



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

**MEETING HELD ELECTRONICALLY
(see instruction sheet for information on
how to participate)**

AGENDA

APRIL 15, 2020

9:30 AM

Welcome

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

- I. CALL TO ORDER AND ROLL CALL**
Gail L. Coniglio, Mayor
Julie Araskog
Lew Crampton
Bobbie Lindsay
Danielle H. Moore
Margaret A. Zeidman
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. MODIFICATIONS TO THE AGENDA**
- IV. APPROVAL OF AGENDA**

V. RECOGNITIONS

- A.** Recognition of Edward A. Cooney for his service on the Landmarks Preservation Commission from March 2010 to March 2020
Gail L. Coniglio, Mayor
- B.** Recognition of Robert J. Vila for his service on the Architectural Review Commission from March 2017 to March 2020
Gail L. Coniglio, Mayor
- C.** Recognition of Nikita Zukov for his service on the Architectural Review Commission from March 2018 to March 2020
Gail L. Coniglio, Mayor

VI. ORGANIZATIONAL ITEMS

- A.** (Mayor Becomes the Presiding Officer) Page 7

Election of Town Council President
Pursuant to Section 3.01 of the Town Charter
- B.** (Town Council President Becomes the Presiding Officer)

Election of Town Council President Pro Tem
Pursuant to Section 3.01 of the Town Charter

VII. BOARDS AND COMMISSIONS APPOINTMENTS

- A.** Appointments to the Code Enforcement Board Page 12
Pat Gayle-Gordon, Acting Town Clerk
- B.** Appointments to the Recreation Advisory Commission Page 29
Pat Gayle-Gordon, Acting Town Clerk
- C.** Appointments to the Retirement Board of Trustees Page 44
Pat Gayle-Gordon, Acting Town Clerk

VIII. COMMENTS OF MAYOR GAIL L. CONIGLIO

IX. COMMENTS OF TOWN COUNCIL MEMBERS

X. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

XI. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

- 1. Town Council Meeting Minutes Page 55
Pat Gayle-Gordon, Acting Town Clerk
 - a. March 10, 2020, Town Council Meeting Minutes
 - b. March 11, 2020, Town Council Development Review Meeting Minutes
 - c. March 19, 2020, Special Town Council Meeting Minutes
 - d. March 27, 2020, Special Town Council Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of March 25, 2020.
Wayne Bergman, Acting Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 23-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Evergreene Architectural Arts for the Bi-Annual Maintenance of Town Hall and Bradley Park Fountains for a Two-Year Period in the Amount of \$92,818.19.
Dean Mealy, Purchasing Manager Page 110
2. RESOLUTION NO. 26-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Maintenance Memorandum of Agreement (MMOA) with Florida Department of Transportation (FDOT) for Improvements Associated with 1350 South Ocean Boulevard, to be Constructed within the FDOT Right-of-Way.
H. Paul Brazil, P.E., Director of Public Works Page 122
3. RESOLUTION NO. 27-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute a Resolution Supporting a Florida Inland Navigation District Waterways Assistance Program Grant Application for the Town Marina Project.
H. Paul Brazil, P.E., Director of Public Works Page 138
4. RESOLUTION NO. 28-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Interlocal Agreement for Water Distribution System Upgrades, Rehabilitation, and Replacement with the City of West Palm Beach.
H. Paul Brazil, P.E., Director of Public Works Page 143

C. OTHER

1. Approve Request by Florida Power & Light to Close Orange Grove Road for Eleven (11) Days
H. Paul Brazil, P.E., Director of Public Works Page 160

XII. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Architectural Commission (ARCOM). (Written report only.)
Michael Small, Vice Chair Page 164

XIII. COMMITTEE REPORTS

- A. Report of the Public Safety Committee Meeting Held on March 9, 2020
Margaret A. Zeidman, Chair Page 168

XIV. REGULAR AGENDA

A. Old Business

1. Town-wide Undergrounding Project
Steve Stern, Project Manager

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- a. Review of Project and Dashboard, Summary of Project Status
- b. RESOLUTION NO. 16-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement and Use Agreement Between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for Access, and Maintenance of FPL Equipment.

2. RESOLUTION NO. 29-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Kimley-Horn And Associates For The Engineering Services Water Supply Feasibility Study Proposal In The Amount Of \$316,380 And An Overall Project Budget Of \$367,387.

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Dean Mealy, Purchasing Manager

B. Matters Pulled From Consent Agenda: If needed

XV. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 06-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 106 Of The Town Code Of Ordinances At Article VII, Special Events On Public Property, At Division 1, Section 106-256, Definitions, So As To Amend The Definition Of Special Event To Include Walk/Run; Further Amending Section 106-283, Standards For Issuance, So As To Provide That Special Events Shall Be Subject To Section 106-289; Including A New Section 106-289 Titled Walks And Runs, So As To Provide For Applications For Such Activities And Procedures And Criteria For Approving A Walk/Run Event; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

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Jay Boodheshwar, Deputy Town Manager

2. ORDINANCE NO. 07-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Of The Town Code Of Ordinances Related To Natural Resource Protection At Article IV, Vegetation, Division 5, Regulations, Section 66-311, Prohibited Plants, So As To Prohibit, In Addition To Ficus Benjamina, Ficus Nitida; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

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Jay Boodheshwar, Deputy Town Manager

B. First Reading

1. EMERGENCY ORDINANCE NO. 10-2020 An Emergency Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Extending By A Period Of Ninety (90) Days Deadlines For The Town Council And Its Boards And Commissions To Act Upon Applications Submitted To The Council And Its Boards And Commissions Based Upon The Declaration Of An Emergency Related To The Coronavirus And The Consequent Cancellation Of Meetings and/or Deferral Of Items Which Were Scheduled To Be Heard At A Board Of Commission Meeting; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

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XVI. ANY OTHER MATTERS

XVII. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Thursday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Thursday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.
- Note 2:** The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.
- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- Note 6:** All back-up material for the items listed on the agenda are posted to the

Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

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

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

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

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

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

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Organizational Items

Agenda Title

(Mayor Becomes the Presiding Officer)

Election of Town Council President

Pursuant to Section 3.01 of the Town Charter

Presenter

ATTACHMENTS:

- ▣ **Memorandum Dated April 3, 2020, from Kirk W. Blouin, Town Manager**
- ▣ **Ballot for Town Council President**

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 15, 2020

To: Town Council

From: Kirk W. Blouin, Town Manager

Re: Election of Town Council President and Town Council President Pro Tem

Date: April 3, 2020

GENERAL INFORMATION

Attached are two ballots, one for election of the Town Council President and one for the election of the Town Council President Pro Tem.

Please note that only council members who have not requested to be removed from the ballots are listed.

Attachments

KWB

cc: Gail L. Coniglio, Mayor
Pat Gayle-Gordon, Acting Town Clerk

BALLOT FOR APPOINTMENT OF **TOWN COUNCIL PRESIDENT**

TOWN COUNCIL MEETING APRIL 15, 2020

Please circle one name from the name(s) appearing below of the Town Council members who have expressed interest in being selected as Town Council President.

Position to be filled - **Town Council President**

Danielle Hickox Moore

Margaret A. Zeidman

DRAFT

Signature of Town Council Member: _____

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Organizational Items

Agenda Title

(Town Council President Becomes the Presiding Officer)

Election of Town Council President Pro Tem

Pursuant to Section 3.01 of the Town Charter

Presenter

ATTACHMENTS:

- ▣ **Ballot for Council President Pro Tem**

BALLOT FOR APPOINTMENT OF **TOWN COUNCIL PRESIDENT PRO TEM**

TOWN COUNCIL MEETING APRIL 15, 2020

Please circle one name from the list of names appearing below of the Town Council members who have expressed interest in being selected as Town Council President Pro Tem.

Position to be filled - **Town Council President Pro Tem**

Bobbie Lindsay

Danielle Hickox Moore

Margaret A. Zeidman

Signature of Town Council Member: _____

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

BOARDS AND COMMISSIONS APPOINTMENTS

Agenda Title

Appointments to the Code Enforcement Board

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated April 6, 2020, from Pat Gayle-Gordon, Acting Town Clerk**
- ▣ **Ballot - Regular Members**
- ▣ **Ballot - Alternate Member**
- ▣ **Attendance Record**
- ▣ **Application - Jack Cohen**
- ▣ **Application - Pamela Saba**
- ▣ **Application - Daniel McDonnell**
- ▣ **Application - Scotch Peloso**

TOWN OF PALM BEACH

Information for Town Council Meeting on April 15, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Pat Gayle-Gordon, Acting Town Clerk

RE: Code Enforcement Board Appointment of Regular and Alternate Member(s)

DATE: April 6, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) regular and one (1) alternate member(s) to the Code Enforcement Board in order to fill the vacant seats resulting from the expired terms of Scotch Peloso and Daniel McDonnell, as well as the vacant alternate position. Please note that Mr. Peloso is termed out but would like to be reappointed to the Board.

GENERAL INFORMATION

The Town Clerk's office has received one (1) application seeking **NEW APPOINTMENT** from the following individual:

1. Pamela Saba - 2760 S. Ocean Boulevard, #412, Palm Beach, FL.

The Town Clerk's office has received two (2) applications seeking **REAPPOINTMENT** from:

1. Daniel McDonnell – 2784 S. Ocean Boulevard, #20N, Palm Beach, FL.
2. Scotch Peloso – 244 Sunset Avenue, #5, Palm Beach, FL.

The Town Clerk's office has received one (1) application from an **ALTERNATE MEMBER SEEKING APPOINTMENT FOR A REGULAR MEMBER POSITION** from the following:

1. Jack Cohen – 3450 S. Ocean Boulevard, Palm Beach, FL.

cc: Nicholas Caristo, Chief of Police

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBERS
TO THE **CODE ENFORCEMENT BOARD**
Town Council Meeting on **April 15, 2020**

Positions to be filled:

 2 Regular Members

Please circle 2 from the list of names appearing below

Regular Members Applying for Reappointment

(Listed alphabetically)

Daniel McDonnell

Scotch Peloso***

Alternate Members Applying for Promotion to Regular Member

(Listed alphabetically)

Jack Cohen

Others Who Have Submitted Applications

(Listed alphabetically)

Pamela Saba

*** Termed out

Signature of Town Council Member: _____
Town Council Member

BALLOT FOR APPOINTMENT OF ALTERNATE MEMBER
TO THE **CODE ENFORCEMENT BOARD**
Town Council Meeting on **April 15, 2020**

Positions to be filled:

 1 Alternate Member

Please circle 1 from the list of names appearing below

Application Received from the following
(Listed alphabetically)

Pamela Saba

Signature of Town Council Member: _____
Town Council Member

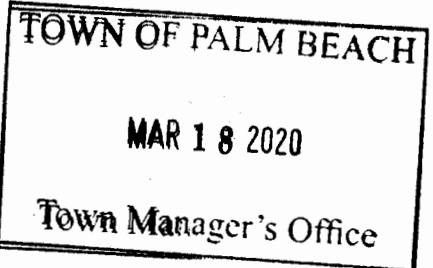
Code Enforcement Board Attendance Record 2020

Member	1/16	2/20	3/19	4/17	5/21	6/18	7/16	8/20	9/17	10/15	11/19	12/17
Matthew Natale, Chair	<i>(Regular Member as of 4/2015, Alternate 12/2013 - 04/2015)</i>											
	P	P	C	C								
Scotch Peloso, Vice Chair	<i>(Regular Member as of 08/2015, Alternate 08/2009 - 08/2015)</i>											
	P	P	C	C								
Bram Majtllis	<i>(Regular Member 4/2019 - Alternate Member as of 6/2018)</i>											
	P	P	C	C								
Daniel McDonnell	<i>(Regular Member as of 04/2017, Alternate 11/2016 - 04/2017)</i>											
	P	P	C	C								
Rosemary G. Carpenter	<i>(Regular Member as of 4/2018, Alternate 04/2017 - 04/2018)</i>											
	P	P	C	C								
Linda K. Wartow	<i>(Regular Member as of 04/2018, Alternate 02/2018 - 04/2018)</i>											
	P	P	C	C								
Steven Meltzer	<i>(Regular Member as of 7/2018, Alternate 4/2018 - 7/2018)</i>											
	E	U	C	C								
Cohen, Jack	<i>(Alternate Member as of 4/2019)</i>											
	P	P	C	C								
	<i>(Alternate Member as of 9/2018)</i>											
Robert G. Donnelley	<i>(Regular Member as of 12/2013, Alternate 09/2013 - 12/2013 - Term Limit 4/2019)</i>											
	P	P	P									
James M. Ballentine, Jr.	<i>(Reached Term Limits 4/2018)</i>											
	P	P	P	-	-	-	-	-	-	-	-	-
Cynthia Van Buren	<i>(Reached Term Limits 4/2018)</i>											
	P	U	E	-	-	-	-	-	-	-	-	-
Jay N. Nisberg, Vice Chair	<i>(Resigned from Board 5/2018)</i>											
	P	E	P	P	P	-	-	-	-	-	-	-

LEGEND: P= Present
 E= Excused
 U= Unexcused Absence
 A= Absence pending classification as excused or unexcused
 X= No meeting date
 - = Not a member at time of meeting
 * = special session, attendance not mandatory
 Q = would have attended, but no meeting due to lack of a quorum
 C= Meeting cancelled due to Town Emergency



TOWN OF PALM BEACH
APPLICATION FOR SERVICE ON
CODE ENFORCEMENT BOARD



Please complete this application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail addressed to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires the applicant to review certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Code Enforcement Board must file an annual financial disclosure form per State law.)

Name: JACK COHEN

Residence Address: 3450 So. OCEAN BLVD.

Mailing Address: 3450 So. OCEAN BLVD.

Home Telephone: 561-549-7609

E-mail Address: COHENJACK@ATT.NET

CELL
Work Telephone: 561-324-0007

I am a resident of the Town of Palm Beach JC (please initial)

Please attach proof of Town of Palm Beach residency. Failure to attach proof of residency shall be grounds to reject your application. Proof of residency shall be either a copy of your Florida Driver's License matching the address of your residence as shown on this application, a copy of a utility bill in your name at the residence address shown on this application, or by providing an original, fully executed and notarized Declaration of Domicile with this application.

1. Why are you interested in serving on the Code Enforcement Board? (Please explain and attach additional pages if necessary)

I AM PRESENTLY AN ALTERNATE MEMBER OF CODE ENFORCE BOARD AND
VERY MUCH WOULD LIKE TO PARTICIPATE IN ANY DECISION MAKING ACTION
TAKEN BY BOARD MEMBERS. AS AN ALTERNATE, I MUST SIT MUTE

2. How many meetings of the Code Enforcement Board have you attended in the last year? DUE TO ILLNESS TOTAL MISSED 2

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

SERVICE VOLUNTEER TO PALM BEACH POLICE DEPT. FOR 21 YEARS.
BOARD MEMBER OF PATRIOT OF PALM BEACH COMMUNITY FOR 17 YEARS AS DIRECTOR
SECRETARY AND PRESIDENT. ASSISTANT DIRECTOR CITIZEN ASSOCIATION UNDER HAROLD NECTON

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

VACATION

5. Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions? (Please explain and attach additional pages if necessary)

SHORT TIME SPENT AS ALTERNATE MEMBER WITH CODE ENFORCEMENT BOARD.

6. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|--|--|
| ☐ Palm Beach Chamber of Commerce | ☐ Preservation Foundation of Palm Beach |
| ☐ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Neighborhood Alliance of Palm Beach | ☐ Other _____ |
| ☐ Citizens' Association of Palm Beach | |

7. Present occupation. RETIRED No. of years. 24

Employer. CITY OF PHILA. SELF EMPLOYED

8. Past occupation(s). CONSULTANT IN FOOD INDUSTRY - OWNER FOOD DISTB No. of years. 12

Employer(s). FOODFAIR STORES - Mgr. Dept. OWNED PEPPERIDGE FARM BAKERY DISTB

9. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check as many as are applicable)

- | | |
|--|---|
| ☐ Architecture | ☐ Building Construction |
| ☐ Landscape Architecture/Design | ☐ Municipal Planning |
| ☐ Law | ☐ Law Enforcement/Code Enforcement |

10. Please provide details regarding your educational background:

TRENTON STATE COLLEGE "B. S. DEGREE"
RUTGERS THE STATE UNIVERSITY "MASTER OF EDUCATION"

11. Why do you feel that you are qualified to serve on the Town's Code Enforcement Board? (Attach additional page if necessary)

HAVING SAT THIS PAST PERIOD OF TIME, LISTENED TO EACH CASE AND PAID ATTENTION
EXAMINED THE ANSWERED QUESTIONS IN CONTRAST TO MY CONCLUSION I FEEL
QUITE SATISFIED WITH MY DETERMINATIONS

12. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
N. A				

13. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? NO

14. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☒ I will resign from the ALTERNATE to Full Position if I am appointed to the position I am seeking in this application.
board/commission/committee

15. In the event you are applying to be a Regular Member of the Code Enforcement Board and you are not successful, will you accept appointment as an Alternate Member of the Board should the Town Council wish to appoint you as an Alternate Member?
☐ Yes ☒ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☐ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: Jack Cohen

DATE: 3-14-20

Please attach proof of Town of Palm Beach residency (as listed on page 1) with this application.

Please note that Board/Commission applications will expire on December 15 of each year.

CODE ENFORCEMENT BOARD

Hears cases involving violations of the Town Code and ordinances and imposes administrative fines and other noncriminal penalties where a pending or repeated violation exists. Members must be residents and are appointed by Town Council on the basis of experience or interest in the fields of zoning and building control. The Board includes, whenever possible, an architect, business person, engineer, general contractor, realtor, subcontractor, general member, or person with experience in the field of public health. In addition, the Town Council may appoint two alternate members for the purpose of serving in the absence of any of the board members. Members (and alternate members) shall be appointed for terms of three years. A member of the code enforcement board shall not be appointed for more than two consecutive three-year terms, but shall be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term.

RECEIVED

By gayle at 12:49 pm, Jan 31, 2020



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

CODE ENFORCEMENT BOARD

Please complete this application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail addressed to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires the applicant to review certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Code Enforcement Board must file an annual financial disclosure form per State law.)

Name: PAMELA SABA Residence Address: SAME
Mailing Address: 2760 So OCEAN BLVD #412 Home Telephone: 561-385-3051
E-mail Address: ADSABAENTERPRISE@ICLOUD.COM Work Telephone: _____
I am a resident of the Town of Palm Beach PA (please initial)pgg

Please attach proof of Town of Palm Beach residency. Failure to attach proof of residency shall be grounds to reject your application. Proof of residency shall be either a copy of your Florida Driver's License matching the address of your residence as shown on this application, a copy of a utility bill in your name at the residence address shown on this application, or by providing an original, fully executed and notarized Declaration of Domicile with this application.

1. Why are you interested in serving on the Code Enforcement Board? (Please explain and attach additional pages if necessary)

I have always cared about and admired the way this Town has been run.

2. How many meetings of the Code Enforcement Board have you attended in the last year? NONE

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

Volunteer at PBPD, VIPS 1 1/2 Years
Board of directors REGENCY OF P.B. 15 Years

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

5. Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions?(Please explain and attach additional pages if necessary)

Since my family business is Construction, I am familiar with most building codes and construction rules.

6. Are you a member of any of the following organizations? (Check all that apply)

☐ Palm Beach Chamber of Commerce

☒ Palm Beach Civic Association *W REGENCY*

☐ Neighborhood Alliance of Palm Beach

☐ Citizens' Association of Palm Beach

☐ Preservation Foundation of Palm Beach

☐ North End Property Owners Association

☒ Other *CULTURAL COUNCIL OF P.B.C.
FELLOWSHIP OF CHRISTIANS & JEWS*

7. Present occupation. *Construction Office*

No. of years. *45 YEARS*

SEMI-RETIRED
Employer. *A.D. SABA ENTERPRISES*

8. Past occupation(s). *REAL ESTATE*

No. of years. *40 YEARS*

SEMI-RETIRED
Employer(s). *SABA REALTY*

9. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check as many as are applicable)

☒ Architecture

☒ Landscape Architecture/Design

☒ Law

☒ Building Construction

☐ Municipal Planning

☒ Law Enforcement/Code Enforcement

10. Please provide details regarding your educational background:

High School graduate 1963

Some college & business management

11. Why do you feel that you are qualified to serve on the Town's Code Enforcement Board? (Attach additional page if necessary)

Just because I really care

12. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
<i>Kim Johnston</i>	<i>DAUGHTER</i>	<i>2720 S. OCEAN BLVD</i>	<i>R.E.</i>	<i>SABA REALTY</i>

13. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? *NO*

14. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

15. In the event you are applying to be a Regular Member of the Code Enforcement Board and you are not successful, will you accept appointment as an Alternate Member of the Board should the Town Council wish to appoint you as an Alternate Member?
☒ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

- ☐ Male ☒ Female

PHYSICALLY DISABLED

- ☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____

Pamela Loba

DATE: _____

12-27-2019

Please attach proof of Town of Palm Beach residency (as listed on page 1) with this application.

Please note that Board/Commission applications will expire on December 15 of each year.

CODE ENFORCEMENT BOARD

Hears cases involving violations of the Town Code and ordinances and imposes administrative fines and other noncriminal penalties where a pending or repeated violation exists. Members must be residents and are appointed by Town Council on the basis of experience or interest in the fields of zoning and building control. The Board includes, whenever possible, an architect, business person, engineer, general contractor, realtor, subcontractor, general member, or person with experience in the field of public health. In addition, the Town Council may appoint two alternate members for the purpose of serving in the absence of any of the board members. Members (and alternate members) shall be appointed for terms of three years. A member of the code enforcement board shall not be appointed for more than two consecutive three-year terms, but shall be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term.



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

CODE ENFORCEMENT BOARD

Please complete this application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail addressed to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires the applicant to review certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Code Enforcement Board must file an annual financial disclosure form per State law.)

Name: DANIEL Mc DONNELL

Residence Address: 2784 S. OCEAN BLVD.

206N

Mailing Address: JANE

Home Telephone: 547-6799

20

E-mail Address: BEACHWATCHER JACK @ GMAIL

Work Telephone: N/A

I am a resident of the Town of Palm Beach DJM (please initial)

Please attach proof of Town of Palm Beach residency. Failure to attach proof of residency shall be grounds to reject your application. Proof of residency shall be either a copy of your Florida Driver's License matching the address of your residence as shown on this application, a copy of a utility bill in your name at the residence address shown on this application, or by providing an original, fully executed and notarized Declaration of Domicile with this application.

1. Why are you interested in serving on the Code Enforcement Board? (Please explain and attach additional pages if necessary)

SEE ATTACHED 1

2. How many meetings of the Code Enforcement Board have you attended in the last year? 11 + 1 EXCUSED

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

SEE ATTACHED ITEM 3

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

I AM A FULL TIME RESIDENT AND CAN SCHEDULE TRAVEL PLANS AROUND MEETING SCHEDULES

5. Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions? (Please explain and attach additional pages if necessary)

ONLY SERVING THE LAST 3 PLUS YEARS.

14. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

15. In the event you are applying to be a Regular Member of the Code Enforcement Board and you are not successful, will you accept appointment as an Alternate Member of the Board should the Town Council wish to appoint you as an Alternate Member?
☐ Yes ☐ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____

D. J. M. Donnell

DATE: 3/12/20

Please attach proof of Town of Palm Beach residency (as listed on page 1) with this application.

Please note that Board/Commission applications will expire on December 15 of each year.

CODE ENFORCEMENT BOARD

Hears cases involving violations of the Town Code and ordinances and imposes administrative fines and other noncriminal penalties where a pending or repeated violation exists. Members must be residents and are appointed by Town Council on the basis of experience or interest in the fields of zoning and building control. The Board includes, whenever possible, an architect, business person, engineer, general contractor, realtor, subcontractor, general member, or person with experience in the field of public health. In addition, the Town Council may appoint two alternate members for the purpose of serving in the absence of any of the board members. Members (and alternate members) shall be appointed for terms of three years. A member of the code enforcement board shall not be appointed for more than two consecutive three-year terms, but shall be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term.

Attachment Item 1

Town code protects the gracious style of the Town and perhaps, more importantly, provides for the safety of the structures and properties. I have been on the Board for about 3 1/2 years and feel that we have performed very well.

Attachment Item 3

On Long Island, I was elected and served 17 years on our local library board, 5 years on the County Library board and served 2 years on the NYS Education commissioner's advisory board for regionalization of library services.

In Palm Beach, I served on the Recreation Commission (2008-2015), Code Enforcement Board (10/16 to present) Mayoral liaison ((1/14 - 2/19) -West Palm Beach, Centennial Commission (2009-2011), and the States Attorney Citizens Advisory Council (2010-2011).

All these positions were as a volunteer.

RECEIVED

By gayle at 10:41 am, Apr 02, 2020



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

CODE ENFORCEMENT BOARD

Please complete this application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail addressed to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires the applicant to review certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Code Enforcement Board must file an annual financial disclosure form per State law.)

Name: Scotch Peloso

Residence Address: 244 Sunset Ave Unit 5, PB, FL, 33480

Mailing Address: same

Home Telephone: 561-247-1072

E-mail Address: palmbeach+CEB@gmail.com

Work Telephone: _____

I am a resident of the Town of Palm Beach SP (please initial)

Please attach proof of Town of Palm Beach residency. Failure to attach proof of residency shall be grounds to reject your application. Proof of residency shall be either a copy of your Florida Driver's License matching the address of your residence as shown on this application, a copy of a utility bill in your name at the residence address shown on this application, or by providing an original, fully executed and notarized Declaration of Domicile with this application.

1. Why are you interested in serving on the Code Enforcement Board? (Please explain and attach additional pages if necessary)
As someone who has served for a few years,

I feel like that I can lend some sort of consistency to the board in this time of uncertainty.

All

2. How many meetings of the Code Enforcement Board have you attended in the last year? _____

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

I have served for the past 6 years on the CEB, I've missed less than one meeting a year, was elected vice chair.

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

None

5. Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions?(Please explain and attach additional pages if necessary)

Before serving, I had to represent my condo in front of them 15 years ago, which spurred on my interest

6. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|--|---|
| ☐ Palm Beach Chamber of Commerce | ☐ Preservation Foundation of Palm Beach |
| ☐ Palm Beach Civic Association | ☒ North End Property Owners Association |
| ☐ Neighborhood Alliance of Palm Beach | ☐ Other _____ |
| ☐ Citizens' Association of Palm Beach | |

7. Present occupation. Tutor No. of years. 7

Employer. Palm Beach International Academy

8. Past occupation(s). Self Employed No. of years. 13

Employer(s). _____

9. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check as many as are applicable)

- | | |
|--|---|
| ☐ Architecture | ☐ Building Construction |
| ☐ Landscape Architecture/Design | ☐ Municipal Planning |
| ☐ Law | ☐ Law Enforcement/Code Enforcement |

10. Please provide details regarding your educational background:

I have a BS in Physics, a BA in Communication and a BA in American Studies.

11. Why do you feel that you are qualified to serve on the Town's Code Enforcement Board? (Attach additional page if necessary)

Hopefully, the last 6 years of service shows that I'm qualified. I feel like I bring a reasonable and rational voice to the board.

12. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
RaChelle	wife	same	Interior Designer	Self

13. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? No

14. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

15. In the event you are applying to be a Regular Member of the Code Enforcement Board and you are not successful, will you accept appointment as an Alternate Member of the Board should the Town Council wish to appoint you as an Alternate Member?
☐ Yes ☒ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- ☐ African American ☐ Native American
☐ Asian American ☒ Caucasian
☐ Hispanic American ☐ Not known

GENDER

- ☒ Male ☐ Female

PHYSICALLY DISABLED

- ☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____



DATE: 4/1/20

Please attach proof of Town of Palm Beach residency (as listed on page 1) with this application.

Please note that Board/Commission applications will expire on December 15 of each year.

CODE ENFORCEMENT BOARD

Hears cases involving violations of the Town Code and ordinances and imposes administrative fines and other noncriminal penalties where a pending or repeated violation exists. Members must be residents and are appointed by Town Council on the basis of experience or interest in the fields of zoning and building control. The Board includes, whenever possible, an architect, business person, engineer, general contractor, realtor, subcontractor, general member, or person with experience in the field of public health. In addition, the Town Council may appoint two alternate members for the purpose of serving in the absence of any of the board members. Members (and alternate members) shall be appointed for terms of three years. A member of the code enforcement board shall not be appointed for more than two consecutive three-year terms, but shall be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term.

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

BOARDS AND COMMISSIONS APPOINTMENTS

Agenda Title

Appointments to the Recreation Advisory Commission

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated April 6, 2020, from Pat Gayle-Gordon, Acting Town Clerk**
- ▣ **Ballot - Regular Members**
- ▣ **Attendance Record**
- ▣ **Application - Nicholas Coniglio**
- ▣ **Application - Peter E.W. Harris**
- ▣ **Application - Kristen Schonwald-Vila**

TOWN OF PALM BEACH

Information for Town Council Meeting on April 15, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Pat Gayle-Gordon, Acting Town Clerk

RE: Recreation Advisory Commission Appointment of Regular Members

DATE: April 6, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) regular members to the Recreation Advisory Commission in order to fill the vacant seats resulting from the expired terms of Nicholas Coniglio and Carla Cove.

GENERAL INFORMATION

The Town Clerk's office has received one (1) application seeking **REAPPOINTMENT** from:

1. Nicholas Coniglio – 201 El Dorado Lane, Palm Beach, FL.

The Town Clerk's office has received two (2) applications from **ALTERNATE MEMBERS SEEKING APPOINTMENT FOR A REGULAR MEMBER POSITION** from the following:

1. Peter E.W. Harris – 173 Peruvian Avenue, Palm Beach, FL.
2. Kristen Schonwald-Vila – 269 Queens Lane, Palm Beach, FL.

cc: Carolyn Stone, Director of Business Development and Operations

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBERS
TO THE **RECREATION ADVISORY COMMISSUION**
Town Council Meeting on **April 15, 2020**

Positions to be filled:

 2 Regular Members

Please circle 2 from the list of names appearing below

Regular Member Applying for Reappointment

(Listed alphabetically)

Nicholas Coniglio

Alternate Members Applying for Promotion to Regular Member

(Listed alphabetically)

Peter E.W. Harris

Kristen Schonwald-Vila

Signature of Town Council Member: _____
Town Council Member

Commissioners Name	3/1/'17	5/1/'17	11/1/'17	1/12/'18	3/7/'18	4/4/'18	5/2/'18	9/5/'18	11/7/'18	1/7/'19	3/6/'19	5/1/'19	11/6/'19	1/6/'20
Khooshe Aiken	X							C						
Nicholas Coniglio	X	X	X	X	X	X	X		X	X	X	X	X	X
John Hartz	X	X	X	X	X	X	X		AB	X	X	AB		
Ellen Howe	X	X	X	X	X	X	X		X	X	X	X	X	X
Pamela McIver	X											X	X	X
Roberta Mambrino	X													
Matt Smith	AB	X	X	X	X	X	X		X	X	X			
Linda Wartow	X	X												
Alexandra Woodfield	X	X	X	X	X	X	X		X	X	X	X	X	X
Leslie Wyrzes	X	X	X	X	X	X	X		X	X	X	X	X	X
Carla Termini Cove		X	X	X	X	X	X		X	X	X	AB	X	X
Amy Bahl			X	X	X	X	X		X	X	X	X	X	X
Grier Pressly			X	X	X	X	X		X	X	X	X	X	X
Kristen Schonwald-Vila									X	X	AB	X	X	X
Peter Harris									X	X			X	AB

S= Special Meeting C= Cancelled meeting X= Present AB= Absent Grey shading= Not on commission



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RECREATION ADVISORY COMMISSION

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form.

Name: Nicholas Coniglio Residence Address: 201 E. Dorado Ln.

