asphalt or concrete. A 24-hour notice is required for all Public Works inspections. Public Works Inspectors do not inspect driveways on private property.
- 3.12 The Director of Public Works, or his/her designee, may accept a driveway citing that, in their professional engineering opinion, is safe and poses no danger to the public. As a prerequisite to any Town approval, an owner will now be required to conduct an engineering analysis in the event that the current conditions and criteria are requested to be reconsidered and/or reduced.

4. Driveways, Abandoned

As a condition for construction on a property, all abandoned driveways shall be removed with the curb, driveway and asphalt pavement restored at the owner's expense.

CHAPTER 7: WATER DISTRIBUTION AND SEWAGE COLLECTION SYSTEMS - GENERAL REQUIREMENTS

1. Permits

- 1.1. Permits for construction or maintenance of water distribution and sewage collection systems or the additions thereto, shall be granted only after the following requirements have been completed:
- a. A subdivision plat, easements or rights-of-way for the area of the proposed construction has been recorded in the Palm Beach County Official Records. This requirement shall not apply to the installation of lines in or through areas already platted or within dedicated rights-of-way, or within easements or rights-of-way extending across undeveloped areas.
 - b. Water and sewer plans must be submitted to the Engineering Division for review and approval with paving and drainage plans, on projects that require such work. Utility plans for new services or modifications/improvements/adjustments to existing utilities shall also be reviewed and approved by the applicable utility owner. Such additional reviews shall be coordinated by the Engineer of Record. Copies of utility plans approved by the applicable owner may be required to be submitted to the Engineering Division.
 - c. Project plans, if any, and technical specifications shall be approved by the Engineering Division.

2. Permit Fees and Bonds

- 2.1 The separate bond amounts and fees are to be computed in accordance with the provisions of Chapter 3 of these "Standards."
- 2.2 Re-Inspection and Re-Testing Fees
- a. A re-inspection and/or re-testing fee will be charged each time an inspector of the Engineering Division or Water Resources Division must visit any jobsite to re-inspect or re-test any installation or portion thereof that has failed to meet Town requirements on a previous test or scheduled inspection.

- b. Notice of cancellation of any test(s) or scheduled inspection(s) must be given at least four (4) working hours, prior to the scheduled time. Failure to do so will result in the test or inspection being counted as a failure, and a re-test or re-inspection fee being charged upon re-scheduling of same.
- c. The re-inspection fee shall be as described in the Master Fee Schedule.
- d. The re-testing fee shall be as described in the Master Fee Schedule for each re-test on any item.

3. Plans and Specifications

- 3.1 Electronically submit plans signed and sealed by a Professional Engineer licensed in the State of Florida to the Engineering Division for review and approval via the permitting portal.
- 3.2 Accessible Benchmarks shall be listed on all plans, using NAVD.
- 3.3 All plans shall be submitted electronically white backgrounds and black lines. Color renderings and photography provided on the plans is also acceptable. In addition to the proposed project, plans shall show all existing facilities as well as all other planned facilities sufficiently to permit assessment of the compatibility of the proposed work with the existing systems.
- 3.4 Plans must be submitted electronically, formatted for 24x36 or 11x17 sheet sizes, provided that scale requirements are met. Exhibits may be provided in 8.5x11 or 8.5x14 sheet sizes.
- 3.5 Any general area layout shall be prepared at a scale of 100 feet or less to the inch. Detailed plans shall be prepared at a scale of 40 feet or less to the inch. Design drawings shall include both plans and profiles where the facility being installed is not replacing an existing utility of the same size and location, or if there are other facilities in the area and a profile is warranted to detail potential conflicts. When profiles are drawn, they shall be to the same horizontal scale as the plan.
- 3.6 Dimensions of right-of-way and easement widths shall be indicated.
- 3.7 All plans show suitable legends.
- 3.8 The detailed plans shall show water and/or sewer main materials, sizes, and their dimensioned locations. They shall also show the locations of valves, hydrants, manholes, tees, wyes and approximate locations of house

connections. Each building/property shall have its own sewer lateral. As-built shall station each house service sewer lateral.

- 3.9 Existing pavements shall be indicated and dimensioned with elevations provided. Proposed cuts in pavement shall be shown and noted.
- 3.10 When locations of existing utilities cannot be determined, this shall be so noted.
- 3.11 Service laterals which are to be installed during the original installation of main(s) shall be indicated, but need not have dimensioned locations on original plans. Plans for services to be installed as a separate project, after installation of main(s), shall be noted and explained.
- 3.12 All street names, street addresses, lot numbers and block numbers shall be shown.
- 3.13 Specifications for the proposed work shall be submitted with the plans.

4. Water and Sewer System Standards

- 4.1. Water and Sewer plans and designs must meet the requirements of the following standards, as applicable and except as modified by these Standards:
 - Town Standards
 - City of West Palm Beach Utilities Department Standards
 - American Water Works Association (AWWA)
 - Recommended Standards for Water Works and Wastewater Facilities (10 State Standards)
 - National Sanitation Foundation (NSF)
 - Florida Department of Environmental Protection (FDEP)
 - Palm Beach County Health Department (PBCHD)
 - US Environmental Protection Agency (EPA)
 - FDOT Utility Accommodation Manual
 - American National Standards Institute (ANSI)
 - American Society for Testing Materials (ASTM)

5. Water and Sewer Materials

- 5.1. Materials specified within the design of Water and Sewer systems shall be clearly stated on the Plans and Specifications.

- 5.2. Water and Sewer materials shall meet the requirements provided in these Standards. In the absence of a specific material or product requirement listed in these Standards, the standards described in Section 4 above, as applicable, shall apply.

6. Sanitary Sewer Service Laterals

It is the property owner's responsibility to maintain any service lateral or privately owned force main up to and including the connection to the Town's gravity or force main line, which is or may be, located in the right-of-way or easement. If at any time the sewer lateral (including during new construction or substantial remodel) is found to be defective (i.e. connected to the storm sewer system, incorrect main connection, cracked, or otherwise in poor condition), the owner/developer will be required to bring sewer lateral up to code immediately. Old clay lines or metal laterals must be replaced with PVC up to the main. All abandoned laterals to a property shall be removed.

7. Installation

- 7.1. The applicable provisions of Chapters 3 and 4 of these "Standards" shall govern the work in the right-of- way.

- 7.2. Backflow Prevention Devices

- a. All backflow prevention devices required for the potable water system and fire protection are to be located on private property and out of all rights-of-way and easements.

- 7.3. Sewer Cap-off

- a. A Water Resources Division inspection is required for all sewer cap-offs. Forty-eight (48) hour notification is required to schedule a sewer cap-off inspection. Notification is to be made to the Water Resources Division at 838-5440 to schedule the inspection appointment.
- b. Both a drawing referencing the location of the sewer lateral (tied into a property corner and another permanent reference point) must be submitted and a physical inspection of the cap-off by the Water Resources Division are required prior to receiving a sign-off. Water Resources Division may elect to televise the lateral and connection to the sewer main. If a protruding main connection or broken lateral is detected, a sign-off will not occur until the problem is corrected.

CHAPTER 8: WATER DISTRIBUTION SYSTEM - TECHNICAL REQUIREMENTS

1. Jurisdiction

The City of West Palm Beach currently holds a franchise agreement from the Town to supply potable water. All water distribution technical requirements must meet the City of West Palm Beach Utilities Department standards. The City's Engineering Division may be contacted at (561) 494-1040.

2. Permits Required

Alterations and improvements to the water distribution system require City of West Palm Beach Engineering and Utilities review and approval prior to commencement of construction. A Town of Palm Beach right of way permit is required for all water distribution related work in rights of way and easements. See Chapter 3, Permits, Fees and Bonds for more information.

3. Installation

3.1 The applicable provisions of Chapters 3 and 4 of these "Standards" shall govern the work in the right-of- way.

3.2 The placement of backflow prevention devices within the Town's road rights-of-way is prohibited. Backflow prevention devices are to be set back a sufficient distance from the road right-of-way to allow for sight screening from the roadway, but still remain close enough to the water meter to meet the City of West Palm Beach requirements.

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CHAPTER 9: SEWAGE COLLECTION SYSTEMS - TECHNICAL REQUIREMENTS

1. Standards

All sewage collections systems in the public rights-of-way and easements shall be in accordance with the Standards described in Chapter 7, except as modified by these Standards. All installations also shall be in accordance with the manufacturer's recommendations.

2. Materials

2.1 Pipe

Gravity sewers and house connections shall be constructed of PVC or ductile iron pipe.

- a. All ductile iron pipe and fittings conveying or transmitting raw sewage shall be designed for a minimum working pressure of 150 psi and have all surfaces in contact with wastewater coated with a coating suitable for wastewater service.
- b. Ductile iron pipe shall conform with current ANSI/AWWA standards. Minimum wall thickness shall be class 50.
- c. PVC non-pressure pipe shall conform to the requirements of the applicable ASTM standard, wall thickness class SDR-26 minimum.

2.2 Joints

- a. Joints for ductile iron pipe shall be bell and spigot type.
- b. Joints for PVC non-pressure pipe shall be of the bell and spigot, push-on, rubber gasket type only. No solvent weld or threaded joints will be permitted.

2.3 Manholes

Precast reinforced concrete manholes shall conform to the requirements of ASTM C478 and the following modifications thereto:

- a. Minimum wall thickness shall be eight inches (8").

- b. Minimum inside diameter of base sections shall be three and one-half feet (3.5').
- c. The precast base shall be a minimum of eight inches (8") thick and be cast monolithically with the bottom section of the manhole wall. The base slab shall extend a minimum of four inches (4") from the outside wall of the manhole.
- d. The minimum height of base sections shall be three feet (3') from the bottom of base slab, except that under special conditions, the height may be decreased to 18", contingent upon prior approval of the Engineering Division.
- e. Manhole sections shall be joined with a mastic compound or a round compression ring of neoprene material set in annular spaces cast into the spigot end of a bell and spigot type joint. The mastic compound or ring shall be uniformly compressed between the positioned sections so as to form a water-tight joint. After the sections are assembled, the remaining space in the joint shall be pointed up and filled with dense cement mortar and finished so as to make a smooth, continuous surface inside and outside the wall sections.
- f. Precast manholes shall terminate at such elevations as will permit laying up a minimum of two (2) courses and maximum of five (5) courses of clay brick under the manhole frame to make allowance for future street grade adjustment.
- g. Brick for manhole construction shall be dense, hard-burned, clay brick conforming to ASTM Specification C-62.
- h. Precast concrete collar extensions may be used if more than five (5) courses of brick are required to set the manhole rim to the specified grade elevation. Collar extensions shall not exceed 12" in height. Collar extensions shall be 3" min. thick, be constructed of 4,000 psi min. concrete, and have reinforcement that meets ASTM A-615, A-185 Specifications.
- i. Drop connections will be required when the vertical distance between pipe inverts exceeds two (2) feet. Inside drop connections are preferred but outside drop connections will be allowed. Drop connection bases, where required, shall be cast monolithically with the manhole base. Drop encasement shall be fully dowelled to the manhole base and walls.

- j. Two coats (a minimum thickness of protective material, Kopper's 300M or equal) shall be applied to the entire outside and inside surface of the manhole at the jobsite, after inspection. This material shall be applied in accordance with the manufacturer's specifications. The coats shall be contrasting colors so as to be easily verified. The outside of the manhole shall be coated prior to being placed in the ground, and the inside shall be coated after final inspection.
- k. Influent and effluent sewer lines shall be grouted in place using a waterproof, non-shrinking grout, acceptable to the Engineering Division. All openings and joints shall be sealed watertight. Special watertight seals shall be considered for specific installations as approved by the Engineering Division.
- l. The lid and frame shall be US Foundry 420A, or approved equivalent, unless otherwise approved by the Engineering Division.
- m. All concrete and mortar used in manhole construction shall have Type II cement (A.C.I.).
- n. All precast manhole sections, as delivered to the jobsite, shall be unpatched and shall bear the stamp of a certified Engineering Testing Laboratory, signed and dated, certifying that the manhole sections meet the requirements of ASTM Standard C478, and of this document for concrete strength, steel reinforcement area and placement, and appearance when manufactured. All manhole sections will be subject to inspection at the jobsite by the Public Works Inspector to verify conformity with requirements of ASTM-C478 and of this document.
- o. Approved manhole adaptor couplings shall be required when using PVC pipe.

2.4 Fittings

- a. All ductile iron fittings shall meet the requirements of ANSI/AWWA Standard C110, C111 and/or C153.
- b. PVC fittings shall be of monolithic or factory fabricated (solvent weld) construction in accordance with ASTM D-3034 and the type specified by the manufacturer of the pipe being used. No non-factory solvent welds or threaded joints will be permitted.

2.5. Service Laterals

- a. All service laterals shall be installed to the property line.
- b. Service laterals requiring cuts into pavement after installation of the main and paving of the roadway, will require separate permit fees and bonds and shall be avoided, if possible.
- c. Service laterals may not be stubbed into manholes except at terminal manholes and where approved by the Engineering Division. The invert of the lateral at the manhole shall meet a shaped concrete invert that will conduct the effluent without turbulence to the invert at the outflow of the manhole.

2.6. Service Connections

Each lot, tract, residence or business shall have an individual house connection. Each service lateral shall include a clean-out section having a clean-out plug. The minimum size pipe between the main line and the wye shall be six inches (6"), and the clean-outs shall be located as near to the right-of-way line as is practical for each residence or business connection.

2.7. Location

Gravity sewer lines shall be installed at the center of the right-of-way, unless otherwise approved by the Engineering Division. The separation, encasement and other factors concerning the placing of water and sanitary sewer facilities in the same right-of-way, shall be addressed in accordance with the applicable standards of all agencies having jurisdiction.

2.8. Cover

The minimum cover on all sanitary sewer mains and services shall be 30" for ductile iron and 36" for PVC materials. The slope of sanitary house connections shall be considered in determining sewer main cover.

2.9. Construction Procedures and Installation of Facilities

All construction procedures, sewer installations, restorations and pipe detection aids shall be in accordance with the provisions of Chapter 4 of this document.

2.10. Testing of Facilities

The Engineering Division and the Engineer of Record shall both be represented at all tests of sewer lines in the public rights-of-way. The Engineer of Record must certify all test results to the Town. The Engineering Division representative shall indicate concurrence with the test results by countersigning the test report at the conclusion of the test. In the event that the Engineering Division shall fail to witness such a properly scheduled event, the certification of the Engineer of Record shall be accepted.

a. Mandrel Testing of Lines

At the discretion of the Town Engineer, the contractor may be required to test designated lines for excessive deflection. The deflection gauge is sized to pass through a pipe with no more than 7.5% reduction in diameter due to manufacturing and installation imperfections. Any line through which the gauge will not pass will not be accepted until the line is corrected sufficiently to allow the test gauge to pass.

b. Visual & Television Inspection

On completion of each block or section of sewer, or at such other times as the Engineer of Record may direct, the block or section of sewer is to be cleaned, tested and inspected. Each section of the sewer is to show, on examination from either end, a full circle of light between manholes when lamped. The portion of the system being inspected shall be watertight, neatly constructed, with the manhole tops set permanently to exact position and grade. All defects disclosed by the inspection are to be corrected. Broken or cracked pipes are to be replaced, all deposits removed, and the sewers left true to line and grade, entirely clean and ready for use. After all other testing has been successfully completed, a video inspection may be required by the Engineering Division. Any defect disclosed during this inspection must be corrected by the Contractor, at their expense, before the lines can be accepted by the Engineering Division.

3. Certification and Record Drawings

- 3.1 The Engineer of Record on each project shall be responsible for observation of construction and shall inspect same for conformity to the approved plans and specifications. Upon completion of the project, the Engineer of Record shall furnish the required project documents to the Engineering Division, the Palm Beach County Public Health Unit and to any other agencies so requiring,

certifying that construction of the project had been carried out in substantial conformance to the approved plans and specifications.

- 3.2 Prior to final inspection, the Engineer of Record shall furnish one set of certified Record drawings to the Engineering Division at no charge.
- 3.3 Accurate house connection dimensions shall be shown on the plans. Main and terminal point locations, elevations of stubs or laterals, and locations and elevations of all changes in direction and slope shall also be shown. All manhole rim elevations, invert elevations and structure numbers must be shown on the record drawings.
- 3.4 In addition to the above requirements, record drawings shall indicate the size, material location and elevation of all underground utilities encountered during construction.
- 3.5 All locative information and dimensions shall be certified by a land surveyor registered in the State of Florida
- 3.6 The drawings submitted under the preceding paragraphs must be accompanied by a certification from the Engineer of Record that the installation conforms substantially to the design, has passed all required tests, and that the inspection of the installation during construction was conducted under the supervision of the Engineer of Record or their representative. All required reports and certifications must be received by the Engineering Division prior to final inspection.

4. Service Connections

Service connections shall not be made until the entire downstream system has been tested and accepted by the Engineering Division, the Palm Beach County Health Unit, and all other agencies having jurisdiction.

5. Abandoned Facilities

The provisions of Chapter 4 of these Standards shall apply.

6. Conflict Manholes

Conflict manholes involving sanitary sewers are to be avoided, if possible. Under extreme conditions, with the written permission of the Engineering Division and the approval of all other bodies having jurisdiction, they may be used but must conform to the requirements of Section 2.3 of this Chapter and to the detail in the Appendix.

CHAPTER 10: LANDSCAPING

1. General

With the exception of grass and low ground cover (i.e., those plants that left unmaintained will not exceed 30" in height), landscaping within the right-of-way and easements is prohibited. Exceptions to this prohibition must first obtain approval from the Engineering Division.

2. Permits

Permits for installation and/or modification of landscaping within rights of way and easements are required and may be issued by the Engineering Division if the following conditions are met:

- a. Landscaping and Irrigation plans must have been reviewed and be deemed approvable prior to submittal of an application for permit. Review and approval of Landscape and Irrigation plans during the ARCOM and/or Landmarks Preservation Commission approval process does not constitute a right of way and/or easement permit approval. A right of way and/or easement permit application must be submitted subsequent to the ARCOM and/or Landmarks Preservation Commission approval, as applicable.
- b. The provisions of Chapter 3 of this document.

3. Permit Fees and Bonds

Permit fees and bonds, as applicable, will be charged in accordance with the provisions contained in these Standards. See Chapter 3, Permits, Fees and Bonds for more information.

4. Plans and Specifications

- 4.1. All plans shall be submitted electronically white backgrounds and black lines. Color renderings and photography provided on the plans is also acceptable. In addition to the proposed project, plans shall show all existing facilities as well as all other planned facilities sufficiently to permit assessment of the compatibility of the proposed work with the existing systems. Underground utilities in the area of planting shall be shown.
- 4.2. Plans must be submitted electronically via the permitting portal, formatted for 24x36 or 11x17 sheet sizes, provided that scale requirements are met. Exhibits may be provided in 8.5x11 or 8.5x14 sheet sizes.

- 4.3. Any general area layout shall be prepared at a scale of 100 feet or less to the inch. Detailed plans shall be prepared at a scale of 40 feet or less to the inch.
- 4.4. Dimensions of right-of-way and easement widths shall be indicated.
- 4.5. All plans shall show suitable legends.
- 4.6. Proposed landscaping and irrigation improvements shall clearly be shown. Species, sizes and quantities shall be identified. Proposed tree staking and bracing details shall be provided on the plans.
- 4.7. Areas of soil replacement and/or conditioning and amendments shall be identified including depths.
- 4.8. Tree protection details shall be provided as may be applicable.
- 4.9. Other requirements as described in the Town's Code of Ordinances, Section 66-262.

5. Standards

All landscaping within the right-of-way shall be in accordance with the following standards:

- Town Standards
- Town's Code of Ordinances, Chapter 66, Article IV
- FDOT Standards
- Florida Green Book

6. Materials

All plant material shall be Florida Grade No. 1 or better at time of planting, as set forth in the Florida Department of Agriculture's "Florida Grades and Standards for Nursery Plants," latest edition.

7. Installation

- 7.1. Landscaping shall be planted in such a manner as to not restrict sight distance or drainage flow.
 - a. A minimum 3-foot separation between walls greater than 4-feet in height and the limits of the sight triangle shall be provided. Greater separation distances may be required by the Engineering Division for

plant species that are large, or may reasonably be expected to grow large, that are planted along the wall adjacent to the sight triangle. Safe sight triangles as described in the standard details shall be applied to driveways and intersections. Additional requirements may be required by the Engineering Division depending on the specific circumstances that exist.

- b. Tree foliage shall be maintained at a height greater than 9-feet above the edge of pavement. Ground cover within clear sight triangle areas shall be maintained at a height of 2'-6" or less above the edge of pavement.
 - c. Tree spacing within a clear sight triangle shall be in accordance with the requirements specified in the FDOT Design Manual, latest edition.
 - d. Tree limbs within 2-foot of the edge of pavement or extend into the roadway shall be maintained at a clearance of no less than 14.5-feet. Exceptions to this requirement may be provided for Historic or Specimen trees as defined by the Town's Code of Ordinances and approved by the Town.
- 7.2. An Installation and Maintenance Agreement shall be required for landscape materials within and adjacent to the roadway.
- 7.3. Landscaping shall not be placed in such a manner as to cause damage to underground utilities at the time of installation or in the future as reasonably determined by the Engineering Division. Root barriers may be required by the Engineering Division as a measure to protect existing utilities.
- 7.4. The applicable provisions of Chapters 3 and 4 of these "Standards" shall govern the work in the right-of- way.

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CHAPTER 11: LANDSCAPE IRRIGATION - TECHNICAL REQUIREMENTS

1. General

Coordination with the Engineering Division in advance of permit application submittal is required for any irrigation improvements and/or modifications within the right of way or easements that will ultimately be operated and maintained by the Public Works Department.

2. Permits

Permits for installation and/or modification of irrigation systems within rights of way and easements are required and may be issued by the Engineering Division if the following conditions are met:

- a. Irrigation plans must have been reviewed and be deemed approvable prior to submittal of an application for permit. Review and approval of landscape and irrigation plans during the ARCOM and/or Landmarks Preservation Commission approval process does not constitute a right of way and/or easement permit approval. A right of way and/or easement permit application must be submitted subsequent to the ARCOM and/or Landmarks Preservation Commission approval, as applicable.
- b. The provisions of Chapter 3 of this document.

3. Permit Fees and Bonds

Permit fees and bonds, as applicable, will be charged in accordance with the provisions contained in these Standards. See Chapter 3, Permits, Fees and Bonds for more information.

4. Plans and Specifications

- 4.1 All plans shall be submitted electronically white backgrounds and black lines. Color renderings and photography provided on the plans is also acceptable. In addition to the proposed project, plans shall show all existing facilities as well as all other planned facilities sufficiently to permit assessment of the compatibility of the proposed work with the existing systems. Underground utilities in the area of irrigation improvements shall be shown.
- 4.2 Plans must be submitted electronically, formatted for 24x36 or 11x17 sheet sizes, provided that scale requirements are met. Exhibits may be provided in 8.5x11 or 8.5x14 sheet sizes.

- 4.3 Any general area layout shall be prepared at a scale of 100 feet or less to the inch. Detailed plans shall be prepared at a scale of 40 feet or less to the inch. Design drawings shall include both plans and profiles where the facility being installed is not replacing an existing facility of the same size and location, or if there are other facilities in the area and a profile is warranted to detail potential conflicts. When profiles are drawn, they shall be to the same horizontal scale as the plan.
- 4.4 Dimensions of right-of-way and easement widths shall be indicated.
- 4.5 All plans shall show suitable legends.
- 4.6 Proposed irrigation improvements shall clearly be shown. Water sources, backflow prevention, controllers, main lines, branches, heads, control valves, etc., to the extent they are located in the right of way or easements, shall be shown on the plans. Installation details, material specifications, cover depths, etc. shall also be shown on the plans.
- 4.7 Other requirements as described in the Town's Code of Ordinances, Section 66-263.

5. Standards

All landscape irrigation systems constructed in the right-of-way shall be in accordance with the following standards:

- American Water Works Association (AWWA) Standards for Pressure Pipes
- American Society for Testing Materials (ASTM)
- Landscape Irrigation and Florida Friendly Landscaping Design Standards
- Town's Code of Ordinances, Chapter 66, Article IV

All irrigation systems shall be constructed to minimize water usage and to promote conservation whenever possible.

6. Materials

- 6.1. Irrigation pipe and fittings 4" in diameter and larger shall be PVC or HDPE. PVC shall conform to AWWA C-900 with a minimum wall thickness of DR 18. Solvent-weld joints are not permitted in these sizes of PVC. HDPE pipe and fittings shall conform to AWWA C901/C906 with a minimum wall thickness of DR 11. The Engineer of Record shall evaluate and select a greater wall thickness for HDPE if the proposed installation methods require such.
- 6.2. Irrigation pipe and fittings less than 4" in diameter shall be of PVC conforming to ASTM D1785, Schedule 40 min. or HDPE conforming to ASTM F714 with a minimum wall thickness of DR 11. The Engineer of Record shall evaluate and select a greater wall thickness for HDPE if the proposed installation methods require such.

7. Installation

- 7.1. Irrigation pipes under paved areas shall be carried in PVC or HDPE and shall have a minimum of 36" cover.
- 7.2. All mains and headers in unpaved areas shall have a minimum of 30" cover. Branches shall have a minimum of 12" cover.
- 7.3. Solvent-weld joints are not permitted for pipe sizes 4" in diameter and larger.
- 7.4. All electrically operated valves shall be 24-volt (or less) actuated.
- 7.5. No rock or other objectionable material shall be in contact with or within 6" of any irrigation pipe.
- 7.6. The applicable provisions of Chapters 3 and 4 of these "Standards" shall govern the work in the right-of- way.

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CHAPTER 12: SPECIAL PROVISIONS

In addition to the standards previously outlined, there are numerous "special conditions" required of construction and maintenance operations taking place within the Town. Described below are special conditions normally required of permitted operations. Due to site specifics, the actual permit conditions may vary.

1. Construction Access/Temporary Driveways

During construction of a new residential or commercial improvement, the general contractor shall designate access points to the property. Temporary driveways shall be constructed of concrete or asphalt and maintained throughout the project so that there will be no tripping hazard to pedestrians. Vehicle traversing of any unprotected area of curbing, median or sidewalk, is prohibited. The intent of this section is to minimize damage to the existing sidewalks and curbs. It shall be the contractor's responsibility to restore all sidewalks, curbs and driveways to Town standards prior to the property receiving its Certificate of Occupancy.

2. Construction Parking & Construction Site Management

Construction parking on public streets and construction site management shall be controlled in order to protect the public's health and welfare. The rules and procedures outlined below are commonly referred to as the Town's "3-Strike Rule".

All vehicles and equipment belonging to personnel working on or visiting a construction site from the date of the issuance of a building permit, to the date of the issuance of the certificate of occupancy, shall be parked on the construction site at all times. If the site cannot accommodate such vehicles and equipment, then the contractor may initiate car and/or truck pooling, apply for up to, but not more than, three (3) right-of-way permits (two (2) in the C-WA District) for parking construction vehicles and/or equipment on the street in front of the construction site, or utilize both options in order prevent unnecessary congestion adjacent to the construction site. A site plan may be required to illustrate that the site is being fully and efficiently used for construction material storage and parking. In addition, one permit can be provided to the owner of the property to perform an occasional site visit. Associated fees are listed in the Master Fee Schedule.

The following rules and procedures shall govern the 3-Strike Rule:

- a. Owner/contractor may apply for up to, but not more than, three (3) right-of-way permits (two (2) in the C-WA District) for the temporary parking of

construction-related vehicles. In addition, one (1) permit can be provided to the owner of the property to perform an occasional site visit.

- b. Contractor will be asked if right-of-way parking permits are anticipated at time of initial building permit application. If anticipated at that time, or any subsequent time, a parking plan must be provided on an application form as prescribed by the Town, at a legible scale, as determined by the Town which clearly illustrates the entire construction site.
- c. Applications must include a notarized signature from the property owner acknowledging understanding of the 3-strike rule in its entirety. A notarized power of attorney signature will be accepted by the Town, provided it specifies that the owner has been personally informed of the entire 3-strike rule.
- d. The Engineering Division will review all such applications upon payment of the application fee(s) listed in the Master Fee Schedule. The Engineering Division shall determine whether or not to approve the application(s). Furthermore the Engineering Division will review Construction Parking Permits and determine, if approved, whether 1, 2, or 3 parking placards are issued.
- e. The contractor must apply for a permit(s) from the Engineering Division within seventy-two (72) hours in advance of the short-term use of the public right-of-way. Only extreme extenuating circumstances will be considered for exceptions to this advance notice requirement.
- f. As a condition of approval, contractor may be required to provide the Town with tag numbers of all vehicles authorized by the contractor to work at the site and is responsible for updating for any reason that may cause a change in the tag number list for a job site. The Director of Public Works or the Director's designees, which may include code enforcement officers, parking enforcement officers, fire marshal, and police officers, are authorized to enforce all "3-strike rule" provisions and to issue citations for violations of these provisions. Parking permit must be displayed on the dashboard of the vehicle. Failure to comply will result in a strike.
- g. Owner/contractor must designate a private employee to act as a traffic monitor at each site to enforce Town rules when on-street construction parking or right of way permits have been allowed. The traffic monitor must be present whenever work occurs. Failure to do so constitutes a strike.
- h. If the Town finds that there is no dedicated traffic monitor at a construction site, all right-of-way permits shall be immediately revoked and one (1) strike will be assessed.

- i. When car or truck pooling is utilized, no substitute on-street parking spaces in the Town can be utilized for said purpose. Failure to comply will result in a strike.
- j. C-WA District right-of-way permits shall be limited to two (2) vehicles for purposes of loading or unloading and for essential construction activities. Parking of construction vehicles that are not actively involved in the loading and unloading process will not be permitted. Failure to comply will result in a strike.
- k. Only original Town-issued permits are valid, no copies are allowed. Permits may be transferred between vehicles but are valid only for the construction site for which they are issued. Failure to comply will result in a strike.
- l. Copying, forging or duplication of a right-of-way permit is prohibited. All right-of-way permits will be immediately revoked if the Town determines that duplication or abuse has occurred.
- m. Additional permits may be issued for the three (3) week period prior to the estimated date of issuance of the certificate of occupancy in the event said vehicles cannot be accommodated on site. The number of permits granted shall be determined by the Director of Public Works, or their designee.
- n. Property owners and their contractors shall be responsible for the implementation, installation, and maintenance of all required demolition and construction screening, perimeter landscaping, screening of on-job toilet facilities, following the truck logistics and staging plan, and any and all site conditions required by the Town's Code of Ordinances, Chapter 18, Buildings and Building Regulations, including Sections 18-2 (Landscaping; maintenance where used for screening), 18-3 (On-job toilet facilities, required), 18-86 (Construction staging and truck logistics plan), 18-111 (Compliance with the Town's right of way manual), and 18-201 (Construction screening). Any Town-documented lack of the required item(s) or lack of maintenance of the item(s) will constitute one (1) strike, and the Town will concurrently prosecute the violation(s) through the Code Enforcement process.
- o. Property owners and their contractors shall be responsible for compliance with the noise regulations and the hours for construction work, found in the Town's Code of Ordinances, Chapter 42, Environment, Sections 42-197 through 42-199. Any Town-documented violation of these sections will constitute one (1) strike, and the Town will concurrently prosecute the violation(s) through the Code Enforcement process.

- p. Property owners and their contractors shall be responsible for compliance with the Florida Building Code and these Right-of-Way Standards, as per the Town's Code of Ordinances, Chapter 18. Any Town-documented violation of these sections will constitute one (1) strike.
- q. Failure to comply with the aforementioned conditions may result in the suspension, fines, or in the case of repeat offenses, the cancellation of the violator's building permit.
- r. Penalties for parking in the right-of-way in violation of this section shall be as described in the Master Fee Schedule.
- s. Said penalty may be appealed in writing within seven (7) calendar days of the date of issuance to either the Chief of Police, the Director of Public Works, or the Fire Marshall (dependent upon the Department issuing the ticket), who shall, thereafter, act on said appeal. If the appeal is upheld, then the 1st, 2nd, or 3rd strike, as applicable, shall be removed from the record. Construction may continue until the appeal has been acted upon.
- t. If there is another strike received by the contractor on the same job site that results in a total of 3 strikes at a given job site, the Chief of Police, the Director of Public Works, or the Fire Marshall (dependent upon the Department issuing the ticket) will notify the Director of Planning, Zoning, & Building of the situation upon passage of the time allowed for appeal.
- u. When a 3rd strike has been issued, and if an appeal is denied or is not filed in timely fashion, the Planning, Zoning & Building Department shall issue a Stop Work Order halting all continued activity at the site as allowed in Section 18-204 of the Town's Code of Ordinances.
- v. After issuing the stop work order, the Director of Planning, Zoning, & Building must forward the matter to the Town Council at their next available meeting should the contractor and/or the property owner request in writing that the Town Council give consideration to lifting the stop work order.
- w. All requests to lift the stop work order must be decided by the Town Council, upon written application to the Planning, Zoning & Building Department, no less than seven (7) days prior to a regularly scheduled monthly Town Council (Development Review) meeting.
- x. The Town Council shall have the power to admonish the contractor; take such action as deemed necessary to effect the stop work order on a permanent basis by nullifying the existing building permit; cause the contractor and/or property owner to enter into a binding agreement to memorialize the

understandings between the Town and the contractor and/or property owner relative to all conditions placed upon the lifting of the stop work order, if applicable; establish penalties for future right-of-way violations the amount for which shall be in the sole discretion of the Town Council; and/or collect any unpaid penalties.