Mailing Address: same Home Telephone: 561-644-0950

E-mail Address: nconiglio@hotmail.com Work Telephone: 561-833-3520

Length of Residency 10 years I am a registered voter of the Town of Palm Beach (u) (please initial)
Town of Palm Beach: 2010 Year of registration 2010

1. Why do you wish to be appointed as a member of the Recreation Advisory Commission? (Please use additional pages if necessary).

To continue implementing successful programming at our incredible new facility and engaging our community to participate!

2. Please identify how many meetings of the Recreation Advisory Commission you have attended in the past two (2) years.

☐ 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 +

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

/

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

/

5. Please describe your current and past involvement/participation in Town recreation programs and/or facilities.

I have served on the commission as vice chair and chaired the commission. I am an avid tennis player, golfer and athlete. My five children enjoy all the sports programming

6. Are you a member of any of the following organizations? (Check all that apply)

☐ Palm Beach Chamber of Commerce

☐ Preservation Foundation of Palm Beach

☐ Palm Beach Civic Association

☐ North End Property Owners Association

☐ Citizens' Association of Palm Beach

☐ Other _____

☐ Neighborhood Alliance of Palm Beach

play ground and after school activities.

7. Present occupation. Restaurateur

No. of years. 18

Employer. E.R. Bradleys, Cucina, 123 Datura, FORT

8. Past occupation(s). _____

No. of years. _____

Employer(s). _____

9. Please provide details regarding your educational background:

Florida State University Bachelors Degree

10. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
<u>Carissa</u>	<u>wife</u>	<u>201 22 Dorado</u>		
<u>Nicholas, Frank</u>	<u>Andres Catarina Maria (children)</u>			
<u>Gail & Frank Conyle</u>	<u>parents</u>	<u>1139 N Ocean Blvd</u>		
<u>Cathie</u>	<u>Andres family parents</u>	<u>109 Wells Rd</u>		

11. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? NO

12. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

The following information is required by Florida Statute 760.80. Please check one in each category.

RACE

☐ African American

☐ Native American

☐ Asian American

☒ Caucasian

☐ Hispanic American

☐ Not known

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____

DATE: 2/3/2020

****Please note that Board/Commission applications will expire on September 30 of each year.**

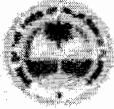
RECREATION ADVISORY COMMISSION

The Recreation Advisory Commission consists of seven members serving three year terms, appointed by the Town Council. Members of the Commission shall possess a knowledge or interest in Town recreation programs and facilities. Each member of the Recreation Advisory Commission is required to be a registered voter in the Town. The Commission acts in an advisory capacity and shall make recommendations to the Town Council on matters relating to Town recreation programs and facilities. Preference is given to candidates who are enrolled or have their children enrolled in a Recreation Department program or are a regular participant or volunteer at a Town Recreation Department facility. Three alternate members may be appointed by the Town Council who shall serve when called upon by the Chair in the absence of any regular member.

The Recreation Advisory Commission meets six times per year on the first Wednesday in the months of January, March, May, September, and November. Meetings begin at 9:00 a.m. and are held in the Town Council Chambers located on the second floor of Town Hall at 360 South County Road, Palm Beach, Florida.

RECEIVED

By gayle at 10:25 am, Apr 03, 2020



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RECREATION ADVISORY COMMISSION

*Alternate Member
applying for Regular
membership*

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480) via facsimile (561-838-5417), or via e-mail to townclerk@palmbeach.com no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5418). Please feel free to attach any additional background information to the application form.

Name: Peter W. Harris Residence Address: 173 Peruvian Ave #1 PB
Mailing Address: → Same Home Telephone: 781-540-9102
E-mail Address: pharris18@gmail.com Work Telephone: _____

I am a registered voter of the Town of Palm Beach 2018 (please initial) Yes PH

Appointment to the Recreation Advisory Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why do you wish to be appointed as a member of the Recreation Advisory Commission? (Please use additional pages if necessary.)

(See separate page)

2. Please identify how many meetings of the Recreation Advisory Commission you have attended in the past two (2) years.

☐ 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

Joined/Elected to Recreation Advisory Commission in
town of 2018. There have been 3 meetings - I
have attended 2 (two) of them.

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

I am available to attend all meetings.

5. Please describe your current and past involvement/participation in Town recreation programs and/or facilities.

Use all the facilities - play tennis at Phipps & Seawind. Extensive use of Por 3! My wife and grandkids

6. Are you a member of any of the following organizations? (Check all that apply) use the recreation center.

☐ Palm Beach Chamber of Commerce	☐ Preservation Foundation of Palm Beach
☒ Palm Beach Civic Association	☐ North End Property Owners Association
☐ Citizens' Association of Palm Beach	☐ Other _____

7. Present occupation Aerobics Security Consultant No. of years 11
Employer Yankee Fuel Inc. (which I founded in 2009)

8. Past occupation(s) Aerobics Security business No. of years 16
Employer(s) American Science & Engineering (AS&E), Analogic Corp.

9. Please provide details regarding your educational background:

High School St. Mark's School, Southboro MA (1972)
College U.S. Naval Academy, Annapolis MD (1976)
Post Grad Georgetown University (MA, National Security) (1983)

10. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
Harriet Harris	wife	1115 Perimeter Ave #1	Volunteer	Palm Beach Police Dept

11. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? No

12. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.
☐ will resign from the _____ if I am appointed to the position I am seeking in this application.
board/commission/committee

13. In the event you are applying to be a Regular Member of the Recreation Advisory Commission and you are not successful, will you accept appointment as an Alternate Member of the Commission should the Town Council wish to appoint you as an Alternate Member? ☒ Yes ☐ No

Recreation Advisory Commission Application
Revised 10-15-2009

Joined Recreation Advisory Commission as an Alternate Member in June of 2019. Page 2 of 3

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

☐ African American

☐ Native American

☐ Asian American

☒ Caucasian

☐ Hispanic American

☐ Not known

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE



DATE: MAR 30, 2020

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

RECREATION ADVISORY COMMISSION

The Recreation Advisory Commission consists of seven members serving three year terms, appointed by the Town Council. Members of the Commission shall possess a knowledge or interest in Town recreation programs and facilities. Each member of the Recreation Advisory Commission is required to be a registered voter in the Town. The Commission acts in an advisory capacity and shall make recommendations to the Town Council on matters relating to Town recreation programs and facilities. Preference is given to candidates who are enrolled or have their children enrolled in a Recreation Department program or are a regular participant or volunteer at a Town Recreation Department facility. Three alternate members may be appointed by the Town Council who shall serve when called upon by the Chair in the absence of any regular member.

The Recreation Advisory Commission meets six times per year on the first Wednesday in the months of January, March, May, September, and November. Meetings begin at 9:00 a.m. and are held in the Town Council Chambers located on the second floor of Town Hall at 360 South County Road, Palm Beach, Florida.

Town of Palm Beach
Application for Recreation Advisory Commission
From: Peter W. Harris
March, 2020

#1 - Why do I wish to be appointed?

I am applying for the Recreation Advisory Commission for the following reasons:

1. I am a Florida resident and have lived in Palm Beach since 2013. I want to give some of my time and energy to the Town. I live around the corner from Town Hall at 173 Peruvian Avenue.
2. I have had business and leadership positions my entire life and believe I can be of value to the Commission:
 - a. Have been a senior Executive and Board Member at public and private companies, including positions as CEO and President
 - b. Managed our large Family Corporation (real estate and logging) for 25 years
 - c. Have been President of a large country club outside Boston with an 18-hole golf course, dining, paddle tennis, shooting, swimming and tennis
 - d. Attained the rank of Captain in the US Navy and had two commands, one being a Commanding Officer of an Attack Jet Squadron during the first Persian Gulf War.
 - e. Have served on numerous Company Boards (profit and non-profit)
 - f. Have been President of my Condo Association here in Palm Beach for the past five years
 - g. Currently, have my own consulting firm, Yankee Foxtrot, Inc. with an office at 205 Worth Avenue
3. Love sports and recreation:
 - a. Played tennis and squash in college at the Naval Academy
 - b. Nationally ranked tennis player in the 60's age bracket
 - c. Love golf as well and play locally especially at the Par 3
 - d. MOST IMPORTANTLY, use all the PB Recreation facilities
4. Finally, am a team player and like to work on problems with Committees

*Peter W. Harris
March 30,
2020*



RECEIVED

by gayle at 4:08 pm, 04/03/2020

TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RECREATION ADVISORY COMMISSION

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form.

Name: Kristen Schonwld-Vila Residence Address: 269 Queens Lane 33480
Mailing Address: 269 Queens Lane, 33480 Home Telephone: 917-548-4311

E-mail Address: kristen.schonwald@gmail.com Work Telephone: _____

I am a registered voter of the Town of Palm Beach KSV (please initial) KSV pgg

Appointment to the Recreation Advisory Commission requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application.

1. Why do you wish to be appointed as a member of the Recreation Advisory Commission? (Please use additional pages if necessary).
See attached

2. Please identify how many meetings of the Recreation Advisory Commission you have attended in the past two (2) years.

☐ 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.
Recreation Advisory Commission 3 years

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

N/A

5. Please describe your current and past involvement/participation in Town recreation programs and/or facilities.
See attached

6. Are you a member of any of the following organizations? (Check all that apply)

- | | |
|--|--|
| ☐ Palm Beach Chamber of Commerce | ☐ Preservation Foundation of Palm Beach |
| ☐ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other _____ |

7. Present occupation. Self Employed No. of years. _____

Employer. _____

8. Past occupation(s). _____ No. of years. _____

Employer(s). _____

9. Please provide details regarding your educational background:

Bachelors degree New York University

10. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings or children.

Family Member Name	Relationship	Address	Occupation	Employer
Chis Vila	Spouse	269 Queens Lane	Principal	North Bar Hospitalit
Robert Vila	Father in Law	690 Island Dr.	TV Personality	Self employed
Diana Barrett	Mother in Law	690 Island Dr.	Founder	Fledgling Fund

11. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? no

12. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ I will resign from the Alternate member RAC if I am appointed to the position I am seeking in this application.
board/commission/committee

13. In the event you are applying to be a Regular Member of the Recreation Advisory Commission and you are not successful, will you accept appointment as an Alternate Member of the Commission should the Town Council wish to appoint you as an Alternate Member? ☐ Yes ☒ No

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

☐ African American

☐ Native American

☐ Asian American

☒ Caucasian

☐ Hispanic American

☐ Not known

GENDER

☐ Male ☒ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: *R. Schomwald - Vila*

DATE: 4/3/20

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application.

Please note that Board/Commission applications will expire on December 15 of each year.

RECREATION ADVISORY COMMISSION

The Recreation Advisory Commission consists of seven members serving three year terms, appointed by the Town Council. Members of the Commission shall possess a knowledge or interest in Town recreation programs and facilities. Each member of the Recreation Advisory Commission is required to be a registered voter in the Town. The Commission acts in an advisory capacity and shall make recommendations to the Town Council on matters relating to Town recreation programs and facilities. Preference is given to candidates who are enrolled or have their children enrolled in a Recreation Department program or are a regular participant or volunteer at a Town Recreation Department facility. Three alternate members may be appointed by the Town Council who shall serve when called upon by the Chair in the absence of any regular member.

The Recreation Advisory Commission meets six times per year on the first Wednesday in the months of January, March, May, September, and November. Meetings begin at 9:00 a.m. and are held in the Town Council Chambers located on the second floor of Town Hall at 360 South County Road, Palm Beach, Florida.

Why do you wish to be appointed as a member of the Recreation Advisory Commission? (Please use additional pages if necessary).

I have been on the Recreation Advisory Commission for three years and would like to apply for a voting position. It has been a great honor to serve the Town of Palm Beach and I hope to continue with this public service. The Recreation Advisory Commission is particularly meaningful to me as I have a young family and we all use the facilities.

Over the past year it has been wonderful to watch the new Mandel Recreation Center come to life as island residents have filled the rooms and used the facilities. I am incredibly excited and optimistic about how the Recreation Department can further serve our community and enhance our offerings to a wider audience. From discussing programming, marketing, fee structures, and more there is a lot that can be done to support the staff and I am excited to help them tackle the challenges that come with running world-class facilities.

Please describe your current and past involvement/participation in Town recreation programs and/or facilities.

Through out the past three years I have participated in town programs ranging from playing for the Seaview Tennis Team open division to working out in the new Mandel Recreation Center gym. My eldest daughter takes lessons at the Par 3 course and my younger two children have participated in the soccer and basketball programs at The Mandel Recreation Center. Our family is a fixture at the playground after school and we love cheering on the athletes at the Oakley Debbs field. Whether we are testing out the slides at the playground or hitting balls on the driving range we are always making the most of where we live.

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

BOARDS AND COMMISSIONS APPOINTMENTS

Agenda Title

Appointments to the Retirement Board of Trustees

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated April 6, 2020, from Pat Gayle-Gordon, Acting Town Clerk**
- ▣ **Ballot - Regular Members**
- ▣ **Attendance Record**
- ▣ **Application - C. Edward Carter**
- ▣ **Application - C. Gerald Goldsmith**

TOWN OF PALM BEACH

Information for Town Council Meeting on April 15, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Pat Gayle-Gordon, Acting Town Clerk

RE: Retirement Board of Trustees Appointment of Regular Members

DATE: April 6, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) regular members to the Retirement Board of Trustees in order to fill the vacant seats resulting from the expired terms of C. Edward Carter and C. Gerald Goldsmith.

GENERAL INFORMATION

The Town Clerk's office has received two (2) applications seeking **REAPPOINTMENT** from:

1. C. Edward Carter – 130 Chilean Avenue, Palm Beach, FL.
2. C. Gerald Goldsmith – 8 Windsor Court, Palm Beach, FL.

cc: Danielle Olson, Director of Human Resources

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBERS
TO THE **RETIREMENT BOARD OF TRUSTEES**
Town Council Meeting on **April 15, 2020**

Positions to be filled:

 2 Regular Members

Please circle 2 from the list of names appearing below

Regular Members Applying for Reappointment

(Listed alphabetically)

C. Edward Carter

C. Gerald Goldsmith

Signature of Town Council Member: _____

Town Council Member

**TOWN OF PALM BEACH
RETIREMENT SYSTEM BOARD**

ATTENDANCE RECORD 2018-2020

MEMBERS	03/02/18	05/18/18	08/24/18	11/13/18-S	12-7-18	3-15-19	5-6-19 Special Meeting	5-17-19	8-16-19	12-6-19	3-13-2020
Goldsmith	P	P	P	P	P	P	P	P	P	P	P
Kaufman	P	P	P	P	P	P	P	E	P	P	P
Madison	P	E	P	P	P	P	P	P	P	E	P
Wilkinson	P	P	P	E	P	P	E	P	P	P	P
Mike Marx	P	P	P	P	P	E	E	P	P	E	P
Daniel Stanton	P	P	P	P	P	P	P	P	P	P	P
Tom Parker	N/A	N/A	N/A	N/A	N/A	N/A	P	P	P	P	P
C. Edward Carter	P	P	P	P	P	P	P	P	P	P	P
Jane Le Clainche	N/A	N/A	P	P	P	P	P	P	P	P	P

Legend: S=Special Meeting, P=Present, E-Excused, U=Unexcused, A=Absence pending classification as excused or unexcused

Allowed 2 unexcused absences per 12 month period

Special Meetings are not subject to the attendance policy



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RETIREMENT BOARD OF TRUSTEES

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Retirement Board of Trustees must file an annual financial disclosure form per Florida State law).

Name: C Edward Carter

Residence Address: 130 Chilean Ave

Mailing Address: SAME

Home Telephone: 646 285-7392

E-mail Address: cedcarter@gmail.com

Work Telephone: _____

I am a resident of the Town of Palm Beach EC (please initial) PC

Please attach proof of Town of Palm Beach residency. Failure to attach proof of residency shall be grounds to reject your application. Proof of residency shall be either a copy of your Florida Driver's License matching the address of your residence as shown on this application, a copy of a utility bill in your name at the residence address shown on this application, or by providing an original, fully executed and notarized Declaration of Domicile with this application.

1. Why do you wish to be appointed as a member of the Retirement Board of Trustees? (Please use additional pages if necessary.)

see Attached

2. Please identify how many meetings of the a Town Retirement Board you have attended in the past two (2) years.

☐ 0

☐ 1

☐ 2

☐ 3

☒ 4+

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

NONE

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

NONE

5. Please indicate if you are a member of any of the organizations listed below. (Check all that apply)

- | | |
|--|--|
| ☐ Palm Beach Chamber of Commerce | ☐ Preservation Foundation of Palm Beach |
| ☒ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other _____ |

6. Present occupation: Retired No. of years. 4

Employer: _____

7. Past occupation(s): Investment Banking/ Private Equity No. of years. 30

Employer(s): Merrill Lynch, Deutsche Bank, Bank of America and TCG Financial Partners

8. Please provide details regarding your educational background:

Miami University MBA Finance

Miami University BS Marketing Management

9. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings, or children.

Family Member Name	Relationship	Address	Occupation	Employer
None				

10. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? NO

11. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- | | |
|--|---|
| ☐ African American | ☐ Native American |
| ☐ Asian American | ☒ Caucasian |
| ☐ Hispanic American | ☐ Not Known |

GENDER

- ☒ Male ☐ Female

PHYSICALLY DISABLED

- ☐ Yes ☒ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: _____

DATE: 3/20/2020

Please attach proof of Town of Palm Beach residency (as listed on page 1) with this application.

Please note that Board/Commission applications will expire on December 15 of each year.

RETIREMENT BOARD OF TRUSTEES

The Retirement Board of Trustees consists of nine members as follows:

One employee who is a member of benefit group general or benefit group lifeguard.

One employee who is a member of benefit group firefighter.

One employee who is a member of benefit group police officer.

Five residents of the Town

The Town Manager

The Retirement Board of Trustees acts in a fiduciary capacity for the Town's retirement funds and in an advisory capacity to the Town Council on matters relating to the administration of the Town's various retirement plans. Trustees other than the Town Manager or Acting Town Manager shall serve three-year terms, and may succeed themselves in office. The Retirement Board of Trustees will meet at least quarterly and on occasion, specially called meetings.

TOWN OF PALM BEACH
APPLICATION FOR SERVICE ON
RETIREMENT BOARD OF TRUSTEES

Question #1-

As a full-time resident of Palm Beach since 2012, I have become very interested the Governance, Strategic Direction, Financial Condition and Quality of Life for the residents of Palm Beach.

As a Retirement Board Trustees for the past three years, I have gained tremendous knowledge and experience in the workings of not just our Retirement Plan but the issues and challenges of all plans. This is an important yet very complicated part of our employee's compensation benefits and one that also has very large implications for all the resident tax payers. I have a much better understanding of these issues and the inter-workings of the Plan today than I did three years ago. I openly admit that I am much more qualified to serve on this Board today based upon the experience I have gained.

During the past there years I have been asked by the Chairman and the Town Manager to make presentations to the Tax and Finance Committee and two Annual Performance reviews to the entire Town Council. I was elected Vice Chairman by my peers last year. I have attended every Board Meeting. I have devoted many hours to helping people understand the drivers and issues the Plan faces by explaining and simplifying the UAAL, the portfolio's ROI, the Smoothing effect, etc.

I hope you give me the opportunity to continue to serve on the Retirement Board by selecting me as a Trustee for a second term.

Question #7-

- Co-Founder, CEO of TCG Financial Parters, with Secretary William S Cohen (Secretary of Defense) in a Defense related Strategic Advisory and Private Equity Business. 2004-2009
- Head of Corporate and Investment Banking for Bank of America Securities. 1999-2004
- CEO Deutsche Bank Securities
- Global Head of Corporate and Investment Banking. 1997-1999
- Managing Director, Merrill Lynch Investment Banking Group. 1986-1997
- Managing Director, Merrill Lynch Corporate Bond Group. 1981-1986
- Vice President, Continental Illinois National Bank. 1977-1981



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RETIREMENT BOARD OF TRUSTEES

TOWN OF PALM BEACH
FEB 26 2023
Town Manager's Office

Please complete the application by typing or printing legibly in ink. Applications should be submitted to the Town Clerk (360 South County Road, Palm Beach, FL 33480, via facsimile 561-838-5417, or via e-mail to townclerk@townofpalmbeach.com) no later than 5 p.m., 11 calendar days prior to the Town Council meeting in which the appointment will be considered. Completion of this application requires that applicant has reviewed certain Town documents as noted in this application. To review or obtain a copy of the documents please contact the Town Clerk's Office (561-838-5416). Please feel free to attach any additional background information to this application form. (Please be advised that members of the Retirement Board of Trustees must file an annual financial disclosure form per Florida State law).

Name: C. GERALD GOLDSMITH Residence Address: 8 WINDSOR CIRCLE

Mailing Address: 8 WINDSOR CT. Home Telephone: 772-971-1000

E-mail Address: gerald.goldsmit@gmail.com Telephone: 772-971-1000

I am a resident of the Town of Palm Beach CJM (please initial) PGG

Please attach proof of Town of Palm Beach residency. Failure to attach proof of residency shall be grounds to reject your application. Proof of residency shall be either a copy of your Florida Driver's License matching the address of your residence as shown on this application, a copy of a utility bill in your name at the residence address shown on this application, or by providing an original, fully executed and notarized Declaration of Domicile with this application.

1. Why do you wish to be appointed as a member of the Retirement Board of Trustees? (Please use additional pages if necessary.)

Continue my service to the town

2. Please identify how many meetings of the a Town Retirement Board you have attended in the past two (2) years.

☐ 0

☐ 1

☐ 2

☐ 3

☒ 4+

3. If you have served on any boards/commissions/committees in the Town of Palm Beach or elsewhere, please list them and include details such as length of service, attendance record, etc.

Town Council 1997-98

4. Please indicate if there are any periods of time for which you will be unavailable for meetings.

5. Please indicate if you are a member of any of the organizations listed below. (Check all that apply)

- | | |
|--|--|
| ☒ Palm Beach Chamber of Commerce | ☐ Preservation Foundation of Palm Beach |
| ☒ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other _____ |

6. Present occupation: SELF No. of years. 10
Employer: _____

7. Past occupation(s): MANAGER 1st Bank of P.B. No. of years. 8
Employer(s): _____

8. Please provide details regarding your educational background:

AB DEWEY
MSBA HARVARD

9. To enable Town Council to consider potential conflicts of interest, please provide the following information regarding family members who live and/or work in the Town of Palm Beach, including your spouse, parents, siblings, or children.

Family Member Name	Relationship	Address	Occupation	Employer

10. Have you ever been convicted of a crime or pled guilty or nolo contendere to a crime other than minor traffic violations? no

11. If you are currently serving on a Town board, commission, or committee, please identify it in the space below and check the box that indicates you will resign from that position if you are appointed to the position you are seeking in this application.

☐ I will resign from the _____ if I am appointed to the position I am seeking in this application.

The following information is needed to facilitate Town reporting requirements in Florida Statute 760.80. Please check one in each category.

RACE

- | | |
|--|---|
| ☐ African American | ☐ Native American |
| ☐ Asian American | ☒ Caucasian |
| ☐ Hispanic American | ☐ Not Known |

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☐ No

I hereby certify that I have read the sections of the Town Code of Ordinances for the particular board/commission/committee that I have selected above and have noted the description of the board/commission/committee and its members' duties, and further I have read the regulations concerning absences and conflicts of interests. I certify the information given by me is true and complete to the best of my knowledge and belief. I understand that any falsification of material facts will be grounds for rejection of this application or dismissal after appointment.

SIGNATURE: 

DATE: 2/20/22

Please attach proof of Town of Palm Beach residency (as listed on page 1) with this application.

Please note that Board/Commission applications will expire on December 15 of each year.

RETIREMENT BOARD OF TRUSTEES

The Retirement Board of Trustees consists of nine members as follows:

One employee who is a member of benefit group general or benefit group lifeguard.

One employee who is a member of benefit group firefighter.

One employee who is a member of benefit group police officer.

Five residents of the Town

The Town Manager

The Retirement Board of Trustees acts in a fiduciary capacity for the Town's retirement funds and in an advisory capacity to the Town Council on matters relating to the administration of the Town's various retirement plans. Trustees other than the Town Manager or Acting Town Manager shall serve three-year terms, and may succeed themselves in office. The Retirement Board of Trustees will meet at least quarterly and on occasion, specially called meetings.

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda Minutes

Agenda Title
Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk

- a. March 10, 2020, Town Council Meeting Minutes
- b. March 11, 2020, Town Council Development Review Meeting Minutes
- c. March 19, 2020, Special Town Council Meeting Minutes
- d. March 27, 2020, Special Town Council Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **March 10, 2020, Town Council Meeting Minutes**
- ▣ **March 11, 2020, Town Council Development Review Meeting Minutes**
- ▣ **March 19, 2020, Special Town Council Meeting Minutes**
- ▣ **March 27, 2020, Special Town Council Meeting Minutes**



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, MARCH 10, 2020

I. CALL TO ORDER AND ROLL CALL

The regular Town Council Meeting was called to order on Tuesday, March 10, 2020 at 9:30 a.m. in the Town Council Chambers. On roll call, all elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Town Clerk Patricia Gayle-Gordon gave the Invocation. Council President Moore led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

There were no modifications to the agenda.

IV. APPROVAL OF AGENDA

Motion was made by Council Member Crampton and was seconded by Council Member Araskog to approve the Agenda. On roll call, the Motion passed unanimously.

V. PRESENTATIONS

A. Rising Water: Not an Emergency, Definitely a Problem

Jan Peelen, Attaché for Infrastructure and Water Management, Embassy of the Kingdom of the Netherlands

Amanda Skier, Executive Director of the Preservation Foundation of Palm Beach, introduced Mr. Peelen, Attaché for Infrastructure and Water Management, Embassy of the Kingdom of the Netherlands, an expert in Water Management who works in the United States advising cities on flooding issues.

Mr. Peelen spoke regarding the impact of sea level rise on built communities. He noted his country had been managing water and reclaiming land since the 12th century. After an enormous flood in the 1950s which killed hundreds and had a large economic impact, they had built an entire system of flood barriers, a fortress against the sea. This was finished in the 1990s and now they had the safest delta in the world, with a structure in place to deal with climate change. Water storage projects were creatively disguised as beach projects, beautiful rooftop gardens, swimming pools, etc. After Hurricane Katrina his government had started working with the U.S. government on the flooding component of climate change. He spoke about his work with the States of Louisiana after the Hurricane Katrina and New York after Hurricane Sandy. Palm Beach had already been affected by flooding. He recommended implementing the Comprehensive Plan which the Town had already completed, working with neighboring areas, and communicating with developers and others, envisioning what the Town would look like in 30 years. He would be giving a lecture at 6 p.m. that day at the Preservation Foundation of Palm Beach, 311 Peruvian Avenue, which would be open to the public, to discuss this further.

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

A. Presentations by Applicants for the Architectural Commission
Pat Gayle-Gordon, Acting Town Clerk

The following applicants presented their applications to the Town Council:

Katherine Catlin
Edward Cooney
Eugene Fagan
Daniel Floersheimer (statement read by the Acting Town Clerk)
Maisie Grace
Kenn Karakul
Betsy Shiverick
Richard Sammons

Katherine Catlin gave a presentation and confirmed for Council Member Araskog that she had served three years as an alternate with ARCOM, and was willing to continue as an alternate, but wished to serve as a full voting member.

Edward Cooney indicated he wanted to continue serving the Town now that his ten-year term on the Landmarks Preservation Commission had ended. He

answered questions from Council Member Araskog regarding his knowledge of ARCOM and his vision for the future.

Eugene Fagan described his background as an architect for the past 30 years, building homes which fit very well into the Town of Palm Beach. Mr. Fagan confirmed for Council Member Crampton he had previously owned a home in Palm Beach but was not currently a resident. In response to questions from Council Member Araskog, Mr. Fagan reported he had last listened to an ARCOM meeting last year, had last made a presentation to ARCOM last year, and would be able to attend all required meetings. He commented he had forwarded a list of buildings he had built that were now standing in Palm Beach, and had read the ARCOM ordinance last year.

Acting Town Clerk Pat Gayle-Gordon read aloud a letter from applicant Daniel Floersheimer, who had served as an ARCOM Commissioner for the past three years. He had a history with the Town since the 1950s and was a full-time resident. He wished to continue his service and to be elevated to a voting position.

Maisie Grace reported she had grown up in Palm Beach, and described her history and credentials. She had served six years in total on ARCOM, first as alternate then as a voting member. In response to Council Member Araskog, she reported that dealing with FEMA regulations was one of ARCOM's biggest challenges, and also keeping houses in scale.

Kenn Karakul reported he had been part of this town for over 30 years and had owned several houses, and had served on ARCOM for 2-1/2 terms, which he truly enjoyed. He asked to become a voting member, rather than an alternate. In response to Council Member Araskog, he stated he felt the biggest challenge was for ARCOM to challenge the architects who came before them to do their best work.

Betsy Shiverick stated she had served as an alternate for four years and wished to become a voting member. She felt her service, her background in interior design, and owner of four homes in Palm Beach, which had required appearing before ARCOM for approvals, had given her the necessary experience. In response to Council Member Araskog, she stated she would be willing to continue as an alternate, and felt the biggest challenge was keeping the Town beautiful.

Richard Sammons commented he was on ARCOM for six years, three as Chairman, and spoke about his credentials. He felt the quality of ARCOM's work improved under his term, as he had held architects accountable, and he wished to come back. Council Member Araskog asked what he considered the biggest challenge, to which his response was the speculative houses were the biggest problem and mentioned the Testa project, which had been made positive. He spoke about scale and proportion. He loved that the ordinance

spoke about charm. He was currently a member of the Planning and Zoning Commission, and was willing to switch to ARCOM.

Town Attorney Randolph reminded the Council that ARCOM required two architects; and one with special skills could be a non-resident.

The Council Members marked their ballots.

B. Presentations by Applicants for the Landmarks Preservation Commission
Pat Gayle-Gordon, Acting Town Clerk

The following applicants presented their applications to the Town Council:

Jacqueline Albarran
Marcia Cini (statement read by Bill Cini)
Guy W. Clark, II
Kim Coleman
Brittain Damgard
Anne Fairfax
Bruce Langmaid
Anne Grant Metzger
Patrick Segraves

Jacqueline Albarran, currently serving as the non-resident architect on the Landmarks Preservation Commission, described her history with the Town and disclosed she had previously been a resident. She stated she loved history and architecture, giving back to the Town, and helping the architects that presented to the Commission. She would be honored to continue serving.

Applicant Marcia Cini had provided a statement which was read by her husband, Bill Cini. She was not present due to spine surgery. She was applying to fill the current vacancy, and would be happy to return to her alternate position if Mr. Cooney decided to return. Her statement described what she had learned from serving on the Commission.

Guy W. Clark, II stated he had not appeared here before and was seeking either an alternate or full member seat. He described his love of preservation and experience in restoring very old homes. He had moved to Palm Beach because of the preservation of architecture and described his Palm Beach office and home. He presented his credentials, commented he had tried to keep up with all things aesthetic, and felt he could contribute to the Commission. Council Member Araskog confirmed with Mr. Clark that he was aware there were no alternate openings unless someone moved up.

Kim Coleman indicated she had enjoyed her service on the Landmarks Preservation Commission as alternate for one year and then a full term as a

regular member, and wished to continue. She enjoyed the learning curve and really cared about preserving Palm Beach.

Brittain Damgard stated she grew up in Palm Beach and had lived here since the 1950s. She did not want this town changed dramatically, and wanted the architecture respected and saved. She had been involved with preservation all her life and was now on the committee working to restore The Breakers garden. She listed her credentials and experience.

Anne Fairfax stated she served on the Landmarks Preservation Commission for 1-1/2 years as an alternate, and came back as a voting member. She resigned when she went back to school for two years. Now she was free to serve again. She listed her credentials. Council Member Araskog asked if she was an Architect, to which Ms. Fairfax responded she was an architect in New York City, and had been unable to serve while going to school because it was in England. She explained they flew back and forth from New York but had an office in Palm Beach, and attending meetings was not a problem.

Bruce Langmaid stated he now lived in town and was restoring his house, and was very concerned about the Sea Streets and Pendleton, and residents needed to get onboard for some kind of historical designation. Mr. Langmaid commented his background was historic preservation and listed his credentials.

Anne Grant Metzger stated she was now an alternate and wanted to become a regular member. She listed her credentials and interest in the Town.

Patrick Segraves stated he was the architect on the board and he had been a full-time resident for most of his life. He took his service on the Commission very seriously and wished to continue. Council Member Araskog confirmed with Town Attorney Randolph that two Florida Registered Architects were required.

Council President Moore stated a letter had been received via email from Mr. Wong. She asked that ballots be marked.

C. Appointments to the Architectural Commission
Pat Gayle-Gordon, Acting Town Clerk

Motion was made by Council Member Araskog and was seconded by Council President Pro Tem Zeidman to approve the appointments of Maisie Grace, Richard Sammons and Betsy Shiverick as Regular Members and Edward Cooney as an Alternate Member to the Architectural Commission (ARCOM). On roll call, the Motion passed unanimously.

D. Appointments to the Landmarks Preservation Commission
Pat Gayle-Gordon, Acting Town Clerk

Motion was made by Council President Pro Tem Zeidman and was seconded by Council Member Lindsay to approve the appointments of Jacqueline Albarran,

Kim Coleman, Anne Fairfax and Patrick Segraves as Regular Members and Brittain Damgard and Fernando Wong as Alternate Members to the Landmarks Preservation Commission. On roll call, the Motion passed unanimously.

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

The Mayor acknowledged Belinda Hardy, a 38-year employee in Fire Rescue who had been Employee of the Year and was now retiring.

The Mayor offered kudos to New York City which had recently banned single-use plastic bags. She asked that this community continue their efforts to ban these bags.

Mayor Coniglio thanked the community for their participation in the Lake Side Park and docks forum. The Royal Park Homeowners Association had made the following recommendations by an almost unanimous collective poll: The park was sacrosanct, to remain as is with possible aesthetic improvements; ask Council to reconsider the 2 to 1 parking spaces to marina slips; and maintain the current existing parking. The Mayor expressed thanks for this roadmap to guide Council going forward. She announced a second forum would be held to offer an opportunity for some minor adjustments.

Mayor Coniglio assured everyone that the health, safety, and welfare of residents was paramount in the effort against coronavirus. A planned approach and emergency response had been developed. She asked Council President Pro Tem Zeidman to provide details, and asked residents to please get on the Town's alert system.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Moore thanked Council President Pro Tem Zeidman and Council Member Araskog for the coronavirus workshop. She thanked her golf partners who played with her at the Par 3 in the Raymond Floyd Open. Council President Moore expressed her appreciation for the Town of Palm Beach beehives, which was another effort by staff and this Council to be more environmentally conscious, and honey would be sold in the pro shop. She expressed concern that the landscape architect who applied for an ARCOM position had been told he was not qualified, when ARCOM wanted a landscape architect on their board. She thanked everyone who applied.

Mr. Crampton reported the new total for recreation center membership as of today was 207 Palm Beach residents, a major accomplishment, since it had been 190 last month, and the goal had been 150. He congratulated Carolyn Stone for the excellent way she was running this program.

Council President Pro Tem Zeidman reported coronavirus had been discussed at the previous day's Public Safety Committee meeting. She reviewed facts and asked people not to panic. She asked each person to focus on what they could do—stay home if sick and follow the CDC information on the Town's website. She asked everyone to use the hand sanitizer and wash their hands, and not to touch their faces. She asked everyone to get a flu shot because getting flu made one more susceptible to getting coronavirus. She expressed thanks to Town Staff, the Mayor and Council, Bill Metzger who had filmed the Public Safety Committee meeting, Palm Beach

Daily News, the Citizens Association of Palm Beach, and the Palm Beach Civic Association for all their efforts regarding the coronavirus.

Council Member Araskog recommended listening to the Public Safety Committee meeting to hear the doctor who spoke, and other information about what to do. She thanked Council President Pro Tem Zeidman for her work regarding this meeting and the Town staff for their work on preparations for the coronavirus. She urged pet owners to pick up after their pets, which was the law in Palm Beach. By not picking up, it was affecting health because it attracted rats and poisonous bufo toads. Council Member Araskog also expressed concern about bufo toads, which killed dogs and cats. There was now information on the Town website regarding what to do if your dog or cat came into contact with a bufo toad, and proper extermination of bufo toads. She reported two dogs had been killed in two months.

IX. COMMUNICATIONS FROM CITIZENS

Rene Silvin, 422 Australian Avenue, applauded Council President Pro Tem Zeidman and Council Member Araskog for the Public Safety Committee meeting and the information provided regarding coronavirus. He felt the new recreation center was a fabulous facility. He was in favor of the direction on the marina project, and spoke about the huge increase in pet droppings. Town Manager Blouin spoke on the Ordinance violation regarding picking up after pets, and suggested calling the non-emergency police line at 561-838-5454. The Town Manager also responded to Council Member Araskog that cameras on private property could be used to identify violators.

X. APPROVAL OF CONSENT AGENDA

Motion was made by Council Member Lindsay and was seconded by Council Member Crampton to approve the Consent Agenda. On roll call, the Motion passed unanimously.

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk
 - a. February 11, 2020, Town Council Meeting Minutes
 - b. February 12, 2020, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of February 26, 2020
Wayne Bergman, Acting Director of Planning, Zoning & Building

B. RESOLUTIONS

1. RESOLUTION NO. 12-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Resolution For A Change Order Of \$52,970 Associated With Environmental Services, Inc. For The Continuation Of Historic Site Surveys With An Approximate 700 Additional Homes Included In The Surveys.

Wayne Bergman, Acting Director of Planning, Zoning and Building

2. RESOLUTION NO. 13-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Resolution For A Change Order To Address Costs Of \$64,000 Associated With Kimley Horn And Associates For Additional Site Civil Plan Review Assistance.

Wayne Bergman, Acting Director Planning, Zoning and Building

3. RESOLUTION NO. 14-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Proposal for Australian Watermain Replacement - Engineering Design Services as Prepared by Kimley-Horn and Associates, Inc. in the amount of \$82,292 and a project budget of \$94,300.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 15-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Direct Owner Purchase of Pumps, Control Panels and Associated Hardware for the D-16 and D-18 Pump Stations in the amount of \$502,383.00 and Establish a project budget of \$512,383.00.

The Direct Owner Purchase of the materials to rehabilitate the two stations will save the Town \$35,166 in sales tax.

Dean Mealy, Purchasing Manager

C. OTHER

1. Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's 4th on Flagler Event.

Kirk W. Blouin, Town Manager

XI. BOARD/COMMISSION ANNUAL REPORT

A. Annual Report of the Landmarks Preservation Commission.

Edward Cooney, Chair

Edward Cooney thanked the Town Council for his appointment as an alternate member of the Architectural Commission. He presented his final annual report of the Landmarks Preservation Commission, and reviewed highlights of the report.

Mayor Coniglio questioned Mr. Cooney regarding the proposed 50-year-old designation for preservation presented by Wayne Bergman, Acting Director of Planning Zoning and Building. Mr. Cooney responded he was convinced anything that moved preservation forward in the Town was worthy, but felt this must be highly coordinated with Town Council. He urged that this must be considered carefully, and he had already received one letter asking why anyone would want to be landmarked if this new program was adopted. He felt restoring and enhancing incentives would strengthen the Landmarks program. Mayor Coniglio agreed this must be handled carefully but could provide a means to preserve homes that were otherwise to be demolished. Council President Moore indicated Mr. Bergman might present more information at the next day's meeting.

Council Member Araskog thanked Mr. Cooney and the Landmarks Preservation Commission for landmarking the Reef Condominium.

Motion was made by Council President Pro Tem Zeidman and was seconded by Council Member Lindsay to accept the Landmarks Preservation Commission Annual Report. On roll call, the Motion passed unanimously.

XII. REGULAR AGENDA

A. Old Business

1. Update on the Overall Status of the Palm House Hotel and the New Buyer's Intentions to Re-Start Construction
Cary Glickstein, Receiver
TIME CERTAIN: 11:00 A.M.

Cary Glickstein stated he was the court-appointed manager of 160 Royal Palm, former owner of the Palm House Hotel. The hotel property had been sold nine months ago to LNR Regional, an international hotel operator/developer, who was looking forward to rebuilding the hotel to be something pleasing to the Town of Palm Beach. There were various litigations involved, and the one that most involved the Town was the bankruptcy of the former owner of the hotel. There were four appeals, one before the United States Court of Appeals, and the other three before the United States District Court. KKPB, a principal of the former hotel owner appealed the bankruptcy court's sale of the hotel, had been ruled against and now had an April 28 deadline to file a petition with the United States Supreme Court if they wished to appeal the United States Court of Appeals ruling. Mr. Glickstein did not believe the Supreme Court would hear that appeal, and denial of that petition would start a 90-day clock under the settlement agreement during which time LNR must file several important documents with the Town, including their various applications to re-start construction. They must also make the final payment of \$100,000 under the Town's settlement agreement. He recalled the Code Enforcement payment had been made in full. Also, under the former owner's settlement agreement with the Town, the final \$100,000 had been paid

which discharged all of the former owner's obligations to the Town under the settlement agreements. Although there were other appeals and litigation that did not involve the Town, Mr. Glickstein indicated what he had described were the only matters relating to the most important issue for the Town, which was re-starting construction and eventual completion of the hotel.

Mr. Glickstein expressed his appreciation to all involved for their patience to achieve this positive outcome, with special thanks to Town Attorney Randolph and Deputy Town Manager Boodheshwar. He stated the Town had a real quality developer who satisfied the qualified buyer criteria that had been established.

Mayor Coniglio commented this had been approved in 2007, and thanked Mr. Glickstein for his work. She had met with the owner of LNR who showed her quality hotels all over the world that they had completed, and their principal had been introduced to Acting Director of Planning, Zoning and Building, Wayne Bergman.

Council Member Lindsay asked the total amount the Town received for this past 13 years of disruption. Mr. Glickstein reported when the last \$100,000 was received, the total would be \$550,000 from the settlement agreements and the Code Enforcement fine. There had been two settlement agreements, one for what was owed to the Town, and the other abating the per diem that was becoming an obstacle for a new buyer.

Town Attorney Randolph thanked Mr. Glickstein for his assistance in achieving this outcome.

Council Member Araskog expressed her thanks.

2. Town-wide Undergrounding Project *Steve Stern, Project Manager*

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

Steve Stern, Project Manager, gave an overview of the past and upcoming meetings and status of design and budget for each zone. He reported that only four chicanes remained on the plan, and members of the Task Force and Council had been very helpful moving conversations with residents forward regarding giving easements. They were moving forward at a slow pace. He commented there were no significant changes to the financial summary from last month except for the vendor payout applications in the active construction zones. One change was that easement abandonment was now shown as a line item for \$200,000.

Council Member Araskog spoke regarding the cost of not moving forward per the schedule because of easements not granted timely, to which Mr. Stern responded that added 3% per year to the costs, or \$3M per year.

Council Member Lindsay asked about starting an easement abandonment. Town Engineer, Patricia Strayer responded that Resolution No. 16-2020 would help with that situation. She explained that Council Member Lindsay could begin the process by contacting a surveyor to get a legal description of the area that will be abandoned, and Craig Hauschild could be contacted to obtain the form needed, then a public notice needed to be sent to residents within 300 feet of the property. Public Works would set up a phone number in case residents wanted to comment. Then Public Works would present the abandonment to Town Council for approval. This process will be posted on the undergrounding website.

Council Member Araskog commented that a resident could also hire an attorney for this process.

b. RESOLUTION NO. 16-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement and Use Agreement Between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for Access, and Maintenance of FPL Equipment.

Town Engineer, Patricia Strayer explained this was for a new location because the resident objected to the location of the equipment so it was being shifted across the access road at Palmo Way, and the resident was paying the associated costs.

Council Member Lindsay commented she had counted eight units of different utilities the Town had placed on the north side of the alley between Kenlyn and the park. She was concerned about crowding out the park and couldn't figure out where it was, and asked to defer this item.

Council Member Araskog thought this set a terrible precedent.

Mayor Coniglio felt the Town property should not become the trash can for the transformers. She also felt the Town should be a good neighbor.

Motion was made by Council Member Araskog and was seconded by Council Member Lindsay to defer Resolution No. 16-2020 to the April 14, 2020, Town Council Meeting. On roll call, the Motion passed unanimously.

3. Town Marina Project:
H. Paul Brazil, Director of Public Works
TIME CERTAIN: 11:30 A.M.

a. Establish Overall Project Budget

Director of Public Works Paul Brazil announced good news, saying he would be asking for a budget and contractor selection. He reviewed the items proposed for approval today in the contract award for construction budget, which added up to \$32,968 million, including a 10% overall contingency. FPL would provide an upgrade by completely redoing their service, to which the Town's contribution would be \$130,000, which was the difference between an overhead facility and undergrounding. No improvements to the parking lot were included and that cost was not yet known. He asked for approval for \$39,458,753, indicating that \$1.8M set aside for the permitting, engineering, design process had already been paid. Council Member Araskog felt the \$1.8M should have been added. Town Manager Blouin commented this project had been very transparent and talked about the items added and not added.

Council Member Araskog stated she would like to see a total budget, and Director Brazil explained that parking and street improvements had not yet been added.

Council Member Crampton agreed with Council Member Araskog. Director Brazil stated anything added would be brought back as a total budget.

Council Member Lindsay stated she agreed, but would have advocated for removing the \$3.5M for the raising of the bulkhead because it was an attachment, not part of the docks. She felt the contract contingency was very healthy, and she had been very impressed with the process and how thorough the proposed contractor presented information. She asked to be consistent, in what was added or left out, but gave kudos to staff for their professional work.

Council President Pro Tem Zeidman agreed with Council Member Lindsay, indicating she was impressed with the process.

Director Brazil introduced the Selection Committee voting members. He explained they had brought on the second contractor, Josh Maxwell, for constructability issues.

Council Member Crampton asked about the chain of command during construction. Director Brazil responded that Assistant Director of Public Works Eric Brown would be in charge with Jason Debrincat as the second in charge.

Director Brazil explained that six contractors had submitted bids. Of the final two, Murray Logan Construction had been higher in cost but their team was exceptionally good. They had local experience and had previously worked with the Town. Vecellio and Grogran had good team members but no local experience, and no experience working together. After negotiations, Murray Logan Construction had been the low bidder.

Director Brazil indicated he needed Town Council's approval for the following items: early mobilization that would not impact marina operation; use of adjacent on-street parking for the duration of the project; addition of one work hour during season and one extra work hour off season; waiver of Saturday noisy work in order to meet the deadline; and night and weekend emergency work only if necessary and required to be approved by the Director of Public Works. Director Brazil asked Town Council to be aware of two other items that needed to be done. First was that the City of West Palm Beach would need to replace an 80-year-old water line with this project. Second, undergrounding would need to be done in two or three years, but instead of tearing up the street twice, the recommendation was to do it with the water line. This was not part of the base bid, and Mr. Brazil would bring these items back when they were better formulated. He stated staff recommended approval of Resolution No. 17-2020.

Council Member Lindsay requested clarification on how disruptive early mobilization would be. Mr. Brazil responded it would not be disruptive, and consisted of bringing materials to the site. They would make sure Town operations were not disrupted, and they would not disrupt the neighborhood, and throughout the whole project would protect the banyan trees, and people would still be able to use the lake trail.

Council President Pro Tem Zeidman complimented Director Brazil for looking forward and considering the water line and undergrounding, and stated that gave her a great sense of comfort about this project.

Mayor Coniglio agreed with Council Member Lindsay and Council President Pro Tem Zeidman. She confirmed with Director Brazil that much of the mobilization would be done from the water, and commented she felt it would be silly not to include the water line and undergrounding in this project. She agreed with the adjacent on-street parking and extra work hours, but asked if the majority of the noisy Saturday work could be done off-season. Mr. Brazil confirmed that the most disruptive work would be done first, during off-season. The Mayor indicated she trusted Director Brazil to only approve emergency work when absolutely necessary.

Council Member Araskog agreed with the comments made by the other Council members, except for Saturday work, which she would like to be emergency work only. Director Brazil explained he had conducted a test doing the same type of work that would be done on Saturday and none of the neighbors had noticed the noise. Council Member Araskog stated if an inordinate amount of complaints were received she would like Town Council discussion. She confirmed with Director Brazil that approval is being requested for \$36,264,800 with Murray Logan Construction as the contractor.

Council President Moore stated the name of this project was Lake Drive Park.

Public Comment

Miguel Rosales, 426 Australian Avenue, indicated he had provided suggestions for improvements to the marina parking and the park in terms of quality. He noted this was the gateway to Palm Beach. Suggestions were to include crosswalks, preserve lakeside sidewalk and dog walk.

Kiwi Hilliard, 325 Lake Drive, asked if the park already had undergrounding. Mr. Brazil explained where overhead lines were located and where undergrounding was already done, and said he would be happy to discuss this further with Ms. Hilliard.

Ethel Steinwell, 315 S. Lake Drive thanked Council Member Lindsay regarding effects of construction on residents. She asked when residents would be informed of the staging of the project, and asked if there would be any protection such as fencing. Mr. Brazil explained green space would be fenced off and remain useable, and the parking lot would be the laydown area. Communication with residents would start after contracts were in place via public information meetings. Ms. Steinwell commented Landmarks Preservation Commission meeting would be next week regarding a special exception for the park; Mr. Brazil clarified the request would be for a certificate of appropriateness but the request will be deferred to a later date. Director Brazil stated the impact of that one building on the entire project was very small and would be done in the final stages of the project. Ms. Steinwell commented on an email from Carolyn Stone and asked for a more balanced memo.

Council Member Araskog commented she wished the park had not been included with the marina. She inquired about the cost of mobilization in the event of a hurricane—Mr. Brazil indicated it would be shared between the Town and contractor.

Council Member Lindsay clarified with Director Brazil that the park would remain as is. It was critical to do the project the way it was now in order to receive grant monies. Director Brazil commented any park improvements would be the last thing in the project, and that was not what was being approved today.

Council Member Crampton confirmed the date of the first public meeting on this issue is March 23, 2020. The Council understood what the residents wanted and asked residents to be patient.

Council Member Araskog commented that she was objecting to the \$55,000 for park improvements. She discussed marina parking.

b. RESOLUTION NO. 17-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation for RFP

No. 2019-35, Awarding the Construction of the Town Marina to Murray Logan Construction, Inc., in the Amount of \$32,968,000 and Authorize the Town Manager to Execute the Contracts. Town Staff also recommends that the Town Council Approve an Overall Contract Budget of \$36,264,800 and a Project Budget of \$37,658,753.

Motion was made by Council Member Lindsay and was seconded by Council President Pro Tem Zeidman to approve Resolution No. 17-2020. On roll call, the Motion passed unanimously.

c. RESOLUTION NO. 18-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Coston Marine Services, Inc., for Mitigation Work Associated with the Town Marina Project in the Amount of \$119,000 and Approving a Total Task Budget Not-To-Exceed \$137,000.

Director Brazil gave an overview of the work to be done and recommended approval of the Purchase Order.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve Resolution No. 18-2020. On roll call, the Motion passed unanimously.

d. RESOLUTION NO. 19-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Installation Agreement with Florida Power and Light for Electrical Upgrades Associated with the Town Marina Project, Including a Customer Contribution in the Amount of \$130,000.

Director of Public Works Brazil explained this was the difference between overhead and undergrounding, as discussed earlier.

Motion was made by Council Member Crampton and was seconded by Council Member Araskog to approve Resolution No. 19-2020. On roll call, the Motion passed unanimously.

e. RESOLUTION NO. 20-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Maintenance Memorandum of Agreement (MMOA) with Florida Department of Transportation (FDOT) for Improvements Associated with the Town Marina Project, to be Constructed Within the FDOT Right-of-Way.

Motion was made by Council Member Araskog and was seconded by Council President Pro Tem Zeidman to approve Resolution No. 20-2020. On roll call, the Motion passed unanimously.

B. Matters Pulled From Consent Agenda: If needed

No matters had been pulled from Consent Agenda.

XIII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 05-2020 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2019, and Providing an Effective Date.

Jane LeClainche, Director of Finance

Town Attorney Randolph read Ordinance No. 05-2020 on second reading by title only.

Motion was made by Council Member Crampton and was seconded by Council President Pro Tem Zeidman to adopt Ordinance No. 05-2020 on Second Reading. On roll call, the Motion passed unanimously.

B. First Reading

1. ORDINANCE NO. 06-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 106 Of The Town Code Of Ordinances At Article VII, Special Events On Public Property, At Division 1, Section 106-256, Definitions, So As To Amend The Definition Of Special Event To Include Walk/Run; Further Amending Section 106-283, Standards For Issuance, So As To Provide That Special Events Shall Be Subject To Section 106-289; Including A New Section 106-289 Titled Walks And Runs, So As To Provide For Applications For Such Activities And Procedures And Criteria For Approving A Walk/Run Event; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

Town Attorney Randolph read Ordinance No. 05-2020 on first reading by title only.

Council Member Araskog thanked staff.

Motion was made by Council Member Council President Pro Tem Zeidman and was seconded by Council Member Araskog to approve Ordinance No. 06-2020 on First Reading. On roll call, the Motion passed unanimously.

2. ORDINANCE NO. 07-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Of The Town Code Of Ordinances Related To Natural Resource Protection At Article IV, Vegetation, Division 5, Regulations, Section 66-311, Prohibited Plants, So As To Prohibit, In Addition To Ficus Benjamina, Ficus Nitida; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Town Attorney Randolph read Ordinance No. 05-2020 on first reading by title only.

Town Manager Blouin indicated this needed further wording to allow the Town flexibility with replacement plants where easements were granted. Discussion ensued. It was agreed to defer until the next day's meeting.

It was the consensus of the Town Council to defer Ordinance No. 07-2020 to the March 11, 2020, Town Council Development Review Meeting.

XIV. ANY OTHER MATTERS

Council Member Araskog asked that at the next day's meeting under discussion of ARCOM, she would like to discuss the term of the non-resident architect, and that the position had not been advertised properly.

XV. ADJOURNMENT

There being no further business, the Town Council Meeting of March 10, 2020, was adjourned at 12:43 p.m.

Danielle H. Moore, Town Council President

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

Date



TOWN OF PALM BEACH

Minutes of the Development Review

Town Council Meeting

Held on March 11, 2020

I. CALL TO ORDER AND ROLL CALL

The Development Review Town Council Meeting was called to order March 11, 2020 at 9:29 a.m. in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Administrative Specialist Churney gave the invocation. Council President Moore led the Pledge of Allegiance.

III. COMMENTS OF MAYOR GAIL L. CONIGLIO

There were no comments from the Mayor.

IV. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Pro Tem Zeidman spoke about coronavirus and postponed events, which were temporary changes. She commented changes needed to be made by all in the Town. The older population in Palm Beach was more susceptible, and Palm Beach would be proactive. She stated it would be difficult but not forever, and to be vigilant.

Council Member Araskog urged young people not to assume that they were not at risk. She asked everyone to be hyper-vigilant, no matter what their age.

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

There were no communications from citizens.

VI. APPROVAL OF AGENDA

The following modifications were made to the agenda:

Change VII. Resolutions to Ordinances and Resolutions and add 1A. Ordinance No. 07-2020, First Reading. This item was carried over from the meeting on March 10, 2020.

Motion was made by Council Member Lindsay, and seconded by Council Member Araskog, to approve the agenda as amended. On roll call, the motion carried unanimously, 5-0.

VII. ORDINANCES AND RESOLUTIONS

1A. Ordinance No. 07-2020

ORDINANCE NO. 07-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Of The Town Code Of Ordinances Related To Natural Resource Protection At Article IV, Vegetation, Division 5, Regulations, Section 66-311, Prohibited Plants, So As To Prohibit, In Addition To Ficus Benjamina, Ficus Nitida; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Town Attorney Randolph read Ordinance No. 07-2020 on first reading by title.

Motion was made by Council Member Araskog, and seconded by Council Member Crampton, to approve Ordinance No. 07-2020 on first reading. On roll call, the motion carried unanimously, 5-0.

- A. Resolution No. 09-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing Ad Valorem Tax Exemptions For The Property Hereinafter Described And Stating That The Subject Property Meets The Criteria Set Forth In Chapter 54, Article V Of The Code Of Ordinances Of The Town Of Palm Beach, Relating To Landmarks Preservation And Titled "Tax Exemptions."

Administrative Specialist Churney swore in members of the audience intending to speak at this meeting at this time and throughout the meeting as necessary.

Emily Stillings, Landmarks Preservation Consultant, provided information regarding Resolution No 09-2020

Council Member Araskog disclosed she was a member of the Everglades Club. Council President Moore and Council Member Crampton also stated they were members of the Everglades Club.

Mayor Coniglio asked how many tax abatements one owner could receive. Ms. Stillings responded there was no limit as long as the abatement was a qualified request.

Council Member Lindsay remarked on the positive nature of the tax abatement and thought it was important to point out this advantage to Landmarking.

Ms. Stillings commented the tax abatements were transferable to new owners if

a home was sold. Council Member Araskog stressed that it was important to get this information out to residents, and asked members of the press to help.

Motion made by Council Member Crampton and seconded by Council President Pro Tem Zeidman to approve Resolution No. 9-2020. On roll call, the motion carried unanimously, 5-0.

- B. Resolution No. 10-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 215 El Bravo Way Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

Janet Murphy, Landmarks Preservation Consultant, provided history and information regarding 215 El Bravo Way, including the social history of previous owners George Jessel and Norma Talmadge.

Council Member Crampton commented this was a very handsome house. He asked if the owners were in support. Ms. Murphy stated they were in support.

Rene Silvin, Vice Chair of Landmarks Preservation Commission, commented the owners were supportive.

Council Member Lindsay commented this was a beautiful Howard Major home.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to adopt Resolution No. 10-2020 designating the property at 215 El Bravo Way as a Landmark of the Town of Palm Beach on the basis that it met criteria 1, 3, 4 of Section 54-161 of the Town of Palm Beach Code and the Landmarks Preservation Ordinance No. 2-84. On roll call, the motion carried unanimously, 5-0.

Motion was made by Council President Pro Tem Zeidman and seconded by Council Member Lindsay to accept the designation report for 215 El Bravo Way into the record. On roll call, the motion carried unanimously, 5-0.

- C. Resolution No. 11-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees Related to the Planning, Zoning & Building Department.

Wayne Bergman, Acting Director of Planning, Zoning and Building, explained

the details of Resolution No. 11-2020, including a revised effective date of April 1, 2020.

Mayor Coniglio expressed frustration with the State's oversight.

Council Member Crampton asked the net impact. Mr. Bergman provided best case and worst case scenarios of loss of revenue. Council Member Crampton asked if the Town could offset the revenue loss by hiring more inspectors. Mr. Bergman responded and also added that the Town has been limited to four audits per year on each private provider inspection company. Council Member Crampton thought the Council was being asked to ratify a bad law.

Council Member Araskog commented many homeowners would go with a cheaper option. She added that the Town charged an average rate among other cities.

Council Member Lindsay asked how many people were using private providers. Mr. Bergman responded approximately 25%. Council Member Lindsay felt the Town needed to express dissatisfaction to the State, as well as to tell each owner they would be audited four times each year because of concerns about safety. She discussed ways that the Town may motivate owners to use the Town's inspection services. She was in favor of doing a little pushback by calling into question the quality, and that the Town would be compelled to audit. Town Attorney Randolph advised that people could not be audited four times a year because the law stated that one company could be audited four times a year. Additionally, he added that a problem could arise with private providers and he recommended against calling quality into question. Council Member Lindsay commented it was in the interest of homeowners for the Town to do audits. Mr. Bergman stated the Town did perform the audits.

Council Member Moore asked the number of private provider firms. Mr. Bergman responded there were about eight who regularly did business in Palm Beach.

Town Manager Kirk Blouin commented this was legitimate concern for safety, but private providers were licensed and their license would be in jeopardy if they did something unethical or cut corners, and he felt the local builders were a cut above, with most wanting to do the right thing and build to code. Mr. Bergman agreed.

Council Member Araskog confirmed that the Town was not allowed to qualify private inspectors under this State law. Mr. Bergman responded that was correct, and they were licensed by the State.

Motion was made by Council President Pro Tem Zeidman and seconded by Council Member Lindsay to adopt Resolution 11-2020. On roll call, the motion carried 4-1, with Council Member Crampton opposed.

VIII. DEVELOPMENT REVIEWS

A. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **Z-19-00232 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-WA Worth Avenue The application of 125 Worth Partners, LLC, Applicant, relative to property located at **125 WORTH AVE**, legal description on file, is described below. The applicant requests Site Plan Review modification approval for revitalization, renovation and expansion of the 45 year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project: 1. Per Section 134-1163(8)b., a special exception for a two-story and fourth story addition. The existing building is four stories but it is being expanded. 2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis. 3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53' in lieu of the 49'2" existing and the 25' maximum allowed by code. 4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63'4" in lieu of the 53'8" existing and the 35' maximum allowed by current code. 5. Per Section 134-419, variance to allow an expansion of an existing nonconforming building by increasing the existing air conditioned floor area of the fourth story to 13,212.9 square feet from 3,448.75 square feet existing. An open fourth story trellis of 5,433 square feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 Square feet in addition to the existing air conditioned floor area on the fourth story of the building. 6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1'1" for portions of the building in lieu of the 5' existing and the 5' minimum required on the private property. The sidewalk is required to be a minimum of 10' wide and this proposal is a minimum of 8'2" in the area where the sidewalk is only 1'1" wide on private property. 7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable. 8. Per Section 134-1163(9)b., variance for lot coverage of 71% on the second floor in lieu of the 57% existing and the 35%

maximum allowed for second story. 9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code. 10. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing building length at the east end of the building from 201'8" to 246' in lieu of the 150' permitted as of right in the C-WA zoning district. [Applicant's Representative: James M. Crowley Esq] **Request For Deferral To The April 15, 2020 Meeting Per Letter From James M. Crowley.**

Jamie Crowley, Attorney for the applicant, stated reasons for the deferral request and requested a deferral to the April 15, 2020 meeting.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Zeidman to defer the project to the April 15, 2020 Town Council Meeting. On roll call, the motion carried unanimously, 5-0.

2. New Business

- a. **Z-20-00239 VARIANCE(S)** Zoning District: R-B Low Density Residential. The application of Ellen G. Breed, Applicant, relative to property located at **315 SEABREEZE AVE**, legal description on file, is described below. Renovation of existing two-story guest house and second-story addition with the following variance requests: (1) 134-893(7): Request for a variance to allow a rear yard setback of 5 feet in lieu of the minimum 15-foot setback required in order to enclose the second floor existing balcony. (2) 134-893(9): Request for a variance to allow a west side yard second story setback of 2.2 feet in lieu of the 15-foot minimum setback required In order to enclose the second story balcony. (3) 134-893(13): Request for a variance to allow a cubic content ratio (CCR) of 5.94 in lieu of the 4.37 CCR allowed and 5.65 CCR existing. (4) 134-891(b)(1): Request for a variance to allow a second story addition on a nonconforming two-story accessory building/guest house with a proposed building height of 18.5 feet to the top of the roof in lieu of the one-story, 15 foot maximum allowed on a lot that is under 20,000 square feet. [Applicant's Representative: Maura Ziska Esq]

There were no ex-parte communications declared.

Maura Ziska, Attorney for the applicant, described the zoning requests, and also stated the next door neighbor had given her approval.

Pat Segraves, SKA Architect + Planner, described the architectural changes to the Town Council Members.

Council Member Araskog asked to be shown the backyard and commented she would like to see what was being lost. Mr. Segraves stated there was no loss, and they were increasing green space. Council Member Araskog asked what the hardship was, to which Attorney Ziska responded this was an existing non-conforming 50-foot wide parcel, and the house was non-conforming to today's Code. They were enclosing a balcony that already existed.

Zoning Manager Paul Castro provided staff comments. If approved, a kitchen agreement stating they would not rent this out would be required. He questioned the hardship.