- y. If a Stop Work Order is lifted, no additional right-of-way permits for the duration of the work in question shall be issued unless specifically approved by the Town Council.
- z. All Right-of-way fines and penalties shall be paid in full prior to issuance of a Certificate of Occupancy for the construction associated with the right-of-way activity that generated the fines, penalties, and interest.

3. Easements / Rights-of-Way Consent and Use Agreements

Placement of structures, walls, fences, slabs, turf blocks, private utility service lines, mechanical equipment, trees, hedges or other obstacles that would restrict access and maintenance of public utilities within an easement is prohibited unless an Easement Consent Form completed from each public utility has been properly executed and submitted to the Engineering Division. Additionally, an Agreement for Use of Rights-of-Way and/or Easements must be executed by the person or entity seeking to construct such prohibited obstacles within either an easement or right of way. The Agreement for Use of Rights-of-Way and/or Easements must be fully executed by the person or entity seeking to construct such prohibited obstacles within the easement and/or right of way and the Town of Palm Beach. The properly executed Agreement must be filed within the public records of Palm Beach County at the office of the Clerk of the Circuit Court at the applicant's expense. The Town of Palm Beach, at its sole discretion, shall have the ability to reject any request regarding usage of easement(s) and/or right of way for the purpose of placement of obstacles therein regardless of the written opinion of any applicable public utility as indicated within an approved Easement Consent Form or otherwise. The Easement Consent Form can be found on the Town of Palm Beach website at: <https://www.townofpalmbeach.com/423/Permits-and-Licenses>.

4. Everglades Island Bridge

The Everglades Island Bridge has a 20-ton weight limit. By separate permit, gross weight vehicles of up to 25 tons may cross the bridge provided sufficient documentation is presented to the Engineering Division to verify the weight of the vehicle. The owner of the vehicle must obtain the permit.

Under certain circumstances, equipment may be allowed to "walk" over the bridge. Special provisions must be defined by the Engineering Division to protect the bridge deck and for maintenance of traffic.

5. Yard Trash Placement

Yard Trash placed for collection by a property owner, occupant or agent shall be in compliance with the regulations hereinafter set forth:

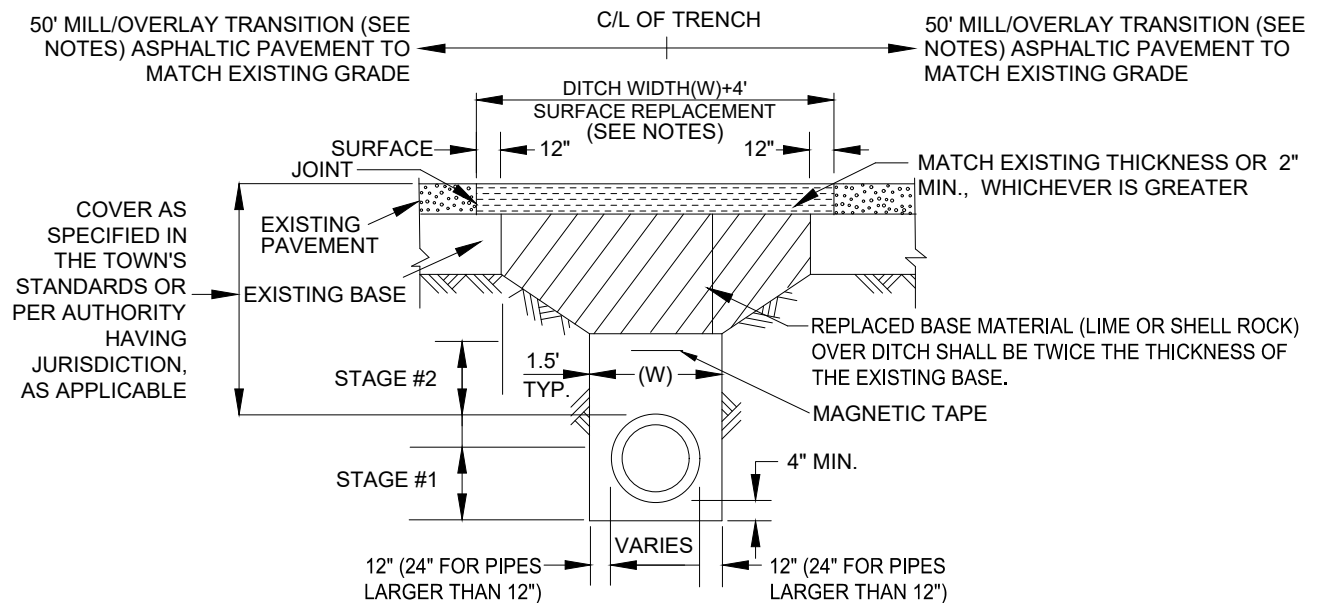
- a. In the months of November through and including the month of April, trash may be placed on the public right-of-way, adjacent to the property from which it came, not more than one (1) day prior to the scheduled day of collection.
- b. During the months of May through and including the month of October, trash may be placed on the public right-of-way, adjacent to the property from which it came, not more than three (3) days prior to the scheduled day of collection.
- c. Trash placed for collection shall not extend more than six (6) feet into the street from the curb or pavement edge and shall not obstruct the street or sidewalk or create an unsafe condition as determined by the Chief of Police. Trash may not be placed on top of water / sewer / storm system valves, manhole lids, catch basin grates, or obstruct access to fire hydrants. If trash is placed in violation of this subsection, the person in violation shall be cited not only for violation of this section, but also for a violation of Section 106-1 of the Town Code of Ordinances relating to the obstruction of sidewalks and streets.
- d. These provisions shall not apply to the paved portion of the State Department of Transportation right- of-way within the Town or to the paved portions of County Road, Ocean Boulevard or North Lake Way, where the placement of trash is specifically prohibited.

6. Charge for Curbside Trash Placed Prior to the Authorized Collection Date

In the event any person places trash for collection in violation of the requirements set forth in the Yard Trash section above, that person shall be cited for violation of this section and, pay a fine in the amount prescribed in the fee schedule set forth in Section 2-439 of the Town Code of Ordinances, and shall otherwise be subject to the jurisdiction of the code enforcement board.

Appendix A

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REPLACEMENT OF FLEXIBLE PAVEMENT FOR PERMITTED PAVEMENT CUT

DENSITY PROCEDURES:

THE BACKFILL FOR THE FIRST STAGE SHALL BE PLACED IN 6" MAXIMUM LAYERS (COMPACTED THICKNESS), AND BACKFILL FOR THE SECOND STAGE SHALL BE PLACED IN 12" MAXIMUM LAYERS (COMPACTED THICKNESS). BOTH STAGES SHALL BE COMPACTED TO 98% OF MAXIMUM DENSITY AS DETERMINED BY AASHTO T-180 UNDER PAVEMENT SURFACES. SEE CHAPTER 6 OF THESE STANDARDS FOR SUBGRADE COMPACTION REQUIREMENTS IN OTHER AREAS.

STAGE #1

THE PERMITTEE SHALL PROVIDE ADEQUATE COMPACTED FILL BENEATH THE HAUNCHES OF THE PIPE, USING MECHANICAL TAMPS SUITABLE FOR THIS PURPOSE. THIS COMPACTION APPLIES TO THE MATERIAL PLACED BENEATH THE HAUNCHES OF THE PIPE AND ABOVE ANY BEDDING REQUIRED.

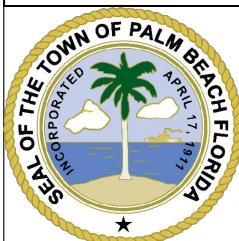
STAGE #2

THE PERMITTEE SHALL OBTAIN A WELL-COMPACTED BED AND FILL ALONG THE SIDES OF THE PIPE AND TO A POINT INDICATING THE TOP OF SUBGRADE MATERIAL.

LIMEROCK, CRUSHED CONCRETE BASE MATERIALS

BASE MATERIAL SHALL BE PLACED IN 6" LAYERS (COMPACTED THICKNESS) AND SHALL BE COMPACTED AS DESCRIBED IN CHAPTER 6 OF THESE STANDARDS.

NOTE: A TEMPORARY ASPHALT PATCH (2" MINIMUM OR MATCH EXISTING THICKNESS, WHICHEVER IS GREATER) SHALL BE APPLIED SAME DAY AS ROAD IS CUT AND MAINTAINED 90 DAYS BEFORE PLACEMENT OF FINAL WEARING SURFACE.



**TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT**

REVISIONS:

DATE:

REPLACEMENT OF
FLEXIBLE PAVEMENT
FOR PERMITTED
PAVEMENT CUT

DRAWING NO.

C-1

APPROVED:

EFFECTIVE:

TOWN ENGINEER

REPLACEMENT OF FLEXIBLE PAVEMENT FOR PERMITTED PAVEMENT CUT

GENERAL NOTES

BASE AND BACKFILL MATERIALS SHALL BE EITHER OF THE SAME TYPE AND COMPOSITION AS THE MATERIALS REMOVED, OR OF EQUAL OR GREATER STRUCTURAL ADEQUACY. MATERIALS CONTAMINATED WITH DELETERIOUS SUBSTANCES DURING EXCAVATION SHALL NOT BE USED.

REPLACEMENT BASE MATERIAL OVER DITCH SHALL BE TWICE THE THICKNESS OF THE ORIGINAL BASE.

BASE MATERIAL SHALL BE PLACED IN TWO OR THREE LAYERS AND EACH LAYER THOROUGHLY ROLLED OR TAMPED TO THE SPECIFIED DENSITY.

ASPHALT CONCRETE PAVEMENT JOINTS SHALL BE MECHANICALLY SAWED AND BUTT-JOINTED.

SURFACE TREATED PAVEMENT JOINTS SHALL BE LAPPED AND FEATHERED.

SURFACE MATERIAL SHALL BE CONSISTENT WITH THE EXISTING SURFACE.

PIPE SHALL BE PLACED IN A DRY TRENCH UNLESS OTHERWISE APPROVED BY THE ENGINEERING DIVISION.

FOLLOW THE FDOT STANDARDS FOR APPLICATION OF PRIME AND TACK COATS.

ALL ROADWAY REPAIR WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE STANDARDS AND THE LATEST APPLICABLE FDOT STANDARDS, AS APPLICABLE.

DENSITY TESTS SHALL BE TAKEN IN 1 FOOT LIFTS ABOVE THE PIPE AT INTERVALS OF 300 FEET MAXIMUM (1 SET MINIMUM) OR AS DIRECTED BY THE ENGINEERING DIVISION. COPIES OF TEST REPORTS SHALL BE SUBMITTED TO THE ENGINEERING DIVISION.

IF THE PAVEMENT IS NOT COMPLETELY RESTORED IMMEDIATELY FOLLOWING THE OPEN CUT, A SMOOTH, TEMPORARY PATCH SHALL BE INSTALLED PROPERLY MATCHING THE EXISTING GRADE OF THE ROADWAY. THE TEMPORARY PATCH SHALL BE ALLOWED TO REMAIN FOR A PERIOD NO LONGER THAN 60 DAYS. THE TOWN RESERVES THE RIGHT TO USE THE POSTED BOND TO COMPLETE RESTORATION WORK THAT HAS NOT BEEN COMPLETED WITHIN THE 60 DAY TIME PERIOD. ALTERNATE TEMPORARY TRENCH PROTECTION (STEEL PLATES, ETC.) MAY BE APPROVED BY THE ENGINEERING DIVISION UPON REQUEST.

FOR THE FINAL RESTORATION, THE ROAD SHALL BE MILLED AND RESURFACED (INCLUDING THE PATCHED/SURFACE REPLACEMENT AREA OVER THE TRENCH) WITH 1" MINIMUM THICKNESS ASPHALT MATCHING EXISTING MATERIALS FOR A FULL LANE WIDTH ENCROACHED UPON BY THE TRENCH INCLUDING A TRANSITION AREA OF 50 FEET ON EACH SIDE OF THE TRENCH.

MAGNETIC TAPE IS REQUIRED FOR ALL MAIN PRESSURE PIPES IN RIGHTS OF WAY AND EASEMENTS. INSTALL TAPE 24" BELOW GRADE DIRECTLY ABOVE THE INSTALLED PIPE.

CONTINUOUS 4-INCH-WIDE PAINT STRIPING IS REQUIRED FOR ANY WATERMAIN (BLUE), FORCEMAIN OR SANITARY MAIN (GREEN), OR GAS MAIN (YELLOW) THAT DOES NOT CONSIST OF INTEGRALLY COLORED PIPE MATERIAL.

RE-STRIPING IN THE RIGHT OF WAY SHALL BE THERMOPLASTIC TO MATCH EXISTING OR AS OTHERWISE APPROVED BY THE ENGINEERING DIVISION.

FOR ROADS NOT UNDER THE AUTHORITY OF THE TOWN OF PALM BEACH, THE APPROPRIATE ROAD AUTHORITY STANDARDS SHALL TAKE PRECEDENCE (I.E. FDOT)

	TOWN OF PALM BEACH PUBLIC WORKS DEPARTMENT		REPLACEMENT OF FLEXIBLE PAVEMENT FOR PERMITTED PAVEMENT CUT	DRAWING NO. C-1A	
	REVISIONS:	DATE:			
				APPROVED:	EFFECTIVE:
				TOWN ENGINEER	

TABLE 100

**TABLE OF MATERIALS AND CONSTRUCTION
STANDARDS: RESIDENTIAL ACCESS AND LOCAL
STREETS**

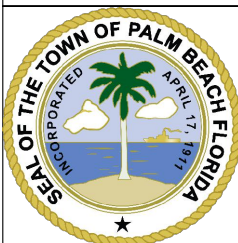
COMPONENT [1]	DESCRIPTION OF MATERIALS	CONSTRUCTION STANDARDS MINIMUM IN PLACE		NOTES
		THICKNESS [2]	METHOD	
(A)	TYPE S-1 OR SP 12.5 ASPHALTIC CONCRETE	1-1/2"	ONE (1) LIFT	MAY BE USED AS A STRUCTURAL COURSE BELOW S-3 OR SP-9.5 WEARING SURFACE. TACK COAT REQUIRED BETWEEN COURSES SN COEFF./IN. = 0.44
	TYPE S-3 OR SP-9.5 ASPHALTIC CONCRETE	2" MIN.	TWO (2) EQUAL LIFTS	TACK COAT REQUIRED WITH MULTIPLE LIFTS SN COEFF./IN. = 0.44
(B)	LIMEROCK	8" MIN.	COMPACTED	PRIME COAT SHALL BE USED BETWEEN THE FINISHED ROCK BASE AND FIRST LIFT OF ASPHALT LBR 100 MIN. SN COEFF./IN. = 0.18
	SHELLROCK	8" MIN.	COMPACTED	
	CRUSHED CONCRETE	8" MIN.	COMPACTED	
(C)	SUBGRADE	12"	COMPACTED	[3]
	SUBGRADE	12"	STABILIZED TYPE B	[4] SN COEFF./IN. = 0.08

KEY

- [1] A = PAVEMENT
 B = BASE
 C = SUBGRADE
- [2] ALL DIMENSIONS REFER TO COMPACTED THICKNESS.
- [3] NON-STABILIZED SUBGRADES MEETING THE COMPACTION
 REQUIREMENTS WILL BE CONSIDERED BY THE
 ENGINEERING DIVISION IF THE BASE COURSE DEPTH IS
 INCREASED BY A THICKNESS THAT YIELDS AN
 EQUIVALENT STRUCTURAL NUMBER.
- [4] STABILIZE TO L.B.R. VALUE OF 40

NOTES:

- MINOR ROADS SHALL HAVE A PAVEMENT SECTION WITH A STRUCTURAL NUMBER (SN) GREATER OR EQUAL TO 2.86
- MAJOR ROADS SHALL HAVE A PAVEMENT SECTION WITH A STRUCTURAL NUMBER (SN) GREATER THAN OR EQUAL TO 3.04
- ALL SUBGRADE AND BASE COURSES SHALL BE COMPACTED TO 98% OF THE MAXIMUM DRY DENSITY AS DETERMINED BY AASHTO T-180



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

TABLE 100

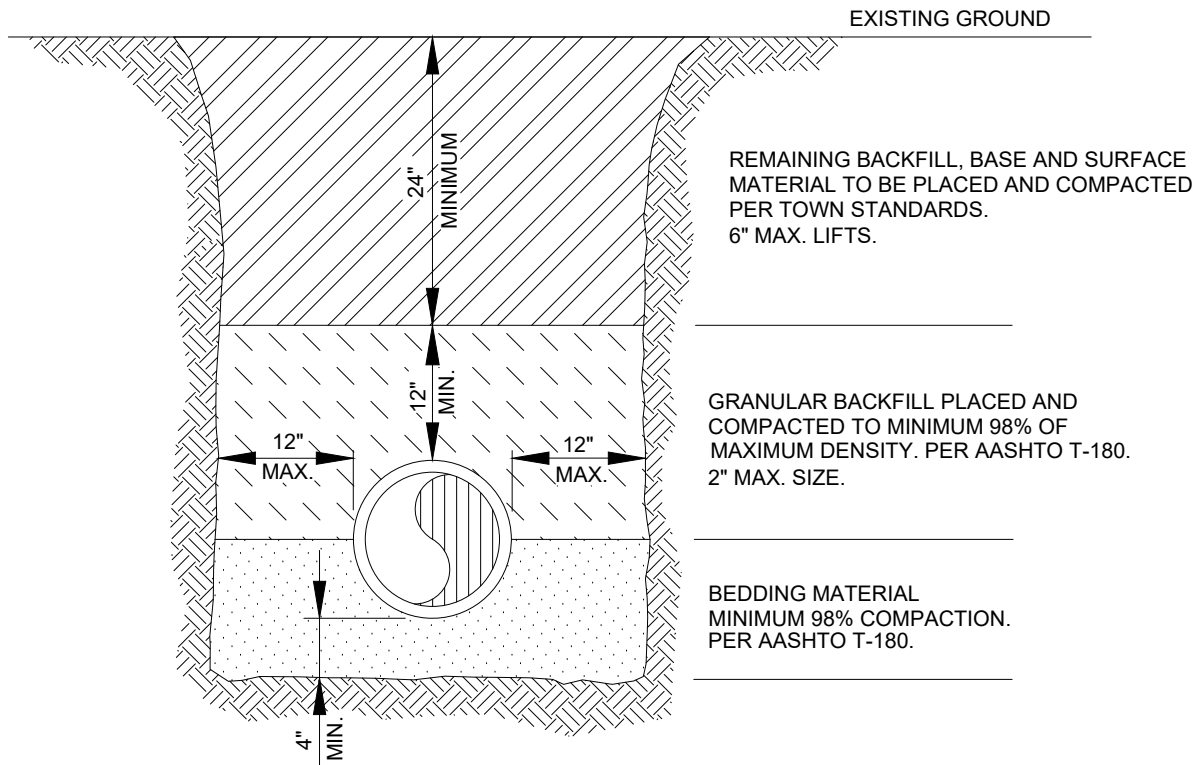
DRAWING NO.

C-2

APPROVED:

EFFECTIVE:

TOWN ENGINEER

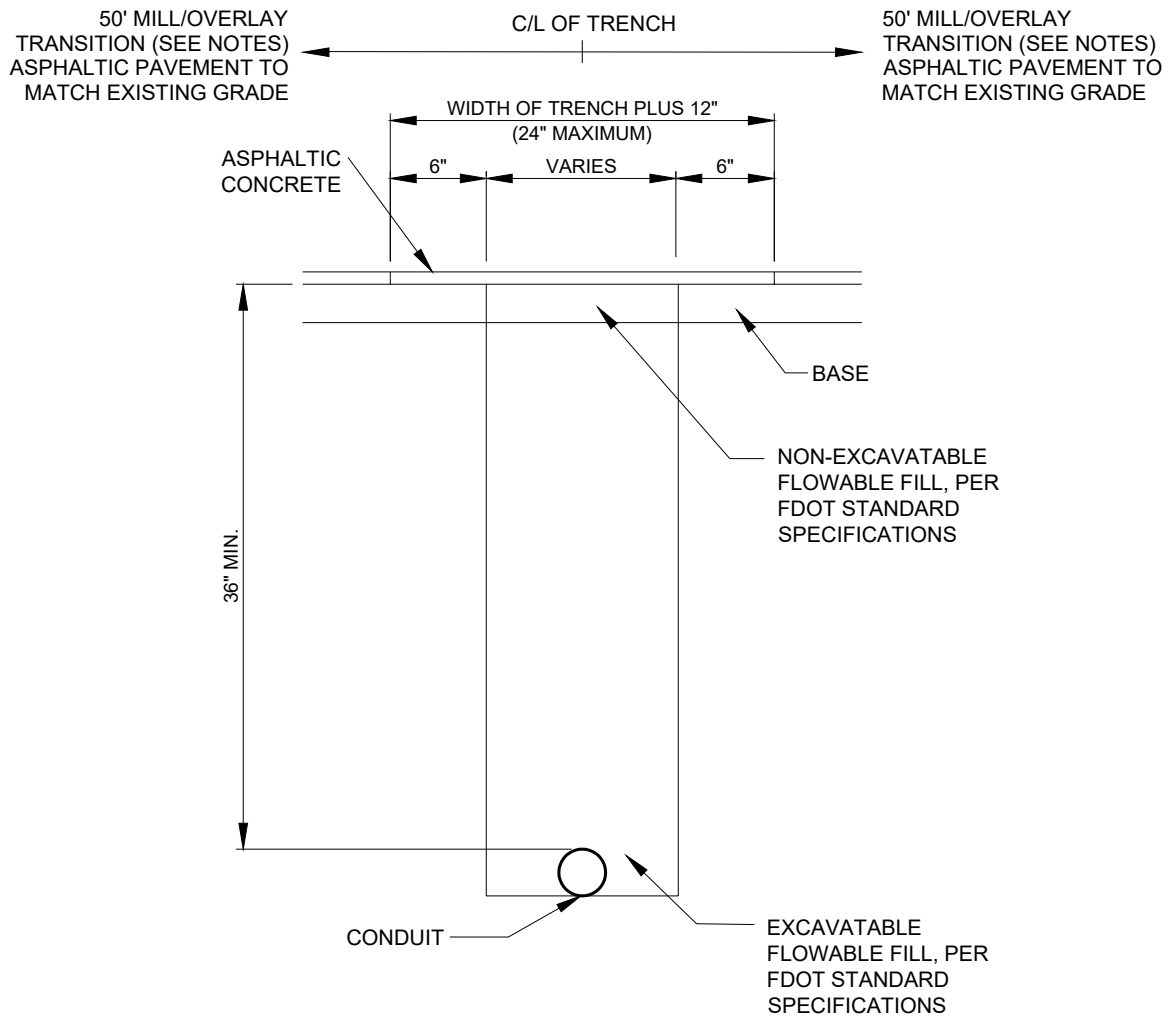


NOTE:

1. BEDDING SHALL CONSIST OF IN-SITU GRANULAR MATERIAL OR WASHED AND GRADED LIMEROCK 3/8" - 7/8" SIZING. UNSUITABLE INSITU MATERIALS SUCH AS MUCK, DEBRIS AND LARGER ROCK SHALL BE REMOVED.
2. THE PIPE SHALL BE FULLY SUPPORTED FOR ITS ENTIRE LENGTH WITH APPROPRIATE COMPACTION UNDER THE PIPE HAUNCHES.
3. THE PIPE SHALL BE PLACED IN A DRY TRENCH.
4. BACKFILL SHALL BE FREE OF UNSUITABLE MATERIAL SUCH AS LARGER ROCK, MUCK AND DEBRIS.
5. DENSITY TESTS SHALL BE TAKEN IN 1 FOOT LIFTS ABOVE THE PIPE AT INTERVALS OF 300 FEET MAXIMUM (1 SET MINIMUM) OR AS DIRECTED BY THE ENGINEERING DIVISION. COPIES OF TEST REPORTS SHALL BE SUBMITTED TO THE ENGINEERING DIVISION.
6. THE PERMITTEE SHALL BE REQUIRED TO COMPLY WITH ALL TRENCH SAFETY AND OSHA LAWS AND REGULATIONS.
7. SEE SEPARATE DETAIL FOR PAVED AREAS.
8. MAGNETIC TAPE IS REQUIRED FOR ALL MAIN PRESSURE PIPES IN RIGHTS OF WAY AND EASEMENTS. INSTALL TAPE 24" BELOW GRADE DIRECTLY ABOVE THE INSTALLED PIPE.
9. CONTINUOUS 4-INCH-WIDE PAINT STRIPING IS REQUIRED FOR ANY WATERMAIN (BLUE), FORCEMAIN OR SANITARY MAIN (GREEN), OR GAS MAIN (YELLOW) THAT DOES NOT CONSIST OF INTEGRALLY COLORED PIPE MATERIAL.

TYPICAL TRENCH DETAIL

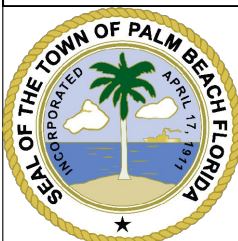
	TOWN OF PALM BEACH PUBLIC WORKS DEPARTMENT		TYPICAL TRENCH DETAIL	DRAWING NO. C-3
	REVISIONS:	DATE:		
			APPROVED:	EFFECTIVE:
			TOWN ENGINEER	



FOR USE IN INSTALLING CONDUIT UNDER EXISTING ASPHALT PAVEMENT NOT ADJACENT TO GUTTER WHEN TRENCHLESS METHODS ARE NOT FEASIBLE

NOTES:

1. RIGID CONDUIT MUST BE USED WHEN JACKING UNDER EXISTING PAVEMENT AT 3 FT. MAXIMUM DEPTH.
2. ASPHALT TO BE SAWCUT AT THE EDGES OF THE TRENCH.
3. FOR THE FINAL RESTORATION, THE ROAD SHALL BE MILLED AND RESURFACED (INCLUDING THE PATCHED/SURFACE REPLACEMENT AREA OVER THE TRENCH) WITH 1" MINIMUM THICKNESS ASPHALT MATCHING EXISTING MATERIALS FOR A FULL LANE WIDTH ENCROACHED UPON BY THE TRENCH INCLUDING A TRANSITION AREA OF 50 FEET ON EACH SIDE OF THE TRENCH.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

EXCAVATED CONDUIT
UTILITY TRENCHING

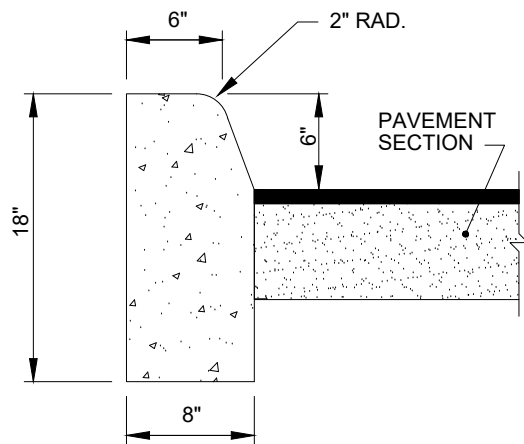
APPROVED:

TOWN ENGINEER

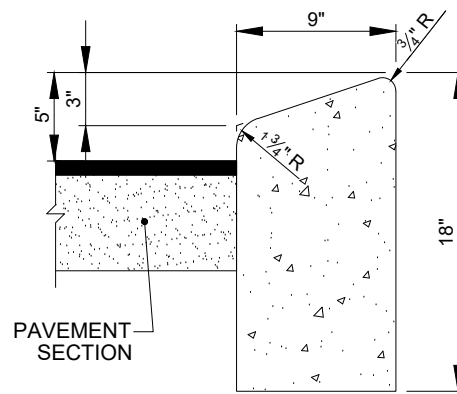
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C-4

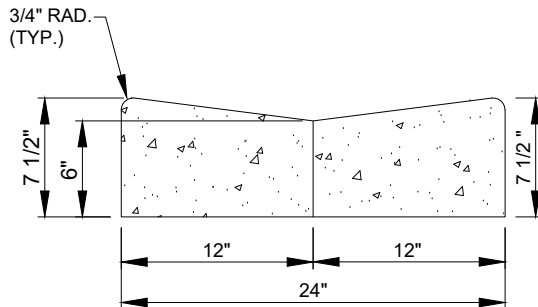
EFFECTIVE:



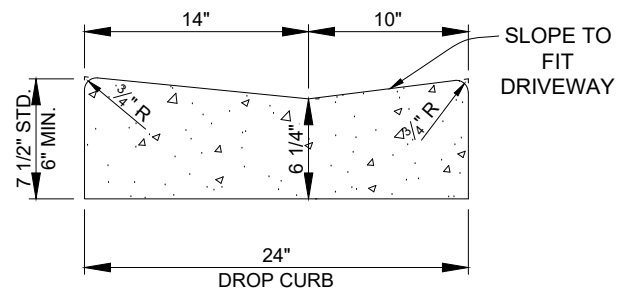
TYPE D CURB



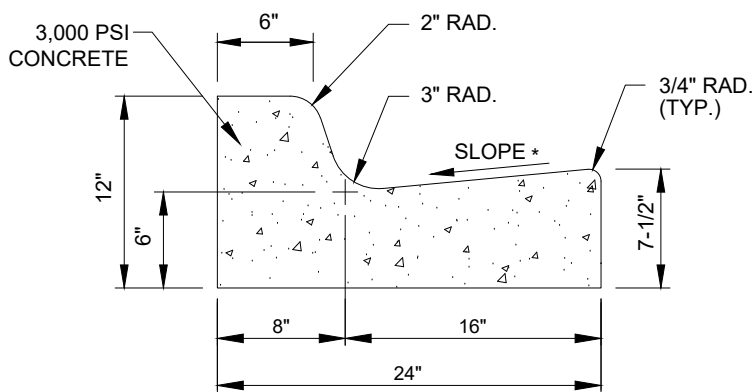
TYPE B CURB



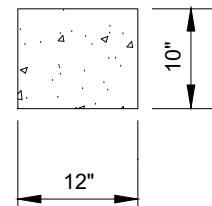
2' VALLEY GUTTER - SYMMETRICAL



DROP CURB



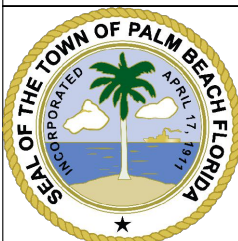
TYPE F-CURB AND GUTTER



FLUSH HEADER CURB
N.T.S.

NOTES:

- *WHEN USED ON HIGH SIDE OF ROADWAYS, THE CROSS SLOPE OF THE GUTTER SHALL MATCH THE CROSS SLOPE OF THE ADJACENT PAVEMENT AND THE THICKNESS OF THE LIP SHALL BE 6"
- CURBS SHALL MEET THE REQUIREMENTS FDOT STANDARD INDEX 300



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

CURB DETAILS

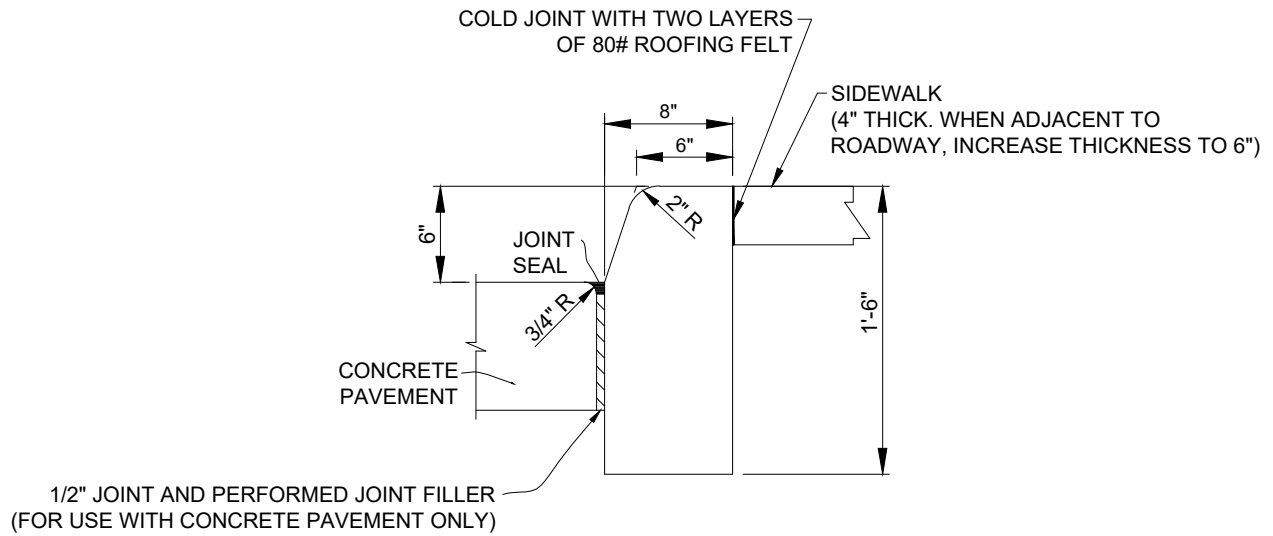
DRAWING NO.