Council President Moore was happy that the owners were making modifications rather than tearing the home down. She was more interested in saving the house and preserving the character of the street.

Council Member Araskog if this was a new owner. Ms. Ziska explained the issue with the owner. Council Member Araskog read legal information regarding zoning requests and stated she did not believe this was a legal hardship.

Council Member Lindsay asked if the first floor was going to be part of the guest house. Mr. Segraves explained the guest house use. Council Member Lindsay asked if this was on an alley to which Attorney Ziska responded yes. Council Member Lindsay commented there were no complaints. She felt the variance was diminimus. Council Member Lindsay asked if there could be an agreement this could not be rented.

Town Attorney Randolph discussed the kitchen agreement, which contained the prohibition against renting.

Council President Pro Tem Zeidman commented that she felt the Council had to overlook small changes at times to obtain an outcome they wanted. In this case, she felt it was important for the home to maintain its integrity on the street.

Council Member Araskog asked how much green space had been added. Daniel Clavijo, SKA Architect + Planner, responded 5%.

Council Member Crampton he thought the change was an improvement.

Motion was made by Council President Pro Tem Zeidman and seconded

by Council Member Lindsay that Variance Z-20-00239 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, and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the Town that insures a recorded easement will be granted if necessary to underground utilities in the area. On roll call, the motion carried 4-1, with Council Member Araskog opposed.

- b. **Z-20-00240 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: R-A Estate Residential The application of Everglades Club, Inc. (Applicant), relative to property located at **500 S COUNTY RD**, legal description on file, is described below. Section 134-840(5): A request for special exception with site plan review to allow the modification of the existing Golf Cart Storage Area which includes replacing the existing 2,671.62 square foot metal golf cart roof with a 4,321.26 square foot metal golf cart roof with storage to cover the entire cart storage area and also includes the removal of an existing gate and infilling the opening with masonry construction to match existing. [Applicant's Representative: Maura Ziska Esq]

Ex-parte communications were disclosed by Council Member Araskog, Council Member Crampton, and Council President Moore.

Maura Ziska, Attorney for the applicant, described the zoning requests.

Zoning Manager Paul Castro provided staff comments, stating this needed Council approval because it was a modification to the club.

Motion was made by Council Member Crampton, and seconded by Council President Pro Tem Zeidman, that Special Exception Z-20-00240 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 items 1 through 13 of the Town Code have been met. On roll call, the motion carried unanimously, 5-0.

Motion was made by Council Member Crampton, and seconded by Council Member Crampton, that Site Plan Z-20-00240 be approved based upon the finding that the approval of the Site Plan will not adversely affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement have been met concerning Section 134-329 items 1

through 11. On roll call, the motion carried unanimously, 5-0.

- c. **Z-20-00241 VARIANCE(S)** Zoning District: R-A Estate Residential The application of Francesco Galesi, as Trustee of the Francesco Galesi Revocable Trust, Applicant, relative to property located at **19 GOLFVIEW RD**, legal description on file, is described below. Applicant requests a variance to permit installation of a 60kw generator with a street side yard setback of 8.4 feet in lieu of 35 foot minimum required. [Applicant's Representative: Tim Hanlon Esq] [Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject landmarked property. Carried 7-0] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

There were no ex-parte communications declared.

M. Tim Hanlon, Attorney for the applicant, explained the zoning requests.

Zoning Manager Paul Castro provided staff comments, commenting a hedge would be required.

Council President Moore confirmed with Attorney Hanlon the generator would back onto the Everglades Club golf course.

Council Member Araskog asked to see a photo of the back yard.

M. Mark Marsh, Bridges and Marsh Architects, explained a photo had been presented to Landmarks and they had approved the request. The hardship was there were two front yard setbacks.

Motion was made by Council President Pro Tem Zeidman and seconded by Council Member Araskog that Variance Z-20-00241 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, and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the Town that insures a recorded easement will be granted if necessary to underground utilities in the area. On roll call, the motion carried unanimously, 5-0.

- d. **Z-20-00242 VARIANCE(S)** Zoning District: C-TS Town-Serving Commercial The application of Sotheby's

International Realty, Inc., Applicant, relative to property located at **317 PERUVIAN AVE, SUITE: 101**, legal description on file, is described below. Sec. 134-1109(18) - A variance to allow a 300 sq. ft. office use (real estate brokerage office) on the first floor where not permitted in this situation as the applicant does not meet the criteria allowing office use on the first floor in the C-TS zoning district. [Applicant's Representative: Peter Broberg Esq]

There were no ex-parte communications declared.

Peter Broberg, Attorney for the applicant, explained the zoning request.

Zoning Manager Paul Castro provided staff comments expressing support for this request.

Mayor Coniglio thought this was a simple request.

Council Member Araskog agreed with the Mayor, and suggested a staff approval could be made for this type of request.

Motion was made by Council Member Lindsay and seconded by Council Member Crampton that Variance Z-20-00242 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, and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the Town that insures a recorded easement will be granted if necessary to underground utilities in the area. On roll call, the motion carried unanimously, 5-0.

- e. **Z-19-00238 VARIANCE(S)** Zoning District: R-B Low Density Residential. The application of Mr. & Mrs. Kenneth Endelson, Applicant, relative to property located at **137 DUNBAR RD**, legal description on file, is described below. Section 134-2(b) - A request to build a 7,873 square foot (under air) two (2) story single family home with a variance to allow the point of measurement for calculating the maximum cubic content ratio (CCR) to be at 12.7' NAVD in lieu of 11.7' NAVD required by code. [Applicant's Representative: Francis X. J. Lynch] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project as presented. Carried 6-1].

There were no ex-parte communications declared.

Frank Lynch, Attorney for the applicant, explained the zoning request.

Zoning Manager Paul Castro provided staff comments and mentioned outstanding issues with Public Works, including a utility easement issue.

Council Member Lindsay questioned having the same roof heights on the street, to which Zoning Manager Castro responded.

Council Member Araskog asked about the height of the house to the east. Molly Mitchell, Dailey Janssen Architects, responded. Discussion ensued regarding homes on the street. Ms. Mitchell explained the elevations.

Council Member Araskog asked about the hardship. Attorney Lynch responded it was the topography of the land.

Motion was made by Council President Pro Tem Zeidman and seconded by Council Member Araskog that Variance Z-19-00238 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, and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the Town that insures a recorded easement will be granted if necessary to underground utilities in the area. On roll call, the motion carried unanimously, 5-0.

IX. ANY OTHER MATTERS

1. Bradley Park Hotel, 280 Sunset Avenue – Courtyard Opening

Council President Moore asked about the elephant and the moving trunk. Ned Grace, on behalf of Bradley Park Hotel, responded and stated the elephant would not move. Council President Moore confirmed with Mr. Grace that Landmarks had approved the elephant.

Mr. Grace provided an update to the Town Council Members.

Mayor Coniglio asked about the request for the courtyard. Mr. Grace stated they would like the staff to be able to approve outdoor seating when staff felt it would be safe. Mayor Coniglio expressed several public safety concerns.

Council President Pro Tem Zeidman asked the Fire Marshal to opine on the matter.

Marty DeLoach, Fire Marshal, reviewed his inspections at the hotel. He

thought if the construction on the roof and sides were completed, a better discussion could occur about the safety of opening the courtyard.

Mr. Grace stated his request was to allow staff to have the discussion after the construction was completed. He asked for permission to open the courtyard after 5 p.m. when the workers were not present.

Mr. Bergman discussed the requests. He reported his notes from the January meeting were that there was to be no outdoor seating until a full CO was issued. He discussed his concerns and added that a private provider was handling all of the inspections.

Council President Pro Tem Zeidman felt safety should be driving the decision, and they had made their decision in January.

Council Member Araskog expressed her agreement with Mayor Coniglio and Council President Pro Tem Zeidman. She did not understand why the Town was allowing events without a CO. She felt this should come back to the Council and stated there was no declaration of use. She also added she did not believe it should be up to staff to approve safety.

Mr. Bergman commented when a CO was provided, all operations should move forward. Council Member Araskog agreed.

Council Member Crampton expressed agreement.

Council Member Lindsay commented the street was still a traffic nightmare at 5 p.m., and if there was no CO, this could not move forward.

Consensus was to direct to Staff to deny any outdoor seating prior to obtaining a certificate of occupancy.

Clerk's note: A short break was taken at 11:03 a.m. The meeting reconvened at 11:12 a.m.

2. Discussion on the Makeup of ARCOM Commission Architects and ARCOM/LPC Staff Approvals

Mr. Bergman reported he had provided Council with ARCOM Code requirements for Commissioners as well as ARCOM/LPC Staff Approvals.

Council Member Araskog felt a non-state architect, who was a resident, was better than a non-resident Florida architect. She provided history of why a non-resident architect was on Landmarks. She stated she had consternation that a non-resident architect and non-resident landscape architect was added to the ARCOM Ordinance. She also stated that the ordinance was written to allow an out-of-state architect, which she preferred; however she remembered that others disagreed with her. She wanted a discussion about how it was written. She requested this be sent to ORS to look at the verbiage.

Council President Moore asked staff how they felt about Council Member Araskog's comments and if they felt the ordinance as written was what Council intended. Zoning Manager Castro stated he was not involved in writing the ordinance.

Town Attorney Randolph commented that it could be looked at by ORS but he saw no conflict in how the ordinance was written and what had been done in the past. He added that the ordinance was written similar to the Landmarks Ordinance where Jackie Albarran served as out-of-town resident because she had a special expertise.

Mayor Coniglio did not agree with out of state architects, because Florida has a different building code, different wind loads, and hurricane activity. She had no problem with non-resident, Florida architects so long as Town Council and staff believed they were a qualified. She believed there should be two architects on the Commissions, and stated the ARCOM ordinance was changed when there was difficulty getting two resident architects. She believed the ordinance was written properly and would not change it.

Council Member Lindsay commented the ARCOM ordinance was written for Gene Pandula but also Jackie Albarran, who used to live in Palm Beach, then moved out of town. She was still connected with Palm Beach and did a lot of work in Palm Beach. Council Member Lindsay agreed with Mayor Coniglio.

Discussion ensued.

Council Member Araskog clarified the issue: Under the current ordinance, if there were not two Florida State licensed architects applicants for the two spaces on the commissions, (one resident and one not, or two resident) an out of state resident architect could be appointed for one of those two spots.

Council Member Lindsay agreed but thought a possible change might be to have more architects on the commissions—three were currently allowed.

Council Member Araskog thought the non-resident term should be limited to six years.

Town Attorney Randolph advised the number of architects that could be on the commission was unlimited, but only three must be Florida registered architects.

Council President Pro Tem Zeidman commented the out of state architect was the only item that was disagreeable. Council Member Lindsay stated she did not completely disagree but added the out of state architect should not take the space of one of two required architects. Mayor Coniglio again expressed her opinion against out of state architects.

Council Member Araskog stated the ordinance was not written as requested, read the confusing language from the ordinance, and felt resident architects should not be limited to a 6-year term.

Council Member Lindsay commented she did not want to turn down talented people who moved here from other states for positions on the Commissions but they should be in addition to the two required architects. She agreed that non-residents should be limited to 6 years.

Rene Silvin, Australian Avenue, stated he was in favor of the discussion. He agreed with the term limitation for the non-resident architect.

Council President Moore felt the ordinance allowed enough flexibility.

Council President Pro Tem Zeidman asked if the language could be cleaned up for clarity. The language was discussed.

Council President Moore asked if there was consensus on the desk that the ordinance as written was acceptable, except for the Mayor, who disagreed. Council President Pro Tem Zeidman disagreed with the language “not more than 3” which limited the number of Florida Registered resident architects.

Consensus was to discuss the term limit requirement for the non-resident architect on Landmarks at the next meeting.

Town Attorney Randolph advised an ordinance would be provided. The term for the non-resident term would be changed to limit the term to 6 years.

Bob Vila, 698 Island Drive and former member of the Architectural Commission, agreed with Mayor Coniglio that the architects should be Florida registered and trained architects. He commented two architects were enough but more would be good. He recommended 5 voting members with two alternates instead of the current 10 members with 7 voting and 3 alternates. He thought the Town should have a Town architect, and that person might be a volunteer. He stressed the importance of having a landscape architect on the commission.

Mayor Coniglio thought Mr. Vila’s point on the reduction of members was valid and should be considered.

Council President Pro Zeidman thanked Mr. Vila for his work on the commission.

Town Attorney Randolph clarified what had happened when a landscape architect applied for a seat that was not advertised as a landscape architect, and staff had determined that seat was therefore not open.

Council Member Crampton stated he felt confused, and suggested the various positions be written out, with each of the various alternatives that had been brought up clearly stated, to provide a basis on which to start.

Discussion ensued regarding the number of members on a commission. Council Member Araskog requested staff provide history.

Staff was directed to make no change to the ordinance regarding ARCOM commission members, to bring forward an ordinance limiting the term of the Landmarks Preservation Commission non-resident expert to the same term limits as a regular member, and to add discussion regarding number of members on a commission on the April 15, 2020 agenda.

3. Review of Eleven Code Reform Topics

Mr. Bergman discussed Code Reform topics. He believed the largest problem at this time was with FEMA and the raising of buildings throughout the Town. To go forward with these eleven items would cost an estimated \$200,000. This was not full Code reform.

Mayor Coniglio reviewed the items she thought would be valuable to investigate. She stated the issues with FEMA had to be dealt with first. Other items she felt were important were yard setbacks, review of the ten separate definitions of building height, FAR, and maximum lot size. She added she felt the other items were secondary and would pause on those items to make sure there was enough money to consider them.

Council Member Araskog reviewed the items she thought would be valuable to investigate. She was in favor of discussing having a Board of Adjustment to handle variances. She agreed FEMA should be first, with FAR second, and she believed maximum lot size was important. She stated she agreed with the Mayor on the top five.

Council Member Crampton believed Council should concentrate on the FEMA issue exclusively and resolve it as quickly as possible. He felt the other items were important, but could be referred to Planning and Zoning, with periodic reports and recommendations.

Council Member Lindsay commented FEMA should be number one. She liked Council Member Crampton's idea. She felt side yard setbacks should be sent to Planning, Zoning and Building with a sense of urgency because the character and charm of the Town was being lost, and FAR was third on her list.

Zoning Manager Castro commented all of the issues would go to Planning, Zoning and Building if chosen. He discussed how items would be investigated. The money allotted to each item was for Planning and Zoning and a consultant would research the items for Council.

Mayor Coniglio felt the top three items should be the focus for now with the involvement from the Planning and Zoning Commission.

Council President Moore commented she thought a comprehensive approach was necessary. She agreed FEMA should be number one.

Council Member Araskog commented one of the biggest concerns was the oversize buildings, lack of green space and big white boxes. She felt the fabric of the Town would be lost if this was not fixed right away and Council needed to decide whether to bring in an expert.

Council Member Crampton thought there were eleven good things to work on and he believed the FEMA issue and the associated side yard issue should be started right now and not to wait to hire a new director. He was in favor of deferring the other items to Planning and Zoning Commission.

Council President Pro Tem Zeidman did not agree with a Board of Adjustment. She agreed FEMA should be first, and thought that side yard setbacks with their related issues should be looked at as a whole and not piecemeal. She also felt an expert should be hired.

Mr. Bergman commented a special planner would be needed to help with a lot of these items, but the FEMA matter would involve engineering and Public Works and a lot of outside resources beyond just a planner. He stated the

FEMA task was monumental. When asked for his recommendation, he commented he could work with the Town Manager's office on an RFQ and RFP for a consultant—a professional planner. He liked the idea of using the Planning and Zoning Commission to help move this forward. He felt staff could come back with periodic updates, and staff could start moving in the right direction on this very easily.

Council Member Lindsay felt nothing should move forward without a professional planner because everything was interrelated. She felt the planner should be hired quickly.

Martin Klein, 1060 N. Ocean Blvd. and Chairman of Planning and Zoning Commission, urged the Council to allow the Planning and Zoning Commission to begin discussions with residents on the items, including FEMA. He also stressed the need for an architect on the Planning and Zoning Commission.

Anne Pepper, 333 Seaspray Avenue, believed Mr. Bergman should be able to hire a planner as soon as possible.

Simon Taylor, 234 Oleander Avenue, felt this was a good discussion. He expressed two concerns that dealt with a period with the past tenure of the Director of Planning, Zoning and Building as well as the treatment of people who ask questions.

Anita Seltzer, 44 Cocanut Row, provided a history of planning efforts in 2001. She agreed with moving forward on the FEMA issue. She asked when Council would address all of the issues.

Council Member Araskog commented she had been asked whether the Code was broken or if the problem was how the Code was being dealt with, which was why a professional was needed. She discussed variances that had been granted and whether the Code was really that broken. She asked to move this forward as soon as possible even if it cost more than estimated.

Council Member Crampton listed his order of priority, which had FEMA first. He thought staff should begin now and not to wait for a new Director. He thought the Planning and Zoning Commission should discuss the issues and report issues to the Council as they arise. Mr. Bergman agreed to this approach.

Mayor Coniglio summarized Mr. Bergman's priorities: to hire a consultant and begin as soon as possible, and if additional money was needed Council would find it.

Town Attorney Randolph confirmed the Council was not interested in a Board of Adjustment. Three members were against it; Council Member Crampton was in favor of the board and Council Member Araskog asked for further discussion.

The need for an expert to be hired before starting the process was discussed.

Staff was directed to move forward with an RFP to find a consultant to assist with code reform issues, to begin working on the FEMA issue, and to return to the Town Council with monthly updates.

Mr. Bergman provided an update on the Historic Building Ordinance, reporting feedback from the State had been received. He commented the Town's approach would have to be changed.

Council Member Araskog stated that she passed out information to the Council regarding variances and judicial review and recommended everyone read it.

X. ADJOURNMENT

The meeting was adjourned at 1:13 p.m. by motion made by Council Member Araskog and seconded by Council Member Moore without the benefit of a roll call.

APPROVED:

Danielle H. Moore, Town Council President

ATTEST:

Kelly Churney, Administrative Specialist



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON THURSDAY, MARCH 19, 2020

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting was called to order on Thursday, March 19, 2020 at 11:00 a.m. in the Town Council Chambers. On roll call, all elected officials were found to be present EXCEPT Mayor Gail Coniglio.

II. PLEDGE OF ALLEGIANCE

Council President Danielle Moore led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

The agenda was amended to include the addition of the following items:

Item No. IV. COMMENTS OF MAYOR AND TOWN COUNCIL

Item No. V. TOWN MANAGER'S SITUATION UPDATE

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

Clerk's Note: The Mayor arrived at this time

IV. COMMENTS OF MAYOR AND TOWN COUNCIL

Mayor Coniglio thanked the Town's Public Safety department for being proactive and prepared for the Coronavirus situation and protecting the Town and its residents. She also expressed her concern for the upcoming COVID-19 epidemic and expressed that the

Town and its neighboring municipalities should have across the board measures in place so that the Town remains safe. She cautioned all to be prepared and stay safe.

Council President Pro Tem Zeidman thanked the Mayor for her communications with other municipalities and spoke regarding the precautions residents need to take to keep themselves and each other safe. She spoke regarding predictions by the Centers for Disease Control (CDC) and adhering to their guidelines.

Council Member Araskog echoed President Pro Tem Zeidman's comments and spoke about self-isolation. She commented that young people should also take precautions regarding the coronavirus adhere to the social distancing guidelines. She spoke regarding the hotels in Town and applauded Paul Leone for closing the Breakers Hotel.

Council Member Lindsay commended the Staff, Ms. Zeidman and the Mayor on their efforts regarding the coronavirus situation. She spoke regarding actions to be taken during this time.

Council Member Crampton expressed that he did not support the Town being the only municipality to announce a shelter in place idea and commented that designation should come from a higher authority. He commented that this designation should be in place for a set amount of time with specific criteria.

V. TOWN MANAGER'S SITUATION REPORT

Town Manager Blouin gave an update regarding the coronavirus epidemic. He stated that the reported statistics were unintentionally incorrect due to some persons not showing any symptoms and insufficient test kits being available. He reported the number of test kits being sent to Florida and commented that after tests were done the numbers of infected cases would increase. He stressed the need for self-isolation and explained the quarantine measures that may have to be taken. He explained the actions being taken by both the Fire Rescue and Police Depts. to be prepared to handle these cases. He stated that if necessary Fire Rescue, Police and Sanitation would be operating normally while other divisions of Government may have to operate remotely. He encouraged residents to send questions to questions@townofpalmbeach.com and stated that there will be a briefing at 3:00 PM each day to give the residents a status update.

Council President Moore offered her support and thanks to the Town Manager and staff.

Council Member Lindsay read into the record a letter from a Doctor in Seattle, WA regarding the dramatic change for the worse in that City due to the coronavirus situation.

Council Member Crampton expressed his appreciation for the Town Manager and his efforts in keeping us safe. He expressed his pleasure that the Resolution will have an ending date.

Responding to Council Member Araskog, Town Manager Blouin expressed that he

applauded the actions of Paul Leone in closing the Breakers Hotel. He mentioned that one hotel operator who was unhappy with having to close his establishment.

Council President Zeidman thanked the council members for their support, and referred residents to the Town's website for more information. She also expressed her support to the Town Manager and staff for the actions being taken in preparation for the rise in cases of the Coronavirus disease.

VI. COMMUNICATIONS FROM CITIZENS - None

VII. RESOLUTION NO. 21-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring With The Request of The Town's Chief of Police, To Extend The Seventy-Two (72) Hour Time Limit Relating To The Chief's Declaration of The Existence of A State Of Emergency Within The Corporate Limits of The Town To A Period Of Time Deemed Appropriate By The Chief of Police For The Declaration of Public Emergency To Be Terminated; Providing For An Effective Date.

Town Manager Blouin explained the policies and procedures regarding the State of Emergency. Discussion ensued regarding the limits of the State of Emergency. After much discussion it was decided that the wording of the Resolution should be amended as follows:

RESOLUTION NO. 21-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Concurring With The Request Of The Town's Chief Of Police, To Extend The Seventy-Two (72) Hour Time Limit Relating To The Chief's Declaration Of The Existence Of A State Of Emergency Within The Corporate Limits Of The Town To May 12, 2020, Unless Earlier Terminated By The Chief Of Police, At Which Time The Town Council Will Address The Need For Any Extension Of The Declaration Of Emergency; Providing For An Effective Date.

Town Council President Moore read amended Resolution No. 21-2020 by title.

Motion was made by Council Member Lindsay and was seconded by Council President Pro Tem Zeidman to approve Resolution No. 21-2020 as amended. On roll call the Motion passed unanimously.

VIII. EMERGENCY ORDINANCE NO. 08-2020 An Emergency Ordinance of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Extending By A Period of Thirty (30) Days Deadlines For The Town Council And Its Boards And Commissions To Act Upon Applications Submitted To The Council And Its Boards And Commissions Based Upon The Declaration of An Emergency Related To The Coronavirus And The Consequent Cancellation of Meetings; Providing For Severability; Providing For Repeal of Ordinances In Conflict; Providing An Effective Date.

Town Council President Moore read Emergency Ordinance No. 08-2020 by title.

Motion was made by Council Member Araskog and was seconded by Council

President Pro Tem Zeidman to adopt Emergency Ordinance No. 08-2020. On roll call the Motion passed unanimously.

IX. ANY OTHER MATTERS - *None*

X. ADJOURNMENT

There being no further business, the Special Town Council Meeting of March 19, 2020, was adjourned at 12:30 p.m.

Danielle H. Moore, Town Council President

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

Date



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON FRIDAY, MARCH 27, 2020

Clerk's Note: This was a virtual meeting where Council Members and public participants attended by phone.

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting was called to order on Tuesday, March 27, 2020 at 11:00 a.m. in the Town Council Chambers. On roll call, all elected officials were found to be present.

II. PLEDGE OF ALLEGIANCE

Council President Moore led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

The following modifications were made to the Agenda:

The order of item nos. IX, X and XI were changed and item no. XII. SHELTER IN PLACE - SAFER AT HOME was added before ANY OTHER MATTERS.

IV. APPROVAL OF AGENDA

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

Clerk's Note: This item was read into the record before the Town Manager provided his update to the Town's Response on Covid-19 Outbreak.

V. CONSIDERATION OF SCHEDULING AN ATTORNEY/CLIENT SESSION IMMEDIATELY FOLLOWING THE SPECIAL TOWN COUNCIL MEETING ON FRIDAY, MARCH 27, 2020, IN THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH, FLORIDA, TO DISCUSS THE FOLLOWING MATTER:

100 EMERALD BEACH WAY LC, V. TOWN OF PALM BEACH,
CASE NO. 9:19-CV-80645-SMITH/MATTHWMAN,
pending in the U.S. District Court for the Southern District of Florida

ATTORNEY/CLIENT SESSION ATTENDEES: MAYOR GAIL L. CONIGLIO; TOWN COUNCIL PRESIDENT DANIELLE H. MOORE; TOWN COUNCIL PRESIDENT PRO TEM MARGARET A. ZEIDMAN; TOWN COUNCIL MEMBERS JULIE ARASKOG, LEWIS S. W. CRAMPTON, BOBBIE LINDSAY; TOWN MANAGER KIRK BLOUIN; TOWN ATTORNEYS JOHN C. RANDOLPH AND JOANNE M. O'CONNOR, AND PLEASANTON, GREENHILL, MEEK & MARSAA COURT REPORTERS.

President Moore read this item into the record. Council Member Lindsay recused herself from this item based upon her previous recusal. Town Attorney Randolph announced into the record that advice is needed in regards to the case that was announced.

Motion was made by Council President Pro-Tem Zeidman and was seconded by Council Member Araskog to hold the closed-door session immediately following the Special Town Council Meeting. On roll call, the Motion passed 4-0 with Council Member Lindsay recused.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve the instructions given to the Town's Attorneys regarding this matter. On roll call, the Motion passed 4-0 with Council Member Lindsay recused.

VI. UPDATE ON TOWN'S RESPONSE TO THE COVID-19 OUTBREAK

Town Manager Blouin reported that he did not have a formal update regarding the COVID-19 outbreak. He explained that he would provide information related to each item that would be discussed before the Council goes into executive session.

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio cautioned the Council and the public to reserve comments for items on the agenda to wait until the agenda item is discussed. She expressed that all the decisions made today will be made with the health, safety and welfare of the community in mind.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog commented with regards to the loss of a resident due to COVID-19 by sending her thoughts and prayers to the family. She reminded residents about social distancing requirements in the community due to comments from citizens about young adults not adhering to the rules.

Council Member Crampton had no comments.

Council Member Lindsay had no comments.

Council President Moore echoed Council Member Araskog's comments and concerns.

Council President Pro-Tem Zeidman expressed thanks to the Palm Beach Daily News and the Palm Beach Civic Association for assisting the Town with sharing the day-to-day news from the Town and thanked the Town Manager for his daily updates on the COVID-19 pandemic.

IX. **COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT PLEASE
(Comments received via email will be read into the record at this time.)**

Carolyn Stone, Director of Business Development and Operations read the following citizen comments into the record:

Anne Pepper, 333 Seaspray Avenue
Jane Glucksman,
Silvia Hirschmann,
Lyle Howland
Chad Hoeft
John David Corey, Palm Beach Walks
William Mikus,
Michael Scharf, 225 Dunbar Road
Susan Gray, 266 Monterey Road

The following citizens called in their comments:

Molly Osten
Allison, 354 Chilean Avenue
Tatiana George, 259 Everglade Avenue
Rene Silvin, Australian Avenue
Sandra Brady, 252 Cherry Lane
Jack McDonald, 44 Cocoanut Row

All comments read into the record and given by citizens were regarding the Lake Trail restrictions currently in place and safety concerns. The comments included suggestions for time adjustments regarding bikers and walkers, only allowing the trail to be for residents, additional policing due to pedestrians not following the new rules, additional signage, safety while using the trail, Centers for Disease Control (CDC) six-foot requirements and compliments to staff.

X. DISCUSSION REGARDING TEMPORARY REGULATIONS FOR THE LAKE TRAIL

Town Manager Blouin reported staff's concerns regarding the Lake Trail which included high usage due to closures, crowding and not enough social distancing. He also reviewed several suggestions provided to staff for changes with the current restrictions in place. He recommended that Council provide staff direction from one of the following suggestions, create new regulations for the Lake Trail, return to the old regulations, keep the current regulations in place or close the Lake Trail, if the public will not follow the regulations set forth.

Discussion ensued regarding making adjustments to the current regulations in place which included, closing the Lake Trail until further notice, hiring a vendor to police the Lake Trail, closing a street to allow bikes to use a different area of Town, have a center line drawn down the path, and leaving the decision up to Town Manager Blouin and Chief Caristo's discretion.

Public Comment:

Draguana Connington, suggested splitting the trail, such as the north end for bikers and the south end for walkers.

Jeff Marcus, thanked the Mayor, Town Council and staff for their efforts and explained that the width of the Lake Trail was not wide enough to maintain safe social distancing. Therefore, Council should close the trail.

Molly Osten, requested a modification of the times to allow children to use the Lake Trail with their family.

Sophia Amador, thanked the Council for their efforts and asked that the Police Department investigate parking regulations due to the "day trippers" that visit the Lake Trail to ride on bikes.

Executive Session:

Discussion ensued regarding the regulations for the Lake Trail after hearing additional public comments.

It was a consensus of the Town Council to leave the decision of making changes to the temporary regulations for the Lake Trail with the Town Manager and the Chief of Police during the current State of Emergency.

XI. DISCUSSION REGARDING POTENTIAL ORDER TO PROHIBIT NEW RESERVATIONS AT HOTELS AND SHORT-TERM VACATION RENTALS

Town Manager Blouin reported this agenda item was to discuss prohibiting new reservations at hotels and short-term vacation rentals, but as of today, Governor DeSantis already issued an Emergency Order 20-87 in this regard. The Town's hotels have mostly closed, or they have very limited rooms available. The Police Department is following up in order to monitor the situation.

There was no discussion regarding this item as the Emergency Order 20-87 given by the Governor supersedes any order by a municipality.

It was the consensus of the Council to abide by the Emergency Order 20-87 provided by the Governor in this regard.

XII. SHELTER IN PLACE - SAFER AT HOME

Town Manager Blouin provided an overview of the "Shelter in Place" orders from other municipalities, the guidelines the Town was already currently practicing, a brief review of the Emergency Orders draft and requested consideration of putting the Emergency Order in place.

Discussion ensued regarding the legal language in the draft Emergency Order to "Shelter in Place", suggestions to follow suit with Palm Beach County and praise to Town Manager Blouin for being ahead of the curve.

It was the consensus of the Council to direct Town Manager Blouin and staff to move forward with the Emergency Order "Shelter in Place - Safer at Home" for the Town of Palm Beach.

XIII. ANY OTHER MATTERS

1. Social Distancing at Publix

Council member Araskog commented on customers not being responsible while inside Publix and persuaded Publix to do a better job of putting precautions in place for the health and safety of our community.

Town Manager Blouin explained that the Town is working closely with Publix but, are only able to provide guidelines as they are a private company.

2. Reminder - Issues Happening in the Community

Town Manager Blouin reminded the community if there is an issue to contact the Police Department during the time it is taking place, allowing the Police Department to react accordingly. He also provided the non-emergency phone number, 561-838-5454.

XIV. ADJOURNMENT

There being no further business, the Special Town Council Meeting of Friday, March 27, 2020, was adjourned at 1:45 p.m.

Danielle H. Moore, Town Council President

Prepared By:

Antonette Fabrizi

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of March 25, 2020.

Presenter

Wayne Bergman, Acting Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated March 27, 2020 from Wayne Bergman, Acting Director of Planning, Zoning and Building**
- ▣ **Minutes of the Architectural Review Meeting of March 25, 2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 14, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: Approval of the Architectural Commission Meeting Minutes of March 25, 2020

Date: March 27, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of March 25, 2020.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items that were considered at the regularly scheduled meeting of March 25, 2020.

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.

Attachment

kmc



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, MARCH 25, 2020

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. **CALL TO ORDER**

Mr. Small called the meeting to order at 9:00 a.m. All members participated telephonically due to the COVID-19 situation.

II. **ROLL CALL**

Michael B. Small, Vice Chairman	PRESENT
Robert N. Garrison, Member	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	ABSENT (Excused)
John David Corey, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Richard Sammons, Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Edward A. Cooney, Alternate Member	PRESENT

Please note: Ms. Catlin voted in the absence of Ms. Grace.

Staff Members present were:

Wayne Bergman, Acting Director of Planning, Zoning and Building
Kelly Churney, Secretary to the Architectural Review Commission

III. **ELECTION OF OFFICERS**

There was no action taken on this item due to the COVID-19 situation. The item was postponed to the April 29, 2020 meeting.

IV. **PLEDGE OF ALLEGIANCE**

There was no action on this item due to the COVID-19 situation.

V. **APPROVAL OF THE MINUTES FROM THE FEBRUARY 26, 2020 MEETING**

There was no action taken on this item due to the COVID-19 situation. The item was postponed to the April 29, 2020 meeting.

VI. **APPROVAL OF THE AGENDA**

There was no action taken on this item due to the COVID-19 situation.

VII. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

There was no public participation at this meeting due to the COVID-19 situation.

VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**

There was no public participation at this meeting due to the COVID-19 situation.

IX. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**

There were no comments heard due to the COVID-19 situation.

X. **PROJECT REVIEW**

A. **DEMOLITIONS AND TIME EXTENSIONS**

B-012-2020 Demolition

Address: 60 Blossom Way

Applicant: Providencia Partners LLC

Professional: Daniel Kahan

Project Description: Demolition of the existing residence, hardscape and pool.

Existing perimeter walls shall remain. Landscape submittal and presentation will outline the plan to preserve and relocate the existing vegetation.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Ms. Shiverick and seconded by Mr. Corey to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

B. **MAJOR PROJECTS – OLD BUSINESS**

B-069-2019 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 977 South Ocean Boulevard

Applicant: 195 PHESTEN ASSOCIATES, LLC (RUSTY & ASHLEY HOLZER)

Professional: Studio SR Architecture

Project Description: Demolition of existing 1-story wood frame house, and construction of a contemporary 1 & 2-story residence.

ZONING INFORMATION: A request for Special Exception with Site Plan Review to allow the construction of a 6,546 square foot two-story residence on a non-conforming lot that is 76.5 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning district and 12,813 feet in area in

lieu of the 20,000 square foot minimum area required in the R-A Zoning district (Section 134-840 & 134-893(c)). The following variances are also being requested:

1. Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 21.2 feet in lieu of the 35-foot minimum required in the R-A Zoning District.
2. Section 134-843(a)(5) and (9): A request for a variance to allow the proposed residence to have a rear setback of 9 feet in lieu of the 15 foot minimum required in the R-A Zoning District which includes the balconies which extend 3 feet from the building in lieu of the 2' foot maximum allowed.
3. Section 134-1757: A request for a variance to allow the proposed residence to have a swimming pool rear setback of 5.3 feet in lieu of the 10-foot minimum required in the R-A Zoning District.
4. Section 134-843(a)(11): A request for a variance to allow the proposed residence to have a Lot Coverage of 33.32% in lieu of the 25% percent maximum allowed in the R-A Zoning District.
5. Section 134-843(a)(6)b: A request for a variance to allow the proposed residence to have an Angle of Vision of 136 degrees in lieu of the 116 degrees maximum allowed in the R-A Zoning District.
6. Section 134-843(a)(7): A request for a variance to allow the proposed residence to have a Building Height Plane setback range of 21.2' to 29.9' in lieu of the range of 35' to 42' 11 1/4" minimum required in the R-A Zoning District for this proposed house.

At the October 30, 2019 ARCOM meeting, the demolition of the existing home was approved; however, the proposed new home was deferred to the December 13, 2019 meeting with direction to restudy the project per the comments made by the Commission members. A motion carried at the December meeting to defer the project to the January 29, 2020 meeting at the request of the applicant. A motion carried at the January meeting to defer the project to the March 25, 2020 meeting for a significant restudy with consideration of the comments from the Commissioners.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Mr. Garrison and seconded by Mr. Corey to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

B-074-2019 Additions & Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 125 Worth Avenue

Applicant: 125 Worth Partners LLC

Professional: Jose Luis Gonzalez Perotti/Portuondo Perotti Architects

Project Description: The project consists of the façade renovation and addition to an existing four-story 1970's building. The fourth-floor structure will be removed and replaced with four new luxury residential apartments, and trellis gardens. The façade will be renovated with new architectural screens, white brick veneer and exposed concrete accents that will enhance the aesthetic of the building for its

users and pedestrians alike. The addition component consists of a new one-story commercial structure with a roof top trellised courtyard and a two-story elevator tower.

ZONING INFORMATION: A request for Site Plan Review modification approval for revitalization, renovation and expansion of the 45-year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two-story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project:

1. Per Section 134-1163(8)b., a special exception for a two-story and fourth-story addition. The existing building is four stories but it is being expanded.
2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis.
3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53 feet in lieu of the 49 feet 2 inches existing and the 25-foot maximum allowed by code.
4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63 feet 4 inches in lieu of the 53 feet 8 inches existing and the 35-foot maximum allowed by current code.
5. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing air-conditioned floor area of the fourth story to 13,212.9 square-feet from 3,448.75 square-feet existing. An open fourth story trellis of 5,433 square-feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 square-feet in addition to the existing air-conditioned floor area on the fourth story of the building.
6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1-foot 1 inch for portions of the building in lieu of the 5 feet existing and the 5 feet minimum required on the private property. The sidewalk is required to be a minimum of 10 feet wide and this proposal is a minimum of 8 feet 2 inches in the area where the sidewalk is only 1 foot 1 inch wide on private property.
7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable.
8. Per Section 134-1163(9)b., variance for lot coverage of 66% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story.
9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code.

A motion carried at the December meeting to defer the project to the February 26, 2020 meeting. A motion carried at the February meeting to defer the project to the March 25, 2020 meeting at the request of the attorney.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

B-009-2020 New Cabana

Address: 1360 N. Ocean Blvd.

Applicant: Katherine J. Henry

Professional: M. Mark Marsh/Bridges Marsh & Associates, Inc.

Project Description: Construction of a beach cabana and site improvements. New doors and windows at the existing house.

A motion carried at the February meeting to defer the project to the March 25, 2020 meeting for a restudy of the project.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Ms. Catlin and seconded by Mr. Corey to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

B-010-2020 Demolition/New Construction

Address: 1 Wells Circle

Applicant: Allison Menkes

Professional: LaBerge & Menard

Project Description: Demolition of existing house. New 8,800 sq. ft. one-story home.

A motion carried at the February meeting to approve the demolition request. A second motion carried to approve the architectural plans as presented and to defer the landscape and hardscape plans to the March 25, 2020 meeting for a restudy of the site circulation and vehicular guest parking.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Mr. Garrison and seconded by Ms. Catlin to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

B-011-2020 Demolition/New Construction

Address: 217 Sandpiper Dr.

Applicant: Valley Property Management LLC (Philip Cambo)

Professional: Gregory Bonner/B1Architect

Project Description: A new proposed one-story single family residence approximately 5,120 total square feet in a Bermuda architectural style.

A motion carried at the February meeting to approve the demolition request. A second motion carried to defer the project to the March 25, 2020 meeting for a restudy based on the comments from the Commissioners.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Ms. Catlin and seconded by Mr. Garrison to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

C. MAJOR PROJECTS – NEW BUSINESS

B-013-2020 Additions/Modifications

Address: 1620 S. Ocean Blvd.

Applicant: Anthony and Lynda Lomangino

Professional: Harold J. Smith/Smith and Moore Architects, Inc.

Project Description: Additions and alterations to an existing two-story residence.

Landscape and hardscape revisions.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Ms. Shiverick and seconded by Mr. Garrison to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

B-014-2020 Additions

Address: 145 Kings Road

Applicant: Sam Bonomo

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: New Garage 328 square foot addition.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Mr. Garrison and seconded by Mr. Sammons to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

B-015-2020 Awnings

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 247 Worth Avenue

Applicant: Jane Holzer

Professional: Keith Spina/Spina O'Rourke

Project Description: Install a combination of new awnings consisting of a fixed awning connecting to the via to the front door of the restaurant and a retractable awning over the outdoor dining area to be used during inclement weather.

ZONING INFORMATION: 1) Sec. 134-1159 (a)(6), Sec. 134-329 and Sec. 134-229: A request to modify the previously approved Special Exception with Site Plan Review to add 51 additional seats to the previously approved 109 seat, 3,590 square foot restaurant ("Le Bilboquet") on both the 1st and 2nd floor in the rear of the via located at 247 Worth Avenue (160 total proposed seats). In addition, to add 594.5 square feet on the back of the building to house a cooler/storage area and elevator and two retractable awnings totaling 512 square feet over the via. There are also two existing permanent awnings that will be replaced with three awnings of the same approximate size. There is also an existing awning on Worth Avenue that will be replaced with an awning of the same approximate size. There will be new mechanical equipment located on the roof that will be screened. Additionally, the restaurant plans to have background music in the via. 2) Sec. 134-1159 (a) (6), Sec. 134-2176 and Sec. 134-2001: A request for Special Exception with Site Plan Review modification to allow 58 seats to be outside in the via in lieu of the 48 seats previously approved. 3) Sec. 134-1161 (a): A variance to have 58 outdoor seats over the Inside capacity. The Code does not allow outdoor seating above the Indoor capacity of the tenant space. 4) Sec. 134-1163 (7): A variance request to have a rear yard setback of 5.5 feet for the elevator and 2.5 feet for the cooler/storage building in lieu of the 10 foot minimum required In the C-WA Zoning District. 5) Sec. 134-1163(9): A variance request to allow a lot coverage for the elevator, cooler/storage building and retractable awnings of 84.6 % in lieu of the 72.4 % existing and the 35 % maximum allowed in the C-WA Zoning District for a two story building. 6) Sec. 134-1163(11): A request for a landscaped open space to be 3.5 % in lieu of the 4 % existing and the 25 % minimum required in the C-WA Zoning District for a two story building. 7) Sec. 134-2175, Sec. 134-329 and Sec. 134-229: A request for a variance to provide zero (0) on-site parking spaces in lieu of the required 24 parking spaces that would be required under the principle of equivalency for the additional 51 seats being requested and the new elevator and 494 square foot cooler/storage building that is being added. A variance was previously approved to eliminate the requirement of 29 parking spaces.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Ms. Catlin and seconded by Ms. Shiverick to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

D. MINOR PROJECTS – OLD BUSINESS

None

E. MINOR PROJECTS – NEW BUSINESS

A-004-2020 Modifications

Address: 3450 S. Ocean Blvd.

Applicant: The Patrician of Palm Beach Condominium Apartments, Inc.

Professional: James C. Paine, Jr.

Project Description: Request for approval of balcony rail change-out from original precast concrete balcony rails to vertical aluminum picket rails (white) conforming to current code.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

Motion made by Ms. Shiverick and seconded by Mr. Garrison to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.

XI. **ADDITION COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

There were no comments heard due to the COVID-19 situation.

XII. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

There were no comments heard due to the COVID-19 situation.

XIII. **ADJOURNMENT**

Motion made by Ms. Catlin and seconded by Ms. Shiverick to adjourn the meeting at 9:08 a.m. Motion carried unanimously.

The next meeting will be held on Wednesday, April 29, 2020 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

Michael B. Small, Vice Chairman
ARCHITECTURAL COMMISSION

kmc

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 23-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Evergreene Architectural Arts for the Bi-Annual Maintenance of Town Hall and Bradley Park Fountains for a Two-Year Period in the Amount of \$92,818.19.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated April 4, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 23-2020**
- ▣ **Proposal**

Information for Town Council Meeting on April 15, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving a Purchase Order to EverGreene Architectural Arts for the Bi-Annual Maintenance of Town Hall and Bradley Park Fountains for a Two Year Period in the Amount of \$92,818.19 - Resolution No. **23-2020**

DATE: 4 April 2020

STAFF RECOMMENDATION

Staff recommends Town Council approval of a Purchase Order to EverGreene Architectural Arts for the Bi-Annual Maintenance of Town Hall and Bradley Park Fountains for a Two Year Period in the Amount of \$92,818.19.

SUMMARY EXPLANATION/BACKGROUND

Last fiscal year, a purchase order was issued to EverGreene Architectural Arts in the amount of \$60,497 for the maintenance of the Town Hall and Bradley Park Fountains which included repairs to cracks and losses in walls, basin and copings as well as two intense cleanings. Since this the amount was within the Town Manager's Award Authority, the item was not brought forth to Town Council, however, it was reported as part of monthly report of expenditures between \$35,000 and \$64,999 to the Town Council.

Due to the historic nature of both Town Square and Bradley Park Fountains, these continue to require specialized services to be provided.

EverGreene Architectural Arts worked with Kimley Horn in assessing and planning the restoration of the Town Hall Fountain as Conservation Solutions, which is now a Division of EverGreene Architectural Arts. EverGreene-Conservation Solutions has extensive experience in the care of historic fountains in Florida and elsewhere. In addition to the Town Square (Mizner) fountain they have worked on the restoration of the Breakers Hotel fountain in Palm Beach, several fountains at Vizcaya Museum & Gardens in Miami and fountains at the White House, Library of Congress, National Gallery, and US Capitol in Washington DC, many public fountains in New York City and elsewhere.

Current Conditions

After several years of operation since a major restoration was completed there are some minor

maintenance items to be addressed on the Town Square fountain. These include cracks at the assembly joints between the historic Hippocamp bodies and legs and elsewhere. Other areas that require treatment include the basins at the north face of the plaza and elsewhere on the plaza copings. Soiling and biogrowth have accumulated on the Hippocamps as well. The Town wishes to address these conditions; filling the cracks and performing other minor repairs, while cleaning this fountain and the Bradley Park fountain, which also went through a relatively recent renovation. The goal is to bring both fountains to a clean, maintained condition and retain that state through regular biannual care. The Town wishes to establish a routine to continue this level of care into the future. The treatments proposed here will include the preparation of a maintenance manual that details the methods employed in the proposed work that can be used as a guide for future care.

Proposed Scope

EverGreene would perform biannual maintenance on the two fountains during a combined mobilization (that is, both fountains will be treated during each mobilization) to be performed twice a year. Working with the Owners plans, we are assuming an initial mobilization in April followed by a second mobilization in November so as to minimize disturbance to Town residents. The initial treatment of the Town Hall Square fountain included crack injection and other treatments required to address the current condition. The assumption is that treatments to the Bradley Park and follow on care for the Town Hall Square fountains would require less work and focus primarily on cleaning.

After completion of the initial round of treatments EverGreene will prepare maintenance manuals for both fountains that detail the work that was performed and will be required on each during the second and all future maintenance treatments. The manuals will include specifics of the materials and procedures required during maintenance of each. Directions for documentation, record keeping and planning purposes will be included as well.

USER DEPARTMENT CONCURRENCE

The Public Works Department has reviewed and is in full agreement with the Selection Committee Recommendation.

FISCAL IMPACT

The funding for this maintenance will be from the Public Works Operating Budget.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues.

TOWN ATTORNEY REVIEW

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

CC: Jay Boodheshwar, Deputy Town Manager
H. Paul Brazil, P.E., Director of Public Works
Paul Colby, Facilities Maintenance Manager

RESOLUTION NO. 23-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A PURCHASE ORDER TO EVERGREENE
ARCHITECTURAL ARTS FOR THE BI-ANNUAL
MAINTENANCE OF TOWN HALL AND BRADLEY PARK
FOUNTAINS FOR A TWO YEAR PERIOD IN THE AMOUNT OF
\$92,818.19.**

NOW, 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 23-2020, approving a Purchase Order to EverGreene Architectural Arts for the Bi-Annual Maintenance of Town Hall and Bradley Park Fountains for a Two Year Period in the Amount of \$92,818.19.

Section 2. The Town Manager 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 this 15th day of April, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk



March 12, 2019

Paul Colby
Facilities Division Manager
Town of Palm Beach – Public Works Department
951 Old Okeechobee Road
West Palm Beach, FL 33401
City, State ZIP
561-227-7019 pcolby@TownofPalmBeach.com

Re: Twice Annual Maintenance of Town Hall and Bradley Park Fountains ("Project") **REVISED** with outgoing years

Dear Paul,

Thank you for requesting this REVISED proposal for biannual cleaning and maintenance of the Town Hall Square and Bradley Park fountains. This now includes a base 3 year contract with options for years 4 and 5. Our firm worked with Kimley Horn in assessing and planning the restoration of the Town Hall Fountain as Conservation Solutions, which is now a Division of EverGreene Architectural Arts. We are very proud to have worked on this historic fountain and will always be happy to contribute to the care and preservation of the historic resources of the Town of Palm Beach ("Client").

Evergreene-Conservation Solutions has extensive experience in the care of historic fountains in Florida and elsewhere. In addition to the Town Square (Mizner) fountain we have worked on the restoration of the Breakers Hotel fountain in Palm Beach, several fountains at Vizcaya Museum & Gardens in Miami and fountains at the White House, Library of Congress, National Gallery, and US Capitol in Washington DC, many public fountains in New York City and elsewhere. Please visit our website at evergreene.com to see many examples of our work on historic fountains.

Current Conditions

After several years of operation since a major restoration was completed there are some minor maintenance items to be addressed on the Town Square fountain. These include cracks at the assembly joints between the historic Hippocamp bodies and legs and elsewhere. Other areas that require treatment include the basins at the north face of the plaza and elsewhere on the plaza copings. Soiling and biogrowth have accumulated on the Hippocamps as well. The Town wishes to address these conditions; filling the cracks and performing other minor repairs, while cleaning this fountain and the Bradley Park fountain, which also went through a relatively recent renovation. The goal is to bring both

EverGreene Architectural Arts, Inc. www.evergreene.com

NEW YORK 253 36th Street, Suite 5C Brooklyn, NY 11232 212.244.2800 212.244.6204 fax

CHICAGO 711 South Blvd, Suite 7 Oak Park, IL 60302 708.358.1642 708.358.1656 fax

TCM Backup 4-15-20
LOS ANGELES 213.292.6932

SAN FRANCISCO 415.429.2711

WASHINGTON DC 202.869.1011

fountains to a clean, maintained condition and retain that state through regular biannual care. The Town wishes to establish a routine to continue this level of care into the future. The treatments proposed here will include the preparation of a maintenance manual that details the methods employed in the proposed work that can be used as a guide for future care.

Proposed Scope

We would perform biannual maintenance on the two fountains during a combined mobilization (that is, both fountains will be treated during each mobilization) to be performed twice a year. Working with the Owners plans, we are assuming an initial mobilization in April followed by a second mobilization in November so as to minimize disturbance to Town residents. The initial treatment of the Town Hall Square fountain would include the crack injection and other treatments required to address the current condition. The assumption is that treatments to the Bradley Park and follow on care for the Town Hall Square fountains would require less work and focus primarily on cleaning.

After completion of the initial round of treatments we will prepare maintenance manuals for both fountains that detail the work that was performed and will be required on each during the second and all future maintenance treatments. The manuals will include specifics of the materials and procedures required during maintenance of each. Directions for documentation, record keeping and planning purposes will be included as well

I. **Scope of Services**

A. Scope of Work

1. **Initial mobilization Town Square.** The scope of work for Town Square Fountain (the structure from the upper steps to the south) initial treatment consists of the following:
 - a) Mobilization of personnel, equipment and materials to treat both fountains in a single consecutive period..
 - b) Cleaning of Fountain including pool copings, sculptural elements and basin.
 - c) Filling of cracks in sculptures and basin within the fountain elements using a color-matched appropriate formulated grout, Assumes filling cracks at joints with hippocamp bodies and legs, heads, and within the basin
 - d) Repairs to cracks and losses in walls and copings of plaza from the grotesques south. Exposed rebar will be cleaned and coated with an epoxy prior to rebuilding. Cracks will be filled with color matched restoration grout. Fragments will be bonded with an appropriate epoxy and losses built up with John Restoration Mortar by trained technicians. Assumes repairs to 2 small basins beneath grotesques, one area of sculpture on east pillar, 3 areas on exterior wall, and 2 areas of copings.
 - e) This proposal presumes that the fountain will be drained prior to start of our work.
 - f) No cleaning beyond the walls of the pool is included
 - g) No cleaning or repair of steps, pavers or other parts of the construction
2. **Initial mobilization Bailey Park.** The scope of work for the Bailey Park Fountain initial treatment consists of the following:
 - a) Cleaning of Fountain including pool copings, sculptural elements and basin.

- b) This proposal presumes that the fountain will be drained and plants and fishes will be removed prior to the start of our work
- c) No cleaning outside of the walls of the pool is included
- d) No cleaning or repair of steps, pavers or other parts of the construction

3. **Maintenance Manual.** The scope for the Maintenance Manual consists of the following:

- a) Documentation of the work that was performed on each fountain, including photographs, product literature, supplier information, and written descriptions of the work. The document will be organized to separate one-time treatments and/or treatments that require skilled intervention and those that can be performed as part of regular maintenance. In addition to detailing the scopes of work it will include recommendations for the appropriate period for the performance of each.
- b) A set of recommendations for the collection and archiving of maintenance records consistent with current best practices for the preservation of historic fountains will be included. This will include how to document current conditions during regular inspections, how to archive and maintain treatment records to facilitate management of the historic resources.

4. **Second Mobilization Cleaning.** The scope of work consists of the follow-on cleaning and maintenance approximately 6 months after the initial treatment:

- a) Mobilization of personnel, equipment, and materials to perform regular maintenance cleaning and minor touch up of grout fills only if needed on both fountains. There may be some initial erosion of the grout installed during the first mobilization that will require minor touch up on the Town Square fountain which will be performed if needed. Otherwise, work on both fountains will consist of documentation of current conditions and gentle cleaning to remove bio-growth and soiling.
- b) The same pre-conditions and exclusions listed above for the previous mobilization apply.

5. **Outgoing Years Cleaning Only.** The scope of work consists of the follow-on cleaning and maintenance approximately 6 months after the previous treatments continued regularly:

- a) Mobilization of personnel, equipment, and materials to perform regular maintenance cleaning and minor touch up of grout fills only if needed on both fountains. There may be some initial erosion of the grout installed during the first mobilization that will require minor touch up on the Town Square fountain which will be performed if needed. Otherwise, work on both fountains will consist of documentation of current conditions and gentle cleaning to remove bio-growth and soiling.
- b) The same pre-conditions and exclusions listed above for the previous mobilization apply.

Reasonable access shall be provided to the work site for EverGreene. All necessary power and running water to be provided by Client at no charge to EverGreene. Client shall provide EverGreene with an interior space for storing materials and equipment wherever feasible

II. **Changes in the Work**

A. This proposal assumes that all design, specifications, material selections and other information included in the contract documents are final. Any and all work in connection with design changes or other variances from the contract documents, including but not limited to Changed Conditions ("Changed Work"), shall be performed on a time and material basis and compensated at the rates in Section V.

B. Any work not included in the Scope of Work ("Additional Work") shall be performed on a time and material basis and compensated at the rates in Section V.

C. EverGreene's receipt of a written and signed change order containing mutually agreed scope of work, schedule and price information ("Change Order") shall be a condition precedent to its obligation to commence the performance of any and all Changed Work or Additional Work. No field directive or other verbal directive to perform Changed Work or Additional Work shall give rise to a duty on EverGreene's part to commence performance unless accompanied by a Change Order signed by a person with authority to contractually bind Client.

III. **Cost**

A. The cost of performing the services detailed in this proposal is listed below.

B. This quote includes the cost of labor, materials, local transportation and insurance.

C. This quote **does not** include:

1. Taxes. If applicable to your project, a signed Capital Improvement Certificate or tax exempt certificate must be submitted to EverGreene with signed proposal. If we do not receive a completed certificate indicating that this work falls under the capital improvement or tax exempt programs, appropriate sales and/or use tax will be added to the price upon invoicing.

2. Multiple mobilizations. Two mobilizations per calendar year are assumed. Any additional required mobilizations will result in additional charges.

3. Access is included in price.

4. Water and electricity access. Owner is responsible to provide access to electricity and water at its own expense.

5. Containment. We are not planning on using controlled materials in the cleaning and are assuming that detergent residue from cleaning can be drained at the pools. If 100% containment is required there will be an additional charge.

Period of Performance	Scope	Per Fountain Cost	Annual Cost	Contract Totals
Year 1	Twice annual cleaning and initial Intervention at Town Square Fountain including grout injection, patching, maintenance manual		\$60,497.00	
Town Square Fountain		\$42,247.50		
Bailey Fountain		\$18,249.50		
Year 2	Twice annual cleaning only		\$45,723.25	
Town Square Fountain		\$26,926.26		
Bailey Fountain		\$18,796.99		
Year 3	Twice annual cleaning only		\$47,094.94	
Town Square Fountain		\$27,734.05		
Bailey Fountain		\$19,360.89		
TOTAL Years 1-3				\$153,315.19
Year 4 OPTION	Twice annual cleaning only		\$48,507.79	
Town Square Fountain		\$28,566.07		
Bailey Fountain		\$19,941.72		
Year 5 OPTION	Twice annual cleaning only		\$49,963.02	
Town Square Fountain		\$29,423.05		
Bailey Fountain		\$20,539.97		
TOTAL with Option years				\$251,786.00

Receipt of an executed proposal is required prior to the start of work. The balance of the fee will be invoiced monthly and is due upon receipt of invoice. Work shall commence no less than two (2) weeks from date of EverGreene's receipt of a signed proposal.

IV. TERMS AND CONDITIONS

This proposal is subject to the following terms and conditions:

A. If Client fails to make payment to EverGreene in accordance with this Agreement, such failure shall be considered substantial non-performance and cause for termination or, at EverGreene's option, cause for suspension of its work under this Agreement. If EverGreene elects suspension, EverGreene shall give seven (7) days' written notice to Client before suspending work. In the event of a suspension of work, EverGreene shall have no liability to Client for damages for delay, lost profits or loss of use. Before resuming work, EverGreene shall be paid all sums due prior to suspension and any expenses incurred in the interruption and resumption of its work.

B. To the fullest extent permitted by law, the Client shall defend, indemnify and hold harmless EverGreene, its officers, directors, agents and employees from any claims, damages, losses, causes of action, legal or administrative proceedings, costs and reasonable attorneys' fees for injuries or damages (including economic losses) to the extent caused by the negligent acts, errors or omissions of Client, its officers, employees, agents, independent contractors or consultants, except that Client shall have no duty to indemnify EverGreene for EverGreene's own negligence or willful misconduct. This clause shall not have the effect of extending the time period within which a claim must otherwise commence under the applicable statutes of limitations or repose. This agreement to indemnify and defend shall survive the termination, expiration or completion of this Agreement.

C. EverGreene warrants the work performed within the requirements of the contract documents for one year. All defects occurring within that period shall be corrected at no cost to Client. This warranty excludes damage caused by fire, smoke, weather, water damage, humidity, condensation, natural catastrophe, abuse, modification, improper or insufficient maintenance, improper operation, or normal wear and tear.

D. To the fullest extent permitted by law, the Client agrees to limit the liability of EverGreene to the Client for any and all claims, causes of action, losses, costs, expenses (including attorneys' fees and expenses), damages of any nature whatsoever, and claims expenses from any and all causes, arising out of, resulting from or in any way related to breach of contract by, or negligent acts, errors or omissions of, EverGreene and its subcontractors, so that the total aggregate liability of EverGreene shall not exceed EverGreene's fee for the Project. It is intended that this limitation applies to any and all liability or cause of action described herein, regardless of the legal theory alleged unless otherwise prohibited by law.

E. This Agreement, along with any exhibits, appendices, addendums, schedules, and amendments hereto, encompasses the entire agreement of the parties and supersedes all previous understandings and agreements between the parties, whether oral or written. The parties hereby acknowledge and represent that they have not relied on any representation, assertion, guarantee, warranty, collateral contract or other assurance, except those set out in this Agreement, made by or on behalf of any other party or any other person or entity whatsoever prior to the execution of this Agreement.

F. These Terms and Conditions shall survive the completion of EverGreene's work on this Project and the termination of this Agreement for any reason. This Agreement shall be governed and construed in accordance with the laws of the state where the project is located, without giving effect to principles of conflicts of law.

V. DISCLAIMER

EverGreene Architectural Arts, Inc. is not a licensed design professional firm. Accordingly, any reports, surveys, observations, recommendations, renderings, models, mock-ups, sketches, drawings or other deliverables provided by EverGreene are not to be relied upon for construction or code compliance purposes unless and until they are signed and sealed by the design professional of record as part of the construction documents. If any EverGreene-produced material is provided to third-parties, Client shall include the foregoing disclaimer on all transmittals, correspondence, email and the like.

We look forward to the opportunity of working with you on this project. Please contact me at email or phone to discuss this proposal further. In order to accept this proposal, please sign and date at the space below and return via email.

Best regards,



Acceptance and Approval to Proceed:

Name Mark Rabinowitz
Title Vice President
February 4, 2019

Signature

Printed Name/Title

Date

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 26-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Maintenance Memorandum of Agreement (MMOA) with Florida Department of Transportation (FDOT) for Improvements Associated with 1350 South Ocean Boulevard, to be Constructed within the FDOT Right-of-Way.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated March 27, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 26-2020**
- ▣ **FDOT MMOA**

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 15, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: 1350 South Ocean Boulevard – Approval of FDOT Maintenance Memorandum of Agreement
Resolution No. 26-2020

DATE: March 27, 2020

STAFF RECOMMENDATION

Town staff recommends that the Town Council approve Resolution No. 26-2020 for a Florida Department of Transportation (FDOT) Maintenance Memorandum of Agreement (MMOA) for the improvements in the FDOT right-of-way associated with 1350 South Ocean Boulevard.

GENERAL INFORMATION

On October 25, 2019 the owner of 1350 South Ocean Boulevard granted an underground easement to the Town. The agreement has been recorded in the Official Records Book 30981 Page 1710 of Palm Beach County. The agreement allowed for underground equipment to be placed on the property adjacent to the rights-of-way of South Ocean Boulevard. In addition to granting the easement, the site wall adjacent to the rights-of-way was modified, to be constructed around the easement. The landscaping proposed will be placed in front of the site wall in the FDOT right-of-way and transformer, shielding them from the road rights-of-way.

FUNDING/FISCAL IMPACT

No funding is required to implement this agreement. The installation of the improvements shall be performed by the property owner. Future maintenance of these improvements in FDOT's right-of-way shall also be performed by the property owner in accordance with Section 106-160 - Maintenance of Parkway Strips, of the Town's Code of Ordinances.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed the proposed agreement for legal form and sufficiency.

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer

RESOLUTION NO. 26-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, APPROVING A MAINTENANCE
MEMORANDUM OF AGREEMENT (MMA) WITH FLORIDA DEPARTMENT
OF TRANSPORTATION (FDOT) FOR IMPROVEMENTS ASSOCIATED WITH
1350 SOUTH OCEAN BOULEVARD, TO BE CONSTRUCTED WITHIN THE
FDOT RIGHT-OF-WAY.

* * * * *

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 a Maintenance Memorandum of Agreement between the FDOT and the Town of Palm Beach for maintenance of improvements within the FDOT right-of-way that are associated with 1350 South Ocean Boulevard.

Section 2. The Town Manager, or his designee, is hereby authorized to execute a Maintenance Memorandum of Agreement on behalf of the Town of Palm Beach for these improvements.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to maintain compliance with this agreement.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 15th day of April 2020.

Gail L. Coniglio, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

SECTION No.	93060000
S.R. No.(s):	A1A
PERMIT No:	2019-L-496-00007
COUNTY:	PALM BEACH

**DISTRICT FOUR (4) AMENDMENT NUMBER TWO (2) TO STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION LANDSCAPE INCLUSIVE
MEMORANDUM OF AGREEMENT**

THIS AMENDMENT Number **Two (2)** to the Agreement dated **March 27, 2013** made and entered into this _____ day of _____ 20____ by and between the State of Florida Department of Transportation hereinafter called the DEPARTMENT and the **Town of Palm Beach**, a municipal subdivision of the State of Florida, hereinafter called the AGENCY.