C-5

APPROVED:

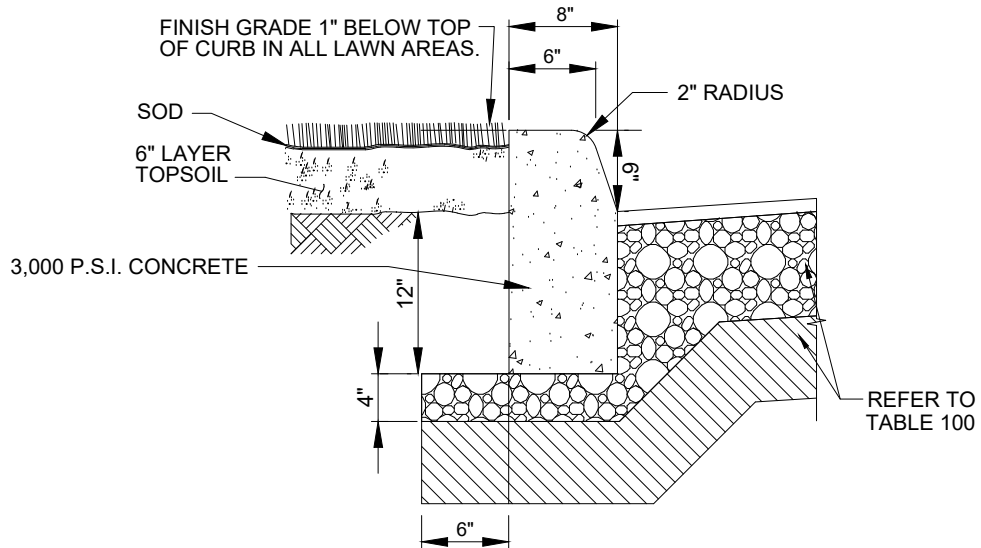
EFFECTIVE:

TOWN ENGINEER



NOTE: FOR USE ADJACENT TO CONCRETE OR FLEXIBLE PAVEMENT, CONCRETE SHOWN.

CURB AND SIDEWALK



CURB ADJACENT TO LANDSCAPE AREA



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

CURB DETAILS

DRAWING NO.

C-6

APPROVED:

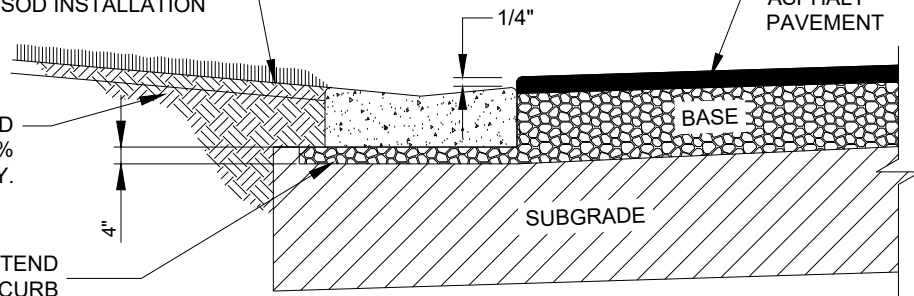
EFFECTIVE:

TOWN ENGINEER

SOD OR MATCH EXISTING SURFACE
TREATMENT ON COMPACTED SHOULDER TO
PATHWAY OR PROPERTY LINE. GRADE 0.2'
BELOW PLAN GRADE FOR SOD INSTALLATION

COMPACTED BEHIND
CURB 2' MIN. TO 95%
MAXIMUM DRY DENSITY.

CURB PAD TO EXTEND
6" MIN. BEYOND CURB

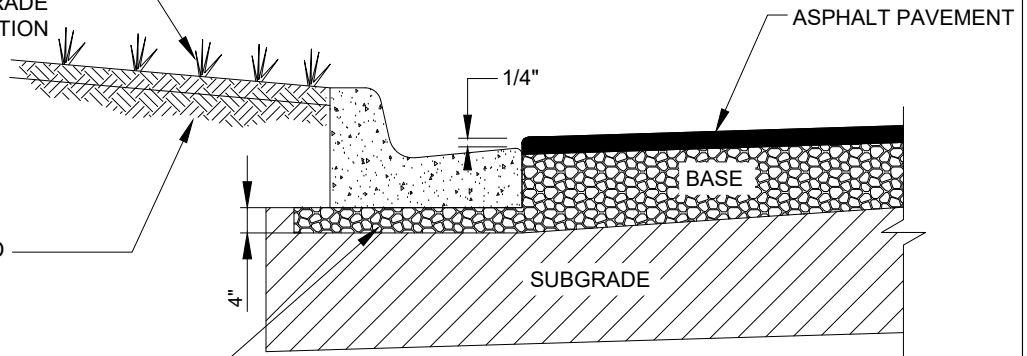


VALLEY GUTTERS

FULL SOD OR MATCH EXISTING
SURFACE TREATMENT ON
COMPACTED SHOULDER TO
PATHWAY OR PROPERTY LINE.
GRADE 0.2' BELOW PLAN GRADE
FOR SOD INSTALLATION

COMPACT BEHIND
CURB 2' MIN. TO
95% MAXIMUM
DENSITY

CURB PAD TO EXTEND 6" MIN.
BEYOND CURB



NON-MOUNTABLE CURB AND GUTTER (TYPE F-CURB SHOWN, TYPE D CURB SIMILAR)

FULL SOD OR MATCH EXISTING
TREATMENT ON COMPACTED
SHOULDER TO PATHWAY OR
PROPERTY LINE

GRADE 0.2' BELOW
PLAN GRADE FOR
SOD INSTALLATION

8' WIDE COMPACTED SHOULDER

PLAN GRADE

1/4"

ASPHALT
PAVEMENT

BASE

SUBGRADE

6"

CURB PAD

SWALE



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

LOCAL STREET
PAVEMENT EDGE
DETAILS

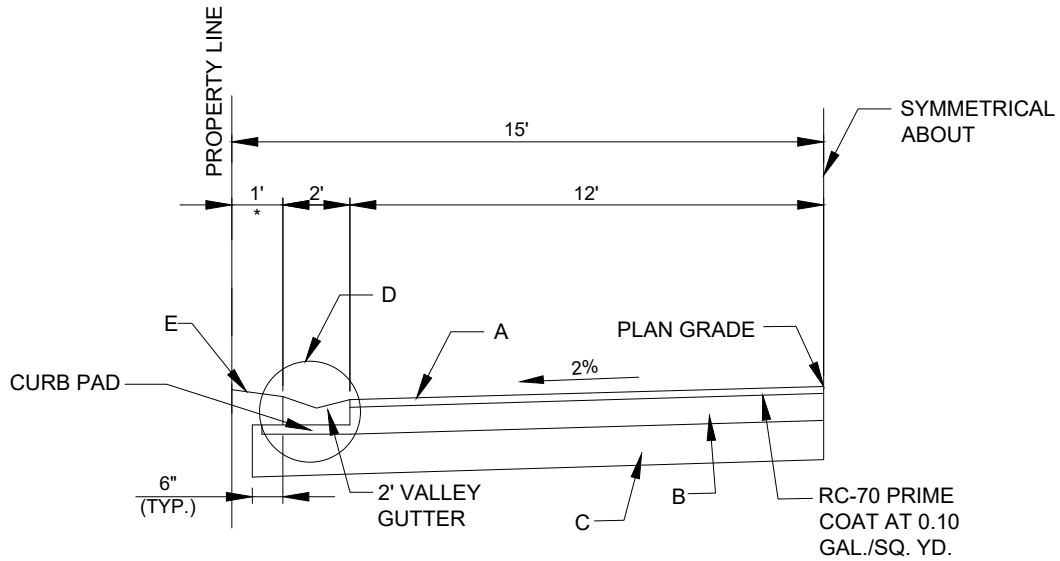
APPROVED:

TOWN ENGINEER

DRAWING NO.

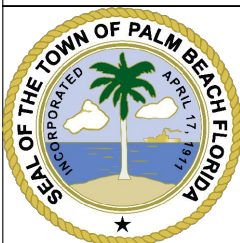
C-7

EFFECTIVE:



* NOTE: FULL SOD

- A. WEARING SURFACE: SEE TABLE 100
- B. BASE: SEE TABLE 100
- C. SUBGRADE: SEE TABLE 100
- D. PAVEMENT EDGE: SEE LOCAL STREET PAVEMENT EDGE DETAILS.
- E. 25% MAXIMUM SLOPE. NOT TO EXCEED 10% IN LOT ACCESS & DRIVEWAY AREAS.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

30' RESIDENTIAL
ACCESS STREET
(CROWN)

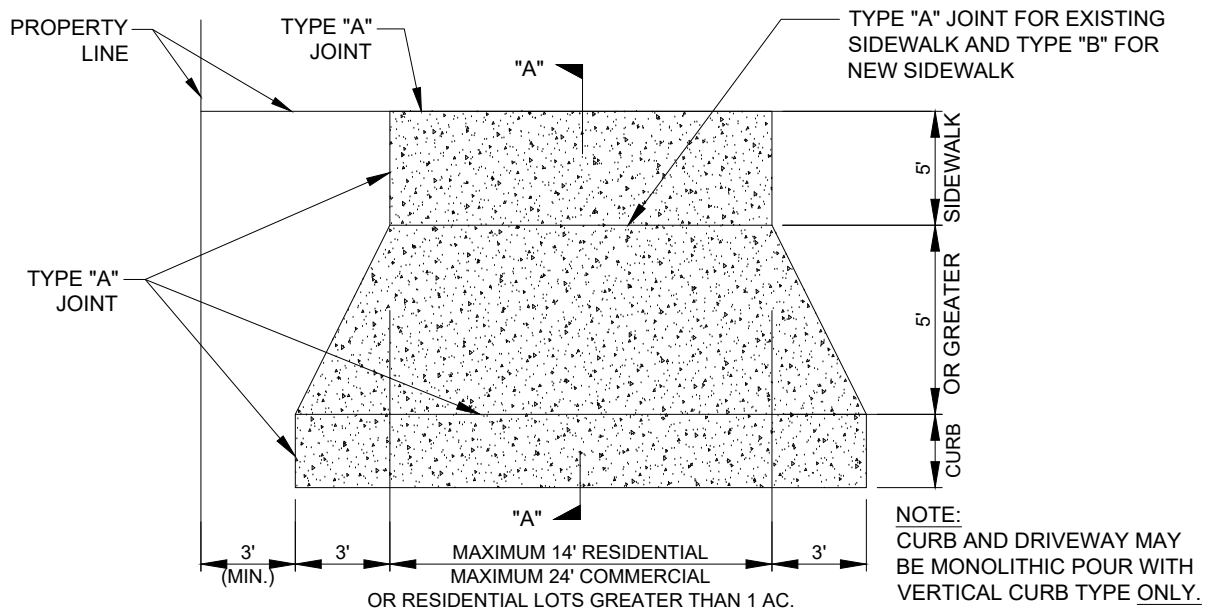
DRAWING NO.

C-8

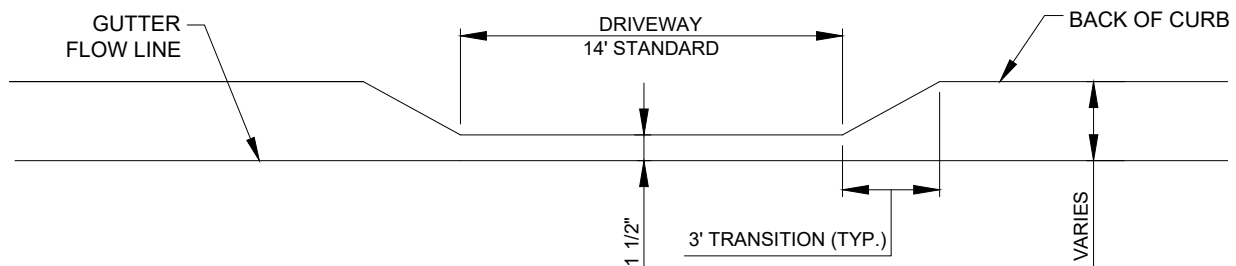
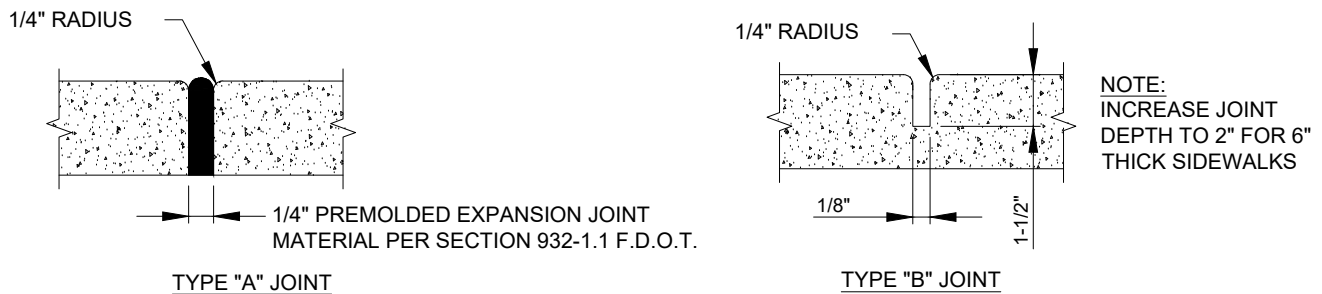
APPROVED:

EFFECTIVE:

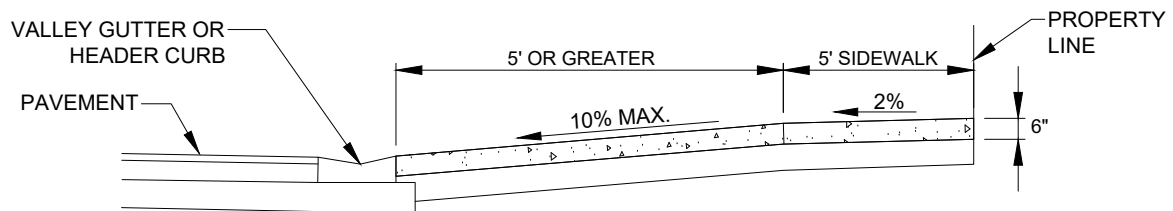
TOWN ENGINEER



PLAN



CURB TRANSITION PROFILE



SEE DETAIL

SECTION A-A

SECTION A-A

1. DRIVEWAY TO BE PORTLAND CEMENT, MIN. 3000 P.S.I. @ 28 DAYS.
2. BASE TO BE MINIMUM 12" CLEAN SAND OR SANDY LOAM, FULLY COMPACTED, 98% MAX. DRY DENSITY AASHTO T-180, FULL WIDTH.
3. CONCRETE TO BE BROOM FINISHED WITH EVEN, DUSTLESS SURFACE.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

RESIDENTIAL DRIVEWAY
CURB & GUTTER
SECTION (CONCRETE)

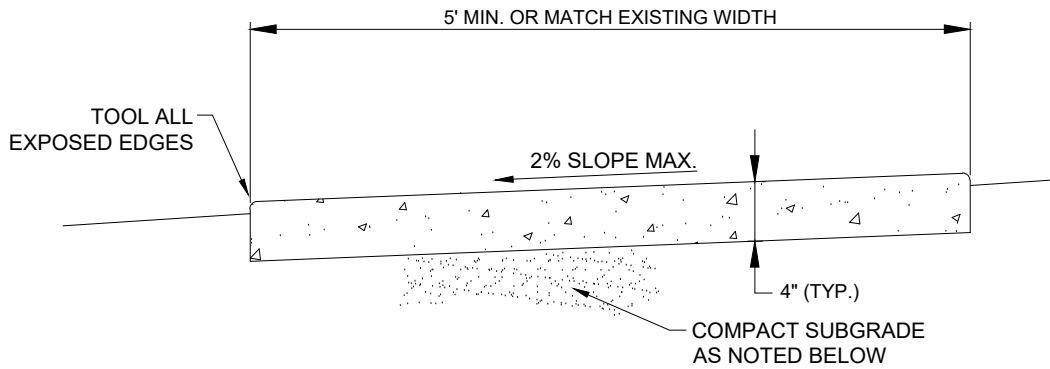
APPROVED:

TOWN ENGINEER

DRAWING NO.

C-9

EFFECTIVE:



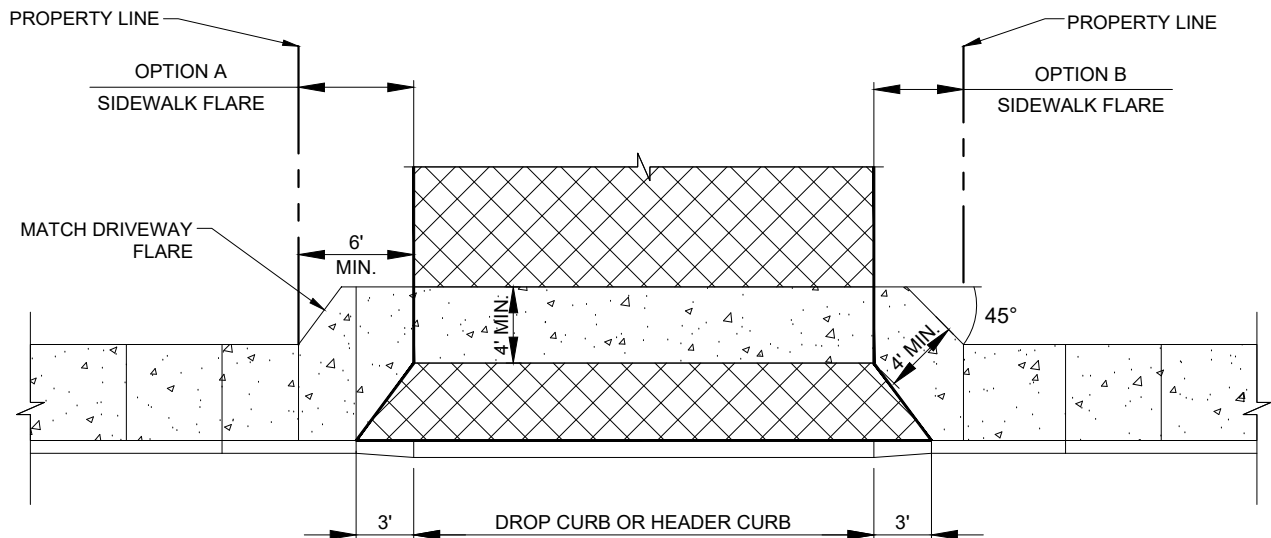
TYPICAL SECTION

NOTES:

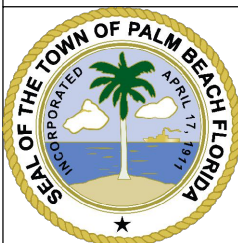
1. PROVIDE EXPANSION JOINTS BETWEEN SIDEWALK AND DRIVEWAYS, SIDEWALK, OR AT ANY OTHER RIGID STRUCTURE.
2. EXPANSION JOINTS SHALL BE PROVIDED AT 120 FT. MAXIMUM SPACING.
3. ULTIMATE COMPRESSIVE STRENGTH OF CONCRETE SHALL BE 3,000 P.S.I. (MIN.) @ 28 DAYS FOR SIDEWALKS.
4. MINIMUM THICKNESS OF SIDEWALK SHALL BE AS NOTED ABOVE. INCREASE SIDEWALK THICKNESS TO 6" ACROSS DRIVEWAYS AND WHEN SIDEWALK IS ADJACENT TO VEHICULAR AREAS.
5. FOR SIDEWALKS OR DRIVEWAYS WITHIN R.O.W., COMPACT SUBGRADE TO 98% OF MAXIMUM DENSITY AS DETERMINED BY AASHTO T-180.

CONCRETE SIDEWALK DETAIL

NOT TO SCALE



SIDEWALK/DRIVEWAY WITHOUT UTILITY STRIP



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

CONCRETE SIDEWALK
DETAILS

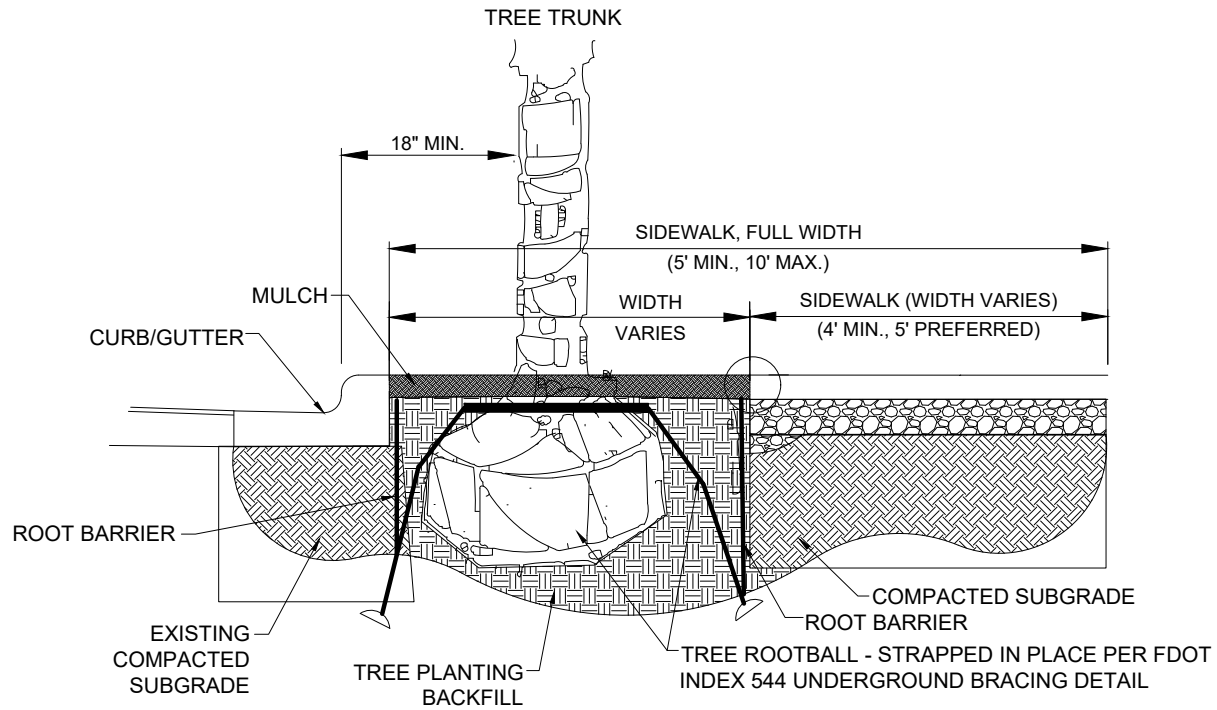
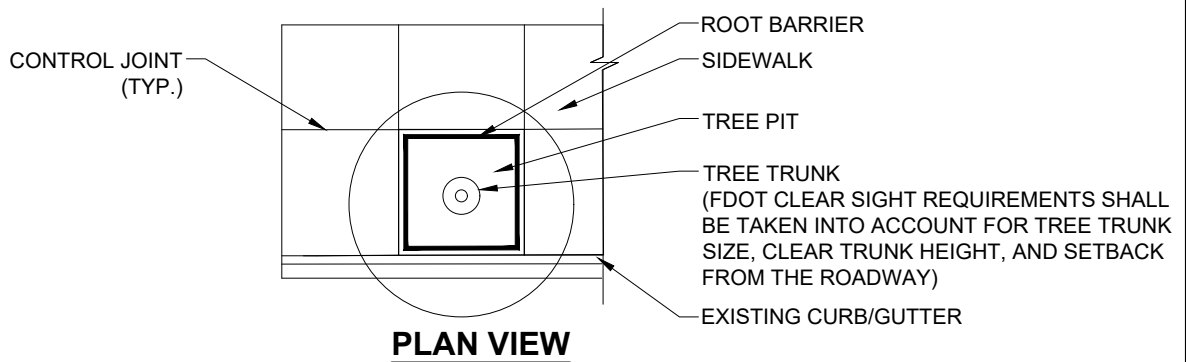
DRAWING NO.

C-10

APPROVED:

EFFECTIVE:

TOWN ENGINEER



NOTES:

1. TREES SHOWN ON THIS PLAN ARE FOR GRAPHIC REPRESENTATION ONLY.
2. TREES MAY BE FIELD ADJUSTED TO AVOID CONFLICTS WITH DRIVEWAYS AND UNDERGROUND UTILITIES
3. TREES ARE TO BE INSTALLED WITH A ROOT BARRIER SYSTEM.
4. IN NO CASE SHALL A TREE ENCROACH INTO A UTILITY EASEMENT WITHOUT PRIOR APPROVAL.

ROOT BARRIER NOTES:

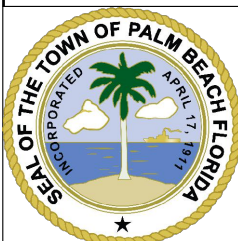
MANUFACTURER: CENTURY ROOT BARRIER (OR EQUAL)
714-632-7083)

SIZE: 36" DEEP

MATERIAL: POLYETHYLENE WITH ULTRAVIOLET INHIBITORS

THICKNESS: 0.085" (MIN.)

INSTALLATION: INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

TREE PIT DETAIL

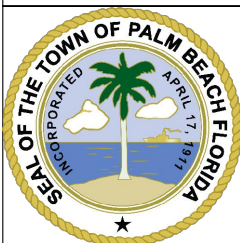
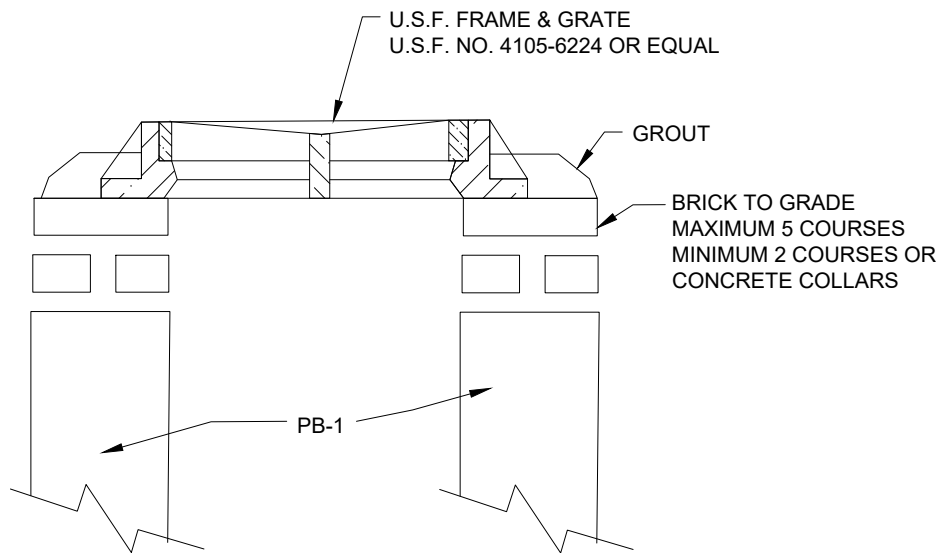
APPROVED:

TOWN ENGINEER

DRAWING NO.

C-11

EFFECTIVE:



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INLET TOP 4155-6210

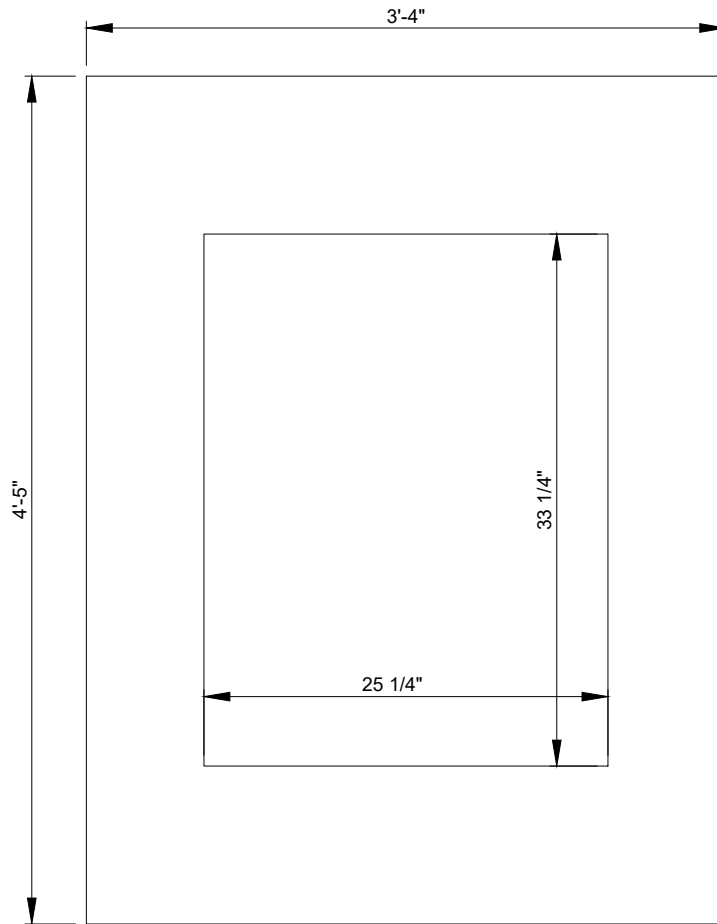
DRAWING NO.

D-1

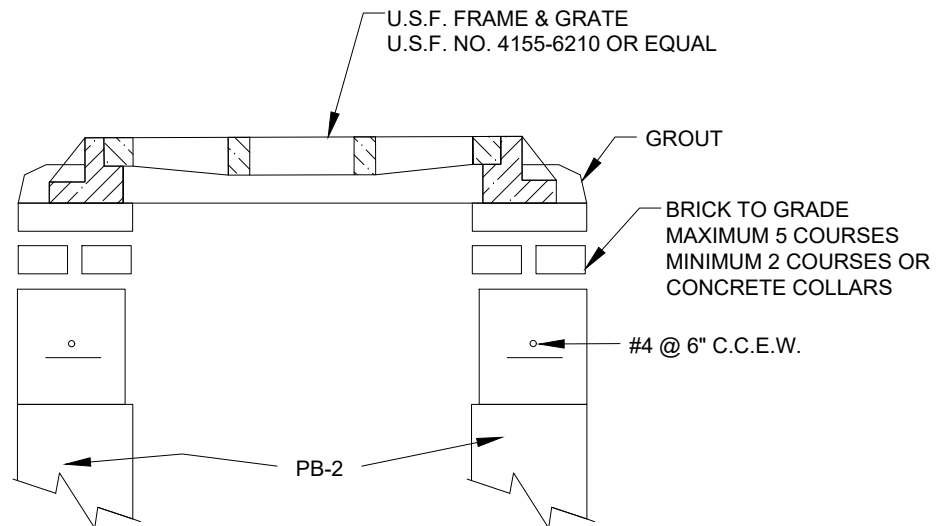
APPROVED:

EFFECTIVE:

TOWN ENGINEER



PLAN



SECTION



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INLET TOP 4155-6210

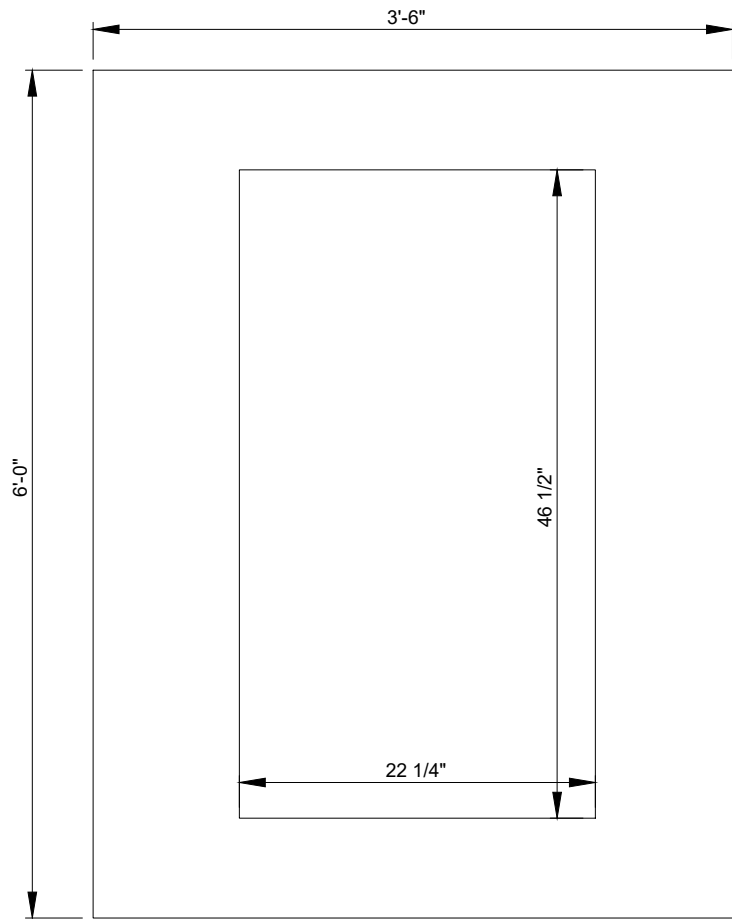
DRAWING NO.