W I T N E S S E T H

WHEREAS, the parties entered into a Landscape Maintenance Agreement dated, **March 27, 2013** for the purpose of maintaining the landscape improvements by the AGENCY on **State Road A1A (South Ocean Boulevard)**; and,

WHEREAS, the DEPARTMENT and the AGENCY have agreed to add additional landscape to be installed by an adjacent property owner by permit on **State Road A1A (South Ocean Boulevard)** in accordance with the above referenced Agreement; and,

NOW THEREFORE, for and in consideration of mutual benefits that flow each to the other, the parties covenant and agree as follows:

1. Pursuant to page 4, paragraph 6 of the Landscape Maintenance Memorandum of Agreement including **State Road A1A (South Ocean Boulevard)** dated **March 27, 2013**, the DEPARTMENT will allow the adjacent property owner with the AGENCY'S approval to construct additional landscape improvements or to modify an improvement located as indicated in **Exhibit "A", State Road A1A (South Ocean Boulevard) from (M.P. 24.263) to (M.P. 24.307)**, in accordance with the plans attached as **Exhibit "B"**.
2. The **AGENCY** shall agree to maintain the additional landscape improvements in the Agreement described above according to the **Exhibit "C", Maintenance Plan**, of the original Agreement and as follows below;

PRUNING

The proposed planting shall be kept neat and trimmed.

The height of the proposed planting (refer to landscape plans) should follow the following guides:

- Silver buttonwood trees (standards) will be trimmed to a compacted canopy with an oval, tight shape.

- Podocarpus hedges will be kept tightly trimmed and maintained at an even height of 5' overall.
- Lower shrubs are not to exceed 39' height. The shrubs will be maintained as tiered hedging, tightly trimmed.

Except as modified by this Amendment, all terms and conditions of the original Agreement and all Amendments thereto shall remain in full force and effect.

LIST OF EXHIBITS

Exhibit A - Landscape Improvements Maintenance Boundary Map
Exhibit B - Landscape Improvement Plans

In Witness whereof, the parties hereto have executed with this Amendment effective the ____ day year written and approved.

TOWN OF PALM BEACH

By: _____

Town Manager

Attest: _____ (SEAL)

Clerk

Town Attorney

Date

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
Transportation Development Director

Attest: _____ (SEAL)
Executive Secretary

Legal Review

Date

Office of the General Counsel

93060000
A1A
2019-L-496-00007
PALM BEACH

LANDSCAPE IMPROVEMENTS

- I. LANDSCAPE IMPROVEMENTS MAINTENANCE LIMITS FOR THIS PROJECT:
State Road A1A (South Ocean Boulevard) from (M.P. 24.263) to (M.P. 24.307)
- II. CURRENT TOTAL LANDSCAPE IMPROVEMENTS MAINTENANCE LIMITS FOR
STATE ROAD A1A (SOUTH OCEAN BOULEVARD):
*State Road A1A (South Ocean Boulevard) from (M.P. 23.25) to (M.P. 25.548)
- III. LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARY MAP:

*All limits of the original agreement and amendments shall apply

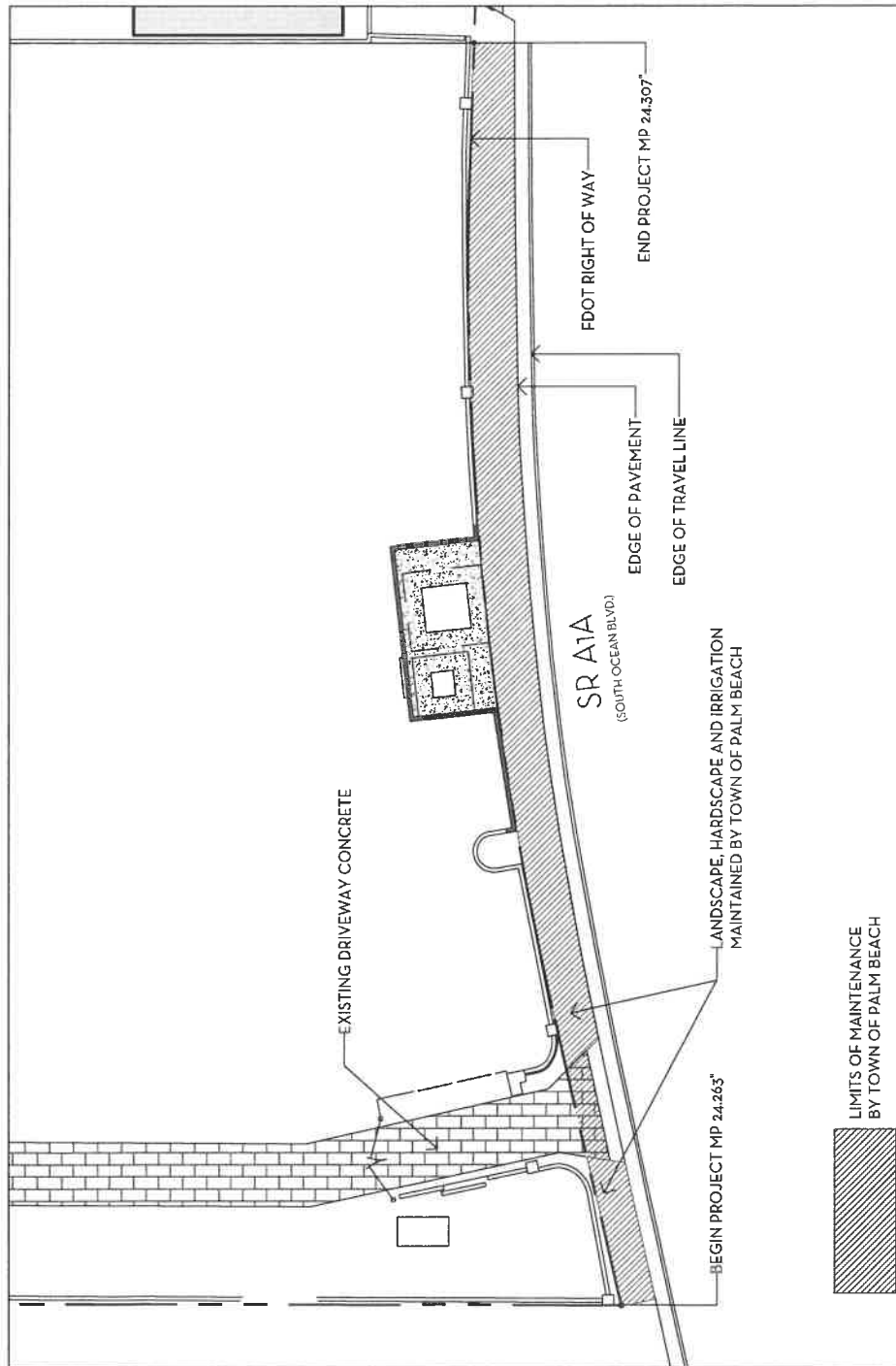
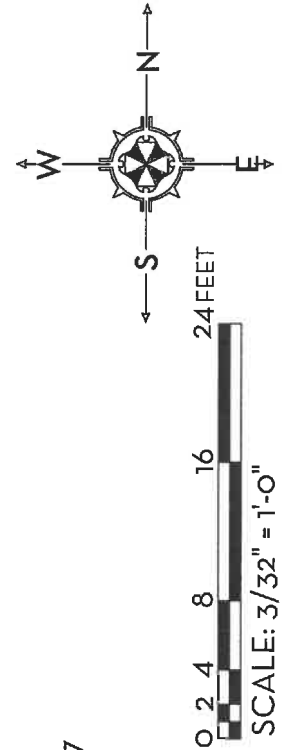


EXHIBIT A
LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARY MAP
TOWN OF PALM BEACH
PERMIT No. 2019-L-496-00007
STATE ROAD A1A
ROAD ID 93060000
DATE 01.07.2020

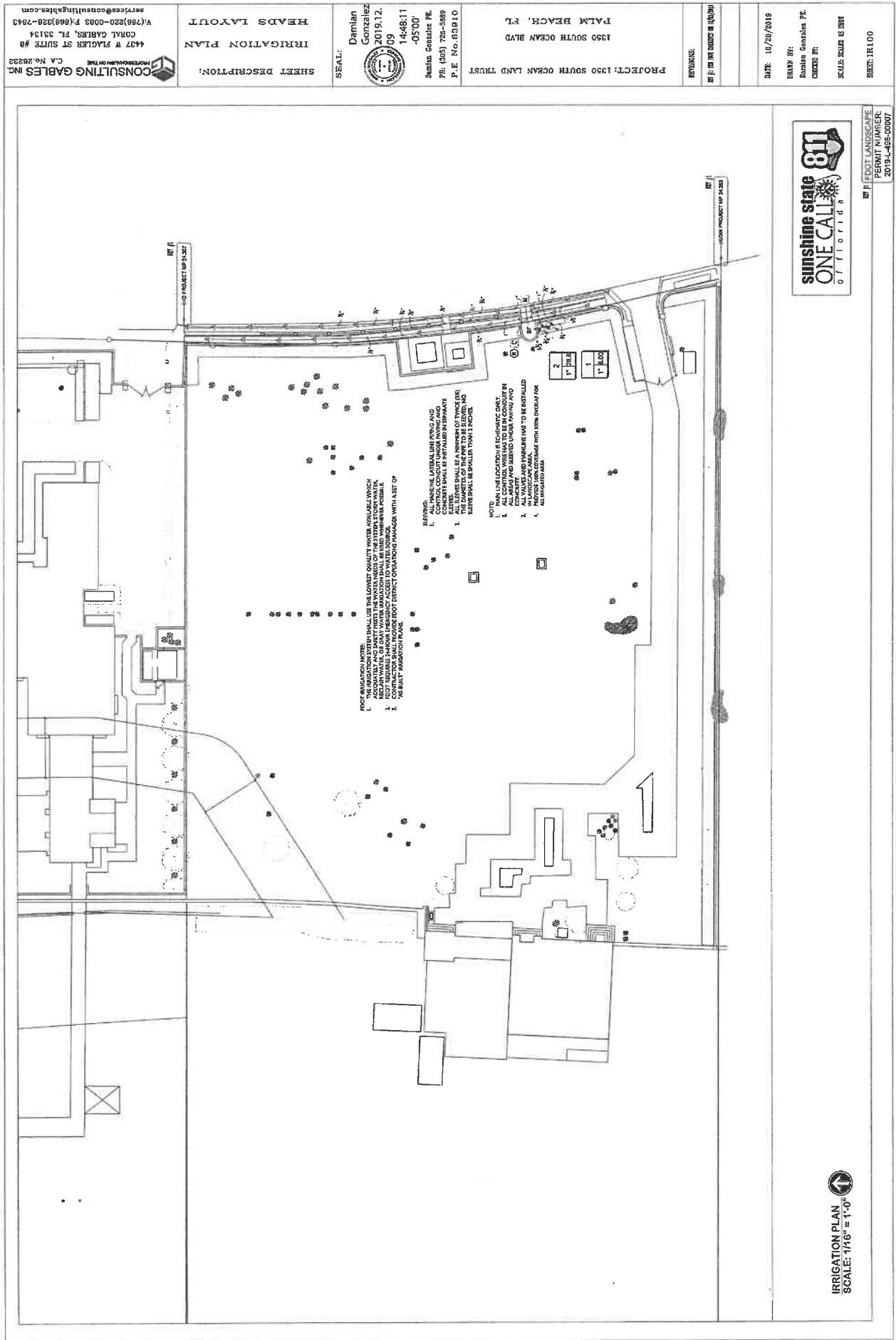


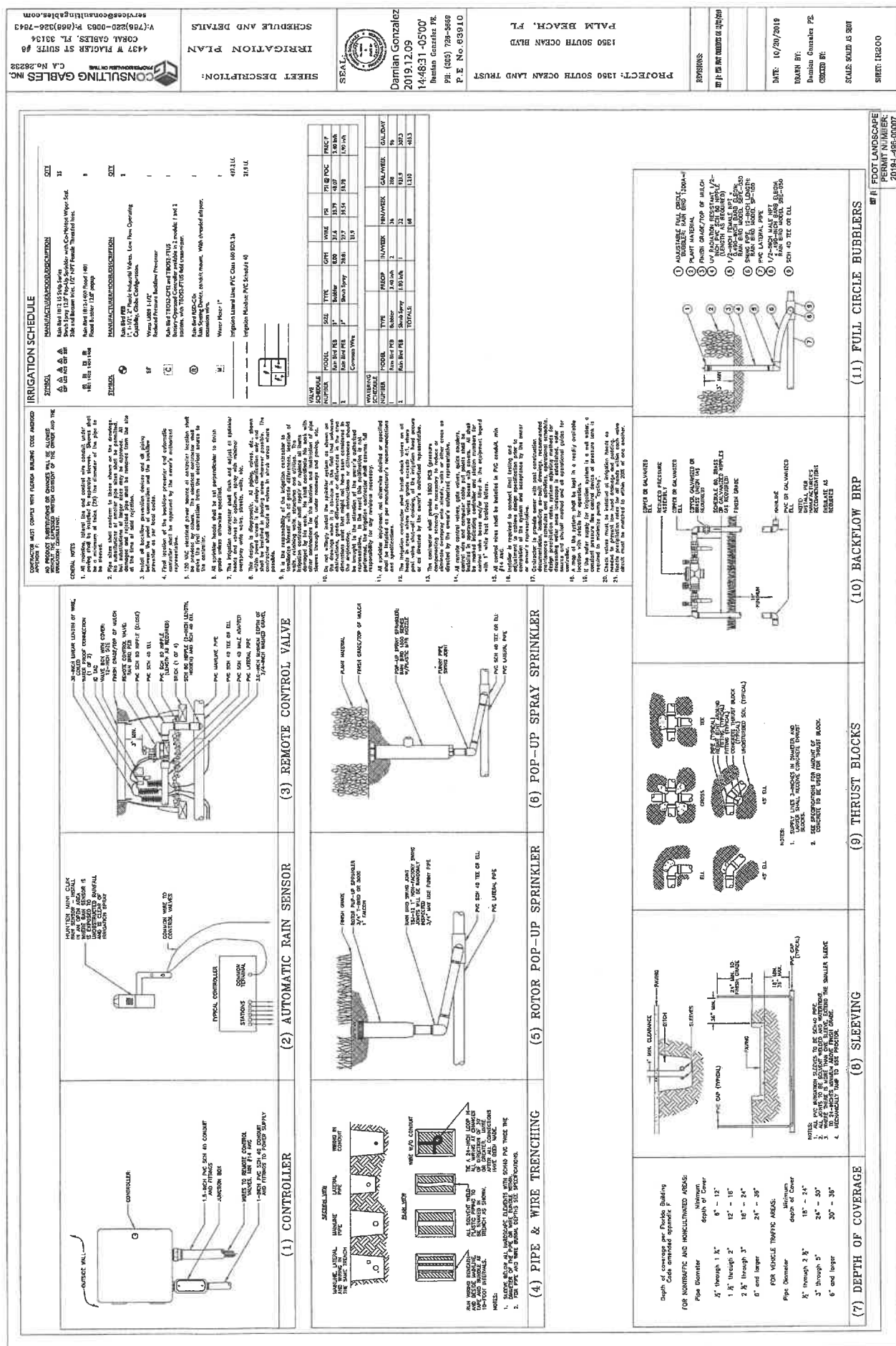
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PALM BEACH

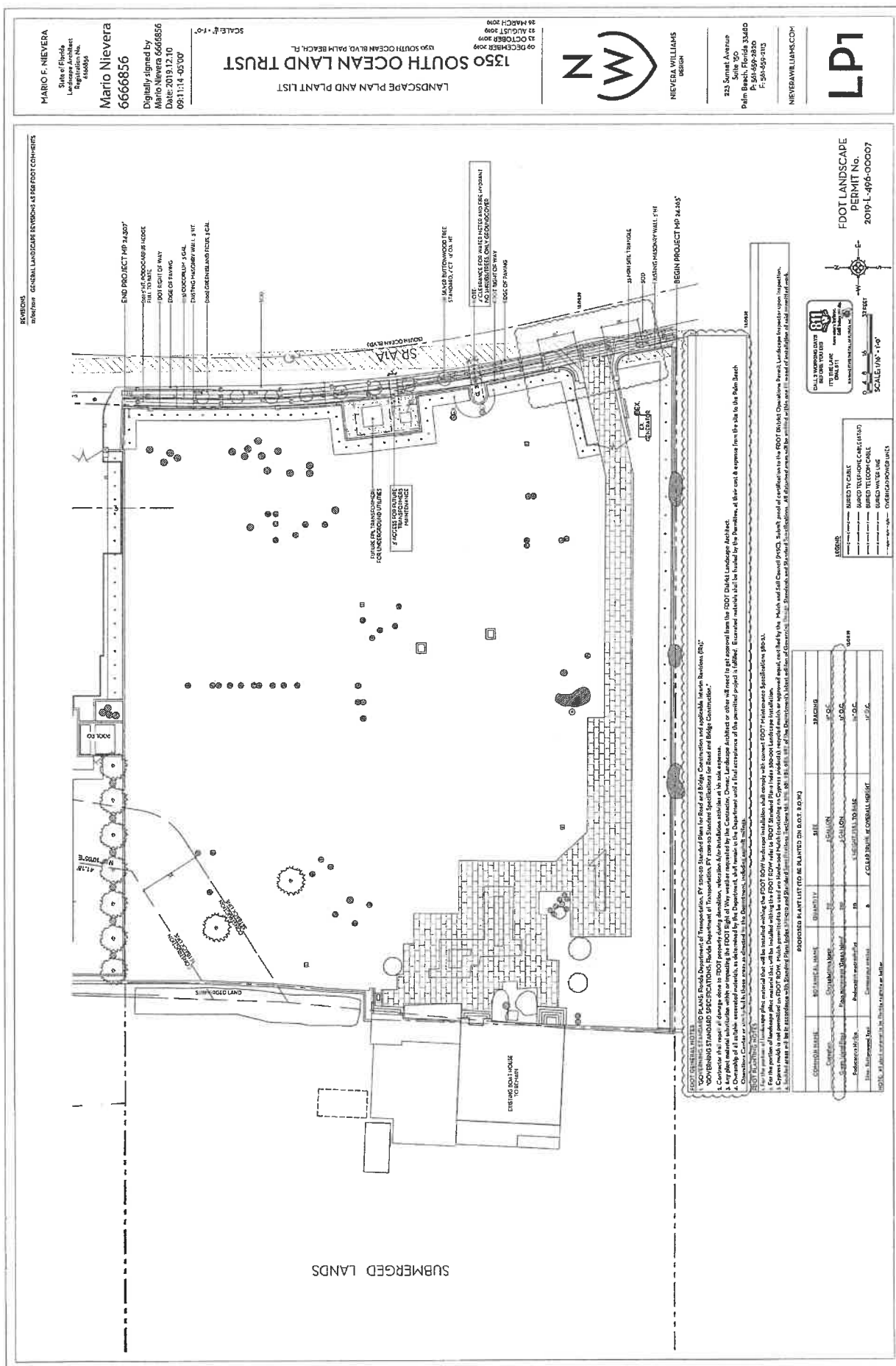
LANDSCAPE IMPROVEMENT PLANS

Please see attached plans prepared by: **Damian Gonzalez, P.E.**
Dated: **December 9, 2019**

Mario F. Nievera, LA
Nievera Williams Design
Dated: December 10, 2020







MARIO F. NIEVERA
State of Florida
Landscape Architect
Registration No.
666856

Mario Nievera
666856
Digitally signed by
Mario Nievera 666856
Date: 2019.10.25
14:09:21 -0400

1350 SOUTH OCEAN BLVD. PALM BEACH, FL PLANT DETAILS



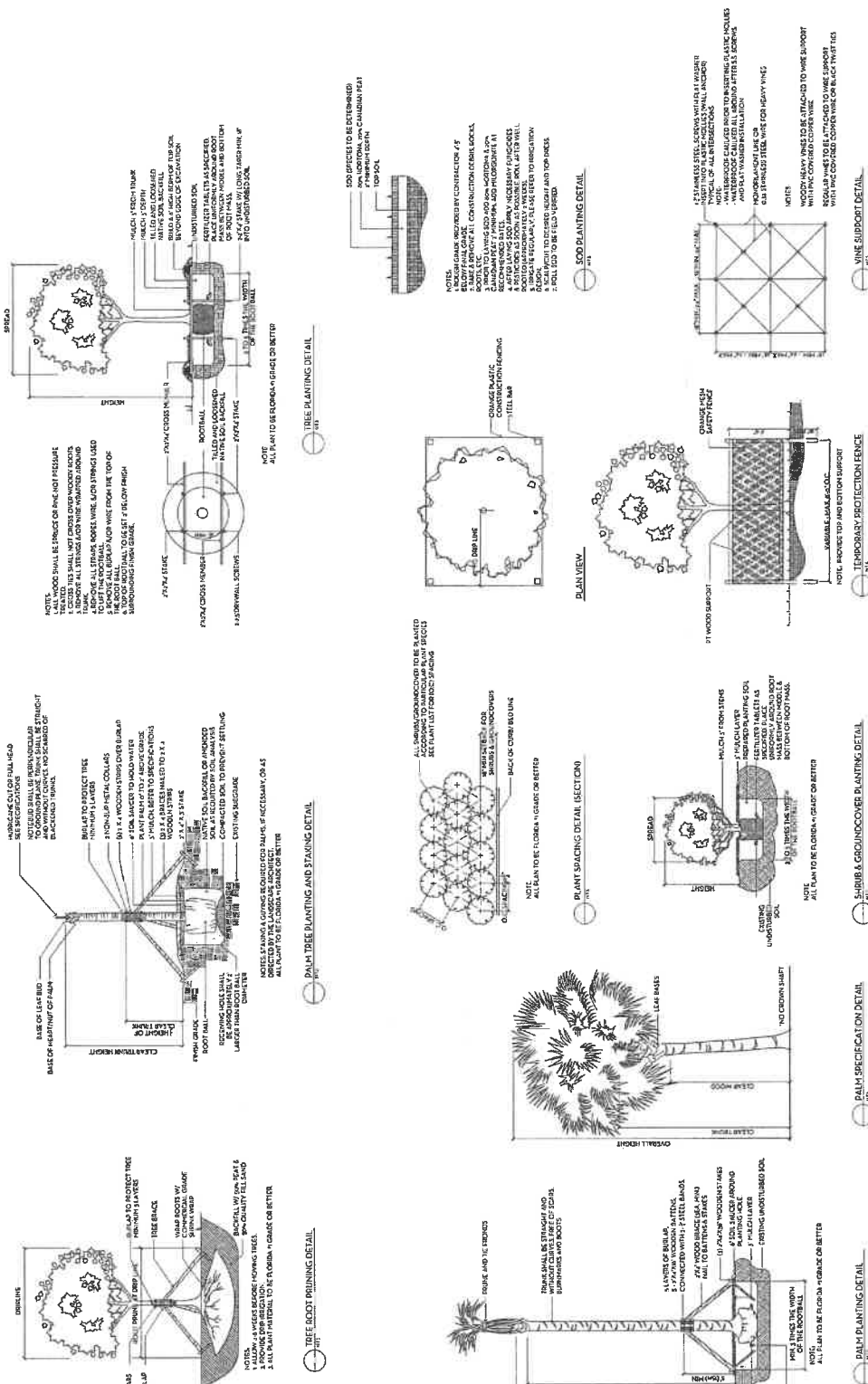
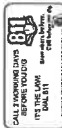
NIEVERA WILLIAMS
DESIGN

323 Sunset Avenue
Suite 150
Palm Beach, Florida 33460
Tel: 561-839-3113
Fax: 561-839-3113

NIEVERAWILLIAMS.COM

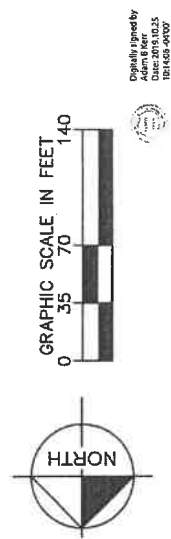
NOTES

FOOT LANDSCAPE
PERMIT No.
2019-L-496-00007



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1350 S OCEAN BLVD PREPARED FOR NIEVERA WILLIAMS DESIGN		SIGHT TRIANGLE		OCT 2019 DATE SCALE AS SHOWN DESIGNED BY NIE CHECKED BY NIE DRAWN BY NIE LISCENED PROFESSIONAL ADAM B. KERR FL LICENSE NUMBER 84773 OCT 2019 DATE		KIMLEY-HORN 1320 W. OCEAN BLVD, SUITE 200, WEST PALM BEACH, FL 33411 PHONE: 561-833-8845 FAX: 561-833-8735 WWW.KIMLEY-HORN.COM CA 00000885		No. _____ REVISIONS _____ DATE _____ BY _____	
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TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 27-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute a Resolution Supporting a Florida Inland Navigation District Waterways Assistance Program Grant Application for the Town Marina Project.

Presenter

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

ATTACHMENTS:

- ▢ **Memorandum dated April 1, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▢ **Resolution No. 27-2020**
- ▢ **FIND Resolution**

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 15, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Florida Inland Navigation District Grant Application for Town Marina Project
Resolution No. 27-2020

DATE: April 1, 2020

STAFF RECOMMENDATION

Town staff recommends that the Town Council approve Resolution No. 27-2020, authorizing the Mayor to sign a Resolution supporting the Town's grant application for Florida Inland Navigation District (FIND), funding assistance for the construction costs associated with the Town of Palm Beach Town Docks Replacement Project.

GENERAL INFORMATION

During the FIND Waterways Assistance Program (WAP) process in 2019, the Town was awarded up to \$3,062,000 in matching funds for the Town Marina Project. This project is eligible for one more annual request for cost-sharing through FIND.

According to 66B-2.008, Florida Administrative Code, F.A.C., for financial assistance and support from FIND, eligible governmental agencies shall require equal matching funds, at a minimum, from the project sponsor. The Town's submittal will request 50% cost sharing, or \$13,422,000, for the remaining \$26,844,000 construction cost after the cost from the 2019 cost-share were considered. Town staff recognizes that each respective county is allotted a certain amount of funding each year for cost sharing through FIND's WAP. This amount will be determined in the summer time prior to the Town's presentation before the commission. Once the amount has been determined, the Town can adjust this request accordingly. Although the Town was successful in receiving in excess of \$3 million in 2019, FIND participation from other Marina Projects suggest that the cost sharing could be on the order of \$1 to \$2 million each year through two successive grant cycles.

Resolution No. 27-2020 authorizes the Mayor to sign the attached FIND resolution supporting submittal of the grant application.

Attachments

cc: Patricia Strayer, P.E., Town Engineer
Robert Weber, Coastal Program Manager
Dean Mealy, Purchasing Manager
Jane Le Clainche, Director of Finance

RESOLUTION NO. 27-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A RESOLUTION SUPPORTING A FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM GRANT APPLICATION FOR THE TOWN MARINA PROJECT.

* * * * *

WHEREAS, the Town has designed and is currently permitting a Town Marina project;
and

WHEREAS, the Town has identified the Florida Inland Navigation District (FIND) Waterways Assistance Program for possible funding assistance; and

WHEREAS, the Town must include in the funding application a FIND resolution supporting the grant application.

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 hereby authorizes the Mayor to execute the attached FIND resolution supporting the grant application.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 15th day of April 2020.

Gail L. Coniglio, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENT E-7

RESOLUTION FOR ASSISTANCE 2020 UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM

WHEREAS, the Town of Palm Beach is interested in carrying out the following described project for the enjoyment of the citizenry of the Town of Palm Beach, Palm Beach County, and the State of Florida:

Project Title: Town of Palm Beach Town Marina

Total Estimated Cost: \$32,968,000 (of which \$26,844,000 is eligible for 2020 WAP)

Brief Description of Project: The Town of Palm Beach Town Docks is the only public marina on the island of Palm Beach. The Town Docks are located at 320 S. Lake Drive in Palm Beach (Section 50, Township 43 and Range 43) on the east side of the central Lake Worth Lagoon, adjacent to the Intracoastal Waterway. The Town's public docks have been providing dockage for power and sailing yachts since the 1940's. The existing bulkhead and docks are past their design life. The existing docks are not sufficiently meeting the regional demand for large vessel docking. Additionally, the basin will be dredged (deepened) to allow for safe navigation for the vessels using the facility, and

WHEREAS, Florida Inland Navigation District financial assistance is required for the program mentioned above,

NOW THEREFORE, be it resolved by the Town of Palm Beach that the project described above be authorized,

Be it further resolved that said Town of Palm Beach make application to the Florida Inland Navigation District in the amount of 50% of the actual cost of the project on behalf of said Town of Palm Beach, and that the Town certifies to the following:

1. That it will accept the terms and conditions set forth in FIND Rule 66B-2 F.A.C. and which will be a part of the Project Agreement for any assistance awarded under the attached proposal.
2. That it is in complete accord with the attached proposal and that it will carry out the Program in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from the District.
3. That it has the ability and intention to finance its share of the cost of the project and that the project will be operated and maintained at the expense of said Town of Palm Beach for public use.

4. That it will not discriminate against any person on the basis of race, color, or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, P.L. 88-352 (1964) and design and construct all facilities to comply fully with statutes relating to accessibility by persons with disabilities as well as other federal, state and local laws, rules and requirements.
5. That it will maintain adequate financial records on the proposed project to substantiate claims for reimbursement.
6. That it will make available to FIND if requested, a post-audit of expenses incurred on the project prior to, or in conjunction with, request for the final 10% of the funding agreed to by FIND.

This is to certify that the foregoing is a true and correct copy of a resolution duly and legally adopted by the Town of Palm Beach at a legal meeting held on this 15th day of April, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 28-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Interlocal Agreement for Water Distribution System Upgrades, Rehabilitation, and Replacement with the City of West Palm Beach.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated March 25, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 28-2020**
- ▣ **Interlocal Agreement**

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 15, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: City of West Palm Beach Water Main Improvements – 2 Year Interlocal Agreement
Resolution No. 28-2020

DATE: March 25, 2020

STAFF RECOMMENDATION

Town staff recommends that the Town Council approve Resolution No. 28-2020, authorizing the Town Manager to execute an Interlocal Agreement Utilizing Renewal and Replacement account to design and construct water system improvements for calendar years 2020-2022 between the Town of Palm Beach (“the Town”) and the City of West Palm Beach (“the City”).

GENERAL INFORMATION

On March 20, 2018, the Town of Palm Beach executed a two (2) year Interlocal Agreement regarding water system improvements for calendar years 2018-2019 between the Town and the City. This agreement expired on December 1, 2019. A new agreement has been drafted with the review of Town staff and approved by the City of West Palm Beach Commission on March 9, 2020. This new agreement includes the same terms from the previous agreement and, therefore, extends the terms from January 1, 2020 to December 1, 2022. The agreement defines the process for utilizing the Town of Palm Beach’s Renewal and Replacement (R&R) account within the City’s renewal and replacement fund. The R&R account is a collection of an amount equal to five percent (5%) of the monthly gross revenues received by the City from the Town consumers. Interest earned on such deposits remain in the R&R account. This agreement provides that each year the Town and the City will annually budget and schedule projects for the upcoming construction season.

Over the last year, staff has worked with the City in an attempt to identify priorities for water main improvements that would coincide with the Town-wide Utility Undergrounding construction phases over the next five (5) years. The City was unable to identify these priorities prior to the agreement expiring in December, 2019. Subsequently, the City independently developed a list of priorities over the next two (2) years. Attachment “A” of the agreement includes a listing of the streets identified for water main replacement and listed as:

- Hammon Avenue – S. County Road to S. Ocean Blvd
- Town of Palm Beach Marina - located in the park
- Mid-Town/S. Ocean Boulevard - Gulfstream Road to Royal Palm Way

- Australian Avenue - S. Lake Drive to S. Ocean Blvd
- S. Lake Drive - Peruvian Avenue to Royal Palm Way
- Everglades Island - Island Drive to Everglades Club
- Southern Blvd - Flagler Drive to S. Ocean Blvd.