D-2

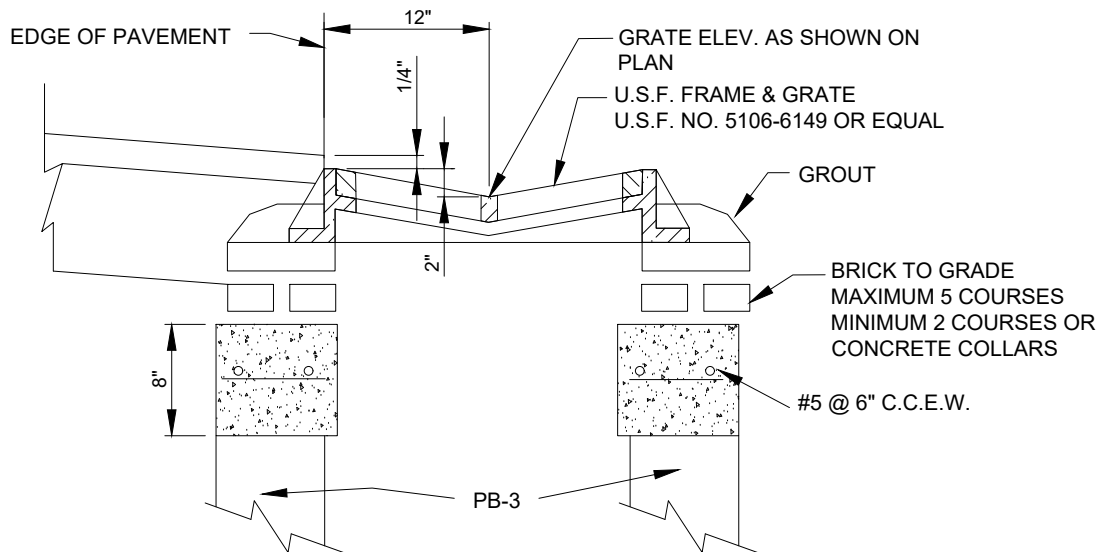
APPROVED:

EFFECTIVE:

TOWN ENGINEER



PLAN



SECTION



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INLET TOP 5106-6149

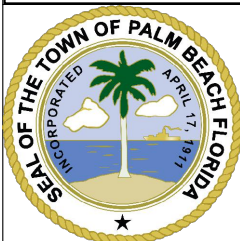
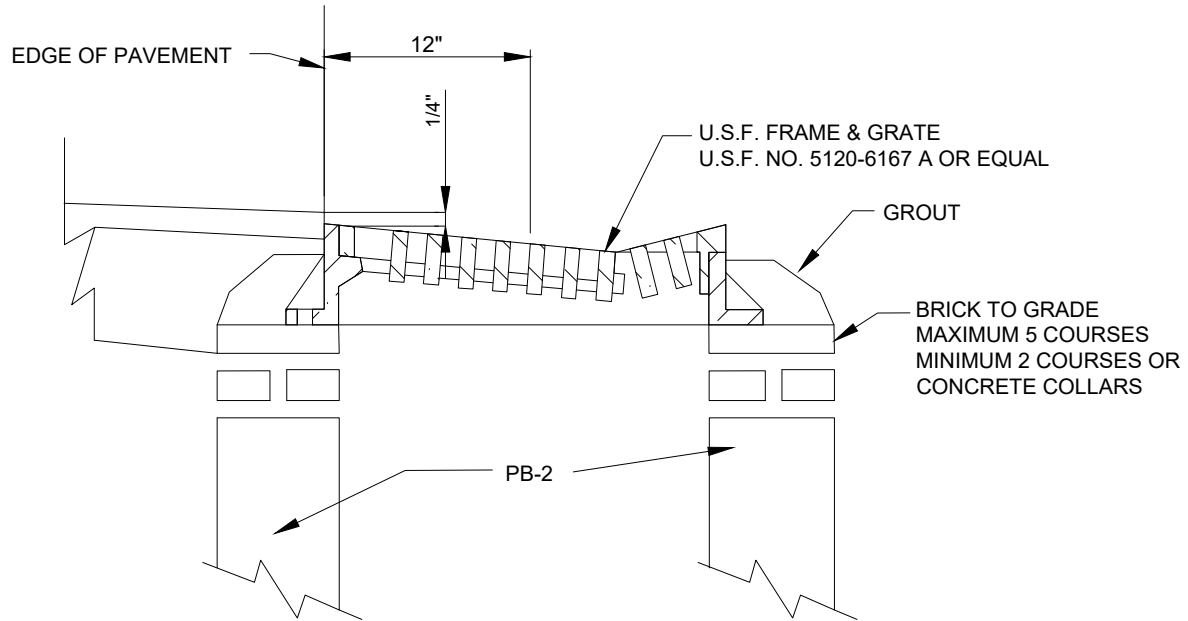
DRAWING NO.

D-3

APPROVED:

EFFECTIVE:

TOWN ENGINEER



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INLET TOP 5120-6167

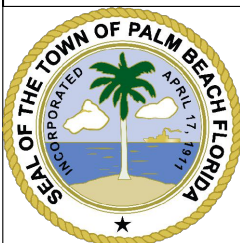
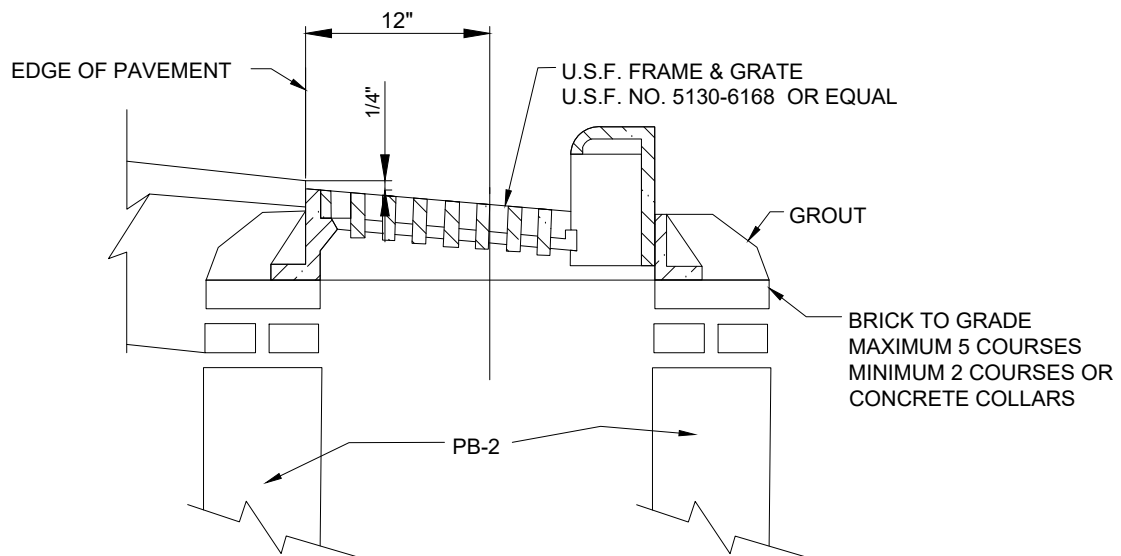
DRAWING NO.

D-4

APPROVED:

EFFECTIVE:

TOWN ENGINEER



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INLET TOP 5130-6168

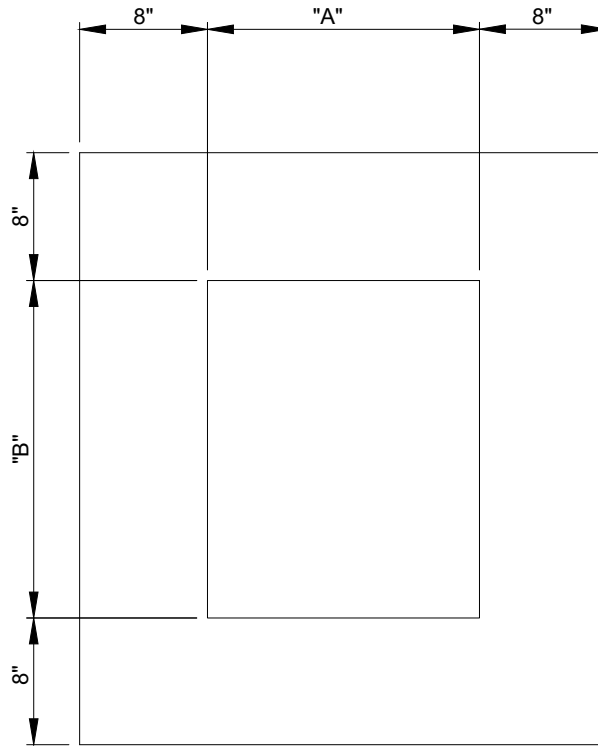
DRAWING NO.

D-5

APPROVED:

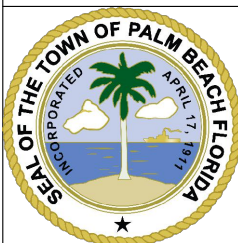
EFFECTIVE:

TOWN ENGINEER



PLAN

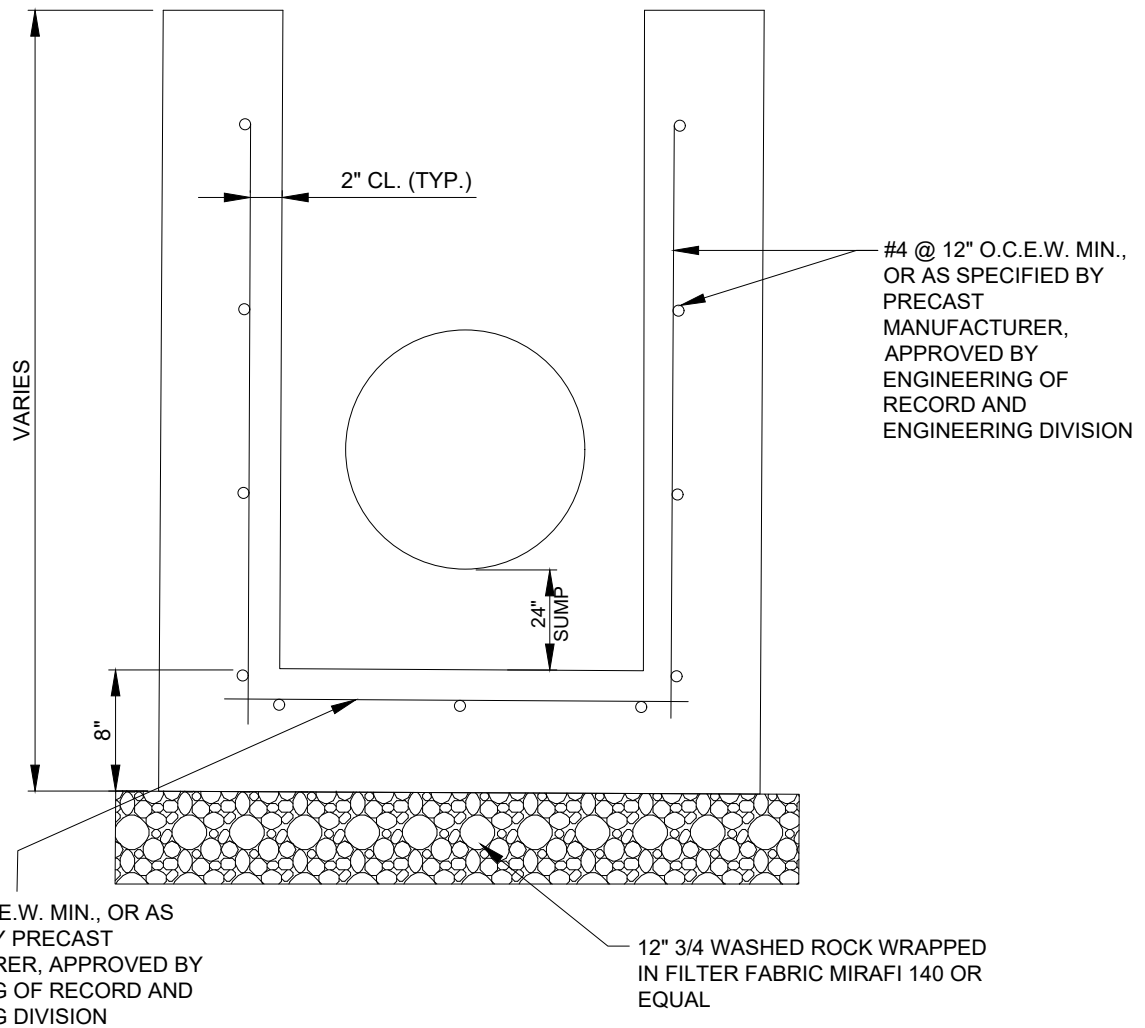
INLET TYPE	DIMENSION "A"	DIMENSION "B"
PB-1	1'-5"	2'-3"
PB-2	2'-0"	3'-1"
PB-3	4'-0"	6'-0"



TOWN OF PALM BEACH PUBLIC WORKS DEPARTMENT	
REVISIONS:	DATE:

INLET BOTTOM (PLAN)
APPROVED:
TOWN ENGINEER

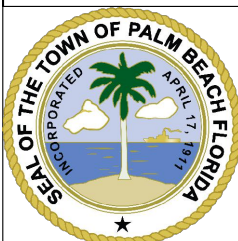
DRAWING NO. D-6
EFFECTIVE:



SECTION

INLET TYPES: INLETS ARE TO BE SHOWN HEREON. REVOLVE POSITION TO ACCOMMODATE LARGER DIAMETER PIPE SIZE.

MATERIAL: INLET WALLS AND FOOTING MAT BE EITHER POURED-IN-PLACE 4000 PSI CONCRETE; OR PRECAST CLASS "A" 4000 PSI CONCRETE.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INLET BOTTOM
(SECTION)

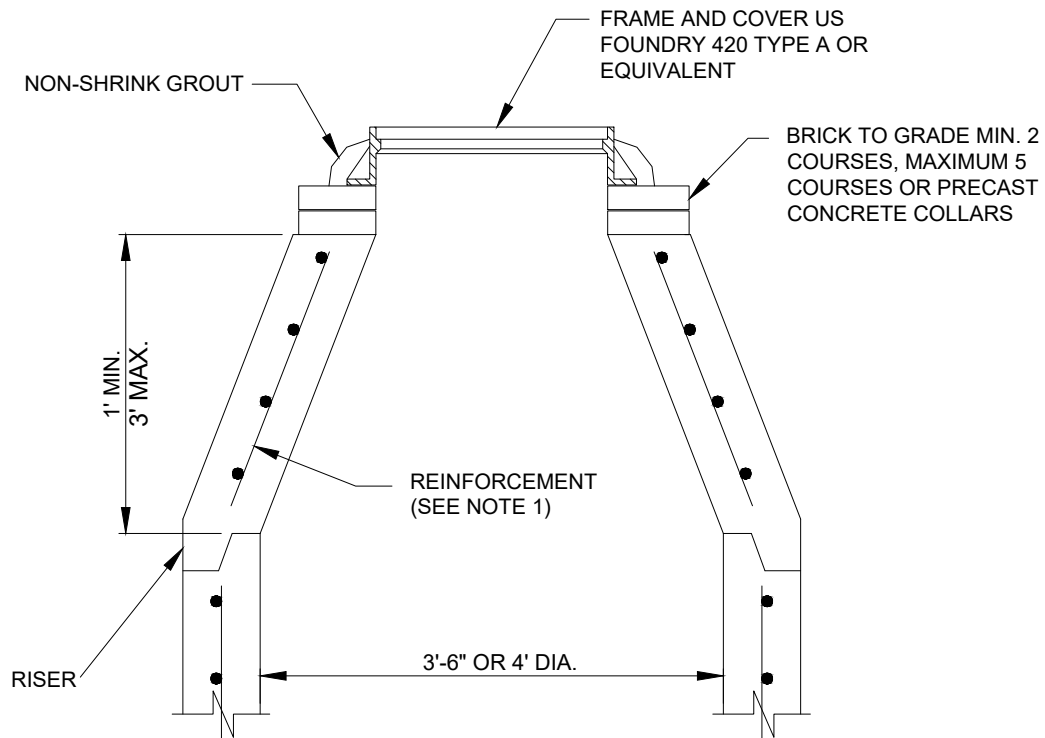
DRAWING NO.

D-7

APPROVED:

EFFECTIVE:

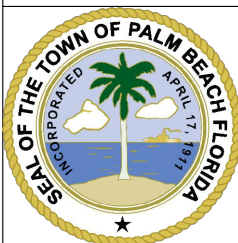
TOWN ENGINEER



PRECAST CONCENTRIC CONE

NOTE:

1. MANHOLE TOP MAY TO OF CAST-IN-PLACE OR PRECAST CONCRETE CONSTRUCTION. FOR CONCRETE CONSTRUCTION, THE CONCRETE AND STEEL REINFORCEMENT SHALL BE THE SAME AS THE SUPPORTING WALL UNIT. AN ECCENTRIC CONE MAY BE USED.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

STORM MANHOLE TOP

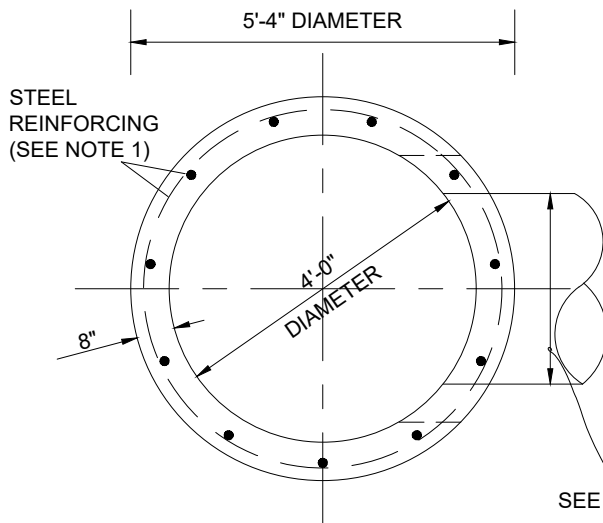
DRAWING NO.

D-8

APPROVED:

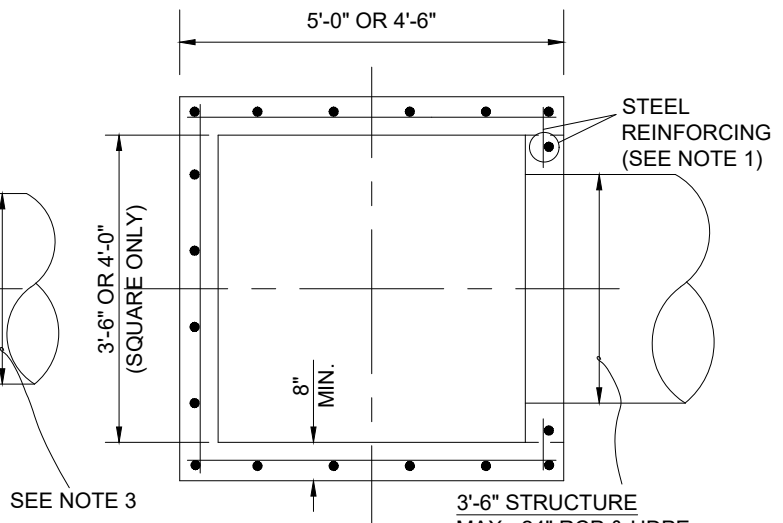
EFFECTIVE:

TOWN ENGINEER



PLAN

ALTERNATE A



PLAN

ALTERNATE B

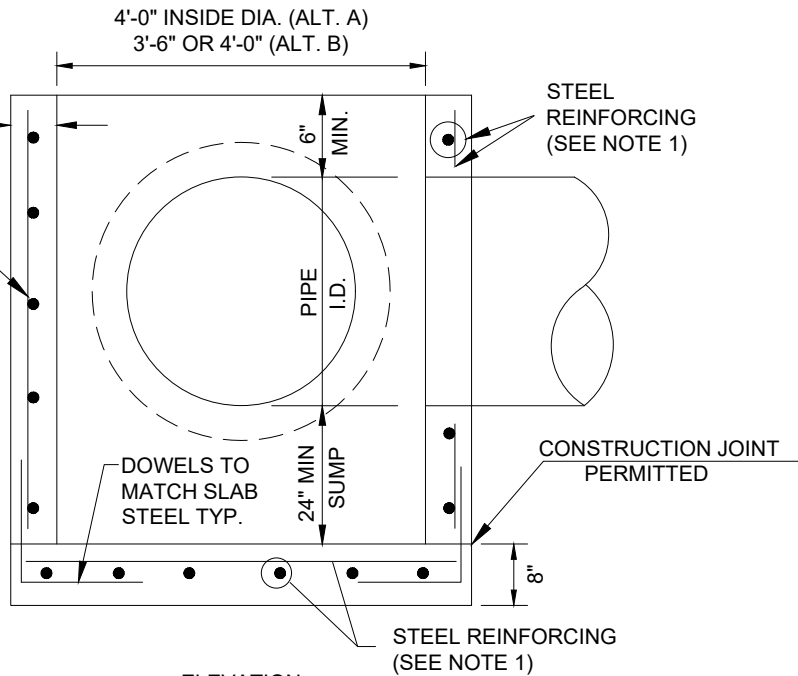
3'-6" STRUCTURE
MAX - 24" RCP & HDPE
MAX - 30" CMP & PVC
4'-0" STRUCTURE
MAX 30" RCP & HDPE
MAX 36" CMP & PVC

SQUARE STRUCTURE 6" MIN.
ROUND STRUCTURE 8" MIN.

REINFORCING SHALL BE IN
CENTER 1/3 OF CONC. WALL

NOTES:

1. REINFORCEMENT STEEL AREA AND PLACEMENT SHALL CONFORM TO FDOT STANDARD INDEX 200 & INDEX 201 MINIMUM.
2. PROVIDE ONE EXTRA #4 BAR REINFORCEMENT EACH SIDE OF EACH OPENING AND TWO EXTRA #4 BARS AT 3" MIN SPACING ABOVE EACH OPENING PER FDOT STANDARD INDEX 200.
3. FOR ROUND STRUCTURES ENGINEER SHALL CHECK PIPE SIZES AND ENTRY ANGLES (SEE FDOT INDEX 201)



ELEVATION

TYPE "P" - MANHOLE & INLET STRUCTURE BOTTOM

NOT TO SCALE



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

STORM MANHOLE
BOTTOM

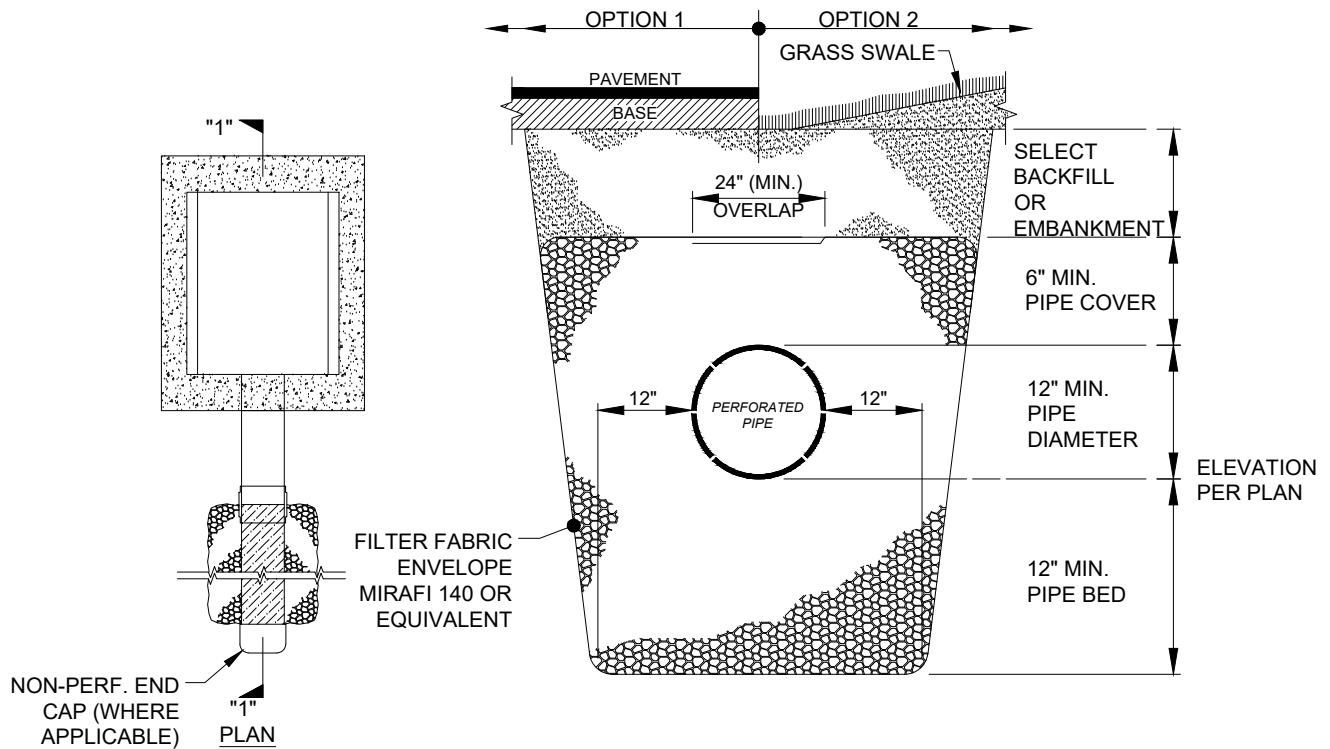
APPROVED:

TOWN ENGINEER

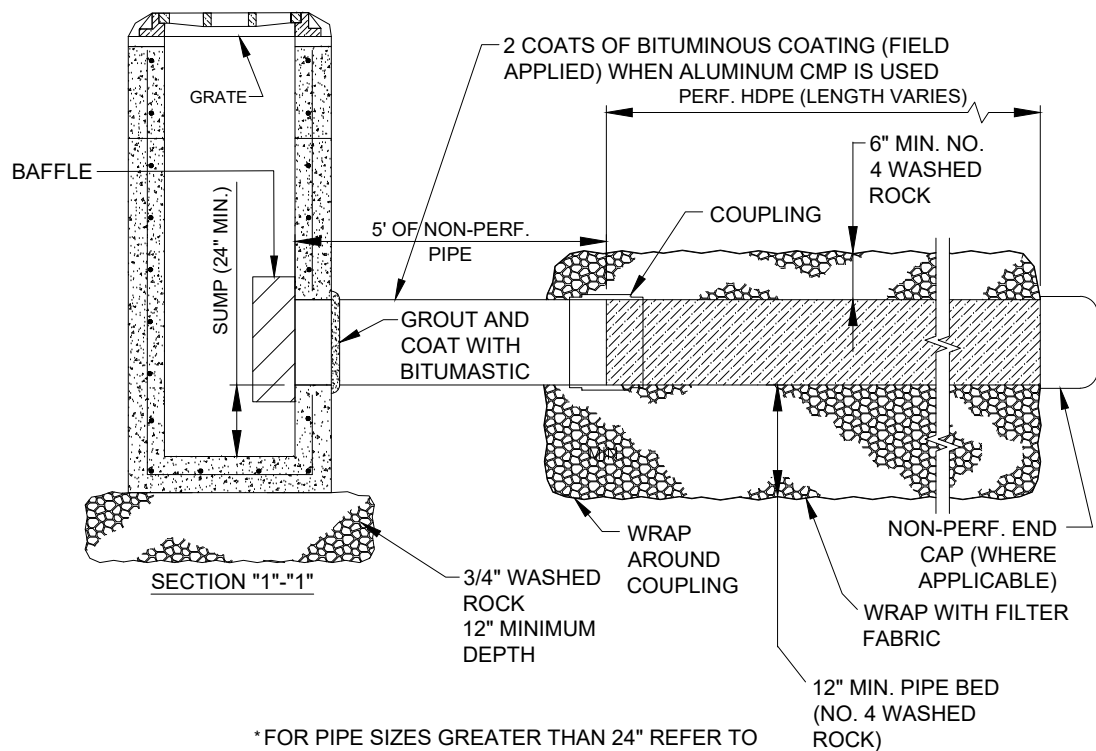
DRAWING NO.

D-9

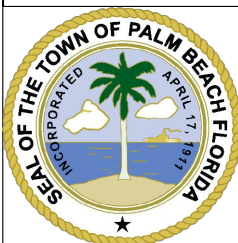
EFFECTIVE:



TYPICAL EXFILTRATION TRENCH CROSS SECTION



* FOR PIPE SIZES GREATER THAN 24" REFER TO MANUFACTURERS RECOMMENDATION & SUBMIT FOR ENGINEERING DIVISION APPROVAL



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

EXFILTRATION
TRENCH

DRAWING NO.

D-10

APPROVED:

EFFECTIVE:

TOWN ENGINEER

#4 @ 12" O.C.E.W. MIN.,
OR AS SPECIFIED BY
PRECAST
MANUFACTURER,
APPROVED BY
ENGINEERING OF
RECORD AND
ENGINEERING DIVISION

WELD 14 GA.
ALUMINUM PLATE TO
CMP

ALUMINUM CMP BAFFLE
OPEN AT BOTTOM 24"
DIA. MINIMUM OR ONE
SIZE LARGER THAN
DISCHARGE PIPE

PB-2 STRUCTURE OR
LARGER AS REQUIRED.

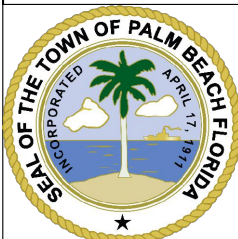
DISCHARGE PIPE
(SIZE VARIES)

INV. EL. (SEE PLANS)

18"

12" 3/4 WASHED ROCK
WRAPPED IN FILTER
FABRIC MIRAFI 140 OR
EQUAL

SECTION



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

POLLUTION CONTROL
STRUCTURE SHEET 1

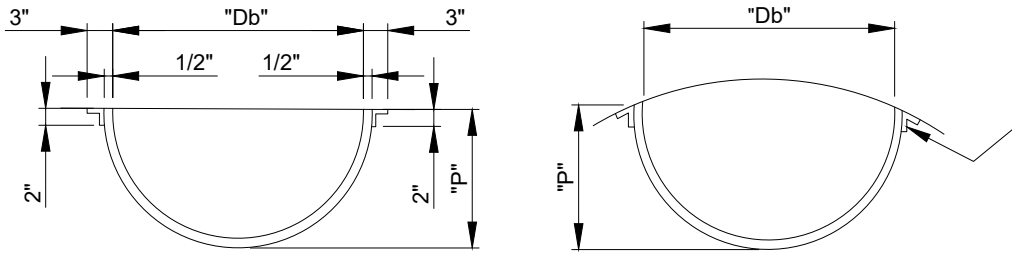
APPROVED:

TOWN ENGINEER

DRAWING NO.

D-11

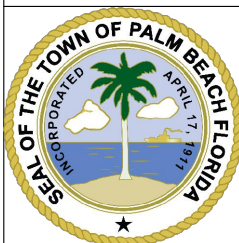
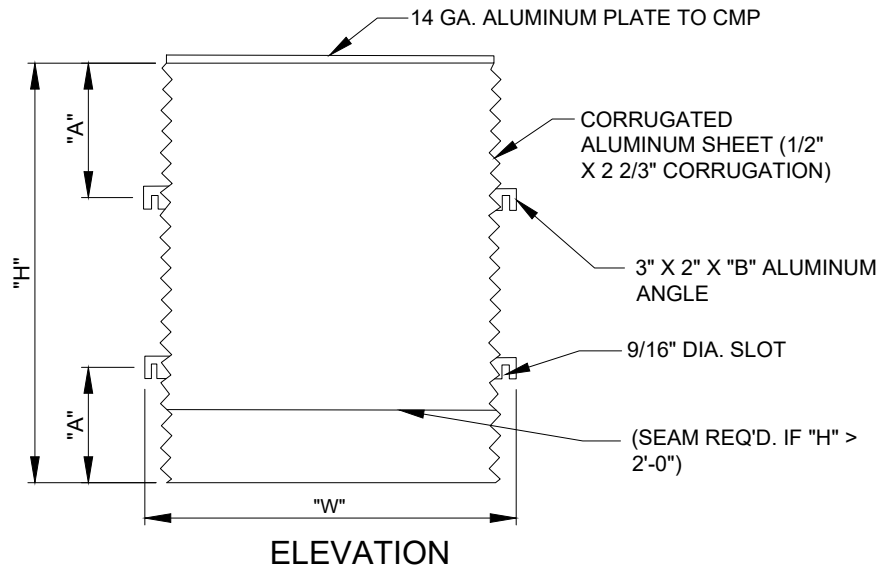
EFFECTIVE:



PIPE DIA.	BAFFLE DIA.	GUAGE	HEIGHT	WIDTH	DEPTH	EAR LENGTH	PERCENT OF PIPE AREA
	"DB"	"B"	"H"	"W"	"P"	"A"	
12	24	16	33	31	12.5	8	65.3
15	24	16	33	31	12.5	8	65.3
18	24	16	33	31	12.5	8	65.3
21	24	16	33	31	12.5	8	65.3
24	30	16	36	37	15.5	9	78.1
27	36	16	39	43	18.5	10	88.9
30	36	16	42	43	18.5	11	72.0
36	42	16	48	49	21.5	12	68.1
42	48	16	54	55	24.5	14	65.3
48	54	16	60	61	27.5	15	63.3
54	60	14	66	67	30.5	17	61.7
60	66	14	72	73	33.5	18	60.5
66	72	14	78	79	36.5	20	59.5
72	84	14	84	91	42.5	21	68.1

NOTE: ALL DIMENSIONS ARE IN INCHES.

CONTRACTOR TO CONFIRM THAT BAFFLE WILL FIT STRUCTURE I.D.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

POLLUTION CONTROL
STRUCTURE SHEET 2

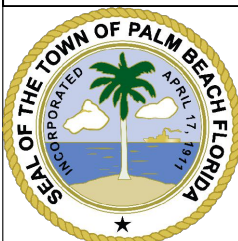
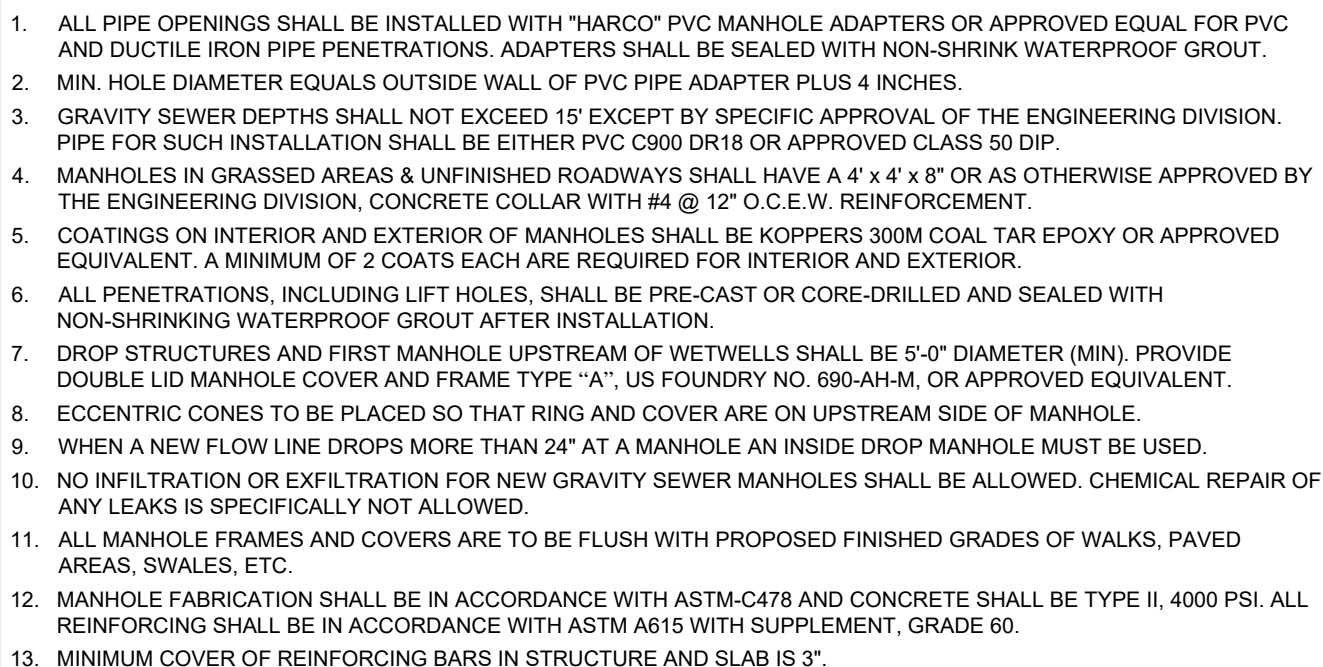
APPROVED:

TOWN ENGINEER

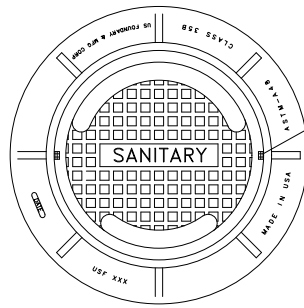
DRAWING NO.

D-12

EFFECTIVE:



EFFECTIVE:

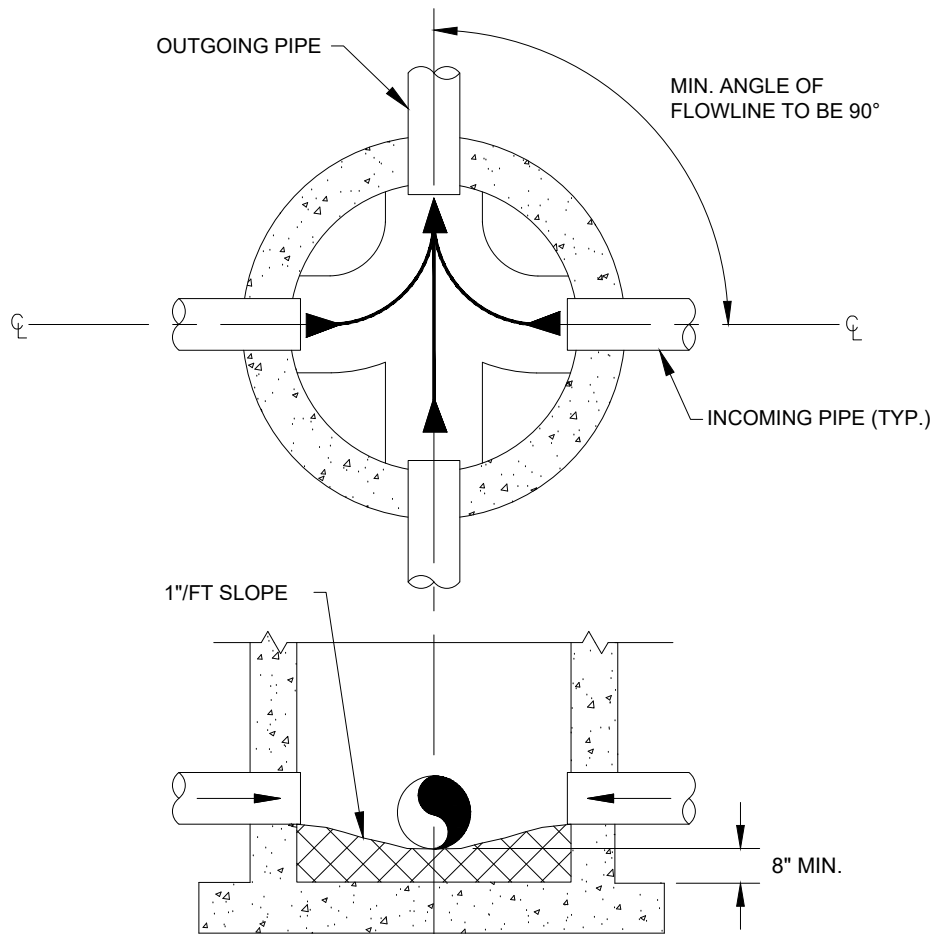


2 NON-PENETRATING PICK HOLES

1. PROVIDE U.S. FOUNDRY NO. 420-A RING OR APPROVED EQUAL STANDARD FOR 4'-0" DIAMETER MANHOLE.
2. COVER SHALL FIT FLUSH WITH THE FRAME.

MANHOLE FRAME & COVER

N.T.S.



1. FLOW CHANNELS SHALL BE CONSTRUCTED WITH 6" BRICK RUBBLE, BEDDED AND COVERED WITH 2" MIN. TYPE II PORTLAND CEMENT GROUT. FLOW CHANNELS SHALL BE PROPERLY SHAPED SO AS TO PROVIDE FOR SMOOTH FLOW BETWEEN THE INFLUENT PIPE(S) AND THE EFFLUENT PIPE. SIDE WALLS OF FLOW CHANNELS SHALL BEGIN AT SPRING LINE OF PIPE OR HIGHER AND SHALL BE SLOPED TO MATCH FLOW LINE. WIDTH OF CHANNELS SHOULD MATCH THE INSIDE DIAMETER OF INCOMING AND OUTGOING PIPES.
2. RADIUS OF CHANNEL SHALL BE AS FOLLOWS:
 - PIPES LESS THAN 12": CENTERLINE RADIUS TO BE 1/2 OF MANHOLE INSIDE DIAMETER
 - PIPES 12" AND LARGER: OUTER WALL RADIUS TO BE 1/2 OF MANHOLE INSIDE DIAMETER
3. SERVICE LATERALS SHALL BE CONNECTED TO THE MAIN WHENEVER POSSIBLE. IF THIS IS NOT TECHNICALLY FEASIBLE, SERVICE LATERALS CAN BE CONNECTED TO MANHOLES ONLY WITH ENGINEERING DIVISION APPROVAL.

FLOW CHANNEL

N.T.S.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

MANHOLE DETAILS

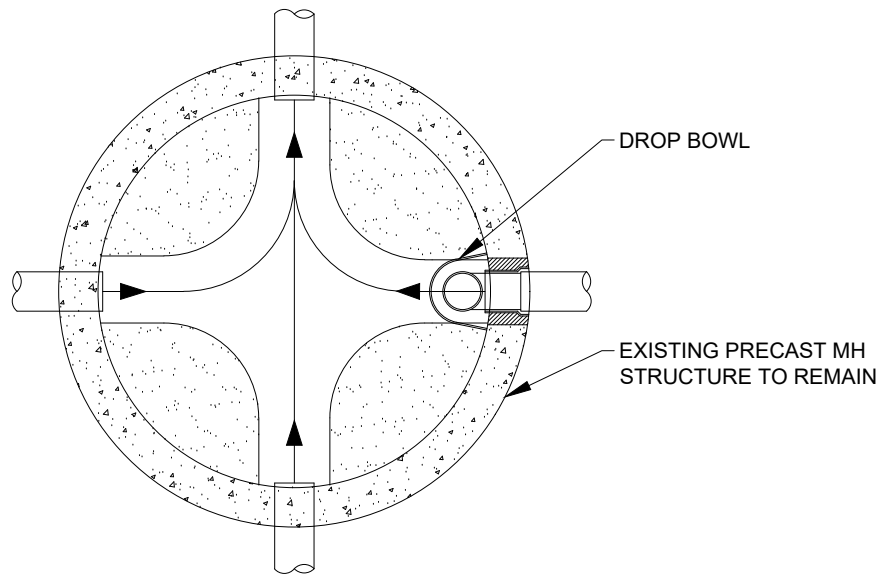
DRAWING NO.

S-2

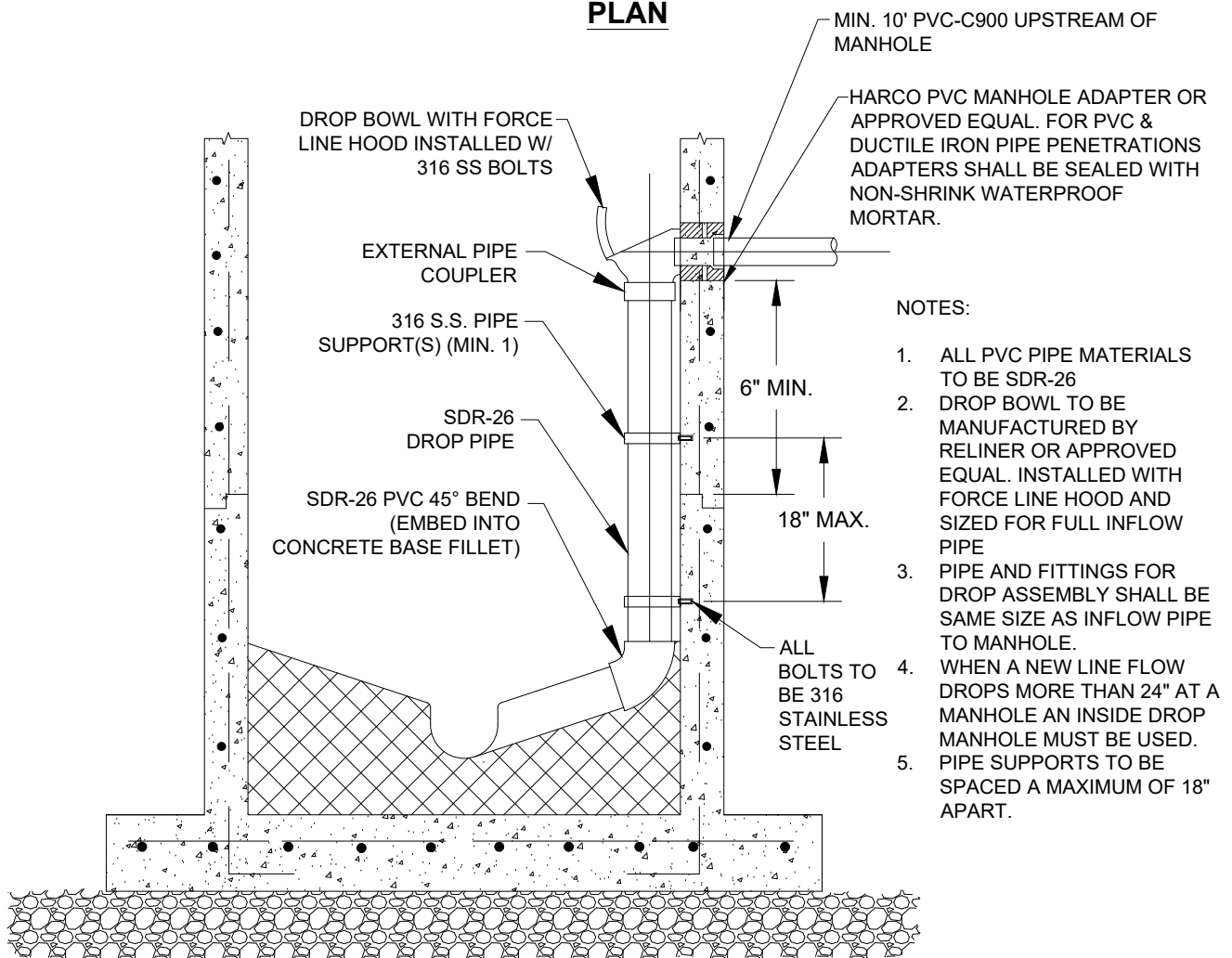
APPROVED:

EFFECTIVE:

TOWN ENGINEER



PLAN



INSIDE DROP (MANHOLE)

N.T.S



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INSIDE DROP
(MANHOLE)

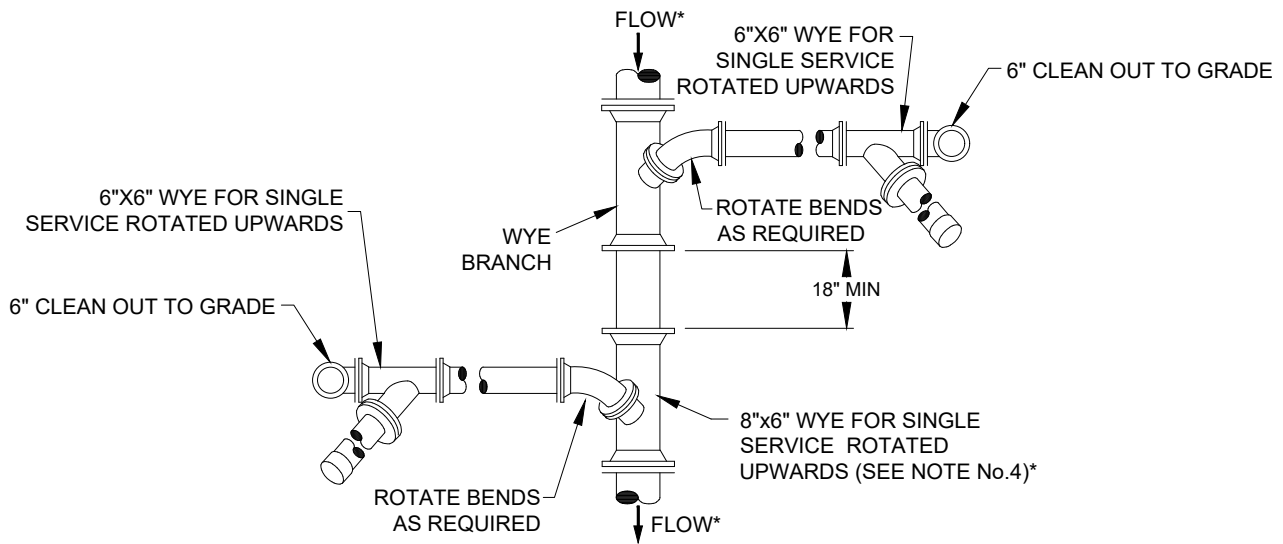
DRAWING NO.

S-3

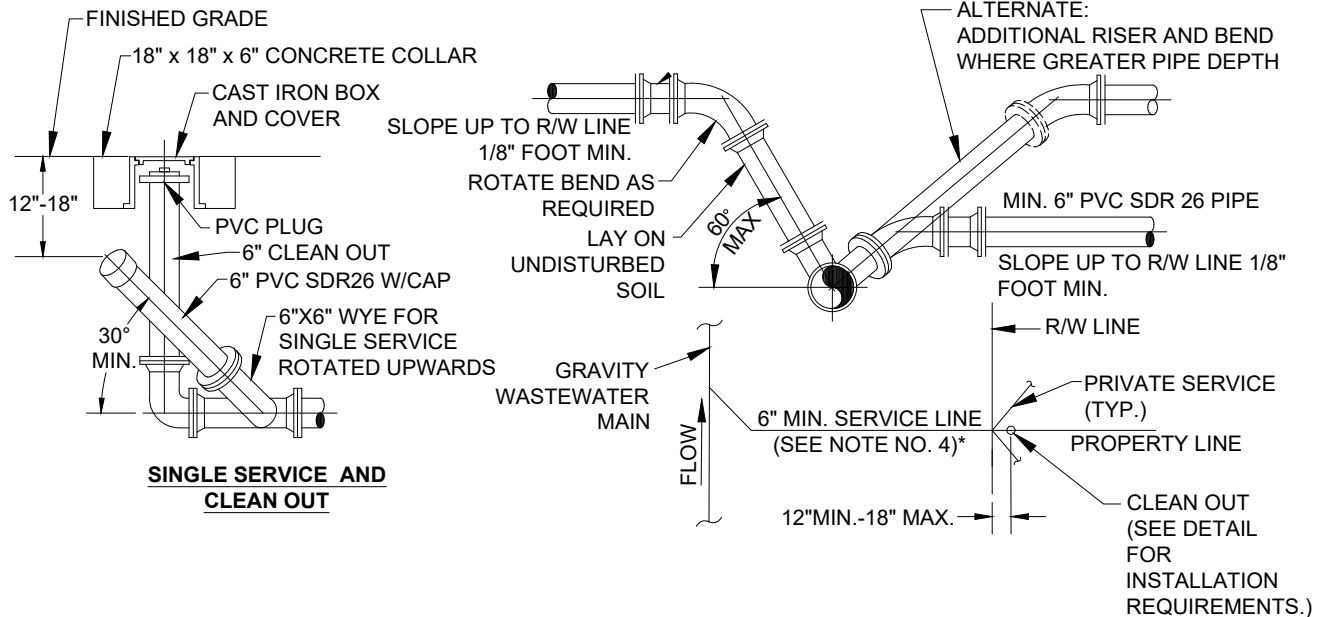
APPROVED:

EFFECTIVE:

TOWN ENGINEER



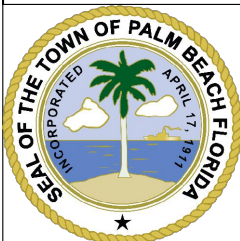
SINGLE SERVICE



SINGLE SERVICE AND CLEAN OUT

NOTES:

- CLEAN OUT IS TO BE INSTALLED PER TOWN STANDARDS PRIOR TO WATER METER INSTALLATION.
- MIN. 3' HORIZONTAL SEPARATION MUST BE MAINTAINED BETWEEN CLEANOUTS AND EDGE OF PAVEMENT, BACK OF CURB, EDGE OF DRIVEWAY, LIGHTPOLES, TRANSFORMERS, OR SIMILAR UTILITIES AND/OR IMPROVEMENTS.
- ALL SEWER LATERAL CONNECTIONS TO A GRAVITY SEWER MAIN ARE REQUIRED TO BE 6" DIAMETER IN SIZE UNLESS OTHERWISE PREVIOUSLY APPROVED BY THE ENGINEERING DIVISION.*
- DOUBLE SERVICE CONNECTIONS ARE NOT PERMITTED.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

TYPICAL SEWER
SERVICE
CONNECTIONS

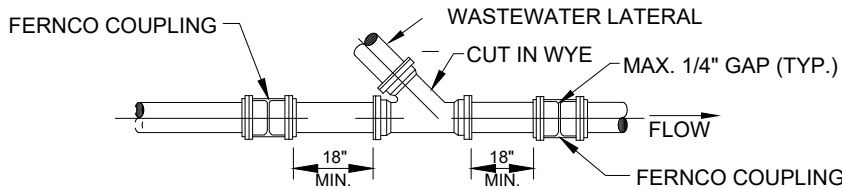
DRAWING NO.

S-4

APPROVED:

EFFECTIVE:

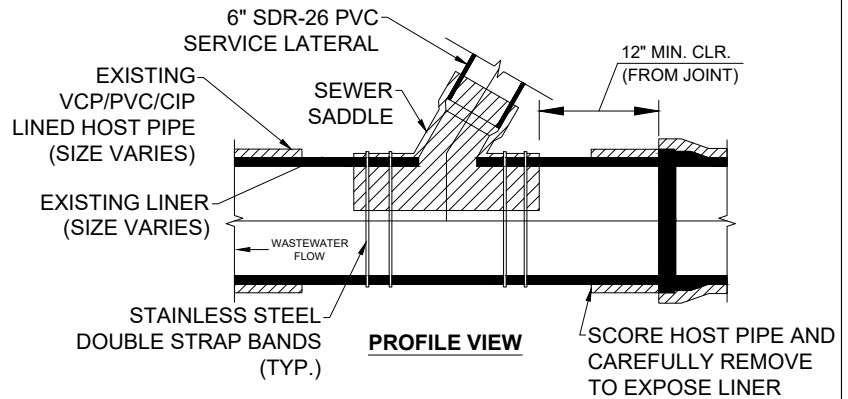
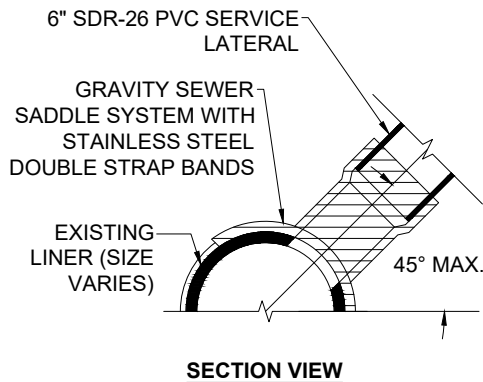
TOWN ENGINEER



NOTES:

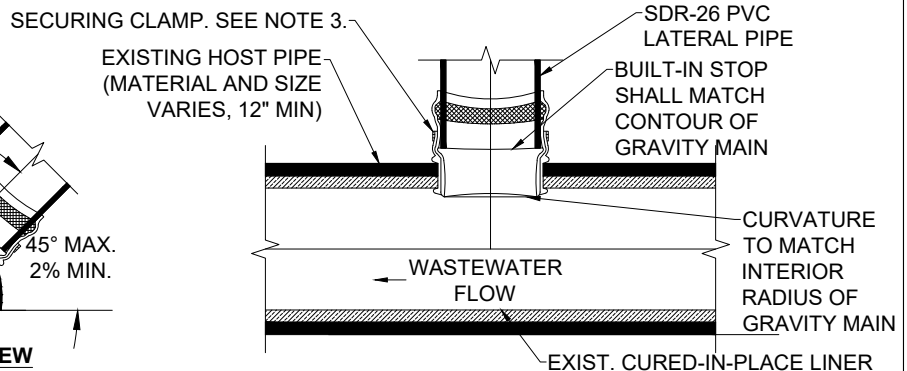
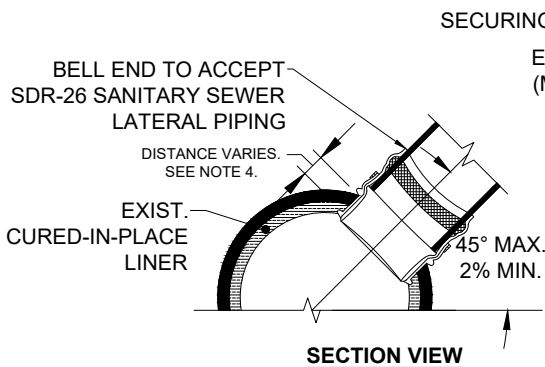
1. FOR USE ON UNLINED PIPE ONLY.
2. DUCTILE IRON FITTINGS (WYE, TEE, SLEEVES) ARE REQUIRED FOR DUCTILE IRON AND/OR C-900 PVC MAIN.

CUT-IN WYE DETAIL



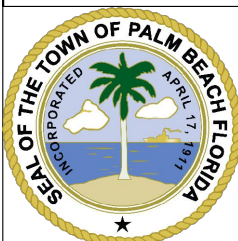
1. ALL DEBRIS SHALL BE KEPT OUT OF THE SEWER.
2. THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING THE ENGINEERING DIVISION IF PIPE IS DAMAGED PRE OR POST CONSTRUCTION. IF PRE AND/OR POST CCTV VIDEO SHOWS ANY DAMAGE TO THE PIPE, CONTRACTOR SHALL REPLACE THE DAMAGED PIPE.
3. SADDLE TEES SHALL BE FERNCO TSW-6 WITH TSPK-46 KIT OR APPROVED EQUAL AND SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

INSERTA - TEE DETAIL



1. INSERTA-TEE SHALL BE USED FOR LINED GRAVITY SEWER MAINS THAT ARE 12" AND LARGER ONLY.
2. THE HOST PIPE AND EXISTING LINER SHALL BE CUT AND THE SECTION SHALL BE REMOVED.
3. SECURING CLAMP HOUSING AND BAND TO BE 301 STAINLESS STEEL. SCREWS TO BE 305 STAINLESS STEEL.
4. UPPER SEGMENT AND LOWER SEGMENT TO BE SIZED PER MANUFACTURER'S SPECIFICATIONS TO INSTALL INSERTA-TEE INTO GRAVITY MAIN.
5. A PRE AND POST CCTV SHALL BE PROVIDED FOR EACH NEW LATERAL CONNECTION AND EXISTING SEWER MAIN FROM UPSTREAM AND DOWNSTREAM MANHOLE.
6. ALL DEBRIS SHALL BE KEPT OUT OF THE SEWER. THE PIPE SEGMENT CUT INTO SHALL BE CLEANED IF NECESSARY, AS DIRECTED BY THE ENGINEERING DIVISION.
7. THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING THE ENGINEERING DIVISION IF PIPE IS DAMAGED PRE OR POST CONSTRUCTION. IF PRE AND/OR POST CCTV VIDEO SHOWS ANY DAMAGE TO THE PIPE, CONTRACTOR SHALL REPLACE THE DAMAGED PIPE AS DIRECTED BY THE ENGINEERING DIVISION.
8. INSTALL INSERTA-TEE PER MANUFACTURER'S INSTALLATION INSTRUCTIONS.

SADDLE TEE DETAIL



TOWN OF PALM BEACH PUBLIC WORKS DEPARTMENT		LATERAL TIE-IN DETAILS	DRAWING NO. S-5
REVISIONS:	DATE:		
		APPROVED:	EFFECTIVE:
		TOWN ENGINEER	

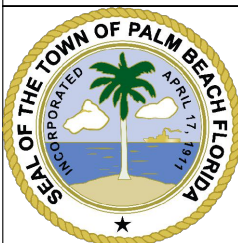
MIN. LENGTH OF PIPE (FEET) TO BE RESTRAINED

(SOURCES: EBAA IRON RESTRAINT LENGTH CALCULATION PROGRAM FOR PVC PIPE
RELEASE 3.1, AND DIPRA THRUST RESTRAINT FOR DUCTILE IRON PIPE, RELEASE 3.2)

FITTING TYPE		PIPE SIZE											
		4"	6"	8"	10"	12"	16"	20"	24"	30"	36"	42"	48"
90° HORIZ. BEND		14	20	25	30	35	45	54	62	73	84	93	101
45° HORIZ. BEND		6	8	11	13	15	19	22	26	30	35	38	42
22.5° HORIZ. BEND		3	4	5	6	7	9	11	12	15	17	18	20
11.25° HORIZ. BEND		1	2	3	3	4	4	5	6	7	8	9	10
90° VERT. OFFSET	UPPER BEND	29	41	53	64	74	95	115	134	160	185	207	228
	LOWER BEND	7	10	13	16	19	25	30	35	42	49	56	62
45° VERT. OFFSET	UPPER BEND	12	19	24	29	34	39	48	56	66	77	86	94
	LOWER BEND	3	4	6	7	8	10	12	15	18	20	23	26
22.5° VERT. OFFSET	UPPER BEND	6	9	12	14	17	19	23	27	32	37	41	45
	LOWER BEND	1	2	4	4	4	5	6	7	8	10	11	12
11.25° VERT. OFFSET	UPPER BEND	3	4	6	7	8	9	11	13	16	18	20	22
	LOWER BEND	1	1	1	2	2	2	3	3	4	5	5	6
PLUG (DEAD END)		32	45	59	70	83	107	129	151	160	185	207	228
IN-LINE VALVE		32	45	45	45	45	55	65	80	85	95	105	115
TEE (BRANCH RESTRAINT)	4"X Ø	23	-	-	-	-	-	-	-	-	-	-	-
	6"X Ø	21	35	-	-	-	-	-	-	-	-	-	-
	8"X Ø	18	34	47	-	-	-	-	-	-	-	-	-
	10"X Ø	16	32	46	58	-	-	-	-	-	-	-	-
	12"X Ø	13	30	44	57	69	-	-	-	-	-	-	-
	16"X Ø	7	26	41	55	67	90	-	-	-	-	-	-
	20"X Ø	1	21	38	52	65	88	109	-	-	-	-	-
	24"X Ø	1	16	34	49	62	86	108	129	-	-	-	-
	30"X Ø	1	8	28	44	58	83	106	127	154	-	-	-
	36"X Ø	1	1	22	39	54	80	103	124	153	179	-	-
	42"X Ø	1	1	15	33	49	77	100	122	151	177	201	-
	48"X Ø	1	1	7	27	44	73	97	120	149	176	200	222
REDUCER (LARGER PIPE RESTRAINT)	6"X Ø	23	-	-	-	-	-	-	-	-	-	-	-
	8"X Ø	38	25	-	-	-	-	-	-	-	-	-	-
	10"X Ø	57	43	24	-	-	-	-	-	-	-	-	-
	12"X Ø	72	60	44	41	-	-	-	-	-	-	-	-
	16"X Ø	99	90	78	75	45	-	-	-	-	-	-	-
	20"X Ø	123	116	107	105	81	45	-	-	-	-	-	-
	24"X Ø	146	140	132	131	111	82	45	-	-	-	-	-
	30"X Ø	157	153	148	141	133	113	87	56	-	-	-	-
	36"X Ø	182	179	175	169	163	147	126	101	56	-	-	-
	42"X Ø	205	202	199	194	189	175	150	138	100	54	-	-
	48"X Ø	226	224	221	217	213	201	187	169	138	98	53	-

NOTES:

- THE DATA IN THE ABOVE TABLE ARE BASED UPON THE FOLLOWING INSTALLATION CONDITIONS:
SOIL TYPE-SAND TEST PRESSURE-150 PSI DEPTH OF BURY-3'
TRENCH TYPE-3 SAFETY FACTOR- 1.5 VERTICAL OFFSET-3'
MINIMUM PIPE LENGTH ALONG TEE RUN-5'
- THE RESTRAINED PIPE LENGTHS APPLY TO DUCTILE IRON AND PVC PIPE.
- ALL JOINTS BETWEEN UPPER AND LOWER BENDS SHALL BE RESTRAINED.
- MULTIPLY PIPE LENGTH BY 1.4 FOR POLYETHYLENE ENCASED PIPE.
- RESTRAINED PIPE LENGTHS APPLY TO PIPE ON BOTH SIDES OF VALVES AND FITTINGS.
- RESTRAINED PIPE LENGTHS EQUAL TO AN "INLINE VALVE" CONDITION ARE REQUIRED AT EACH END OF A TRANSITION FROM HDPE PIPE TO OTHER PIPE MATERIALS.
- DESIGN ENGINEER IS RESPONSIBLE FOR PROPER RESTRAINT PIPE LENGTH SIZING FOR THE PROJECT.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

MECHANICAL THRUST
RESTRAINT MINIMUM
PIPE LENGTHS

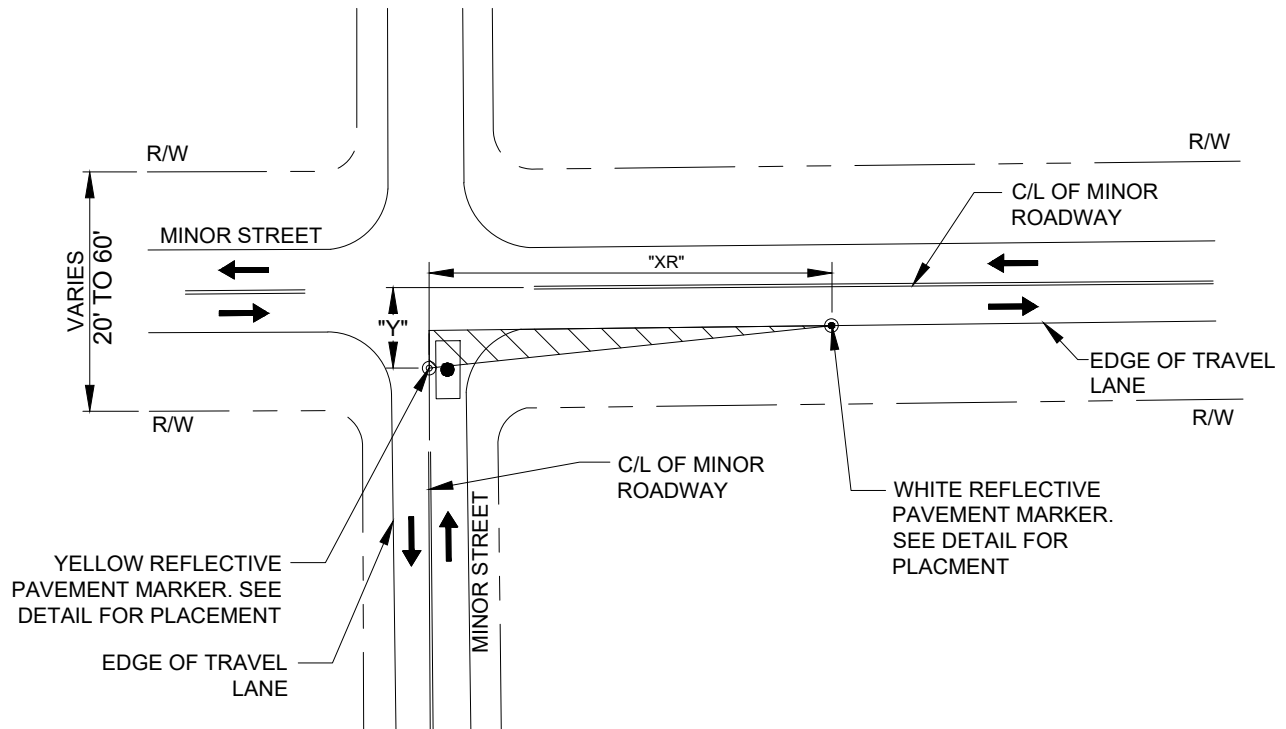
DRAWING NO.