FUNDING/FISCAL IMPACT

The funding for all projects under this Interlocal Agreement are fully contained within the R&R fund as established by the original Retail Water Service and Franchise Agreement of June 16, 1999.

TOWN ATTORNEY REVIEW

This Resolution has been reviewed and approved by the Town Attorney for legal form and sufficiency.

Attachments

cc: Jane LeClainche, Director of Finance
Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer

RESOLUTION NO. 28-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT FOR WATER DISTRIBUTION SYSTEM UPGRADES, REHABILITATION, AND REPLACEMENT WITH THE CITY OF WEST PALM BEACH

* * * *

WHEREAS, the Water Franchise Agreement signed June 16, 1999, between the Town of Palm Beach (Town) and the City of West Palm Beach (City) identified existing water mains serving the Town and owned by the City located within the road right-of-way that required improvement (Town CIP); and

WHEREAS, the Town and City entered into an Interlocal Agreement for the water distribution system upgrades, rehabilitation, and replacement; and

WHEREAS, the City is upgrading its water distribution system within the Town limits as part of on-going Town projects, at a significant cost saving to the City and Town; and

WHEREAS, it is the intent of the Town and the City to enter into an Interlocal Agreement setting forth the responsibilities of both parties relating to water distribution improvements; and

WHEREAS, a copy of the proposed Interlocal Agreement is attached hereto as Exhibit A; and

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

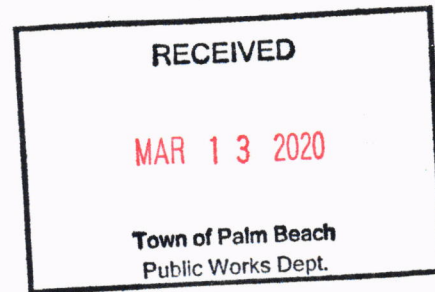
Section 1. The Town Manager is hereby authorized to execute the Interlocal Agreement with the City of West Palm Beach water service in the manner and form attached hereto.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 15th day of April 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk



March 13, 2020

Town of Palm Beach

**Subject: Inter-local Agreement Regarding Water System Improvements 2020-2022
Between Town of Palm Beach and City of West Palm Beach**

To Whom It May Concern:

Enclosed are three (3) originals of the above mentioned Inter-local Agreement, including a copy of Resolution No. 33-20 that has been approved by our City Commission and executed by the Mayor of the City of West Palm Beach.

Please refer to Section 3 of Resolution 33-20 for direction regarding the handling of these documents and upon execution and filing from the Town of Palm Beach return a fully executed original to Public Utilities Department, Attn: Peggy Smith, P. O. Box 3366 4th Floor West Palm Beach, FL 33402 to be filed with the City Clerk's Office as a public record.

If you have any questions or concerns, please contact Peggy Smith at 561-494-1060 or msmith@wpb.org or Laura Le LLe@wpb.org

RESOLUTION NO. 33-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF PALM BEACH AND THE CITY OF WEST PALM BEACH FOR THE 2020 – 2022 TOWN OF PALM BEACH WATER MAIN IMPROVEMENTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Water Franchise Agreement signed June 16, 1999, between the Town of Palm Beach and the City of West Palm Beach identified existing water mains serving the Town and owned by the City located within the road right-of-way that required improvement; and

WHEREAS, the City and Town have agreed to review the Town's capital improvement program on an annual basis, to mutually agree on necessary renewal and replacement projects (Town R&R Projects), and coordinate both Town CIP and Town R&R projects with the Town's capital improvement program, and

WHEREAS, the City and Town have reviewed the projects to be undertaken during the period of January 1, 2020 to December 1, 2022, and have agreed that it is in the best interests of both entities to have the Town hire consultants to design the work and to administrate and inspect the construction with review and oversight by the City, and

WHEREAS, the City and Town have agreed that it is in the best interests of both entities to have the Town hire contractors to perform the work and to directly manage the project with review and oversight by the City, and

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, the City of West Palm Beach desires to execute an Interlocal Agreement Regarding Water System Improvements 2020-2022 with the Town of Palm Beach (the "Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, THAT:

SECTION 1: The City Commission of the City of West Palm Beach, Florida, hereby approves the Interlocal Agreement with the Town of Palm Beach for the 2020-2022 Town of Palm Beach Water Main Improvements (the "Agreement"), in such form and substance similar to that attached hereto as Exhibit A.

RESOLUTION NO. 33-20

SECTION 2: The City Commission of the City of West Palm Beach, Florida, hereby authorizes the Mayor to execute the Agreement.

SECTION 3: Upon execution of three (3) originals of the Agreement, all originals shall be forwarded to Laura Le, Public Utilities Engineer, to obtain execution by the Town of Palm Beach. Laura Le, Public Utilities Engineer shall ensure that a fully-executed original of the Agreement is provided to the City Clerk for retention as a public record of the City.

SECTION 4: This Resolution shall take effect as provided by law. The Agreement shall be effective the date the Agreement is filed with the Clerk of the County Court pursuant to Sec. 163.01(11), Florida Statutes.

PASSED AND ADOPTED THIS 9TH DAY OF MARCH, 2020.



ATTEST:

X *Hazeline F. Carson*

CITY CLERK
Signed by: Hazeline F Carson

**CITY OF WEST PALM BEACH BY
ITS CITY COMMISSION:**

X *Christina Lambert*

PRESIDING OFFICER
Signed by: *.wpb.org

**APPROVED AS TO FORM AND
LEGALITY:**

3/6/2020

X *Nancy Urcheck*

CITY ATTORNEY
Signed by: *.wpb.org

**INTERLOCAL AGREEMENT
REGARDING
WATER SYSTEM IMPROVEMENTS 2020-2022
BETWEEN
TOWN OF PALM BEACH
AND
CITY OF WEST PALM BEACH**

WPB Contract No. 20680.001

THIS AGREEMENT made and entered into by and between the **TOWN OF PALM BEACH, FLORIDA**, hereinafter referred to as the “TOWN,” and the **CITY OF WEST PALM BEACH, FLORIDA**, hereinafter referred to as the “CITY.”

WITNESSETH:

WHEREAS, the Water Franchise Agreement signed June 16, 1999, between the TOWN and the CITY identified existing water mains serving the TOWN and owned by the CITY located within the road right-of-way that required improvement; and

WHEREAS, the CITY and TOWN have agreed to review the Town’s capital improvement program on an annual basis, to mutually agree on necessary renewal and replacement projects (**Town R&R Projects**), and coordinate both Town CIP and Town R&R projects with the Town’s capital improvement program, and

WHEREAS, the CITY and TOWN have reviewed the projects to be undertaken during the period of January 1, 2020 to December 1, 2022, with the projects / roadways identified on Attachment “A”, and

WHEREAS, the CITY and TOWN have agreed that it is in the best interests of both entities to have the TOWN hire consultants to design the work and to administrate and inspect the construction with review and oversight by the CITY, and

WHEREAS, the CITY and TOWN have agreed that it is in the best interests of both entities to have the TOWN hire contractors to perform the work and to directly manage the project with review and oversight by the CITY, and

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, this Agreement will provide for the duties and responsibilities of the parties in this matter;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

1. The above recitations are true and correct.
2. The TOWN and CITY hereby set forth the duties and responsibilities of the parties regarding the upgrading of the CITY's water lines by replacing the existing water mains on various roadways within the limits of various capital improvement projects scheduled for the period from January 1, 2020 to December 1, 2022 within the dedicated rights-of-ways in the TOWN (hereinafter referred to as the "**2020 - 2022 Town of Palm Beach Water Main Improvements.**")
3. The TOWN and CITY have agreed to establish a budget of Two Million and Five Hundred Thousand Dollars (\$2,500,000) or the total amount of reserve funds, less 10 percent, whichever is greater over the period from January 1, 2020 to December 1, 2020 for the 2020 - 2022 Town of Palm Beach Water Main Improvements.
4. . An annual budget and schedule of projects has been mutually agreed to by the CITY and TOWN, as identified in Attachment A, attached and incorporated herein. If the estimated budget, including interest thereon, was insufficient to cover the actual costs of any project, such shortfall shall be addressed by amendment to the annual budget or adjustment of the next year's budget.
5. Within ten (10) business days of the establishment of each annual budget and annual schedule of projects, the CITY agrees to pay to the TOWN the amount of that annual budget. The CITY will pay these budget amounts with funds from the

Town of Palm Beach Account within the City's Renewal and Replacement Fund. This amount may be adjusted in case of an approved Change Order pursuant to this Agreement. The TOWN shall place said money into an interest-bearing account and all accrued interest shall be credited to the Town of Palm Beach Account within the City's Renewal and Replacement Fund.

6. The TOWN and CITY may mutually agree in writing to adjust the annual budget and annual schedule of projects at any time during a budget year to accommodate any additional project(s) deemed necessary, provided there are sufficient funds in the Town of Palm Beach Account within the City's Renewal and Replacement Fund to cover the costs of the additional project(s).
7. The TOWN will utilize a consultant ("Consultant") selected from a list of civil engineering firms pre-qualified by the Town to perform the 2020- 2022 Town of Palm Beach Water Main Improvements.
8. The TOWN will utilize a contractor ("Contractor") either selected from a list of utility contractors pre-qualified by the Town or contractor or Construction Manager at Risk by public bid or CCNA selection process to perform the 2020 - 2022 Town of Palm Beach Water Main Improvements.
9. The TOWN will design the 2020 - 2022 Town of Palm Beach Water Main Improvements which will be incorporated into the TOWN's contract with the Contractor. The TOWN's Contractor shall install the 2020 - 2022 Town of Palm Beach Water Main Improvements in accordance with CITY standards and shall provide materials and reconstruct the roadways in accordance with TOWN standards. The TOWN will provide the water main materials and appurtenances under separate contract.
10. The TOWN's Contractor will furnish all testing, field survey control, and related work for the 2020 - 2022 Town of Palm Beach Water Main Improvements. The TOWN will provide to the CITY a monthly report on quantities installed. The TOWN will invite the CITY's representative to all progress meetings relating to the 2020 - 2022 Town of Palm Beach Water Main Improvements, including

constructability meeting, final utility coordination meeting, and preconstruction meeting.

11. The CITY will provide resident inspection of Contractor progress and will inform the TOWN of any objections concerning the 2020 - 2022 Town of Palm Beach Water Main Improvements performed by the TOWN's Contractor. The TOWN, or its designee, will perform observations necessary to certify the 2020 - 2022 Town of Palm Beach Water Main Improvements and to provide necessary forms as well as as-builts documentation to the City for submittal to the Palm Beach County Health Department for clearance for use of the water main.
10. As a condition of this Agreement, the CITY shall have the right to review and approve the contract and any Change Orders between the TOWN and the Consultant or the Contractor, as it relates to the 2020 - 2022 Town of Palm Beach Water Main Improvements portion of the Project.
11. Any Change Orders pertaining to the 2020 - 2022 Town of Palm Beach Water Main Improvements must be approved in writing by the CITY in advance of the commencement of the work. No substitutions of materials are permitted without CITY's written approval.
12. Upon completion of the work, clearance by the Palm Beach County Health Department and acceptance of the 2020 - 2022 Town of Palm Beach Water Main Improvements in writing by the CITY, the CITY shall own, control and maintain all water mains and services replaced under this Agreement subject, however, to the terms of the Water Franchise Agreement between the TOWN and the CITY dated June 16, 1999.
13. The TOWN's Contractor shall prepare a complete set of as-built information/drawings for the 2020 - 2022 Town of Palm Beach Water Main Improvements in accordance to the CITY's latest requirements and shall provide such complete set to the CITY.
14. Upon completion of the 2020 - 2022 Town of Palm Beach Water Main Improvements and acceptance in writing by the CITY, the TOWN shall, within

thirty (30) days, furnish the CITY with a final and complete accounting of all costs incurred in connection with the 2020 - 2022 Town of Palm Beach Water Main Improvements performed. All costs, records and accounts shall be subject to audit by a representative of the CITY. After completion of the 2020 - 2022 Town of Palm Beach Water Main Improvements, any monies remaining in the TOWN's account shall be refunded to the City within forty-five (45) days. Any refunded sums shall be deposited in the Town of Palm Beach Account within the City's Renewal and Replacement Fund. If the estimated budget, including interest thereon, is insufficient to cover the actual costs of the 2020 - 2022 Town of Palm Beach Water Main Improvements, and sufficient funds remain in the Town of Palm Beach Account within the City's Renewal and Replacement Fund, within forty-five (45) days of receipt of the final accounting, the CITY shall pay the amount of such shortfall to the TOWN.

15. Each party shall be liable for its own actions and negligence. Neither party shall indemnify or insure the other party for the other party's negligence. Nothing in this paragraph shall be interpreted as a waiver of the TOWN's or the CITY's sovereign immunity or the limitations relating thereto as contained in Florida Statute Section 768.28. Neither party waives any defense of sovereign immunity or increases the limits of its liability as a result of this Agreement.
16. The TOWN shall ensure that the Contractor hired to perform the work described in this Agreement will indemnify, defend, and hold harmless the CITY against any actions, claims or damages arising out of the Contractor's negligence and shall name the CITY, its commissioners, officers, employees and agents, as additional insureds on any certificates of insurance provided to the TOWN in connection with the 2020 - 2022 Town of Palm Beach Water Main Improvements.
17. The TOWN agrees that the CITY shall be a co-obligee on all required performance bonds and/or guaranties obtained by the TOWN in connection with the 2020 - 2022 Town of Palm Beach Water Main Improvements portion of the

project.

18. Should either party to this Agreement determine that the other is in default of any of the terms and conditions of this Agreement, written notice shall be given by the non-defaulting party allowing the defaulting party thirty (30) days from the date of receipt of such written notice to cure the defaults. Prior to the initiation of any legal proceedings between the parties, the parties shall comply with any state laws related to resolving disputes between local governments. In the event of default by either party to this Agreement, both parties shall have all remedies available under the laws of the State of Florida including, but not limited to, injunction to prevent default or specific performance to enforce this Agreement, subject to state law. The rights of the parties shall be considered cumulative and shall not be waived now or in the future by the exercise of any rights and remedies provided under the terms of this Agreement and authorized by law.
19. Disputes under this Agreement may be resolved by the TOWN's Authorized Representative and CITY's Authorized Representative. If such Authorized Representatives are unable to reach a resolution and either party believes that the issue is of sufficient merit, the parties shall select a mediator mutually acceptable to both parties to conduct a non-binding mediation of the issues involved and make a recommendation to both parties. The parties agree to be responsible for their respective costs and fees incurred during the mediation and that each party shall pay the mediator's fees and costs in equal amounts.
20. Any litigation arising from or relating to this Agreement shall be governed by the laws of the State of Florida and venue in any such proceeding shall be exclusively in Palm Beach County, Florida.
21. Any costs or expenses, including reasonable attorney's fees, associated with the enforcement of the terms or conditions of this Agreement shall be borne by the respective parties.
22. Nothing contained in this Agreement shall be construed to constitute a transfer of powers in any way whatsoever. This Agreement is solely an agreement

delineating the parties' respective rights relating to the construction of the 2020-2022 Water Main Improvements, as authorized in Florida Statutes, Chapter 163. The governing bodies for the TOWN and CITY shall each maintain all legislative authority with regard to their respective political subdivision. All of the privileges and immunities from liability; exemption from laws, ordinances, and rules; and pensions and relief, disability, workers compensation and other benefits which apply to the activity of officers, agents or employees of any public agents or employees of any public agency when performing their respective functions within the territorial limits for their respective agencies shall apply to the same degree and extent to the performance of such functions and duties of such officers, agents, or employees extra-territorially under the provisions of this Agreement.

23. The TOWN and CITY shall each maintain adequate records pursuant to this Agreement for at least the minimum period required by Chapter 119, Florida Statutes, or four (4) years, or final resolution of matters resulting from any litigation or claim, whichever period is longer. Both parties to this Agreement reserve the right, upon reasonable request and during normal business hours, to have access to such books, records, and documents as required in this section for the purpose of inspection.
24. No additions, alterations, or variations from the terms of this Agreement shall be valid, nor can the provisions of this Agreement be waived by either party, unless such addition, alteration, variation or waiver is expressed in writing and signed by the parties hereto.
25. Failure(s) to insist on strict performance of any covenant, condition, or provision of this Agreement by a party, its successors and assigns, shall not be deemed a waiver of any of its rights or remedies, nor shall it relieve the other party from performing any subsequent obligations strictly in accordance with the terms of this Agreement. No waiver shall be effective unless in writing and signed by the party against whom enforcement is sought. Such waiver shall be limited to

provisions of this Agreement specifically referred to therein and shall not be deemed a waiver of any other provision. No waiver shall constitute a continuing waiver unless the writing states otherwise.

26. In the event that any section, paragraph, sentence, clause, or provision of this Agreement is held to be invalid by a court of competent jurisdiction, such shall not affect the remaining portions of this Agreement and the same shall remain in full force and effect.
27. Three (3) originals of this Agreement shall be executed. This Agreement may be executed in counterparts, each of which shall be deemed an original, all of which together shall constitute one and the same instrument.
28. One original of this Agreement shall be filed with the Clerk of the Circuit Court in and for Palm Beach County, Florida.
29. All Attachments or Exhibits referenced in this Agreement are incorporated into this Agreement and made a part hereof by this reference.
30. This Agreement represents the entire understanding between the parties, and supersedes all other negotiations, representations, or agreement, either written or oral, with respect to matters contained herein.
31. The provisions of this Agreement shall become effective upon execution of this Agreement by the CITY and TOWN and filing with the Clerk of the Court.

[Signatures on following page.]

IN WITNESS WHEREOF, the parties have hereunto executed this Interlocal Agreement Regarding Water System Improvements 2020-2022 as of the last day and year last indicated below.

TOWN OF PALM BEACH, FLORIDA

By: _____
Kirk Blouin, Town Manager

Date: _____ 2020.

ATTEST:

TOWN CLERK:

Approved as to Legal Form and Sufficiency:

John C. Randolph
Attorney for the Town of Palm Beach

RECOMMEND APPROVAL:

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

3/27/20
Date

**CITY OF WEST PALM BEACH,
FLORIDA**

By: _____
Keith A. James, Mayor

Date: 3/10 _____ 2020.

ATTEST:

CITY CLERK: Hazeline F. Carson

Approved as to form and legality:

Office of the City Attorney
for the City of West Palm Beach

ATTACHMENT "A"

2020 - 2022 TOWN OF PALM BEACH WATER MAIN IMPROVEMENTS

Project Location	Street Limits	Length (Linear Feet, Approx.)
Hammon Avenue	S County Road to S Ocean Blvd	800
TOPB Marina	Peruvian/Chilean/Australian/Brazilian	420
Mid-Town/S Ocean Boulevard	Gulfstream Road to Royal Palm Way	2450
Australian Avenue	S Lake Drive to S Ocean Blvd	3400
S Lake Drive	Peruvian Ave to Royal Palm Way	1350
Everglades Island	Island Dr to Everglades Club	800
Southern Blvd	Flagler Dr to South Ocean Blvd	As Needed

Note: The projects may be modified, as mutually agreed upon by both City and Town, provided there are sufficient funds in the agreement

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Consent - Other

Agenda Title

Approve Request by Florida Power & Light to Close Orange Grove Road for Eleven (11) Days

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated March 20, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Maps**

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 15, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Approve Request by Florida Power & Light to Close Orange Grove Road for Eleven (11) Days

DATE: March 20, 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Florida Power & Light's (FPL) request to close Orange Grove Road for eleven (11) days from May 11th to May 22nd. If Council approves this request, Public Works will issue a right-of-way permit with appropriate limitations and will coordinate this work with other work in the area.

GENERAL INFORMATION

FPL is planning to replace a 53 year old submarine cable from Riviera Beach to Palm Beach in the vicinity of Orange Grove Road. The cable is currently laying directly on the bottom of the intracoastal and is exposed at some locations. FPL has experienced three (3) cable failures on this line.

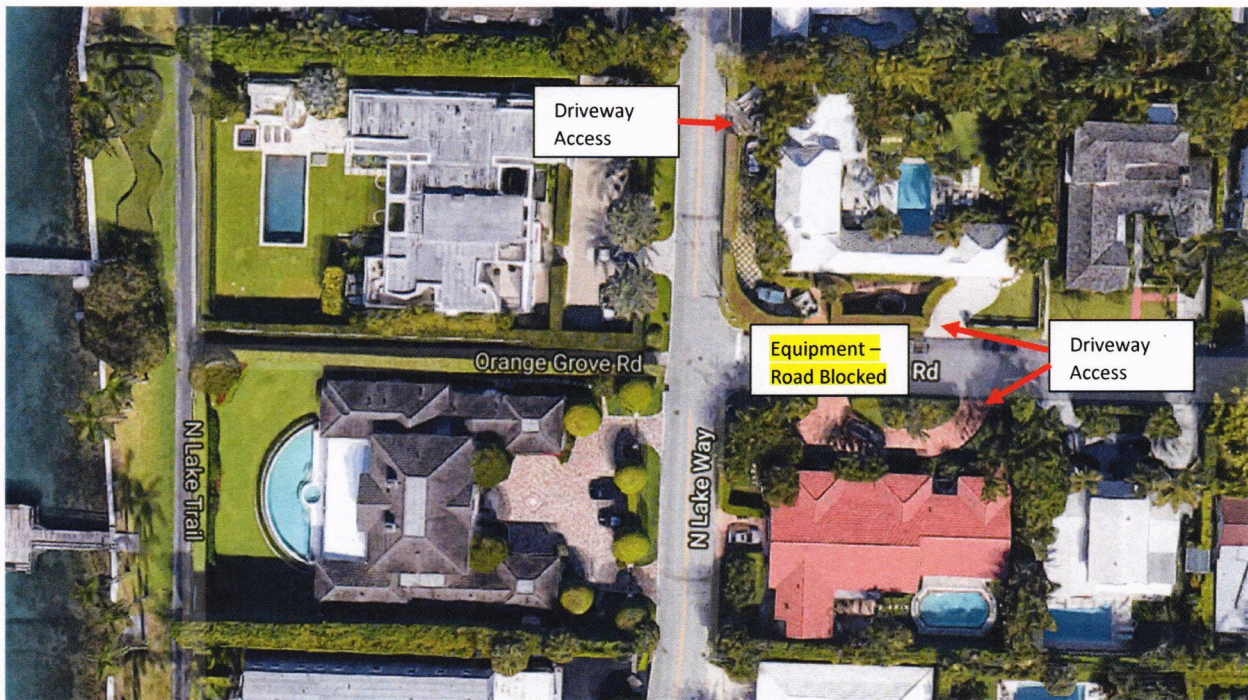
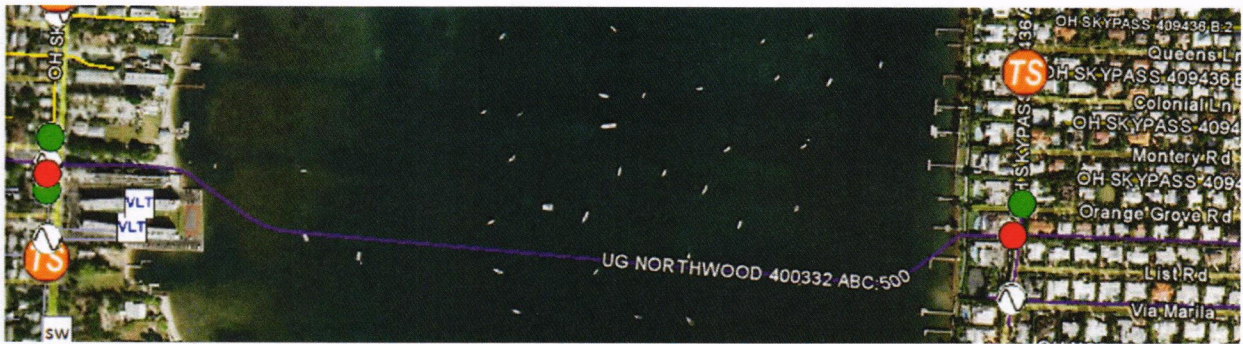
The job to install the new cable will take approximately twenty-nine (29) days, however, the road closure in Palm Beach will only last 10-11 days. The attached map shows the Northwood closure in West Palm Beach and the Orange Grove Road closure in the Town of Palm Beach. Only Orange Grove Road will have a closure and all access to the resident's driveways will remain open.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the Town.

Attachments

cc: Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Paul Colby, Facilities Maintenance Division Manager
Craig Hauschild, Planning, Zoning & Building, Civil Engineer



N LAKE WAY TO REMAIN OPEN

10" subaqueous HDD

WORK ZONE 24'x80'

DRIVEWAYS TO

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Board/Commission Annual Report

Agenda Title

Annual Report of the Architectural Commission (ARCOM). (Written report only.)

Presenter

Michael Small, Vice Chair

ATTACHMENTS:

- ▣ **Memorandum Dated April 7, 2020 from Wayne Bergman, Acting Director of Planning, Zoning and Building**
- ▣ **ARCOM 2019 Annual Report**

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 15, 2020

To: Mayor and Town Council

From: Wayne Bergman, Acting Director of Planning, Zoning and Building

Re: Annual Report - Architectural Commission

Date: April 7, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council adopt the Annual Report for 2019 of the Architectural Review Commission (ARCOM).

GENERAL INFORMATION

Attached is a summary of the activities of ARCOM for the past year. Due to the COVID-19 situation, the Vice Chairman of ARCOM, Michael Small, will be unable to present the report to the Town Council.

Attachment

WB:kmc

cc: Architectural Commission (ARCOM)

ARCOM Commission

Report of Activities for 2019 Calendar Year

In 2019, the Architectural Review Commission was comprised of 10 members (7 regular members & 3 alternates):

- Two regular members who are licensed architects
 - o Robert Garrison
 - o Nikita Zukov
- One member is a certified master gardener
 - o John David Corey

Attendance by commissioners:

- An average of 92% attendance for all meetings during the year; there were a total of 10 absences by commissioners (2 excused, 8 unexcused).

Applications reviewed:

- 72 new major items submitted in 2019 (a 44% decrease from the previous year) – there were no denials and five were withdrawn by the applicant.
- 28 new minor items submitted in 2019 (a 50% decrease from the previous year) – two were denied, one was withdrawn by staff and two were withdrawn by the applicant.
- 58 deferrals or partial deferrals occurred over the course of the year, many of which were requested by the applicant (a 50% decrease from the previous year). The number of deferrals decreased, which staff believes may be due to the decrease of items submitted.
- 28 new homes were reviewed by ARCOM in 2019 (a 47% decrease from the previous year), of which 27 were approved, and one was deferred into 2020.
- ARCOM reviewed 21 “combination projects” in 2019 where they made recommendations to Town Council regarding variances needed for the projects.

On behalf of the Commission, staff conducted 511 approvals of minor projects and revisions, which was an increase of 11% from 2018.

Additional projects & accomplishments:

- Among the more notable reviews conducted by ARCOM, the Commission reviewed the plans for the new Town Docks, the renovation of 223 Sunset Ave. for the relocation of Trevini’s Restaurant and the renovation of the second and third story of the Tiffany building to a private residence.
- ARCOM reviewed and made recommendations to Town Staff on the locations and aesthetic shielding of the Comcast WIFI equipment in Town in coordination with the Town’s Undergrounding effort.

- Some of the discussions that the Commission participated dealt with perimeter landscaping and screening during demolitions as well as Zoning Code Reform.
- ARCOM toured the town to view FEMA issues.
- ARCOM participated in Historic District Symposium.
- Continued with the completion of ethics training for new and older members as mandated by the Town and County.

Commissioners remain enthusiastic and engaged in their volunteer service to the Town, and look forward to the continued work of ensuring the high quality of development and redevelopment within the Town.

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Committee Reports

Agenda Title

Report of the Public Safety Committee Meeting Held on March 9, 2020

Presenter

Margaret A. Zeidman, Chair

ATTACHMENTS:

- ▣ **March 9, 2020, Public Safety Committee Meeting Minutes**



TOWN OF PALM BEACH

Town Clerk's Office

REPORT OF THE PUBLIC SAFETY COMMITTEE MEETING HELD ON MONDAY, MARCH 9, 2020

I. CALL TO ORDER AND ROLL

The Public Safety Committee meeting was called to order on Monday, March 9, 2020, at 2:00 p.m. in the Town Council Chambers. On roll call, Committee Chair Zeidman and Committee Member Araskog were both found present.

II. PLEDGE OF ALLEGIANCE

Committee Chair Zeidman led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

The agenda was approved as presented.

IV. COMMUNICATIONS FROM CITIZENS – None.

V. WELCOME/ INTRODUCTIONS

Margaret A. Zeidman, Committee Chair

Committee Chair Zeidman announced that the first part of the Public Safety Committee meeting will be dedicated to the Coronavirus (Covid-19) Outbreak. She introduced the panel that would be speaking on the topic which included, Town Manager Kirk Blouin, Chief of Fire Rescue Darrell Donatto, Division Chief of Emergency Medical Services Sean Baker, Good Samaritan Medical Center Dr. George Gurdock, and Chief of Police Nicholas Caristo.

Town Manager Blouin provided a brief overview of how the Town is preparing and responding to the spread of Covid-19.

Committee Chair Zeidman offered a thank you to Mr. Bill Metzger, the Palm Beach Civic Association and Andrea Delgado of the Palm Beach Daily News for their support and helping to spread the word. She also offered words of clarity and comfort with regards to what is happening in the news.

Committee Chair Zeidman presented a PowerPoint regarding an overview of what the public can do to stay healthy by providing examples of how to self-isolate, how to clean-up after being sick, washing your hands properly and whether it is safe to travel. She defined what qualifies as a pandemic, the numbers of cases around the world and included an example of a case study.

VI. PRESENTATION

Dr. George Gurdock, Good Samaritan Medical Center

A. “How do I know this is not just the flu or a cold?”

Dr. George Gurdock, Good Samaritan Medical Center, presented insight on “How do I know this is

not just the flu or a cold?” He spoke regarding the differences between a cold, the flu, or Covid-19, noting the symptoms of Covid-19 and some of the developments since the outbreak started.

B. Emergency Room Protocols for Covid-19

Dr. Gudock provided an overview of the procedures used by the hospital and by the Palm Beach Fire Rescue during a practice drill. Additionally, commenting on healthcare provider’s protective gear and why it is necessary. Dr. Gudock spoke regarding how screen procedures have changed for anyone entering the hospital whether the person is a visitor or a potential Covid-19 case.

C. Criteria for Isolation, Diagnosis & Admission

Committee Chair Zeidman asked Dr. Gudock to explain what “shortness of breath” really means. In response to her question, Dr. Gudock provided an explanation of the Covid-19 symptoms and how a patient would feel if they experienced “shortness of breath.”

Committee Chair Zeidman asked Dr. Gudock to provided additional information on how to test for Covid-19. In response, Dr. Gudock expressed currently testing is limited but, most people will be able to be treated at home and will be fine. The test is a nasal swab, the swab is sent off to the hospital lab, if it is suspected to be Covid-19 the sample will be sent to the Department of Health and a confirmation from the Center for Disease Control. 36:35

Committee Member Araskog inquired about symptoms related to Covid-19 cases in California, what to do if you have mild, moderate and severe symptoms, and how long the incubation period is for Covid-19. Dr. Gurdock provided a detailed response to each question stressing each person is affected slightly different but, if symptoms are severe call 911 allowing emergency services to provide supportive care.