S-6

APPROVED:

EFFECTIVE:

TOWN ENGINEER



TYPICAL RIGHT SIGHT TRIANGLE FOR MINOR ROADWAYS

→ = DIRECTION OF TRAVEL

STREET TYPE	25 MPH	
	XR	Y
10 FT MINOR STREET TRAVEL WAY WIDTH	67'	21.3
11 FT MINOR STREET TRAVEL WAY WIDTH	66'	22.3
12 FT MINOR STREET TRAVEL WAY WIDTH	65'	23.3

NOTES:

1. STREET TRAVEL WAY WIDTH IS THE TOTAL WIDTH OF THE TRAVEL LANE OR LANES IN ONE DIRECTION.
2. DISTANCE "XR" IS MEASURED FROM THE CENTERLINE OF THE SIDE STREET.
3. DISTANCE "Y" IS MEASURED FROM THE CENTERLINE OF THE MAIN STREET.
4. NO OBSTRUCTION TO VISION GREATER THAN 30 INCHES IN HEIGHT CAN BE LOCATED WITHIN THE INTERSECTION SIGHT TRIANGLE.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INTERSECTION SIGHT
TRIANGLE TYPICAL

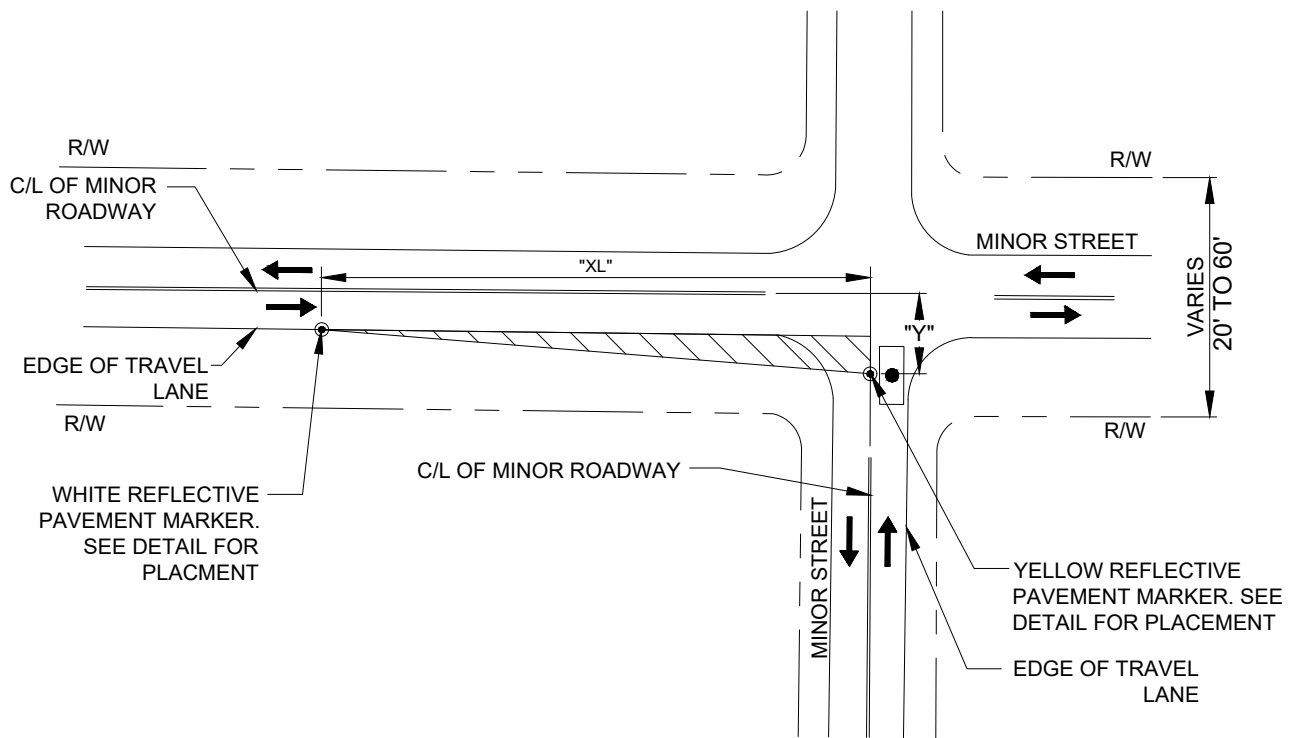
APPROVED:

TOWN ENGINEER

DRAWING NO.

T-1

EFFECTIVE:



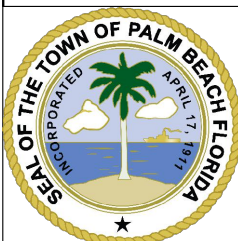
TYPICAL LEFT SIGHT TRIANGLE FOR MINOR ROADWAYS

→ = DIRECTION OF TRAVEL

STREET TYPE	25 MPH	
	XL	Y
10 FT MINOR STREET TRAVEL WAY WIDTH	108'	21.3
11 FT MINOR STREET TRAVEL WAY WIDTH	104'	22.3
12 FT MINOR STREET TRAVEL WAY WIDTH	102'	23.3

NOTES:

1. STREET TRAVEL WAY WIDTH IS THE TOTAL WIDTH OF THE TRAVEL LANE OR LANES IN ONE DIRECTION.
2. DISTANCE "XL" IS MEASURED FROM THE CENTERLINE OF THE SIDE STREET.
3. DISTANCE "Y" IS MEASURED FROM THE CENTERLINE OF THE MAIN STREET.
4. NO OBSTRUCTION TO VISION GREATER THAN 30 INCHES IN HEIGHT CAN BE LOCATED WITHIN THE INTERSECTION SIGHT TRIANGLE.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INTERSECTION SIGHT
TRIANGLE TYPICAL

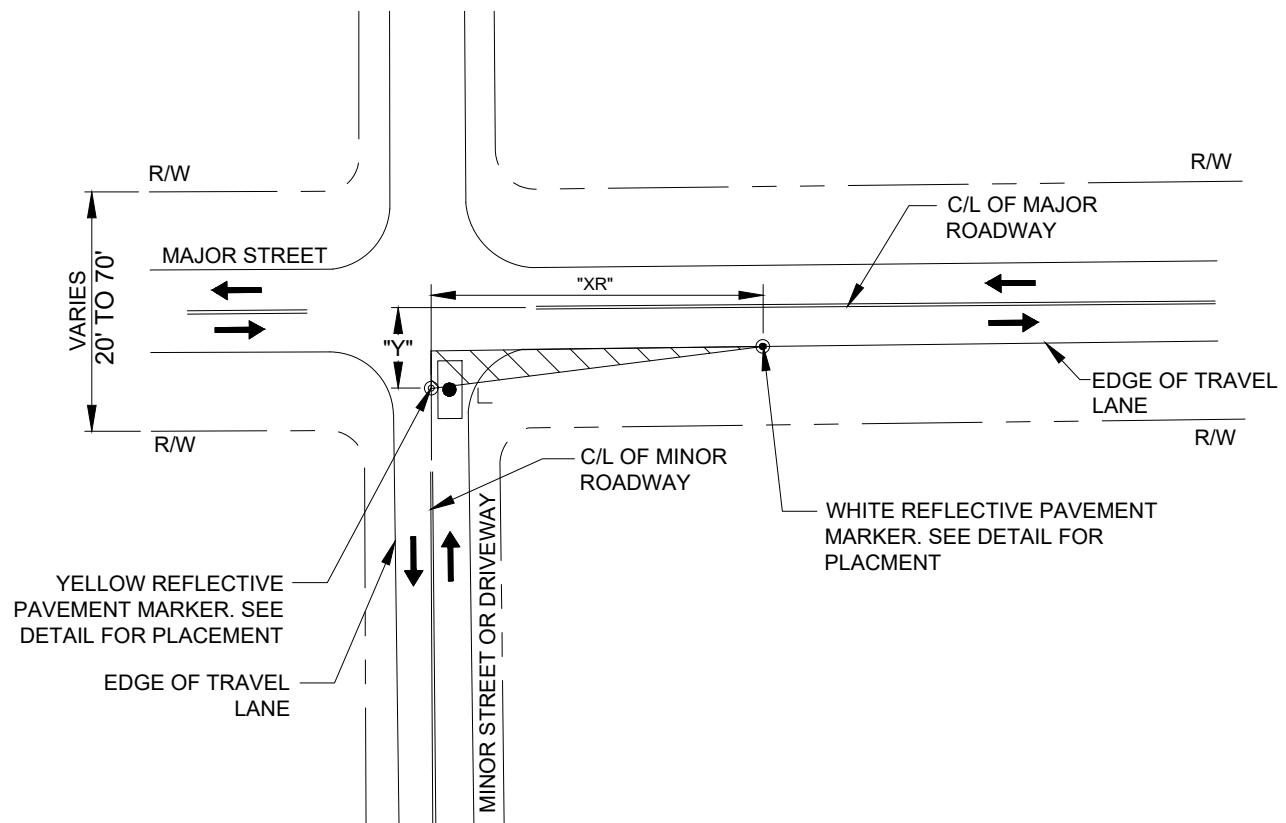
APPROVED:

TOWN ENGINEER

DRAWING NO.

T-2

EFFECTIVE:



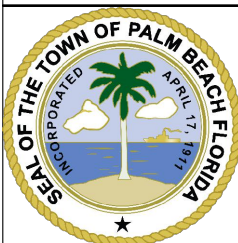
TYPICAL RIGHT SIGHT TRIANGLE FOR MAJOR ROADWAYS

→ = DIRECTION OF TRAVEL

STREET TYPE	25 MPH		30 MPH	
	XR	Y	XR	Y
10 FT MAJOR STREET TRAVEL WAY WIDTH	75'	22.5'	90'	22.5'
11 FT MAJOR STREET TRAVEL WAY WIDTH	72'	23.5'	85'	23.5'
12 FT MAJOR STREET TRAVEL WAY WIDTH	68'	24.5'	81'	24.6'
14 FT MAJOR STREET TRAVEL WAY WIDTH	62'	26.5'	74'	26.5'
24 FT MAJOR STREET TRAVEL WAY WIDTH	60'	36.5'	71'	36.5'

NOTES:

1. STREET TRAVEL WAY WIDTH IS THE TOTAL WIDTH OF THE TRAVEL LANE OR LANES IN ONE DIRECTION.
2. DISTANCE "XR" IS MEASURED FROM THE CENTERLINE OF THE SIDE STREET.
3. DISTANCE "Y" IS MEASURED FROM THE CENTERLINE OF THE MAIN STREET.
4. NO OBSTRUCTION TO VISION GREATER THAN 30 INCHES IN HEIGHT CAN BE LOCATED WITHIN THE INTERSECTION SIGHT TRIANGLE.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INTERSECTION SIGHT
TRIANGLE TYPICAL

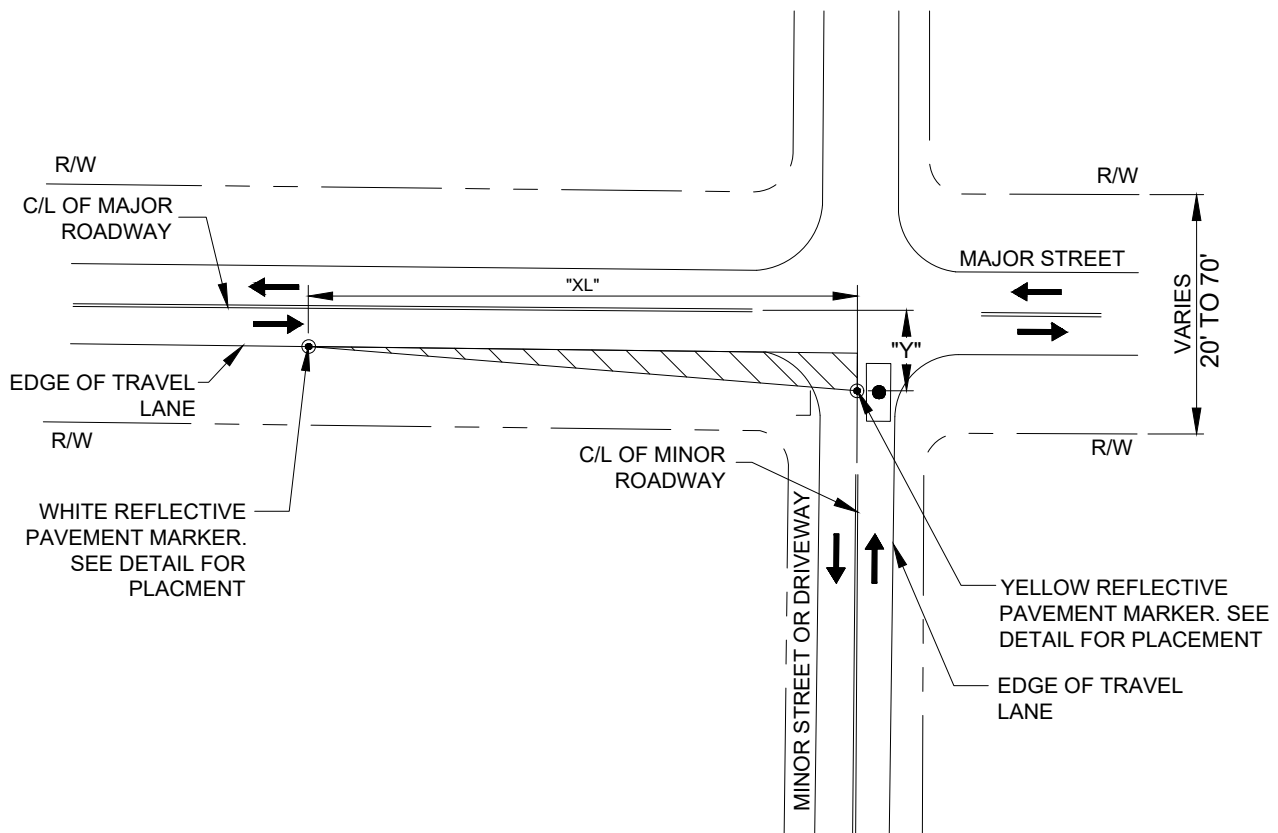
APPROVED:

TOWN ENGINEER

DRAWING NO.

T-3

EFFECTIVE:



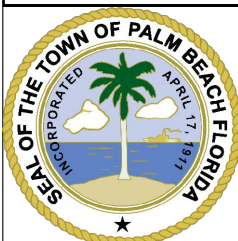
TYPICAL LEFT SIGHT TRIANGLE FOR MAJOR ROADWAYS

→ = DIRECTION OF TRAVEL

STREET TYPE	25 MPH		30 MPH	
	XL	Y	XL	Y
10 FT MAJOR STREET TRAVEL WAY WIDTH	140'	22.5'	169'	22.5'
11 FT MAJOR STREET TRAVEL WAY WIDTH	136'	23.5'	164'	23.5'
12 FT MAJOR STREET TRAVEL WAY WIDTH	133'	24.5'	160'	24.5'
14 FT MAJOR STREET TRAVEL WAY WIDTH	126'	26.5'	152'	26.5'
24 FT MAJOR STREET TRAVEL WAY WIDTH	157'	36.5'	189'	36.5'

NOTES:

1. STREET TRAVEL WAY WIDTH IS THE TOTAL WIDTH OF THE TRAVEL LANE OR LANES IN ONE DIRECTION.
2. DISTANCE "XL" IS MEASURED FROM THE CENTERLINE OF THE SIDE STREET.
3. DISTANCE "Y" IS MEASURED FROM THE CENTERLINE OF THE MAIN STREET.
4. NO OBSTRUCTION TO VISION GREATER THAN 30 INCHES IN HEIGHT CAN BE LOCATED WITHIN THE INTERSECTION SIGHT TRIANGLE.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

INTERSECTION SIGHT
TRIANGLE TYPICAL

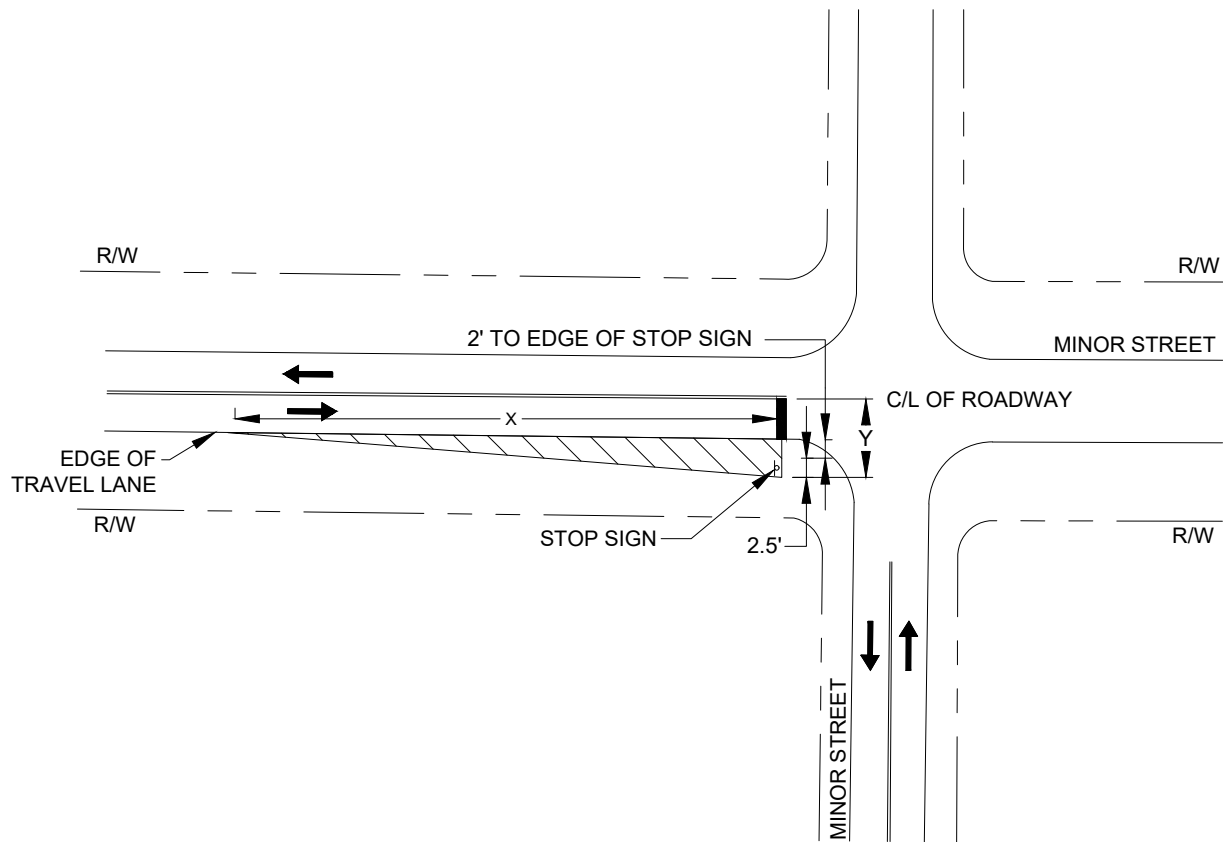
APPROVED:

TOWN ENGINEER

DRAWING NO.

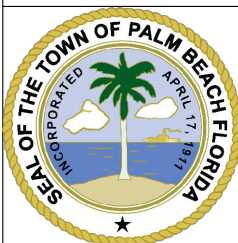
T-4

EFFECTIVE:



STOP SIGN CLEAR SIGHT TRIANGLE

STREET TYPE	CLEAR SIGHT TRIANGLE	
	X	Y
10 FT MINOR STREET TRAVEL WAY	48'	14.5'
11 FT MINOR STREET TRAVEL WAY	45'	15.5'
12 FT MINOR STREET TRAVEL WAY	43'	16.5'



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

STOP SIGN CLEAR
SIGHT TRIANGLE

APPROVED:

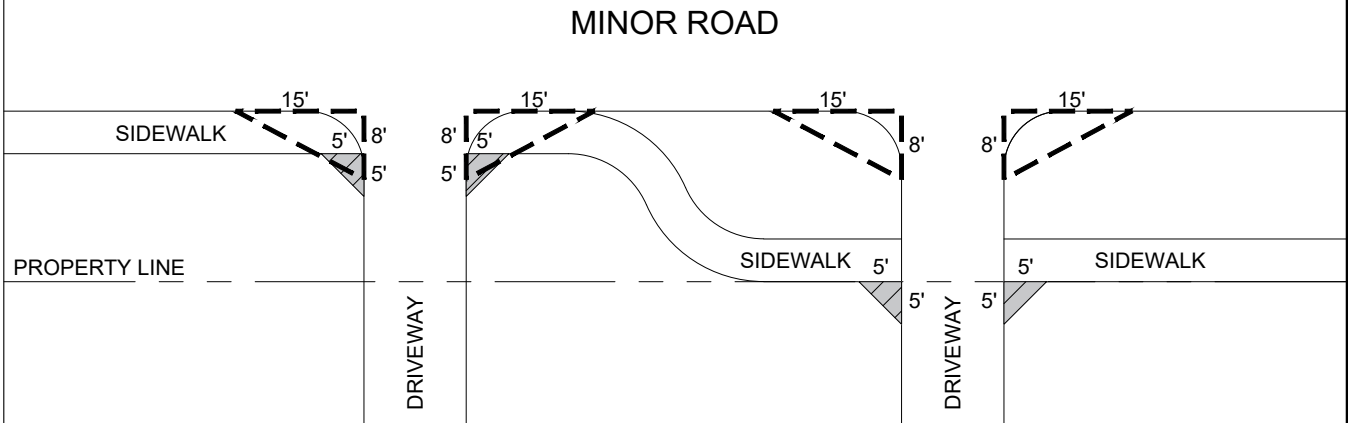
TOWN ENGINEER

DRAWING NO.

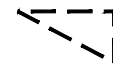
T-5

EFFECTIVE:

DRIVEWAY AND SIDEWALK CORNER CLIPS



LEGEND:



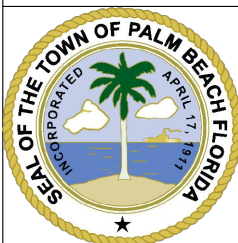
15'x8' DRIVEWAY CORNER CLIP



5'x5' SIDEWALK CORNER CLIP

NOTE:

1. FOR DRIVEWAYS THAT CROSS SIDEWALKS AND CONNECT TO MAJOR ROADS, THE 5' X 5' SIDEWALK CORNER CLIPS APPLY AS SHOWN AND THE SIGHT TRIANGLES FOR MAJOR ROADS SHALL ALSO BE APPLIED.



TOWN OF PALM BEACH PUBLIC WORKS
DEPARTMENT

REVISIONS:

DATE:

DRIVEWAY &
SIDEWALK CORNER
CLIPS

APPROVED:

TOWN ENGINEER

DRAWING NO.

T-6

EFFECTIVE:

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Wayne Bergman, Director of Planning, Zoning, & Building

From: Friederike Mittner, Design & Preservation Manager

Re: Request for a Historical Marker on Worth Avenue Recognizing Lilly Pulitzer

Date: 8/22/2025

ATTACHMENTS

Staff Report

Photo of Location for Requested Historical Marker

Text of Proposed Historical Marker

Introduction Letter

Support Letter from Lilly Pulitzer Company

Support Letter from Worth Avenue Association

STRATEGIC PLAN

Strategic Priorities:

Community Culture and Character

Strategic Focus Areas:

Community Preservation

FUNDING

No Fiscal Impact



REQUEST

The Florida Historical Women's Marker Initiative has requested to install a historic marker (42" W x 30" H mounted on a pole) honoring Lilly Pulitzer on the south side of Worth Avenue in the planting bed near the current store location at 240 Worth Avenue.

GENERAL INFORMATION

1. Florida Historical Marker Example:



"Example Only"

2. Proposed Text:

Lillian Pulitzer (1931–2013) was an American entrepreneur, fashion designer and socialite. Lilly and her husband Herbert settled in Palm Beach after they were married. Looking for a hobby, Lilly decided to open a fruit juice stand because the family owned several Florida orange groves. While working at the stand, she found that squeezing juice made a mess of her clothes. She asked her dressmaker to design a dress that would hide the stains. Customers loved her new colorful shifts so much that she made more to sell at her juice stand. Soon she was selling more dresses than juice and focused on designing what became known as her "Lillys". Her first boutique was located at 11 Via Mizner and Worth Avenue. In 1959, Pulitzer became president of her own company, Lilly Pulitzer, Inc. From the 1960s to early 1980s, Pulitzer's bright clothes were so popular they were worn by her former classmate Jacqueline Kennedy Onassis, members of the Rockefeller and Vanderbilt families. After Jackie O was featured in Life magazine wearing one of Lilly's shifts, the brand skyrocketed. Lilly later revealed that first shift dress Jackie O was photographed in, which became one of her most successful styles, was made from her kitchen curtains.

3. Approximate location:



4. Town Council approval is required as the owner of the public right of way where the marker is proposed. A public right-of-way permit shall also be requested and processed through Public Works.
5. Written support from Lilly Pulitzer, Inc, and the Worth Avenue Association has been provided.

FUNDING/FISCAL IMPACT

Except for installation of the pole by Public Works, there will be no fiscal impact to the Town of Palm Beach.

The estimated cost of the marker is \$2,900, which will be covered by the Florida Historical Women's Marker Initiative

WRB:FHM



CROSBY

architecture fine art

Lilly Pulitzer



Lillian Pulitzer (1931–2013) was an American entrepreneur, fashion designer and socialite. Lilly and her husband Herbert settled in Palm Beach after they were married. Looking for a hobby, Lilly decided to open a fruit juice stand because the family owned several Florida orange groves. While working at the stand, she found that squeezing juice made a mess of her clothes. She asked her dressmaker to design a dress that would hide the stains. Customers loved her new colorful shifts so much that she made more to sell at her juice stand. Soon she was selling more dresses than juice and focused on designing what became known as her "Lillys". Her first boutique was located at 11 Via Mizner and Worth Avenue. In 1959, Pulitzer became president of her own company, Lilly Pulitzer, Inc. From the 1960s to early 1980s, Pulitzer's bright clothes were so popular they were worn by her former classmate Jacqueline Kennedy Onassis, members of the Rockefeller and Vanderbilt families. After Jackie O was featured in Life magazine wearing one of Lilly's shifts, the brand skyrocketed. Lilly later revealed that first shift dress Jackie O was photographed in, which became one of her most successful styles, was made from her kitchen curtains.

RE: FLORIDA HISTORICAL MARKER HONORING LILLY PULITZER

To Friederike H. Mitten, FAICP

Design & Preservation Manager of the town of Palm Beach

I represent the Florida Women's Historical Marker Initiative, whose mission is to increase the number of Historical Markers installed across the State of Florida that honor the contributions of women. Currently, out of 1200 Historical Markers in Florida, less than two percent honor the contributions made by women. The Florida Women's Historical Marker Initiative has been successful in placing numerous markers across Florida honoring noteworthy women, including Miami Founder Julia Tuttle, Seminole Chief Betty Mae Tiger Jumper, and Aviatix Amelia Earhart.

I am writing because we would like to install a Florida Historical Marker honoring LILLY PULITZER on Worth Avenue and Via Mizner, which is near her first boutique. The marker would be issued and maintained by the Florida Division of Historical Resources. Florida Historical Markers are cast aluminum and measure 42 inches wide, and 30 inches tall, and are mounted on a cast aluminum post. They are painted blue and have white lettering. The markers are built to endure all weather conditions and are expected to last over 100 years. A true legacy for personages selected for this honor!

The Florida Historical Women's Marker Initiative will formally apply for the marker and find a private donor to cover the \$2900 the State of Florida charges for the production of the marker. The text on each marker cannot exceed 1235 characters, including punctuation and spaces. Attached please find the proposed text for the marker in addition to two support letters for this project, one from Lilly Pulitzer, Inc. and one from the Worth Avenue Association and a photo where the marker will be placed.

What we need from the town of Palm Beach is approval for the placement of the marker on city property. A simple signature on an authorization form will notify the Florida Division of Historical Resources that we have permission to place the marker at the specified location.

Thank you for your attention to this matter. We very much look forward to working with you and celebrating the legacy of Lilly Pulitzer on ribbon cutting day!

Yours Truly,

Merle Shama

Researcher at Florida Women's Historical Marker Initiative

Member of Miami Beach Women's Commission



July 9, 2025

Ms. Merle Shama
Researcher at Florida Women's Historical Marker Initiative
Member of Miami Beach Commission for Women

Dear Ms. Shama,

It is with great pleasure that Sugartown Worldwide LLC, dba Lilly Pulitzer®, shares our full support of the Florida Women's Historical Marker Initiative in commemorating Lilly Pulitzer Rousseau. The story of the Lilly Pulitzer brand is one of optimism and entrepreneurship, and highlights the important role of Palm Beach, FL in the birthplace of American Resortwear.

Lilly Pulitzer (1931 – 2013) was an American entrepreneur, fashion designer, and socialite. Lilly and her husband Peter settled in Palm Beach after their marriage. Looking for a hobby, she opened a fruit juice stand because the family owned several Florida orange groves. While working at the stand, she found that squeezing juice made a mess of her clothes, so she designed a colorful shift dress to hide the stains. These shifts became a fashion sensation with her customers; soon, she was selling more dresses than juice. Lilly turned her focus to designing what became known as "Lillys," opening her first clothing boutique close to home at 11 Via Mizner on Worth Avenue. Lilly loved working alongside family and friends. Her welcoming nature and fresh designs made the store a bustling local favorite. In 1959, she became president of her own company, Lilly Pulitzer, Inc. From the 1960s to early 1980s, the label's whimsical prints and clever designs skyrocketed in popularity. They were worn by Pulitzer's former classmate Jacqueline Kennedy Onassis, as well as members of the Rockefeller and Vanderbilt families. Jackie O



was even featured in Life magazine wearing her "Lilly." Though the brand has grown to include over 100 retail locations nationwide, the shift remains one of its most enduring and successful designs. Through her brand's instantly recognizable 1960s styling, vibrant colors, and iconic prints, Lilly inspired people around the world to shine bright and stand out. Her legacy of compassion and originality lives on through her ever growing family and namesake brand. As she always said, "Happiness never goes out of style."

We are proud to support your goal to honor Lilly Pulitzer with a Historical Marker as she has made a significant contribution to both fashion and entrepreneurship. If helpful, we could consider including executives in the ribbon-cutting ceremony and can also assist with press and media through our public relations firm, BMF.

With much gratitude,
Michelle M. Kelly
Chief Executive Officer, Lilly Pulitzer®



WORTH AVENUE
PALM BEACH *Since 1938*

March 19, 2025

Merle Shama
Researcher at Florida Women's Historical Marker Initiative
Member of Miami Beach Commission for Women

Dear Ms. Shama,

It is with great pleasure that the Worth Avenue Association, established in 1938, is in full support of the Florida Women's Historical Marker Initiative in commemorating Lilly Pulitzer. Lilly's story is an integral part of our rich history and signifies, among other designers, the birthplace of luxury brands. The location where Lilly had the orange juice stand is featured in our Historical Walking Tours as well as the corporate flagship store where you can design your own shift dress from limited edition Lilly Pulitzer prints designed specifically for the Worth Avenue store.

We are very proud to support your mission incorporating Lilly Pulitzer into your Historical Marker as she has made a significant contribution to women entrepreneurs not only in Florida but around the world. We would be honored to incorporate some of our Board members into the ribbon cutting ceremony and we can also support you with press and media through our public relations firm, Luxury PR Group.

With much gratitude,

The Worth Avenue Association Board of Directors

Frank Steinhart, President

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Wayne Bergman, MCP, LEED® AP, Director of Planning, Zoning & Building

From: Planning, Zoning, & Building Department

Re: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 42 - Environment, Article V – Noise, By Amending Section 42-198(a) And Sections 42-199 (b) And (c) To Revise The Duration Of The Construction Seasons; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
21-2025

Date: 8/28/2025

STAFF REQUEST

Staff is proposing changes to Chapter 42 – Environment, Article V – Noise, at Sections 42-198(a) and 42-199(b) and (c), to have the construction seasons match the revisions being proposed to the Public Works Right of Way Manual. If acceptable, staff suggests that the Town Council adopt the ordinance on First Reading.

DISCUSSION

The changes all relate to the proposed change of the start date for the winter construction season. The date is proposed to move from the Monday before Thanksgiving to November 1st. This change must be amended in several areas of Sections 42-198 and 42-199. Again, these proposed changes align the Town Code and the Public Works Right of Way Manual.

Ordinance No. 21-2025 is ready for approval on First Reading.

STRATEGIC PLAN

Strategic Priorities:

Community Culture and Character

Strategic Focus Areas:

Quality of Life

FUNDING
No Fiscal Impact

ORDINANCE NO. 21-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 42 - ENVIRONMENT, ARTICLE V – NOISE, BY AMENDING SECTION 42-198(A) AND SECTIONS 42-199 (B) AND (C) TO REVISE THE DURATION OF THE CONSTRUCTION SEASONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Department of Public Works, Engineering Division Standards Applicable to Public Rights-of-Way and Easements is reviewed from time-to-time and may be modified by Resolution of the Town Council; and

WHEREAS, the Town of Palm Beach, Town Council authorized the creation of the Department of Public Works, Engineering Division Standards Applicable to Public Rights-of-Way and Easements by Ordinance 11-94 on July 12, 1994; and

WHEREAS, the Town has determined, that since the adoption of the Right-of-Way manual in May of 1994, there has been 22 modifications to the manual by resolution. Therefore, the structure, form and applicable certain engineering standards were found to be inconsistent and out of date; and

WHEREAS, the Town has determined that it is necessary to amend the Town’s Right-of-Way Manual in its entirety to adopt standard language, updated engineering specifications, and ensure consistency throughout the Right-of-Way manual; and

WHEREAS, the Town has determined that the start of winter construction season as presently reflected in the Right-of-Way manual should be adjusted to begin November 1, which is reflected in the revised Right-of-Way manual; and

WHEREAS, Chapter 42 – Environment, Article V – Noise contains the regulations for construction hours and should be amended to match the new construction seasons as proposed by the revised Right-of-Way Manual.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2: The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 42 – Environment, Article V - Noise, by amending Section 42-198(a) to read:

“Sec. 42-198. - Operation of certain machinery during winter, Saturdays, Sundays and legal holidays, ~~including the Friday immediately after Thanksgiving.~~

(a) Prohibited. During the period of the year commencing on ~~the Monday prior to Thanksgiving of each year~~ November 1 and ending April 30, no person shall operate or cause to be operated the following machinery or equipment within the town:

(1) Dredges, whether used in making hydraulic fills, dry fills, piledriving or any other purpose.

(2) Hammer-driven piledrivers, whether operated from water or land, or from motor truck or tractor, and whether stationary or moveable.

(3) Gasoline, diesel and/or steam engines, operated in such a manner as to emit odors or noises offensive or disagreeable to the inhabitants of the town.

(4) Dry sandblasting machines and jackhammers.

(5) Any other class of machinery or appliance that in its operation would render the enjoyment of property within the town less agreeable than if such appliances or machinery were not operated.”

Section 3: The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 42 – Environment, Article V - Noise, by amending Sections 42-199(b) and (c) to read:

“Sec. 42-199. - Hours for construction work.

(b) Limited. Beginning on ~~the Monday preceding Thanksgiving~~ November 1, and during the months of December, January, February, March and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday and observed town holidays, and the days before and after Thanksgiving, when all construction and lawn maintenance work, other than as excepted in section 42-230, is prohibited. In no event shall heavy equipment or other outdoor construction-related and lawn maintenance noise be permitted before 9:00 a.m. Beginning on May 1 until ~~the Monday preceding Thanksgiving~~ October 31, work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and town observed holidays, when all construction and lawn maintenance work is restricted or prohibited. In no event shall heavy equipment or other outdoor construction-related and lawn maintenance noise be permitted before 9:00 a.m. Construction work is permissible on Saturdays from May 1 through ~~the Monday preceding Thanksgiving~~ October 31, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature and limited to indoor activity, with the exception of quiet lawn maintenance work and tree trimming);

material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restrictions due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending October 31, except Sundays and legal holidays, when all construction work is prohibited. Workers are prohibited from arriving at construction and lawn maintenance sites prior to 7:30 a.m. and are restricted from conducting any kind of site activity prior to 8:00 a.m. during the weekdays. Workers are prohibited from arriving at construction and lawn maintenance sites prior to 8:30 a.m. and are restricted from conducting any kind of site activity prior to 9:00 a.m. on Saturdays, when limited work is permitted from May 1 ~~through the Monday preceding Thanksgiving~~ ~~October 31~~.

(c) Exceptions.

(1) It shall be within the discretion of the town council when in its opinion the operation of any of the prohibited machinery or appliances mentioned in subsection 42-198(a) shall not be overly offensive to the residents or inhabitants of the town in the vicinity of the equipment's operation to grant an exception to this section.

(2) The operation of equipment relating to essential services of the town and equipment operating during emergency conditions shall be exempted from subsection (a).

(3) At the discretion of the director of planning, zoning and building, or his representative, emergency work for non-town related essential services may be authorized at any time during the year.

(4) Interior work not resulting in noise tending to disturb people in the vicinity thereof, shall be allowed during the hours of 9:00 a.m. and 5:00 p.m. on Saturdays during the period commencing on ~~the Monday preceding Thanksgiving~~ ~~November 1~~ and ending on April 30, for multi-family properties, south of Sloan's Curve which are not located on Ibis Isle, that have an association board that approves of Saturday work hours, and a copy of a letter indicating the Saturday work hours have been approved by the association board is on record with the town.

(5) The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein."

Section 4. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 5. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 6. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of September 2025, and for second and final reading this ___ day of _____, _____.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: An Ordinance of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 118 - Traffic And Vehicles, Article I - In General, By Amending Sec.118-11. To Prohibit Micromobility Devices on the Lake Trail; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
16-2025

Date: 8/22/2025

GENERAL INFORMATION

Governor DeSantis recently signed proposed legislation from the 2025 Florida Legislature (Senate Bill 462) allowing municipalities to adopt an ordinance governing the operation of micromobility devices. The bill amends multiple sections of the Florida Statutes, including §316.003, §316.20655, and §316.2128, among others. SB 462 expands local discretion to regulate rider age and ID requirements, permits safety training programs, and refines statutory definitions relevant to micromobility.

STAFF RECOMMENDATION

Staff recommends the Town Council approve Ordinance 16-2025, amending Chapter 118 of the Town Code, relative to Traffic and Vehicles, to prohibit the operation of micromobility devices on Lake Trail.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed this ordinance and approved for legal form and sufficiency.

NC/dw

cc: Carolyn Stone. Assistant Town Manager

Robert Miracle, Assistant Town Manager
Paul Brazil, Director of Public Works
Joanne O'Conner, Town Attorney

STRATEGIC PLAN

Strategic Priorities:

Mobility and Transportation

Strategic Focus Areas:

FUNDING

No Fiscal Impact

ORDINANCE NO. 16-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 118 -TRAFFIC AND VEHICLES, ARTICLE I - IN GENERAL, BY AMENDING SEC.118-11. TO PROHIBIT MICROMOBILITY DEVICES ON THE LAKE TRAIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has the authority, pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Chapter 166, Florida Statutes, to adopt such regulations as it deems appropriate to further the health, safety, and welfare of its residents; and

WHEREAS, pursuant to §316.2128, Florida Statutes, municipalities are authorized to regulate the safe operation of micromobility devices and motorized scooters within their jurisdictions; and

WHEREAS, to protect the health, safety, and welfare of the public, the Town deems it necessary to regulate the use of micromobility devices; and

WHEREAS, the Town finds it necessary to update its prohibition on the use of micromobility devices on the lake trail, and to revise the Town of Palm Beach Right-of-Way Standards Manual accordingly; and

WHEREAS, the Town also deems it necessary to update Section 118-11 of the Code to except fire vehicles, wheelchairs, and mobility devices designed or used to assist a disabled person from the prohibitions on driving therein.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2: The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 118, Traffic and Vehicles, Article I In General by amending Section 118-11 to read as follows:

Sec. 118-11. Driving on lake trail prohibited.

It shall be unlawful for any person to operate or cause to be operated along and over what is commonly known and platted as the lake trail in the town, and any extensions thereof to the north or south, any motor-driven or animal-drawn vehicle, to include micromobility devices. The only exceptions to this section shall be for the operation of police and fire vehicles, public works vehicles, and vehicles operated in accordance with a valid public works permit allowing such activity on the lake trail. The prohibition set forth in this section does not apply to wheelchairs or to any mobility device designed or used to assist a disabled person.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of September, 2025, and for second and final reading this ___ day of _____, _____.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

ORDINANCE NO. 016-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 118 -TRAFFIC AND VEHICLES, BY AMENDING SEC.118-11. TO PROHIBIT MICROMOBILITY DEVICES ON THE LAKE TRAIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has the authority, pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Chapter 166, Florida Statutes, to adopt such regulations as it deems appropriate to further the health, safety, and welfare of its residents; and

WHEREAS, pursuant to §316.2128, Florida Statutes, municipalities are authorized to regulate the safe operation of micromobility devices and motorized scooters within their jurisdictions; and

~~**WHEREAS**, the Town has the authority, pursuant to Florida Senate Bill 462 (2025), allowing municipalities to adopt an ordinance governing the operation of micromobility devices, regulate rider age and ID requirements, and permits safety training programs; and~~

WHEREAS, to protect the health, safety, and welfare of the public, the Town deems it necessary to regulate the use of micromobility devices; and

WHEREAS, the Town finds it necessary to update its prohibition on the use of micromobility devices ~~within the public right-of-way, including but not limited to public~~

~~beaches, trails, and sidewalks~~ on the lake trail, and to revise the Town of Palm Beach Right-of-Way Standards Manual accordingly; ~~and~~.

WHEREAS, the Town also deems it necessary to update Section 118-11 of the Code to except fire vehicles, wheelchairs, and mobility devices designed or used to assist a disabled person from the prohibitions on driving therein.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 118, Traffic and Vehicles, Article I In General by amending Section 118-11 to read as follows:

Sec. 118-11. Driving on lake trail prohibited.

It shall be unlawful for any person to operate or cause to be operated along and over what is commonly known and platted as the lake trail in the town, and any extensions thereof to the north or south, any motor-driven or animal-drawn vehicle, to include micromobility devices. The only exceptions to this section shall be for the operation of police and fire vehicles, public works vehicles, ~~and~~ vehicles operated in accordance with a valid public works permit allowing such activity on the lake trail. The prohibition set forth in this section does not apply to wheelchairs or to any mobility device designed or used to assist a disabled person.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of September 2025, and for second and final reading on this _____ day of _____.

Danielle H. Moore, Mayor

Bobbie D. Lindsay, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: An Ordinance of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 106 – Streets, Sidewalks, And Other Public Places, By Amending Sec. 106-158. To Prohibit Use Of Micromobility Devices Upon All Town Sidewalks In the Commercial Zoning Districts; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. 17-2025

Date: 8/18/2025

GENERAL INFORMATION

Governor DeSantis recently signed proposed legislation from the 2025 Florida Legislature (Senate Bill 462) allowing municipalities to adopt an ordinance governing the operation of micromobility devices. The bill amends multiple sections of the Florida Statutes, including §316.003, §316.20655, and §316.2128, among others. SB 462 expands local discretion to regulate rider age and ID requirements, permits safety training programs, and refines statutory definitions relevant to micromobility.

STAFF RECOMMENDATION

Staff recommends the Town Council approve Ordinance 17-2025, amending Chapter 106 of the Town Code, relative to Streets, Sidewalks, and Other Public Places, to prohibit the operation of micromobility devices on any town sidewalk.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed this ordinance and approved for legal form and sufficiency.

NC/dw

cc: Carolyn Stone, Assistant Town Attorney
Robert Miracle, Assistant Town Manager

Paul Brazil, Director of Public Works
Joanne O'Conner, Town Attorney

STRATEGIC PLAN

Strategic Priorities:

Mobility and Transportation

Strategic Focus Areas:

On-island Mobility

FUNDING

No Fiscal Impact

ORDINANCE NO. 17-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 106 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES, BY AMENDING SEC. 106-158. TO PROHIBIT USE OF MICROMOBILITY DEVICES UPON ALL TOWN SIDEWALKS IN THE COMMERCIAL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has the authority, pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Chapter 166, Florida Statutes, to adopt such regulations as it deems appropriate to further the health, safety, and welfare of its residents; and

WHEREAS, pursuant to §316.2128, Florida Statutes, municipalities are authorized to regulate the safe operation of micromobility devices and motorized scooters within their jurisdictions; and

WHEREAS, to protect the health, safety, and welfare of the public, the Town deems it necessary to regulate the use of micromobility devices; and

WHEREAS, the Town finds it necessary to update its prohibition on the use of micromobility devices within the public right-of-way, including but not limited to public beaches, trails, and sidewalks, and to revise the Town of Palm Beach Right-of-Way Standards Manual accordingly.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 106, Streets, Sidewalks, and Other Public Places, Article V Sidewalks by amending Section 106-158 to read as follows:

Sec. 106-158. Prohibiting bicycle riding on sidewalks within commercial zoning districts.

1. It shall be unlawful for any person to ride a bicycle or any other mode of transportation, including but not limited to unicycles, tricycles, and roller skates, upon the sidewalks of the town located within the commercial zoning districts, unless the sidewalk is specifically designated as a bicycle path.
2. It shall be unlawful for any person to ride a micromobility device upon any town sidewalk or multimodal trail. A micromobility device as defined by §316.003(41), F.S. includes electric bicycles, motorized scooters, and similar devices.
3. Members of the police and fire departments are exempt from this section and may ride bicycles and micromobility devices on any town sidewalks in the performance of their official duties. The prohibition set forth in this section does not apply to wheelchairs or to any mobility device designed or used to assist a disabled person.
4. A person who shall violate the provisions of this section shall be subject to general penalties as provided by section 1-14 or to code enforcement penalties as provided in section 2-439.
5. The chief of police, his authorized agents or representatives, are hereby authorized to post signs relating to this prohibition within town jurisdiction.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of September 2025, and for second and final reading this ____ day of _____.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

ORDINANCE NO. 018-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 118 – TRAFFIC AND VEHICLES TO REGULATE THE OPERATION OF MICROMOBILITY DEVICES BY ESTABLISHING A MINIMUM AGE REQUIREMENT, IDENTIFICATION REQUIREMENT, AND SAFETY TRAINING PROGRAMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has the authority, pursuant to Florida Senate Bill 462 (2025), to adopt an ordinance governing the operation of micromobility devices, regulate rider age and ID requirements, and implement safety training programs focused on the safe and lawful operation of micromobility devices within this jurisdiction~~pursuant to §316.2128, Florida Statutes, municipalities are authorized to regulate the safe operation of micromobility devices and motorized scooters within their jurisdictions~~; and

WHEREAS, the Town Council finds it necessary to regulate the operation of micromobility devices in order to protect the health, safety, and welfare of its residents and visitors; and

WHEREAS, the Town Council further finds that establishing a minimum age requirement, identification requirement, and safety training opportunities for operators will promote safer use of micromobility devices and compliance with applicable laws.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 118 – Traffic and Vehicles by creating a new section to read as follows:

Sec. 118-16. Regulation of Micromobility Devices.

Legislative Intent.

The Town of Palm Beach finds that the operation of micromobility devices, including motorized scooters and e-bikes, on public streets and sidewalks presents potential safety risks to operators, pedestrians, bicyclists, and motorists. It is the intent of this section to regulate the operation of such devices within the Town in a manner consistent with state law, while ensuring the protection of the health, safety, and welfare of the public. This section is not intended to conflict with state law but to supplement it with reasonable local regulations permitted by §316.2128, Florida Statutes.

(a) Definitions.

For purposes of this section, “micromobility device” shall have the same meaning as provided in §316.003, Florida Statutes, and shall include motorized scooters, e-bikes, and similar devices permitted under state law.

(b) Minimum Age Requirement.

It shall be unlawful for any person under the age of fifteen (15) years to operate a micromobility device on any public street, sidewalk, park, path, or other right-of-way within the Town. In accordance with Florida State Statute § 316.2065, all operators under the age of sixteen (16) years must wear a properly fitted and securely fastened bicycle helmet that meets nationally recognized safety standards.

(c) Identification Requirement.

All operators of micromobility devices must carry a valid government-issued identification card while operating such devices and must present the same upon request by law enforcement.

(d) Safety Training.

The Town may implement training programs focused on the safe operation of micromobility devices and compliance with applicable state and local laws. Completion of such training programs may be required for participation in certain Town-sponsored events, programs, or designated operating zones.

(e) Enforcement and Penalties.

Any person found to be in violation of this section shall be subject to the penalties provided pursuant to Section 1-14 of this Code.

~~Section 3. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 74, Parks and Recreation, Article II Beaches and Aquatic Activities by amending Section 74-163 to read as follows~~

Section 34. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can

be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 45. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 56. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 67. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of September, 2025, and for second and final reading on this _____ day of _____.

Danielle H. Moore, Mayor

Bobbie D. Lindsay, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 118 – Traffic And Vehicles To Regulate The Operation Of Micromobility Devices By Establishing A Minimum Age Requirement, Identification Requirement, And Safety Training Programs; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. 18-2025

Date: 8/18/2025

GENERAL INFORMATION

Governor DeSantis recently signed Senate Bill 462 from the 2025 Florida Legislature, granting municipalities expanded authority to regulate micromobility devices, motorized scooters, and electric bicycles. The bill amends several sections of the Florida Statutes, including §316.003, §316.20655, and §316.2128, and authorizes local governments to:

- Establish minimum age requirements for operators;
- Require operators to carry a government-issued identification; and
- Implement safety training programs focused on the safe and lawful operation of micromobility devices.

These devices are increasingly present on public streets, sidewalks, and pedestrian areas within the Town. To promote public safety and compliance with state law, staff recommend the Town Council adopt an ordinance regulating their use.

The proposed ordinance amends **Chapter 118 – Traffic and Vehicles** of the Town Code by creating **Section 118-16 (Regulation of Micromobility Devices)**. The ordinance prohibits operation of micromobility devices by individuals under the age of fifteen (15), requires all operators to carry a valid government-issued ID, and authorizes the Town to implement safety training programs. Violations are subject to penalties under Section 1-14 of the Town Code.

STAFF RECOMMENDATION

Staff recommends the Town Council adopt ordinance 18-2025 creating **Sec. 118-16, Regulation of Micromobility Devices** within Chapter 118 – Traffic and Vehicles. This ordinance establishes a clear framework for the safe use of micromobility devices in the Town of Palm Beach. Aligns with newly expanded state authority under SB 462, and promotes the health, safety, and welfare of Town residents and visitors.

TOWN ATTORNEY REVIEW

This Ordinance has been reviewed and approved by the Town Attorney for legal form and sufficiency.

NC/dw

cc: Carolyn Stone, Deputy Town Manager
Robert Miracle, Deputy Town Manager
Paul Brazil, Director of Public Works
Joanne O'Connor, Town Attorney

STRATEGIC PLAN

Strategic Priorities:

Mobility and Transportation

Strategic Focus Areas:

On-island Mobility

FUNDING

No Fiscal Impact

ORDINANCE NO. 18-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 118 – TRAFFIC AND VEHICLES TO REGULATE THE OPERATION OF MICROMOBILITY DEVICES BY ESTABLISHING A MINIMUM AGE REQUIREMENT, IDENTIFICATION REQUIREMENT, AND SAFETY TRAINING PROGRAMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has the authority, pursuant to Florida Senate Bill 462 (2025), to adopt an ordinance governing the operation of micromobility devices, regulate rider age and ID requirements, and implement safety training programs focused on the safe and lawful operation of micromobility devices within this jurisdiction; and

WHEREAS, the Town Council finds it necessary to regulate the operation of micromobility devices in order to protect the health, safety, and welfare of its residents and visitors; and

WHEREAS, the Town Council further finds that establishing a minimum age requirement, identification requirement, and safety training opportunities for operators will promote safer use of micromobility devices and compliance with applicable laws.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2: The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 118 – Traffic and Vehicles by creating a new section to read as follows:

Sec. 118-16. Regulation of Micromobility Devices.

The Town of Palm Beach finds that the operation of micromobility devices, including motorized scooters and e-bikes, on public streets and sidewalks presents potential safety risks to operators, pedestrians, bicyclists, and motorists. It is the intent of this section to regulate the operation of such devices within the Town in a manner consistent with state law, while ensuring the protection of the health,

safety, and welfare of the public. This section is not intended to conflict with state law but to supplement it with reasonable local regulations permitted by §316.2128, Florida Statutes.

(a) Definitions.

For purposes of this section, “micromobility device” shall have the same meaning as provided in §316.003, Florida Statutes, and shall include motorized scooters, e-bikes, and similar devices permitted under state law.

(b) Minimum Age Requirement.

It shall be unlawful for any person under the age of fifteen (15) years to operate a micromobility device on any public street, sidewalk, park, path, or other right-of-way within the Town. In accordance with Florida State Statute § 316.2065, all operators under the age of sixteen (16) years must wear a properly fitted and securely fastened bicycle helmet that meets nationally recognized safety standards.

(c) Identification Requirement.

All operators of micromobility devices must carry a valid government-issued identification card while operating such devices and must present the same upon request by law enforcement.

(d) Safety Training.

The Town may implement training programs focused on the safe operation of micromobility devices and compliance with applicable state and local laws. Completion of such training programs may be required for participation in certain Town-sponsored events, programs, or designated operating zones.

(e) Enforcement and Penalties.

Any person found to be in violation of this section shall be subject to the penalties provided pursuant to Section 1-14 of this Code.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of

the Town of Palm Beach on first reading this 9th day of September 2025, and for second and final reading this _____ day of _____.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

ORDINANCE NO. 018-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 118 – TRAFFIC AND VEHICLES TO REGULATE THE OPERATION OF MICROMOBILITY DEVICES BY ESTABLISHING A MINIMUM AGE REQUIREMENT, IDENTIFICATION REQUIREMENT, AND SAFETY TRAINING PROGRAMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has the authority, pursuant to Florida Senate Bill 462 (2025), to adopt an ordinance governing the operation of micromobility devices, regulate rider age and ID requirements, and implement safety training programs focused on the safe and lawful operation of micromobility devices within this jurisdiction~~pursuant to §316.2128, Florida Statutes, municipalities are authorized to regulate the safe operation of micromobility devices and motorized scooters within their jurisdictions;~~ and

WHEREAS, the Town Council finds it necessary to regulate the operation of micromobility devices in order to protect the health, safety, and welfare of its residents and visitors; and

WHEREAS, the Town Council further finds that establishing a minimum age requirement, identification requirement, and safety training opportunities for operators will promote safer use of micromobility devices and compliance with applicable laws.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 118 – Traffic and Vehicles by creating a new section to read as follows:

Sec. 118-16. Regulation of Micromobility Devices.

Legislative Intent.

The Town of Palm Beach finds that the operation of micromobility devices, including motorized scooters and e-bikes, on public streets and sidewalks presents potential safety risks to operators, pedestrians, bicyclists, and motorists. It is the intent of this section to regulate the operation of such devices within the Town in a manner consistent with state law, while ensuring the protection of the health, safety, and welfare of the public. This section is not intended to conflict with state law but to supplement it with reasonable local regulations permitted by §316.2128, Florida Statutes.

(a) Definitions.

For purposes of this section, “micromobility device” shall have the same meaning as provided in §316.003, Florida Statutes, and shall include motorized scooters, e-bikes, and similar devices permitted under state law.

(b) Minimum Age Requirement.

It shall be unlawful for any person under the age of fifteen (15) years to operate a micromobility device on any public street, sidewalk, park, path, or other right-of-way within the Town. In accordance with Florida State Statute § 316.2065, all operators under the age of sixteen (16) years must wear a properly fitted and securely fastened bicycle helmet that meets nationally recognized safety standards.

(c) Identification Requirement.

All operators of micromobility devices must carry a valid government-issued identification card while operating such devices and must present the same upon request by law enforcement.

(d) Safety Training.

The Town may implement training programs focused on the safe operation of micromobility devices and compliance with applicable state and local laws. Completion of such training programs may be required for participation in certain Town-sponsored events, programs, or designated operating zones.

(e) Enforcement and Penalties.

Any person found to be in violation of this section shall be subject to the penalties provided pursuant to Section 1-14 of this Code.

~~**Section 3.**—The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 74, Parks and Recreation, Article II Beaches and Aquatic Activities by amending Section 74-163 to read as follows~~

Section 34. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can

be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 45. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 56. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 67. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of September, 2025, and for second and final reading on this _____ day of _____.

Danielle H. Moore, Mayor

Bobbie D. Lindsay, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Gillian Barth, Director, People & Culture

Re: 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 82-99, Deferred Retirement Option Program for Firefighters; amending Subdivision IV, Police Officers, by amending Section 82-119, Deferred Retirement Option Program for Police Officers; providing for severability, providing for repeal of Ordinances in conflict; providing for codification; providing an effective date.
20-2025

Date: 8/29/2025

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Ordinance 20-2025 which will allow a restricted number of public safety employees who entered into the DROP in 2024, rescind their DROP participation so that they may purchase "air time" (non-qualified service) for the period during which the Town's Plan operated under a hybrid benefit structure (2012-2016/17)20.

GENERAL INFORMATION

As outlined in the attached Memo from Janice Rustin of LLW, there are currently four employees in Public Safety (Police & Fire Rescue Departments) who prematurely entered into the DROP program commencing in July 2024 following the adoption of the new Pension Plan in June 2024 due to a misunderstanding of their ability to purchase 'air time'.

Two out of the four members have demonstrated a clear interest in withdrawing from the DROP, thereby enabling them to purchase the air time in question. There is nothing in Federal law, the IRS Code or federal treasury regulations that would restrict this and the rescission option has been practiced to-date by the Florida Retirement System (FRS) and two other major municipalities.

The result of this would be a replenishment to the Plan of all contributions to and from the employees, resulting in a net neutral position of the Plan to the time of their initial DROP.

The Town proposes to amend the current Ordinance to make this a limited time offer to a small number of employees.

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation

Strategic Focus Areas:

Sound Fiscal Management

FUNDING

No Fiscal Impact

ORDINANCE NO. 20-2025

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 82-99, DEFERRED RETIREMENT OPTION PROGRAM FOR FIREFIGHTERS; AMENDING SUBDIVISION IV, POLICE OFFICERS, BY AMENDING SECTION 82-119, DEFERRED RETIREMENT OPTION PROGRAM FOR POLICE OFFICERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision III. – Firefighters; by amending Section 82-99 to read as follows:

Sec. 82-99. Deferred retirement option program for firefighters.

* * *

(i) DROP Rescission. Notwithstanding any other provision in this section to the contrary, any firefighter member who entered the DROP between June 1, 2024 and October 14, 2025 shall be eligible to rescind their DROP election. An eligible member who desires to rescind their DROP election must do so in writing on a form provided by the town and submitted within 90 days of the effective date of the ordinance from which this section is derived. A member who rescinds their DROP election in accordance with this subsection shall be deemed to have actively participated in the plan from the date of their DROP election with no break in credited service, and shall be required to pay all required member contributions for the period of time the member participated in the DROP. The member may pay the required member contribution amount in one lump sum payment within 90 days of the rescission date or in installments over a period equal to the length of time the member participated in the DROP, at an interest rate which is equal to the interest rate determined under Section 82-65. All deposits plus interest into the DROP account will revert to the fund. A member who rescinds their DROP election in accordance with this subsection may elect to re-enter the DROP at a future date in accordance with the DROP provisions in effect at the time they re-enter the DROP. Members who were DROP participants on June 1, 2024 and who separated from employment before October 14, 2025 shall not be eligible to rejoin membership into the Fund.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision IV. – Police Officers; by amending Section 82-119 to read as follows:

Sec. 82-119. - Deferred retirement option program for police officers

* * *

(k) DROP Rescission. Notwithstanding any other provision in this section to the contrary, any police officer member who entered the DROP between June 1, 2024 and October 14, 2025 shall be eligible to rescind their DROP election. An eligible member who desires to rescind their DROP election must do so in writing on a form provided by the town and submitted within 90 days of the effective date of the ordinance from which this section is derived. A member who rescinds their DROP election in accordance with this subsection shall be deemed to have actively participated in the plan from the date of their DROP election with no break in credited service, and shall be required to pay all required member contributions for the period of time the member participated in the DROP. The member may pay the required member contribution amount in one lump sum payment within 90 days of the rescission date or in installments over a period equal to the length of time the member participated in the DROP, at an interest rate which is equal to the interest rate determined under Section 82-65. All deposits plus interest into the DROP account will revert to the fund. A member who rescinds their DROP election in accordance with this subsection may elect to re-enter the DROP at a future date in accordance with the DROP provisions in effect at the time they re-enter the DROP. Members who were DROP participants on June 1, 2024 and who separated from employment before October 14, 2025 shall not be eligible to rejoin membership into the Fund.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of September, 2025, and for second and final reading on this 14th day of October, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay , Town Council President

Lewis S.W. Crampton, Town Council Member

Edward A. Cooney, Town Council Member

Julie Araskog, Town Council Member

Bridget Moran, Town Council Member

ATTEST:

Town Clerk

*Reply To: West Palm Beach***MEMORANDUM**

TO: Gillian Barth, People & Culture Director, Town of Palm Beach
Robert Miracle, Deputy Town Manager, Town of Palm Beach

FROM: Janice Rustin

DATE: August 27, 2025

SUBJECT: Member Eligibility to Rescind Participation in the Deferred Retirement Option Program

This memo responds to the question as to whether members of the Town of Palm Beach Retirement System ("Plan") who are currently participating in the Deferred Retirement Option Program (DROP) may be allowed to rescind their DROP participation in order to purchase "air time" (non-qualified service) for the period during which the Plan operated under a hybrid benefit structure.

To summarize, there is nothing in Florida law, the Internal Revenue Code or federal treasury regulations that prevents a local pension plan from allowing a member to rescind their DROP participation in certain circumstances. In order to implement a DROP rescission program, the Town will have to adopt an ordinance amending the Plan to permit DROP rescission for those members who wish to purchase such service.

Background

In 2012, the Plan was amended to adopt a hybrid benefit structure under which members accrued a portion of their retirement benefit from the Defined Benefit plan at a reduced multiplier rate of 1.25% and a second portion through a Defined Contribution 401(a) account funded by Town contributions. This structure was in effect until 2016, when the Plan was amended to eliminate the hybrid model. The multiplier for public safety member benefits was increased to 2.75% in 2016 and further increased to 3.0% in 2024.

JACKSONVILLE
245 Riverside Ave., Suite 510
Jacksonville, Florida 32202
T: 904.353.6410
F: 904.353.7619

ST. PETERSBURG
100 Second Ave., South Suite 501-S
St. Petersburg, Florida 33701
T: 727.245.0820
F: 727.290.4057

TALLAHASSEE
106 East College Avenue
Suite 1500
Tallahassee, FL 32301
T: 850.222.5702
F: 850.224.9242

TAMPA
301 West Platt St.
Suite A364
Tampa, FL 33606
T: 813.775.2331

WEST PALM BEACH
360 South Rosemary Avenue
Suite 1100
West Palm Beach, Florida 33401
T: 561.640.0820
F: 561.640.8202

The Town recently received clarification that members may use funds accumulated in their Defined Contribution 401(a) accounts to purchase credited service that is not based on prior government service for another government agency (“air time”). As result, many members have sought to purchase air time to cover the period during which the Plan operated under the hybrid model.

Service purchase limitations for public safety members

The Town has recently learned that some public safety members who recently entered the DROP program did not purchase service for that period based on the mistaken belief that they were ineligible to purchase credited service in the form of air time. This misunderstanding was based on a prior version of the Plan in which police officers and firefighters could only purchase credited service that was based on prior governmental service as a sworn police officer/firefighter or for prior military service only. Ordinance 39-2019 (adopted November 2019) amended the Plan to remove that limitation. Currently, all members, including police and firefighters, may purchase up to five years of air time. See Plan Section 82.54(d).

Because DROP participation freezes benefit accrual, those members who did not purchase service before entering the DROP are now unable to modify their benefits to take advantage of the air time service purchase option.

Proposed amendment to the Deferred Retirement Option Program

To address recent clarifications regarding member service purchase options, the Town may want to consider amending the Plan to permit public safety members who are currently in the DROP to rescind their DROP participation in order to purchase air time for the period during which the Plan operated under the hybrid model.

Neither Florida law nor IRS regulations prohibit a local government pension plan from allowing rescission of DROP participation. The Florida Retirement System (FRS) permits DROP rescission, and at least two municipal plans (the City of Coral Gables and the City of Jacksonville) allow for rescission under specific circumstances.

If the Plan is amended to allow DROP rescission for this purpose, we recommend the following limitations to protect the integrity of the Plan:

- Eligibility: Limited to police officer and firefighter members who entered the DROP without purchasing air time due to a good faith misunderstanding of their eligibility.
- Rescission Impacts: Eligible members must rescind DROP participation in writing. Upon approval, all amounts previously deposited into their DROP account, including interest, will revert to the Plan.

- Repayment Obligation: Members must make any required member contributions for the period they participated in the DROP, either in a lump sum or over an agreed-upon period.
- Election Deadline: Eligible members must elect to rescind DROP within 90 days following adoption of the ordinance amending the Plan.

Proposed DROP rescission language

If the Town decides to permit DROP rescission under the above terms, we recommend that following language be added to the DROP provisions of the Plan.

“Notwithstanding any other provision in this section, for any police officer or firefighter member who entered the DROP between June 1, 2024 and the effective date of this ordinance shall be eligible to rescind their DROP election. An eligible member who desires to rescind their DROP election must do so in writing on a form provided by the town submitted within 90 days of the effective date of the ordinance from which this section is derived. A member who rescinds their DROP election in accordance with this subsection shall be deemed to have actively participated in the plan from the date of their DROP election with no break in credited service, and shall be required to pay all required member contributions for such period prior to rescinding their DROP election. All deposits plus interest into the DROP account will revert to the fund. A member who rescinds their DROP election in accordance with this subsection may elect to re-enter the DROP in the future in accordance with the DROP provisions in effect at the time they re-enter the DROP. Members who were DROP participants on June 1, 2024 and who separated from employment shall not be eligible to rejoin membership into the Fund.”

Please let us know if you have any questions or would like to discuss further.



August 25, 2025

Mr. Robert Miracle
Deputy Town Manager
Town of Palm Beach
360 S. County Road
Palm Beach, Florida 33480

Re: Town of Palm Beach Retirement System – Supplemental Actuarial Valuation (Study) for Police Officers and Firefighters

Dear Bob:

As requested, we are enclosing a supplemental actuarial valuation (study) for the Town of Palm Beach Retirement System (Plan) illustrating the first-year impact of proposed plan changes to the Police Officers and Firefighters benefit groups. The results are based on census and asset data as of September 30, 2024.

Please refer to the enclosed exhibits for details. The following is a brief description of the proposed changes included in this supplemental actuarial valuation report.

- Current Plan – Same plan provisions as described in the September 30, 2024 Actuarial Valuation Report.
- Plan Changes – Police officers and firefighters who entered the DROP on or after June 1, 2024 without purchasing air time due to a good faith misunderstanding of their eligibility are permitted to rescind their DROP participation in order to purchase air time. Upon approval, all amounts previously deposited into their DROP account, including interest, will revert to the Plan. Additionally, members must make any required member contributions for the period they participated in the DROP. This plan change would affect one police officer and three firefighter members. As of September 30, 2024, the affected police officer was a DROP member (Joseph Guelli) and the three firefighters consisted of two DROP members (Brian Lebrun and Laura Deckers) and one active member (Jody Sronce) who entered the DROP after the September 30, 2024 valuation date.
 - Scenario A: All eligible DROP members as of September 30, 2024 are assumed to rescind their DROP participation.
 - Scenario B: Only the DROP members Joseph Guelli (Police Officer) and Brian Lebrun (Firefighter) are assumed to rescind their DROP participation.

Summary of Findings

To value the plan changes, we have assumed that DROP members that rescind their DROP participation will have DROP balances reverted to the Plan and missed member contributions added to Plan assets. Additionally, retirement rates for affected participants were set to 100% (during the year following the actuarial valuation date).

The baseline results shown on the enclosed exhibits are from the September 30, 2024 Actuarial Valuation Report dated March 7, 2025. As compared to these baseline results, the proposed plan changes would have the following impacts:

Police Officers (Scenarios A & B)

- The required employer contribution rate for Police Officers would decrease by 1.49% of covered payroll (from 75.87% to 74.38%), but would increase as a total dollar amount by \$24,953 (from \$5,177,219 to \$5,202,172) for the fiscal year ending September 30, 2026 (assuming October 1st payment timing).
- The funded ratio (actuarial value of assets divided by actuarial accrued liability) for Police Officers would increase by 0.1%, from 75.0% to 75.1%. The unfunded actuarial accrued liability would decrease by \$73,078.

Firefighters (Scenario A)

- The required employer contribution rate for Firefighters would decrease by 1.89% of covered payroll (from 81.59% to 79.70%), but would increase as a total dollar amount by \$44,658 (from \$5,657,375 to \$5,702,033) for the fiscal year ending September 30, 2026 (assuming October 1st payment timing).
- The funded ratio (actuarial value of assets divided by actuarial accrued liability) for Firefighters would increase by 0.1%, from 71.3% to 71.4%. The unfunded actuarial accrued liability would decrease by \$54,641.

Firefighters (Scenario B)

- The required employer contribution rate for Firefighters would decrease by 1.08% of covered payroll (from 81.59% to 80.51%), but would increase as a total dollar amount by \$17,829 (from \$5,657,375 to \$5,675,204) for the fiscal year ending September 30, 2026 (assuming October 1st payment timing).
- The funded ratio (actuarial value of assets divided by actuarial accrued liability) for Firefighters would increase by 0.1%, from 71.3% to 71.4%. The unfunded actuarial accrued liability would decrease by \$68,311.

Risks Associated with Measuring the Accrued Liability and Actuarially Determined Contribution

The determination of the accrued liability and the actuarially determined contribution requires the use of assumptions regarding future economic and demographic experience. The assumptions used to determine the contribution requirement and accrued liability in this report are the same as those used in the September 30, 2024 Actuarial Valuation Report, dated March 7, 2025.

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: plan experience differing from that anticipated by the economic or demographic assumptions; changes in economic or demographic assumptions due to



changing conditions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period, or additional cost or contribution requirements based on the Plan's funded status); and changes in plan provisions or applicable law. Please refer to the September 30, 2024 Actuarial Valuation Report for additional discussion regarding the risks associated with measuring the accrued liability and the actuarially determined contribution.

The scope of this supplemental actuarial valuation does not include an analysis of the potential range of such future measurements or a quantitative measurement of the future risks of not achieving the assumptions. In certain circumstances, detailed or quantitative assessments of one or more of these risks, as well as various plan maturity measures and historical actuarial measurements, may be requested from the actuary. Additional risk assessments are generally outside the scope of a supplemental actuarial valuation. Additional assessments may include stress tests, scenario tests, sensitivity tests, stochastic modeling, and a comparison of the present value of accrued benefits at low-risk discount rates with the actuarial accrued liability.

Additional Disclosures

This report was prepared at the request of the Town of Palm Beach and is intended for use by the Town and the Retirement System and those designated or approved by the Town or the System. This report may be provided to parties other than the System only in its entirety and only with the permission of the Town or Board of Trustees.

The purpose of this report is to describe the immediate financial effect of the proposed plan changes. This report should not be relied on for any purpose other than the purpose described above.

The actuarial assumptions and methods, financial data, and participant census data utilized in these calculations are the same actuarial assumptions and methods, financial data, and participant census data used in the September 30, 2024 Actuarial Valuation Report, dated March 7, 2025.

The date of the valuation was September 30, 2024. This means that the results of the supplemental valuation indicate what the September 30, 2024 valuation would have looked like if the proposed benefit changes had been in effect on that date. Supplemental valuations do not predict the result of future actuarial valuations. Rather, supplemental valuations give an indication of the cost of the benefit change only without comment on the complete end result of future valuations.

The calculations are based upon assumptions regarding future events, which may or may not materialize. They are also based on the assumptions, methods, and plan provisions outlined in this report. If you have reason to believe that the assumptions that were used are unreasonable, that the plan provisions are incorrectly described, that important plan provisions relevant to this proposal are not described, or that conditions have changed since the calculations were made, you should contact the author of the report prior to relying on information in the report.



This report was prepared using our proprietary valuation model and related software which in our professional judgment has the capability to provide results that are consistent with the purposes of the valuation and has no material limitations or known weaknesses. We performed tests to ensure that the model reasonably represents that which is intended to be modeled.

This report complements the September 30, 2024 Actuarial Valuation Report previously delivered to the Plan Administrator and the Town and should be considered in conjunction with that report. Please see the Actuarial Valuation Report as of September 30, 2024, dated March 7, 2025, for additional discussion of the nature of actuarial calculations and information related to participant data, economic and demographic assumptions, and benefit provisions.

Peter N. Strong and Dina Lerner are members of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinions contained herein.

The signing actuaries are independent of the plan sponsor.

This report has been prepared by actuaries who have substantial experience valuing public employee retirement systems. To the best of our knowledge the information contained in this report is accurate and fairly presents the actuarial position of the Plan as of the valuation date. All calculations have been made in conformity with generally accepted actuarial principles and practices, and with the Actuarial Standards of Practice issued by the Actuarial Standards Board and with applicable statutes.

Respectfully submitted,



Peter N. Strong, FSA, EA, MAAA
Senior Consultant and Actuary



Dina Lerner, FSA, EA, MAAA
Consultant and Actuary

Enclosures

cc: Edemir K. Estrada, Plan Administrator (electronic)



SUPPLEMENTAL ACTUARIAL VALUATION REPORT

Plan

Town of Palm Beach Retirement System – Police Officers and Firefighters

Valuation Date

September 30, 2024

Date of Report

August 25, 2025

Report Requested by

Town of Palm Beach

Prepared by

Peter N. Strong and Dina Lerner

Group Valued

All active and inactive members of the Plan

Changes in Plan Provisions

Police officers and firefighters who entered the DROP on or after June 1, 2024 without purchasing air time due to a good faith misunderstanding of their eligibility are permitted to rescind their DROP participation in order to purchase air time. Upon approval, all amounts previously deposited into their DROP account, including interest, will revert to the Plan. Additionally, members must make any required member contributions for the period they participated in the DROP. This plan change would affect one police officer and three firefighter members. As of September 30, 2024, the affected police officer was a DROP member (Joseph Guelli) and the three firefighters consisted of two DROP members (Brian Lebrun and Laura Deckers) and one active member (Jody Sronce).

- Scenario A: All eligible DROP members as of September 30, 2024 are assumed to rescind their DROP participation.
- Scenario B: Only the DROP members Joseph Guelli (Police Officer) and Brian Lebrun (Firefighter) are assumed to rescind their DROP participation.

Changes in Actuarial Assumptions and Methods

To value the plan changes, we have assumed that DROP members that rescind their DROP participation will have DROP balances reverted to the Plan and missed member contributions added to Plan assets. Additionally, retirement rates for affected participants were set to 100% at first normal retirement eligibility.

All other actuarial assumptions and methods are the same as those used in the September 30, 2024 Actuarial Valuation Report dated March 7, 2025.

*Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025*

Some of the key assumptions/methods are:

Investment Return 6.0%

Payroll Growth Assumption 2.75%

Cost Method Entry Age Normal

Mortality Mortality rates from the July 1, 2023 FRS actuarial valuation report

Amortization Period for New Changes in Actuarial Accrued Liability

15 years for plan changes; level percent of payroll amortization.

Actuarial Impact of Proposal(s)

See attached page(s).

Special Risks Involved with the Proposal That the Plan Has Not Been Exposed to Previously

None

Other Cost Considerations

None

*Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025*

ACTUARIALLY DETERMINED CONTRIBUTION (ADC)			
A. Valuation Date	September 30, 2024	September 30, 2024	
	<i>Police Officers Valuation</i>	<i>Police Officers Plan Changes (Scenarios A and B)</i>	<i>Increase/ (Decrease)</i>
B. ADC to Be Paid During Fiscal Year Ending	9/30/2026	9/30/2026	
C. Covered Annual Payroll (expected)	\$ 7,025,534	\$ 7,200,812	\$ 175,278
D. Annual Payment to Amortize Unfunded Actuarial Liability Rate As Illustrative \$	52.45 % 3,684,893	51.07 % 3,677,455	(1.38) % (7,438)
E. Total Employer Normal Cost Rate As Illustrative \$	23.42 % 1,645,380	23.31 % 1,678,509	(0.11) % 33,129
F. Total Unadjusted Contribution Rate Employer Normal Cost Amortization Total	23.42 % <u>52.45</u> 75.87	23.31 % <u>51.07</u> 74.38	(0.11) % <u>(1.38)</u> (1.49)
G. Adjustments to Computed Contribution			
a. Town funding for additional premium tax revenue shortfall in prior fiscal year	0.00 %	0.00 %	0.00 %
b. Additional Member Cost Sharing	0.00	0.00	0.00
c. Full funding credit	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
d. Total Adjustments As Illustrative \$	0.00 0	0.00 0	0.00 0
H. Total Adjusted ADC as % of Covered Payroll	75.87 %	74.38 %	(1.49) %
I. Total Adjusted ADC as Illustrative \$	\$ 5,330,273	\$ 5,355,964	\$ 25,691
J. Total Adjusted ADC if Contributed October 1st	\$ 5,177,219	\$ 5,202,172	\$ 24,953

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

ACTUARIAL VALUE OF BENEFITS AND ASSETS			
A. Valuation Date	September 30, 2024	September 30, 2024	
	<i>Police Officers Valuation</i>	<i>Police Officers Plan Changes (Scenarios A and B)</i>	<i>Increase/ (Decrease) Change</i>
B. Actuarial Present Value of All Projected Benefits for			
1. Active Members			
a. Service Retirement Benefits	\$ 34,781,258	\$ 35,659,471	\$ 878,213
b. Vesting Benefits	1,548,296	1,548,296	0
c. Disability Benefits	1,331,206	1,331,206	0
d. Preretirement Death Benefits	547,619	547,619	0
e. Return of Member Contributions	215,315	215,315	0
f. Total	38,423,694	39,301,907	878,213
2. Inactive Members			
a. Retired Members & Beneficiaries	100,340,581	99,424,304	(916,277)
b. Terminated Vested Members	3,218,873	3,218,873	0
c. DROP and Share Account Balances	2,980,175	2,968,372	(11,803)
d. Total	106,539,629	105,611,549	(928,080)
3. Total for All Members	144,963,323	144,913,456	(49,867)
C. Actuarial Present Value of Future Normal Costs	20,916,238	20,937,244	21,006
D. Actuarial Accrued (Past Service) Liability	124,047,085	123,976,212	(70,873)
E. Plan Assets			
1. Market Value	95,816,139	95,818,344	2,205
2. Actuarial Value	93,042,806	93,045,011	2,205
F. Unfunded Actuarial Accrued Liability:	31,004,279	30,931,201	(73,078)
G. Funded Ratio: E2/D	75.0 %	75.1 %	0.1 %
H. Actuarial Present Value of Projected Covered Payroll	68,884,773	68,972,676	87,903
I. Actuarial Present Value of Projected Member Contributions	5,855,206	5,862,677	7,471
J. Accumulated Value of Active Member Contributions	3,212,073	3,405,254	193,181

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

CALCULATION OF EMPLOYER NORMAL COST

A. Valuation Date	September 30, 2024		September 30, 2024			
	<i>Police Officers Valuation</i>		<i>Police Officers Plan Changes (Scenarios A and B)</i>		<i>Increase/ (Decrease)</i>	
B. Normal Cost for						
1. Service Retirement Benefits	\$ 1,685,905	25.17%	\$ 1,705,053	25.11%	\$ 19,148	(0.06)%
2. Vesting Benefits	93,038	1.39%	93,422	1.37%	384	(0.02)%
3. Disability Benefits	107,939	1.61%	108,849	1.60%	910	(0.01)%
4. Preretirement Death Benefits	46,889	0.70%	47,276	0.70%	387	0.00%
5. Return of Member Contributions	50,578	0.75%	51,376	0.76%	798	0.01%
6. Total for Future Benefits	1,984,349	29.62%	2,005,976	29.54%	21,627	(0.08)%
7. Assumed Amount for Administrative Expenses	154,086	2.30%	154,130	2.27%	44	(0.03)%
8. Total Normal Cost	2,138,435	31.92%	2,160,106	31.81%	21,671	(0.11)%
C. Expected Member Contribution	569,447	8.50%	577,140	8.50%	7,693	0.00%
D. Employer Normal Cost: B8-C	1,568,988	23.42%	1,582,966	23.31%	13,978	(0.11)%
E. Employer Normal Cost as a % of Covered Payroll	23.42 %		23.31 %		(0.11) %	

*Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025*

PARTICIPANT DATA		
	September 30, 2024 <i>Police Officers Valuation</i>	September 30, 2024 <i>Police Officers Plan Change (Scenarios A and B)</i>
ACTIVE MEMBERS		
Number	69	70
Covered Annual Payroll	\$ 6,745,385	\$ 6,913,673
Average Annual Payroll	\$ 97,759	\$ 98,767
Average Age	38.8	39.1
Average Past Service	7.0	7.1
Average Age at Hire	31.8	32.0
RETIREES, BENEFICIARIES & DROP		
Number	105	104
Annual Benefits	\$ 6,870,767	\$ 6,811,685
Average Annual Benefit	\$ 65,436	\$ 65,497
Average Age	67.1	67.2
DISABILITY RETIREES		
Number	4	4
Annual Benefits	\$ 182,914	\$ 182,914
Average Annual Benefit	\$ 45,729	\$ 45,729
Average Age	57.3	57.3
TERMINATED VESTED MEMBERS		
Number	17	17
Annual Benefits	\$ 231,370	\$ 231,370
Average Annual Benefit	\$ 13,610	\$ 13,610
Average Age	48.6	48.6

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

ACTUARIALLY DETERMINED CONTRIBUTION (ADC)			
A. Valuation Date	September 30, 2024	September 30, 2024	
	<i>Firefighters Valuation</i>	<i>Firefighters Plan Changes Scenario A</i>	<i>Increase/ (Decrease)</i>
B. ADC to Be Paid During Fiscal Year Ending	9/30/2026	9/30/2026	
C. Covered Annual Payroll (expected)	\$ 7,138,894	\$ 7,365,875	\$ 226,981
D. Annual Payment to Amortize Unfunded Actuarial Liability Rate As Illustrative \$	58.23 % 4,156,978	56.43 % 4,156,563	(1.80) % (415)
E. Total Employer Normal Cost Rate As Illustrative \$	23.36 % 1,667,646	23.27 % 1,714,039	(0.09) % 46,393
F. Total Unadjusted Contribution Rate Employer Normal Cost Amortization Total	23.36 % <u>58.23</u> 81.59	23.27 % <u>56.43</u> 79.70	(0.09) % <u>(1.80)</u> (1.89)
G. Adjustments to Computed Contribution			
a. Town funding for additional premium tax revenue shortfall in prior fiscal year	0.00 %	0.00 %	0.00 %
b. Additional Member Cost Sharing	0.00	0.00	0.00
c. Full funding credit	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
d. Total Adjustments As Illustrative \$	0.00 0	0.00 0	0.00 0
H. Total Adjusted ADC as % of Covered Payroll	81.59 %	79.70 %	(1.89) %
I. Total Adjusted ADC as Illustrative \$	\$ 5,824,624	\$ 5,870,602	\$ 45,978
J. Total Adjusted ADC if Contributed October 1st	\$ 5,657,375	\$ 5,702,033	\$ 44,658

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

ACTUARIAL VALUE OF BENEFITS AND ASSETS			
A. Valuation Date	September 30, 2024	September 30, 2024	
	<i>Firefighters Valuation</i>	<i>Firefighters Plan Changes Scenario A</i>	<i>Increase/ (Decrease)</i>
B. Actuarial Present Value of All Projected Benefits for			
1. Active Members			
a. Service Retirement Benefits	\$ 41,836,442	\$ 43,367,185	\$ 1,530,743
b. Vesting Benefits	1,754,400	1,754,400	0
c. Disability Benefits	1,583,511	1,583,511	0
d. Preretirement Death Benefits	674,083	674,083	0
e. Return of Member Contributions	123,930	123,930	0
f. Total	45,972,366	47,503,109	1,530,743
2. Inactive Members			
a. Retired Members & Beneficiaries	100,916,112	99,374,351	(1,541,761)
b. Terminated Vested Members	3,571,983	3,571,983	0
c. DROP and Share Account Balances	2,141,073	2,129,340	(11,733)
d. Total	106,629,168	105,075,674	(1,553,494)
3. Total for All Members	152,601,534	152,578,783	(22,751)
C. Actuarial Present Value of Future Normal Costs	21,702,174	21,732,610	30,436
D. Actuarial Accrued (Past Service) Liability	130,899,360	130,846,173	(53,187)
E. Plan Assets			
1. Market Value	95,696,396	95,697,850	1,454
2. Actuarial Value	93,375,849	93,377,303	1,454
F. Unfunded Actuarial Accrued Liability:	37,523,511	37,468,870	(54,641)
G. Funded Ratio: E2/D	71.3 %	71.4 %	0.1 %
H. Actuarial Present Value of Projected Covered Payroll	70,883,524	70,997,357	113,833
I. Actuarial Present Value of Projected Member Contributions	6,025,100	6,034,775	9,675
J. Accumulated Value of Active Member Contributions	4,751,829	5,026,603	274,774

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

CALCULATION OF EMPLOYER NORMAL COST

A. Valuation Date	September 30, 2024		September 30, 2024			
	<i>Firefighters Valuation</i>		<i>Firefighters Plan Changes Scenario A</i>		<i>Increase/ (Decrease)</i>	
B. Normal Cost for						
1. Service Retirement Benefits	\$ 1,717,041	25.11%	\$ 1,742,841	25.06%	\$ 25,800	(0.05)%
2. Vesting Benefits	104,457	1.53%	105,363	1.52%	906	(0.01)%
3. Disability Benefits	112,615	1.65%	115,424	1.66%	2,809	0.01%
4. Preretirement Death Benefits	50,389	0.74%	51,041	0.73%	652	(0.01)%
5. Return of Member Contributions	44,752	0.65%	45,921	0.66%	1,169	0.01%
6. Total for Future Benefits	2,029,254	29.68%	2,060,590	29.63%	31,336	(0.05)%
7. Assumed Amount for Administrative Expenses	149,048	2.18%	148,821	2.14%	(227)	(0.04)%
8. Total Normal Cost	2,178,302	31.86%	2,209,411	31.77%	31,109	(0.09)%
C. Expected Member Contribution	581,150	8.50%	591,112	8.50%	9,962	0.00%
D. Employer Normal Cost: B8-C	1,597,152	23.36%	1,618,299	23.27%	21,147	(0.09)%
E. Employer Normal Cost as a % of Covered Payroll	23.36	%	23.27	%	(0.09)	%

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

PARTICIPANT DATA		
	September 30, 2024 <i>Firefighters Valuation</i>	September 30, 2024 <i>Firefighters Plan Change Scenario A</i>
ACTIVE MEMBERS		
Number	67	69
Covered Annual Payroll	\$ 6,854,224	\$ 7,072,154
Average Annual Payroll	\$ 102,302	\$ 102,495
Average Age	39.0	39.5
Average Past Service	9.6	9.8
Average Age at Hire	29.4	29.7
RETIREES, BENEFICIARIES & DROP		
Number	96	94
Annual Benefits	\$ 6,378,460	\$ 6,283,761
Average Annual Benefit	\$ 66,442	\$ 66,849
Average Age	66.4	66.7
DISABILITY RETIREES		
Number	7	7
Annual Benefits	\$ 320,347	\$ 320,347
Average Annual Benefit	\$ 45,764	\$ 45,764
Average Age	67.6	67.6
TERMINATED VESTED MEMBERS		
Number	22	22
Annual Benefits	\$ 272,863	\$ 272,863
Average Annual Benefit	\$ 12,403	\$ 12,403
Average Age	46.1	46.1

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

ACTUARIALLY DETERMINED CONTRIBUTION (ADC)			
A. Valuation Date	September 30, 2024	September 30, 2024	
	<i>Firefighters Valuation</i>	<i>Firefighters Plan Changes Scenario B</i>	<i>Increase/ (Decrease)</i>
B. ADC to Be Paid During Fiscal Year Ending	9/30/2026	9/30/2026	
C. Covered Annual Payroll (expected)	\$ 7,138,894	\$ 7,257,458	\$ 118,564
D. Annual Payment to Amortize Unfunded Actuarial Liability Rate As Illustrative \$	58.23 % 4,156,978	57.21 % 4,151,992	(1.02) % (4,986)
E. Total Employer Normal Cost Rate As Illustrative \$	23.36 % 1,667,646	23.30 % 1,690,988	(0.06) % 23,342
F. Total Unadjusted Contribution Rate Employer Normal Cost Amortization Total	23.36 % <u>58.23</u> 81.59	23.30 % <u>57.21</u> 80.51	(0.06) % <u>(1.02)</u> (1.08)
G. Adjustments to Computed Contribution			
a. Town funding for additional premium tax revenue shortfall in prior fiscal year	0.00 %	0.00 %	0.00 %
b. Additional Member Cost Sharing	0.00	0.00	0.00
c. Full funding credit	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
d. Total Adjustments As Illustrative \$	0.00 0	0.00 0	0.00 0
H. Total Adjusted ADC as % of Covered Payroll	81.59 %	80.51 %	(1.08) %
I. Total Adjusted ADC as Illustrative \$	\$ 5,824,624	\$ 5,842,980	\$ 18,356
J. Total Adjusted ADC if Contributed October 1st	\$ 5,657,375	\$ 5,675,204	\$ 17,829

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

ACTUARIAL VALUE OF BENEFITS AND ASSETS			
A. Valuation Date	September 30, 2024	September 30, 2024	
	<i>Firefighters Valuation</i>	<i>Firefighters Plan Changes Scenario B</i>	<i>Increase/ (Decrease)</i>
B. Actuarial Present Value of All Projected Benefits for			
1. Active Members			
a. Service Retirement Benefits	\$ 41,836,442	\$ 43,089,738	\$ 1,253,296
b. Vesting Benefits	1,754,400	1,754,400	0
c. Disability Benefits	1,583,511	1,583,511	0
d. Preretirement Death Benefits	674,083	674,083	0
e. Return of Member Contributions	123,930	123,930	0
f. Total	45,972,366	47,225,662	1,253,296
2. Inactive Members			
a. Retired Members & Beneficiaries	100,916,112	99,619,589	(1,296,523)
b. Terminated Vested Members	3,571,983	3,571,983	0
c. DROP and Share Account Balances	2,141,073	2,131,740	(9,333)
d. Total	106,629,168	105,323,312	(1,305,856)
3. Total for All Members	152,601,534	152,548,974	(52,560)
C. Actuarial Present Value of Future Normal Costs	21,702,174	21,717,180	15,006
D. Actuarial Accrued (Past Service) Liability	130,899,360	130,831,794	(67,566)
E. Plan Assets			
1. Market Value	95,696,396	95,697,141	745
2. Actuarial Value	93,375,849	93,376,594	745
F. Unfunded Actuarial Accrued Liability:	37,523,511	37,455,200	(68,311)
G. Funded Ratio: E2/D	71.3 %	71.4 %	0.1 %
H. Actuarial Present Value of Projected Covered Payroll	70,883,524	70,942,985	59,461
I. Actuarial Present Value of Projected Member Contributions	6,025,100	6,030,154	5,054
J. Accumulated Value of Active Member Contributions	4,751,829	4,963,325	211,496

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

CALCULATION OF EMPLOYER NORMAL COST

A. Valuation Date	September 30, 2024		September 30, 2024			
	<i>Firefighters Valuation</i>		<i>Firefighters Plan Changes Scenario B</i>		<i>Increase/ (Decrease)</i>	
B. Normal Cost for						
1. Service Retirement Benefits	\$ 1,717,041	25.11%	\$ 1,730,472	25.09%	\$ 13,431	(0.02)%
2. Vesting Benefits	104,457	1.53%	105,363	1.53%	906	0.00%
3. Disability Benefits	112,615	1.65%	113,096	1.64%	481	(0.01)%
4. Preretirement Death Benefits	50,389	0.74%	50,550	0.73%	161	(0.01)%
5. Return of Member Contributions	44,752	0.65%	45,223	0.65%	471	(0.00)%
6. Total for Future Benefits	2,029,254	29.68%	2,044,704	29.64%	15,450	(0.04)%
7. Assumed Amount for Administrative Expenses	149,048	2.18%	149,003	2.16%	(45)	(0.02)%
8. Total Normal Cost	2,178,302	31.86%	2,193,707	31.80%	15,405	(0.06)%
C. Expected Member Contribution	581,150	8.50%	586,353	8.50%	5,203	0.00%
D. Employer Normal Cost: B8-C	1,597,152	23.36%	1,607,354	23.30%	10,202	(0.06)%
E. Employer Normal Cost as a % of Covered Payroll	23.36	%	23.30	%	(0.06)	%

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

PARTICIPANT DATA		
	September 30, 2024 <i>Firefighters Valuation</i>	September 30, 2024 <i>Firefighters Plan Change Scenario B</i>
ACTIVE MEMBERS		
Number	67	68
Covered Annual Payroll	\$ 6,854,224	\$ 6,968,060
Average Annual Payroll	\$ 102,302	\$ 102,471
Average Age	39.0	39.2
Average Past Service	9.6	9.8
Average Age at Hire	29.4	29.4
RETIREES, BENEFICIARIES & DROP		
Number	96	95
Annual Benefits	\$ 6,378,460	\$ 6,303,133
Average Annual Benefit	\$ 66,442	\$ 66,349
Average Age	66.4	66.6
DISABILITY RETIREES		
Number	7	7
Annual Benefits	\$ 320,347	\$ 320,347
Average Annual Benefit	\$ 45,764	\$ 45,764
Average Age	67.6	67.6
TERMINATED VESTED MEMBERS		
Number	22	22
Annual Benefits	\$ 272,863	\$ 272,863
Average Annual Benefit	\$ 12,403	\$ 12,403
Average Age	46.1	46.1

Prepared by
Gabriel, Roeder, Smith & Company
August 25, 2025

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Robert Miracle, CPA Deputy Town Manager, Finance and Administration

Re: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Providing For An Amendment To The Town's Budget Adopted For The Fiscal Year Commencing October 1, 2024, And Providing An Effective Date.
22-2025

Date: 9/2/2025

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Ordinance No. 022-2025, which amends the FY25 Worth Avenue Assessment Area Fund and Health Fund budgets.

GENERAL INFORMATION

A budget amendment is required to appropriate additional funds in the Worth Avenue Assessment Area Fund and Health Funds for the remainder of FY25. In FY24, the Worth Avenue Assessment Fund under spent the budget by \$337,050 and in FY25 many of the projects from FY24 were started in FY25 causing a budget overage in FY25 by approximately \$300,000. The fund balance from FY24 will be used to fund these additional projects that were budgeted in FY24 but completed in FY25.

A budget amendment is also required to appropriate additional funds in the Health Fund for the higher-than-anticipated claims in FY25. The additional \$1,500,000 will be funded using additional revenue from Cigna Pharmacy rebate and interest (\$525,000), contingency (\$500,000) and the remaining from fund balance in the Health Fund (\$475,000).

FUNDING/FISCAL IMPACT

The ordinance will amend the Worth Avenue Assessment Fund (311) by \$300,000 using fund balance and the Health Fund (502) by \$1,000,000 using contingency and fund balance.

TOWN ATTORNEY REVIEW

This ordinance has been reviewed and approved by the Town Attorney for legal form and sufficiency.

Attachments
RM/ml

cc: Carolyn Stone, Deputy Town Manager - Business Enterprise and Culture
Joanne O'Connor, Town Attorney

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation

Strategic Focus Areas:

Sound Fiscal Management

FUNDING

Operating

ORDINANCE NO. 22-2025

An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Providing For An Amendment To The Town's Budget Adopted For The Fiscal Year Commencing October 1, 2024, And Providing An Effective Date.

WHEREAS, it was necessary for the Town of Palm Beach to adopt budgets for the fiscal year commencing October 1, 2024; and

WHEREAS, the Town Council of the Town of Palm Beach, Florida, deems it necessary and appropriate to amend said budgets to provide appropriations adequate for the authorization expenditures necessary for conducting Town operations for the fiscal year ending September 30, 2025; and

WHEREAS, the budget amendment is necessary for the Worth Avenue Assessment Fund and Health Fund; and

WHEREAS, said budget amendments are required to be approved by ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The Worth Avenue Assessment Fund and Health Fund budget for the fiscal year commencing October 1, 2024, is hereby amended, and adopted pursuant to Exhibits "A" and "B" attached hereto and made a part of this ordinance.

Section 3. Effective Date. This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this [insert day] day of [insert month], [insert year], and for second and final reading this 9th day of September, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

FUND 311: WORTH AVENUE MAINTENANCE FUND
Revenue and Expense Summary

	FY2023 Actual	FY2024 Actual	FY2025 Budget	Ordinance No. 022-2025 FY2025 Amendment	FY2025 Amended Budget
Revenues					
Special Assessment Revenue	389,540	418,140	408,558		408,558
Interest on Investments	6,324	5,546	1,000		1,000
Donations/Miscellaneous	5,000	5,000	5,000		5,000
TOTALS	400,865	428,686	414,558		414,558
Expenses					
Maintenance Costs	333,046	348,480	414,558	300,000	714,558
TOTALS	333,046	348,480	414,558	300,000	714,558
 Total Revenues Over/(Under) Expenses	 67,818	 80,207	 -	 (300,000)	 (300,000)
Beginning Fund Equity	167,279	235,097	315,304	315,304	315,304
Ending Net Assets	235,097	315,304	315,304	15,304	15,304

FUND 502: HEALTH FUND

	FY2023 Actual	FY2024 Actual	FY2025 Budget	Ordinance No. 022-2025 FY2025 Amendment	FY2025 Amended Budget
Revenues					
Employer Contributions	4,415,710	4,858,224	5,644,278	-	5,644,278
Employee Contributions	892,173	935,912	881,000		881,000
Insurance Recoveries	2,709	-	-		-
Miscellaneous Revenue	-	-	-	375,000	375,000
Interest Income	182,378	277,487	100,000	150,000	250,000
TOTALS	5,492,969	6,071,623	6,625,278	525,000	7,150,278
Expenses					
Salaries and Wages	91,988	93,125	96,501		96,501
Employee Benefits	6,143,568	7,099,242	6,919,770	1,500,000	8,419,770
Contractual	484,810	521,910	540,996		540,996
Commodities	3,172	2,717	2,428		2,428
Capital Outlay	-	-	-		-
Other (Contingency)	-	-	500,000	(500,000)	-
TOTALS	6,723,539	7,716,994	8,059,695	1,000,000	9,059,695
Total Revenues					
Over/(Under) Expenses	(1,230,570)	(1,645,370)	(1,434,417)	(475,000)	(1,909,417)
Beginning Net Assets	5,794,779	4,564,209	2,918,839	1,484,422	2,918,839
ENDING NET ASSETS	4,564,209	2,918,839	1,484,422	1,009,422	1,009,422