VII. FIRE DEPARTMENT UPDATE

A. The Fire Department’s Role Regarding Covid-19

Darrel Donatto, Fire Rescue Chief

Darrel Donatto, Fire Rescue Chief, provided an overview of the Palm Beach Fire Department’s Role regarding the response to Covid-19 emphasizing the role of educating the public on the science of the virus, staff preparation for higher emergency services and personal responsibilities to protect yourself. He explained Palm Beach Fire Rescue is committed to the residents, visitors and its employees’ overall well-being and safety by having a great emergency plan in place to ensure all departments are prepared and ready to respond.

B. Covid-19 Case Study and Protocols

Sean Baker, Fire Rescue Division Chief

Sean Baker, Fire Rescue Division Chief of Health Services, provided a detailed presentation of operational tasks, protocols regarding communication in both Fire Rescue and Police Departments, paramedic response including what to expect when services come to your home, hospital notification regarding strict respiratory precautions, process of transitioning a possible Covid-19 patient from ambulance to hospital and the disinfectant procedure for equipment, crew and truck. He concluded that a successful trial drill was executed with the staff of Good Samaritan Hospital to identify any issues or changes that needed to be implemented before an actual incident happened.

Fire Chief Donatto commented that every emergency service department in Palm Beach County is communicating closely with each other and reinforced that everyone has planned and remains

1 prepared.

2
3 VIII. POLICE DEPARTMENT UPDATE

4 *Nicholas Caristo, Chief of Police*

5
6 A. Police Response to Covid-19

7
8 Nicholas Caristo, Chief of Police, briefly reviewed the Police Department's Response to Covid-19
9 including safety protocols in police patrol cars, inside the department's building and close
10 communication with the Fire Department as the issue develops.

11
12 ***Clerk's Note: Committee Chair Zeidman called for questions from the citizens before the Covid-19 part of the***
13 ***agenda was completed.***

14
15 Communications/Questions from Citizens for the Panel:

- 16
17 1. Lew Crampton, Town Council Member, thanked the Public Safety Committee for having the
18 Covid-19 forum at the meeting, inquired if enough testing kits are available for our area and where
19 they are coming from and if there any cases of Covid-19 in Palm Beach County.

20
21 Dr. Gurdock explained the answer is still unknown as to if our area has enough kits available, the
22 kits that are available are coming from Miami, Tampa and Jacksonville and only one case of
23 Covid-19 has been confirmed near our area.

24
25 Fire Chief Donatto commented that testing kits are a means of offering statistical information and
26 regardless of a positive test for Covid-19 or not, the person will be treated the same as someone
27 with a severe respiratory illness.

- 28
29 2. Mary Robosson, Palm Beach Civic Association, asked for guidance regarding cancelling or
30 postponing large benefits and luncheons that are coming in the next few weeks.

31
32 Dr. Gurdock, Committee Chair Zeidman and Committee Member Araskog explained the Town
33 can only suggest that everyone practice social distancing, look at how the spread of the virus
34 develops, take steps to postpone or cancel large conferences and only attend events that are
35 absolutely necessary.

- 36
37 3. Catherine Lily, condominium resident in Palm Beach, asked for guidance regarding people who
38 have travelled to restricted places, are sick and choose not to follow protocols.

39
40 Fire Chief Donatto provided the contact information for the Palm Beach County Health
41 Epidemiology Department and explained an investigation will be completed regarding the issue.

42
43 Discussion ensued regarding how local government does not dictate how the public should
44 respond to such an issue at this time, personal responsibility is important to contain the spread of
45 the virus, explanation of what the Town is doing such as education, planning and preparing for
46 next steps in dealing with Covid-19 and the guidelines that emergency management policies
47 follow.

- 48
49 4. Donald Singer, Co-Chair of the Citizens Association, requested that the Town provide any
50 additional information to share with the residents and the Citizens Association will assist with
51 distribution.

Discussion ensued among the panel regarding proper hand washing techniques, Covid-19 cases where an individual has contracted it two times, being proactive and socially responsible. Lastly, be vigilant about not getting sick.

Committee Chair Zeidman closed the comment and question session and thanked the panel.

Clerk's Note: Committee Chair Zeidman resumed the general public safety portion of the meeting with the Police department update.

- B. Crime Statistics Update
- C. House and Senate Bill Amendments Regarding Drones
- D. Recent Incidents
- E. Anti-Crime Unit
- F. South Florida Auto Burglary Task Force
- G. Lake Trail Safety
- H. Valentine's Day Traffic Update
- I. Behavioral Officer and Chaplains Unit

Police Chief Caristo provided an overview of the crime statistics explaining the reason the Town's statistics are low is due to the strong relationship with our community, the department being proactive in using an Anti-Crime Unit and having a detective involved in the South Florida Auto Burglary Task Force. He spoke regarding recent incidents involving immigration landings and drug smuggling on the beaches within Town describing the date, who was involved, the outcome of the event and expressed how well trained the Police Department is in handling these situations. He also asked that residents do not call 911 for information on the events unfolding instead, look at the Town's social media accounts for updates.

Police Chief Caristo discussed the House and Senate Bill amendments regarding drones explaining that the bills will not be passed due to resistance at the Senate level. He noted that the Police Department was interested in the use of the drone to assist with enforcement on the Lake Trail due to selective enforcement. He informed the committee that signs have been ordered for the entrances of the Lake Trail that will include the Ordinance information, no motorized vehicles and the speed limit.

Police Chief Caristo an overview of the Valentine's Day traffic issue within Town explaining the several traffic incidents, the Presidential visit, construction in West Palm Beach and the malfunctions with the bridges built up to cause such a hectic day.

Police Chief Caristo provided an update regarding the addition of a Behavioral Service Officers and the Local Chaplin Program to the Police Department staff. He explained that Behavioral Service Officers provide follow up in domestic abuse cases, referrals for mental illness services and to act as a liaison regarding the Department for Children and Families. The Local Chaplin Program will provide services to residents coping with an incident.

Discussion ensued regarding thanks to the Police Department for providing the additional services, children's safety crossing Cocoanut Row to the Mandel Recreation Center and safety crossing Seaview Avenue from the Palm Beach Day Academy.

In response, Chief Caristo explained that he would speak with Carolyn Stone, Director of Business Development and Operations to work out specific times for additional policing or crossing guards.

IX. CANE "BUFO" TOAD UPDATE

Julie Araskog, Committee Member

1 Committee Member Araskog provided a short story of a personal experience of her pet having an
2 encounter with a Cane "Bufo" Toad and commented on two families that have lost their pets in a similar
3 situation. She continued with an informational Power Point presentation regarding Cane "Bufo" Toads
4 and suggested looking at the Town's page regarding this topic. The presentation included a description
5 of the toad, how the toxins affect animals and humans, how to care for your pet once encountering or
6 biting this species of toad, deterring Cane Toads from private property, recommendations of eradicating
7 this amphibian from the Florida Wildlife Commission, and a brief look at the Town's website in this
8 regard.

9
10 Jennifer, Queens Lane, provided her story of her dog that passed away due to an encounter with a Cane
11 Toad to bring awareness to this topic and suggested collecting data to help protect residents and their
12 pets.

13
14 Discussion ensued on techniques to eliminate tadpoles in fresh bodies of water and providing resources
15 for people to use privately.

16
17 X. ANY OTHER MATTERS- None

18
19 XI. ADJOURNMENT

20
21 There being no further business to discuss, the Public Safety Committee adjourned at 4:20 pm on
22 March 9, 2020.

23
24
25 APPROVED:

26
27
28
29 _____
Margaret A. Zeidman, Committee Chair

30
31 PREPARED BY:

32
33 _____
34 Antonette Fabrizi, Board Secretary

35
36
37
38 ATTEST:

39
40
41 _____
42 Patricia Gayle-Gordon, Acting Town Clerk

43
44
45 _____
Date

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-wide Undergrounding Project

Steve Stern, Project Manager

- a. Review of Project and Dashboard, Summary of Project Status
- b. RESOLUTION NO. 16-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement and Use Agreement Between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for Access, and Maintenance of FPL Equipment.

Presenter

ATTACHMENTS:

- ▣ **a. Summary of Project Status**
- ▣ **b. Memorandum dated March 10, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **b. Resolution No. 16-2020**
- ▣ **b. Map - 226 Kenlyn Road**
- ▣ **b. Underground Easement**
- ▣ **b. Utility Easement**

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 15, 2020

To: Mayor & Town Council

Via: Kirk W. Blouin, Town Manager

From: Steven Stern, Underground Utilities Project Manager

Re: Utility Undergrounding Project Status Report

Date: April 2, 2020

The undergrounding project continues to move forward. Town staff continue to work remotely with access to necessary IT resources, conducting internal design meetings, construction reviews and property owner meetings using audio and web based conferencing services.

At this time the Town's contractors continue construction work on the Island following the Coronavirus guidelines issued by the CDC, local, state and federal governments and their respective organizations.

I. Communications

A. Community Meetings:

- North Phases: Coffee with the Crew & Town Staff
Cancelled for April & May
- South Phases: Coffee with the Crew & Town Staff
Cancelled for April & May

The Town calendar is updated for scheduled community meetings through end of 2020.

B. Significant Mail

- Phase 5 North Request for Easement Letters – Mailed to priority 1 locations on March 12th.
- Phase 5 South Request for Easement Letters – Ready for delivery to priority 1 locations. Will be mailed when Town administrative staff has access to office resources.

II. Progress Summary:

A. Construction Progress:

Phase 1 South Construction:

From the southern Town limit north to Sloan's Curve.

- FPL contractor overhead system decommission is complete.

Phase 2 North Construction:

From Esplanade Way to Ocean Terrace.

- Phase 2 North construction is 81% complete.
- Comcast cutovers and decom are complete.
- ATT cutovers and decom have not started.
- Over 20 FPL residential transformers have been energized but home cutovers have not yet started.

Phase 2 South Construction:

From Sloan's Curve to the intersection of S. Ocean Blvd & S. County Road

- Phase 2 South, construction is 2% complete.
- The crews are working in the area south of Southern Blvd.

Phase 3 North Construction:

From Osceola Way to the north side of La Puerta Way

- Phase 3 North construction is 29% complete.
- The drilling crews are presently working on Mockingbird Lane and the adjacent north-south streets. Work will continue to proceed heading south within the Phase area.

B. Design & Easement Progress:

Phase 3 South:

From S. Ocean Blvd & S. County Road to the Alleyway south of Worth Ave.

- Design is 82% complete.
- Bid package availability remains incomplete due to outstanding easements.
- 81 of 99 easements (82%) are recorded or verbally approved.
- Challenging areas include a 6 remaining critical path easements along S. County Road and 4 easements immediately south of Worth Ave to the west of S. County Road. The list of outstanding easements by address is provided within your backup materials.

Phase 4 North:

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

- Design is 72% complete.
- 49 of 67 easements (73%) are recorded or verbally approved.
- Easement acquisition is behind schedule.
- Master plan called for construction to begin May 2020.
- Out of the 11 Chicanes originally identified, 7 Chicanes are still planned and described within your backup materials. A listing of properties supported by specific FPL transformers within each chicane is included.

.

Phase 4 South:

From Peruvian Ave north to Royal Palm Way & the Town Docks.

- Design is 56% complete.
- 25 of 65 easements (38%) are recorded or verbally approved.
- Easement acquisition is behind schedule.
- Master plan called for construction to begin May 2020.

Phase 5 North:

From Country Club Road to Southland Road.

- Design is 33% complete and on schedule.
- Easement acquisition began in March.

Phase 5 South:

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

- Design is 33% complete and on schedule.
- Easement acquisition has not started.

Phase 6 North:

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

- Design is 17% complete and on schedule.
- Easement acquisition has not started.

Phase 6 South:

Seaspray Ave to the south of Royal Poinciana Way.

- Design is 14% complete and on schedule.

- Easement acquisition has not started.

Phase 7 North:

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

- Not started.

Phase 7 South:

Atlantic Ave north to Via Los Incas & Sanford Ave

- Not started.

Phase 8:

Royal Poinciana Way north to Everglade Ave

- Not started.

III. Financial Summary

Other than receiving vendor pay applications for design, direct material purchases or work performed in active phases of construction, there were no changes made since last month's report. The full underground utility project financial report is provided within your backup package with the summary page also shown immediately below.

Page 1

**Underground Utility Project Budget
Project Financial Summary
March 31, 2020**

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,829,947	\$ 12,655,507	98.6%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 5,639,908	43.7%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 6,031,565	\$ 2,932,311	48.6%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 1,335,096	\$ 813,533	60.9%
Phase 5 (Includes \$8.5 Million FEMA Grant Offsets)	\$ 14,090,000	\$ 11,694,645	\$ 1,599,805	\$ 411,069	25.7%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,886,346	\$ -	0.0%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ -	\$ -	
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ -	\$ -	
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 36,598,645	\$ 22,452,327	61.3%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 1,180,414	\$ 1,180,414	\$ 925,151	78.4%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 121,085,059	\$ 37,779,059	\$ 23,377,478	61.9%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 6,098,350	\$ 4,636,639	76.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 1,158,567	\$ 1,953,138	168.6%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 121,085,059	\$ 38,937,626	\$ 25,330,616	65.1%

Total Project Budget - Opinion of cost for construction	\$ 121,085,059
% Budgeted/Encumbered To Date Project Costs	31.20%
% Spent to Date - Project Costs	19.31%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 11,966,042	0.0%
Assessment Revenue	\$ 13,380,000	\$ 12,549,018	93.8%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ 396,389	0.0%
Interest	\$ 512,000	\$ 1,988,644	388.4%
GO Bond Proceeds	\$ 60,500,000	\$ 60,499,897	100.0%
1 Cent Sales Tax	\$ 5,000,000	\$ 1,750,000	35.0%
FPI	\$ -	\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ -	0.0%
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 (001) General Fund - PM Salary	\$ 409,450	\$ 337,275	82.4%
Total Project Revenues	\$ 91,908,191	\$ 93,579,103	101.8%

Area	Owner	Address	Contact Title	Note
Golfview Alley	Colony Hotel	135/152/155 Hammon Ave	Hotel Mgr	Discussions progressing.
Golfview Alley	Carl & Mary Panattoni	8 Golfview	Owner	Sent Town Manager Letter. No progress.
Golfview Alley	Fred Masters	212 Worth Ave	Owner	Sent Town Manager Letter. No progress.
Golfview Alley	Ilan Yerushalmi, Napoleon Palm Beach	218 Worth Ave	Owner	Sent Town Manager Letter. No progress.
Golfview Alley	Worth Pondfield, Mark Waxman	222 Worth Ave	Property Manager	Sent Town Manager Letter. No progress.
Golfview Alley	Ms. Handlesman	224 Worth Ave	Owner	Discussions progressing.
Golfview Alley	Ms. Handlesman	306 Worth Ave	Owner	Discussions progressing.
S. County Rd	Francoise & Jacques Cohen	137 El Vedado Road	Owner	Contact established. No Progress. (Jeff Smith)
S. County Rd	Joseph Allen, Richman Schmidt	200 El Vedado Road	Owner & Prop Mgr	Verbal approval from property manager.
S. County Rd	Bill Collatos, Posey & Roy	750 South County Road	Owner & Architect	Declined, owner reconsidering. Committed to easement in ARCOM.
S. County Rd	Terry R. Taylor	780 South County Road	Property Mgr	Verbal approval from property manager. Town will provide easment document.
S. County Rd	Alicia & Timothy Mullen	760 South County Road	Owner	ROW
S. County Rd	Ann Desruisseaux trustee, Attebury attorney.	800 South County Road	Trustee	Sent Town Manager Letter. No Progress (Tom Parker)
S. County Rd	Catherine & Philip Korsant	115 Via La Selva	Owner	Progressing. Pending owner decision.
S. County Rd	Mark Davis	141 Gulfstream Road	Owner	Sent Town Manager Letter. No Progress. Seeking alternative.
S. County Rd	Robert F. Agostinelli, Leo Sotomejor	196 Banyan Rd	Property Manager	Sent Town Manager Letter. No progress. (Tom Parker)
Street	Jan Holdings, LLC (Ms. Navab Owner)	4 El Bravo Way	Owner	Verbal approval from property manager.
Street	Elena I. Arredondo	133 Gulfstream Road	Owner	Recorded Easement.
Street	Estates of Ryan Brant	111 El Brillo Way	Trustee	Sent Town Manager Letter. No Progress. Seeing alternative at 120 El Brillo.
Street	Paul Okean	203 Via Vizcaya	Owner	Recorded Easement.
Street	Richard Kurtz	235 Banyan Rd	Owner	Easement pending owner signature.
Street	Dana Landry & William Moody	240 Jungle	Owner	Shared easment, 1/2
Street	Prescott & Susan Low	242 Jungle	Owner & Attorney	Shared easment, 1/2
Street	Abbey, LLC (Pablo Cordero PM)	241 Banyan Rd	Owner, Prop Mgr	Easement pending owner signature.
Street	Robert & Paula Butler, Larry Alexander	640 S. Ocean Blvd	Owner, Attorney	Progressing. Pending owner decision.

Phase 3 South Easement Acquisition Status

No Progress	10 No Progress
Pending Decision	2 Negotiating
Approved	10 Verbal Approved
Recorded	3 Recorded or ROW

Chicane	Equipment No.	Street	Owner	Note
1	44	217	Jason & Nicole Guari	Willing to accept 1/2 an easement.
1	44	209	Barbara Smith, Beth Hayne PM	Considering 1/2 an easement.
2	34	265	David & Kathleen Moran	Declined request.
2	34	266	Michael Steranka	Willing to accept 1/2 an easement.
2	34	274	Alexander H Griswold	Willing to accept 1/2 an easement.
2	35	251	Ernest Gordon, LLC	Considering full easement.
2	35	256	Tomlinson	Communication only
2	35	262	262 ORANGE GROVE ROAD LLC: Kourkis	Revising exhibit for communications only. No transformer.
3	36	249	Kathleen M. Cerasaro	Easement for splice box provided. Not willing to accept
3	36	241	Michael S. Lorber, Ilana Rojas PM	Prefer equipment to be elsewhere. Meeting scheduled March 6
3	36	248	Marjorie A. Matthews	Declined. Prefers the chicane.
4	26	225	Heather & Steven Wolf	Declined request.
4	26	220	BROBERG BEVERLY D, BROBERG PETER S & Richard M. Hurtado	Willing to accept 1/2 an easement.
4	26	222	Richard M. Hurtado	Approved, then declined. Reconsidering.
4	25	216	Budge and Candy (Henry and Leslie) Jamison	Declined 1/2 easement.
4	25	1080	Donald & Sher Kasun	Agreed to 1/2 easement.
4	25	221	Linda A. Greenberg	No contact.
5	30	282	Leigh & Pamela Dunston	Declined. Prefers the chicane.
5	30	281	Anthony Cummings	No contact.
5	30	274	Barbara Smith, Beth Hayne PM	Declined.
6	19	285	Beth Lesniak	New Owner, meeting scheduled March 20, considering easement.
6	19	270	Dean & Christine Goodman	Declined request.
6	19	279	John Scott Gillis, Trustee.	Declined request.
7	22	223	Stephane Segouin	Willing to accept 1/2 an easement.
7	22	215	Nicholas Arsal	Might reconsider. Declined request.
7	22	232	Zvenka Kleinfeld	Declined request.
8	23	230	Salvatore J. Impastato	Considering 1/2 easement.
8	23	205	Francis P. Conroy, Janice B. Conroy	Declined request.
8	23	216	Karen Egger	Declined request.
8	23	224	Tiffany Schauer	Considering 1/2 easement.
9	16	206	Frazier Wellmeier Trust	Verbal approval. Full easement. Order S&L
9	16	201	Jon Mauck, Liza Mauck	Declined request.
10	2	255	Donna & Allen Morris	Willing to accept communications only easement.
10	2	250	Ellen Benoit	Declined request.
10	2	260	Gary B. & Kelly Jean Pohrer	Willing to accept transformer easement.
10	2	263	Robert Calhoun, Liza Pulitzer Calhoun	Declined request.
10	2	271	Nedda & Lawrence Pollack	Declined request.
11	39	211	Kathleen Mara	Willing to accept easement.
11	39	1072	Thomas Mandat	Declined

Phase 4 North Easement Acquisition - Chicane Status

No Progress	3 No progress
Pending Decision	4 in negotiation
Approved	5 Approved
Recorded	1 Recorded



Underground Utility Project Monthly Progress Report April 2020

Table of Contents

Dashboard – Phase 2, 3 Construction & Phase 3, 4, 5, 6 Design

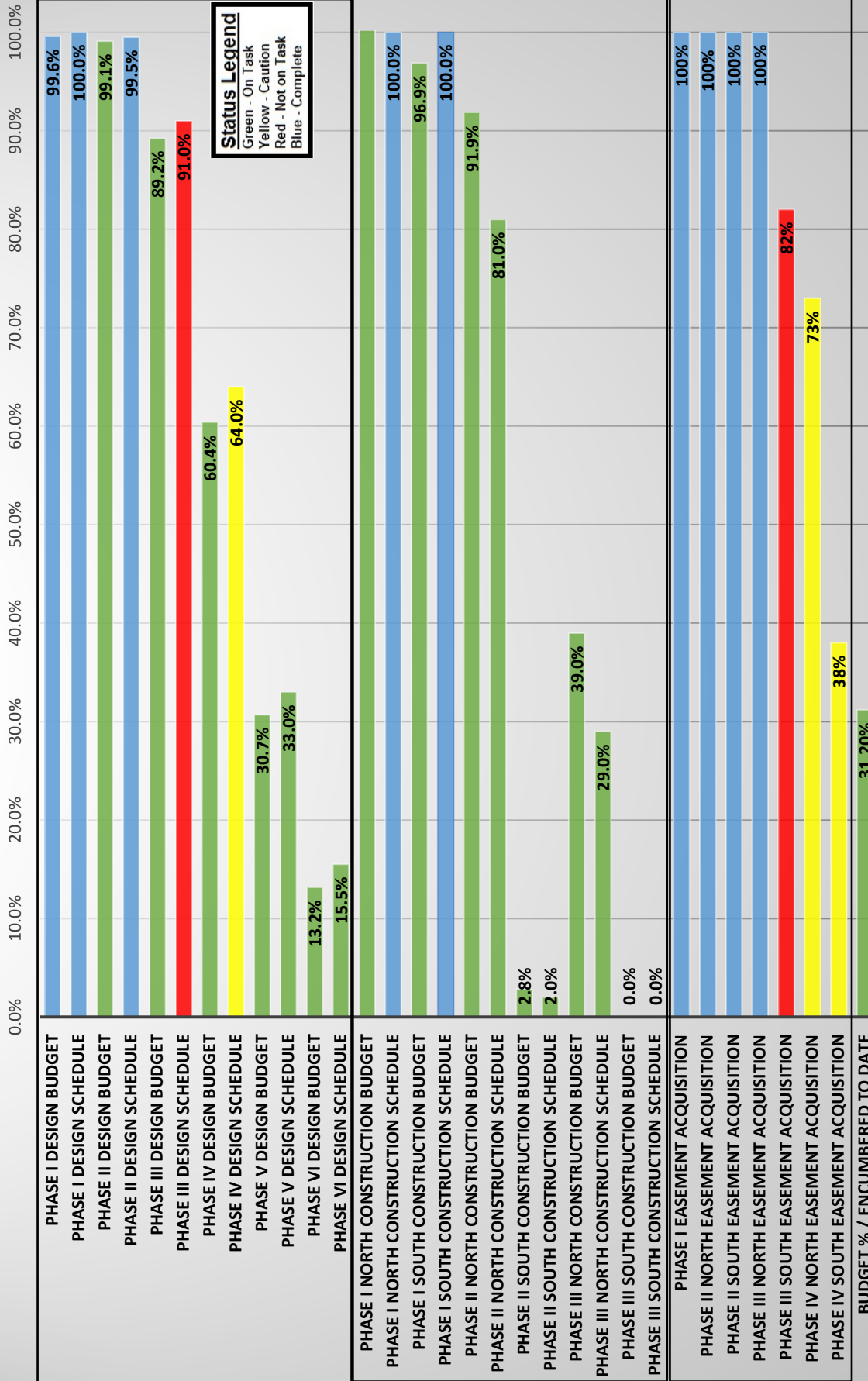
1. Townwide Undergrounding - Phasing & Sequencing Program Map
2. Kimley-Horn - Design
Progress Reports - Phase 3 - 6
Gantt Charts - Phase 3 - 6
3. Burkhardt Construction
Executive Summary & Schedule - Phase 2N, 2S & 3N
4. Project Financial Report
5. Interest Rate Forecast

Dashboard Notes:

Total Project Budget - Opinion of cost for construction: \$121,085,059

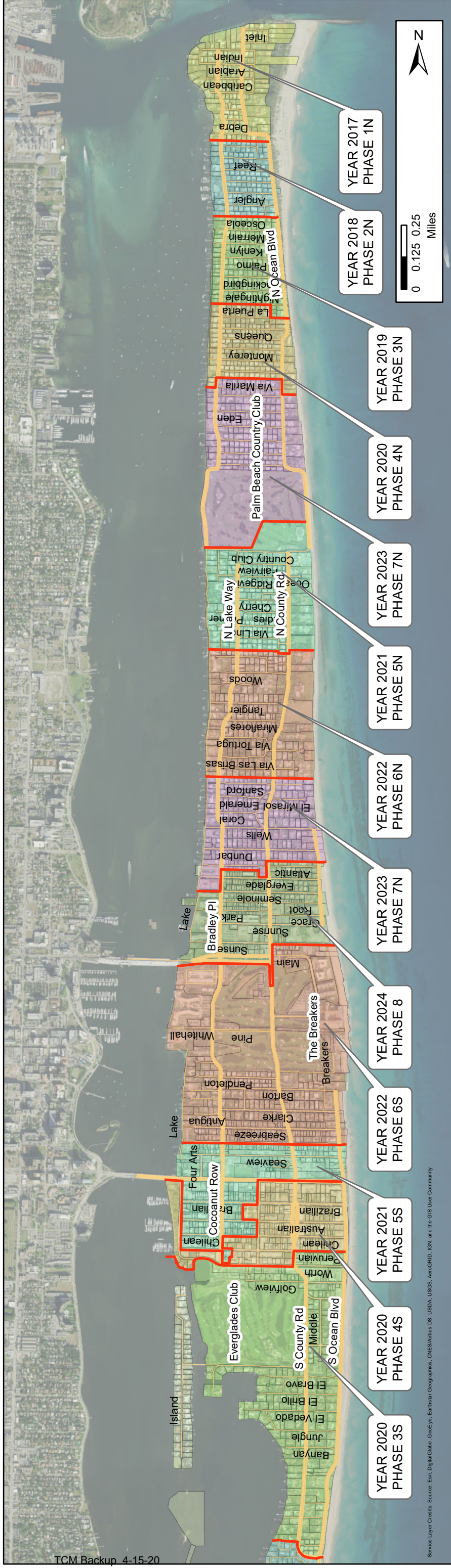
Prepared by the TMO & Finance Departments
April 2, 2020

Town of Palm Beach - Underground Utility Project Dashboard - Apr'20



Phase 1 South - overhead decom activity is 50% complete.
 Phase 3 South, Phase 4 North & 4 South - acquiring remaining easements is slowly progressing & challenging.

SAVES AND RAVES ISSUES AND CHALLENGES



TOWN-WIDE UNDERGROUNDING OF UTILITIES



Master Plan 2017

Phase Area	Design Start	Construction Start	End of Pole Removal / Restoration
Phase 1 N	Dec-16	Jun-17	Jun-19
Phase 1 S	Dec-16	Jun-17	Jun-19
Phase 2 N	Jun-17	Jul-18	Feb-20
Phase 2 S	Jun-17	May-19	Dec-20
Phase 3 N	Nov-17	May-19	Jan-21
Phase 3 S	Nov-17	May-19	Apr-21
Phase 4 N	Jun-18	May-20	Feb-22
Phase 4 S	Jun-18	May-20	Mar-22
Phase 5 N	May-19	May-21	Apr-23
Phase 5 S	May-19	May-21	May-23
Phase 6 N	May-20	May-22	Feb-24
Phase 6 S	May-20	May-22	Apr-24
Phase 7 N	May-21	May-23	Feb-25
Phase 7 S	May-21	May-23	Mar-25
Phase 8	May-22	May-24	Mar-26

Revised Jan 2020

Design Start	Construction Start	End of Pole Removal / Restoration
Dec-16	Jun-17	Jun-19
Dec-16	Jun-17	Jan-20
Jun-17	Jul-18	Jun-20
Jun-17	Jan-20	Dec-21
Nov-17	Nov-19	Oct-21
Nov-17	Sep-20	Sep-22
Jun-18	Dec-20	Dec-22
Jun-18	Dec-20	Dec-22
May-19	May-21	Apr-23
May-19	May-21	May-23
Nov-19	May-22	Feb-24
Nov-19	May-22	Apr-24
May-20	May-23	Feb-25
May-20	May-23	Mar-25
May-22	May-24	Mar-26

Actual
Estimated



Town-Wide Undergrounding - Phase 3 Undergrounding
KHA Project #044063215
March 2020 Progress Report
Period: February 24, 2020 to March 18, 2020

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 3 North Design is 100% complete
 - Phase 3 South Design is 82% complete *
 - Budget: Project is on budget as of March 15, 2020
 - Phase 3 North Design is at 97% of total task budget
 - Phase 3 South Design at 89% of total task budget
 - Easement Status
 - Phase 3 North: 100% (36/36) easements approved
 - Phase 3 South: 82% (81/99) easements approved
- * Phase 3 South is currently behind schedule.

B. Detailed Design Phase

- o Continued Subconsultant/utility owner coordination
- o Continued Progress on development of Bid Plans for Phase 3 South.
- o Continued review and comment on FPL, ATT and Comcast Design Plans
- o Progress Meeting Attendance.
- o Continued development of Phase 3 South easement exhibits and submittal to Town.
- o Site meetings with property owners to discuss easement requests in Phase 3 South.
- o Development of legal sketches and descriptions for Phases 3 South.

II. Upcoming Activities (March 19, 2020 – April 18, 2020)

A. Detailed Design Phase

- o Continued Subconsultant/utility owner coordination
- o Continued Progress on development of Bid Plans for Phase 3 South.
- o Continued Easement meetings with property owners – Phases 3 South
- o Continued coordination with FPL, AT&T and Comcast to complete the Phase 3 South design
- o Progress Meeting Attendance



Town-Wide Undergrounding - Phase 4 Undergrounding

KHA Project #044063219

March 2020 Progress Report

Period: February 20, 2020 to March 18, 2020

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 4 North Design is 72% complete*
 - Phase 4 South Design is 56% complete*
- Budget: Project is on budget as of March 15, 2019
 - Phase 4 North Design is at 76% of total task budget
 - Phase 4 South Design at 64% of total task budget
- Easement Status
 - Phase 4 North: 73% (49/67) easements approved
 - Phase 4 South: 38% (25/65) easements approved.

*Easement progress is causing the schedule to fall behind for both phase areas.

B. Detailed Design Phase

- o Subconsultant coordination related to Phase 4 Undergrounding
- o Continued development of Equipment Locations and Conduit Plans for Phase 4 North and South.
- o Performed field work to obtain information for equipment placement based on easement meetings with property owners.
- o Review of FPL, Comcast, and AT&T Conduit and Equipment Plans, coordination with FPL, Comcast, and AT&T regarding design modifications.
- o Development and delivery of easement exhibits to the Town for Phases 4 North and South.
- o Progress Meeting Attendance
- o Site visits and meetings with property owners to discuss easement requests

II. Upcoming Activities (March 19, 2020 – April 20, 2020)

A. Detailed Design Phase

- o Continued coordination with utility owners to refine the design.
- o Continued development and submittal of easement exhibits for Phases 4 North and South.
- o Continued development of Equipment Location and Conduit Plans for Phases 4 North and South.
- o Meetings with property owners to discuss easement requests.
- o Progress Meeting attendance.



Town-Wide Undergrounding - Phase 5 Undergrounding
KHA Project #044063229
March 2020 Progress Report
Period: February 26, 2020 to March 25, 2020

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below
 - Phase 5 North Design is 33% complete
 - Phase 5 South Design is 33% complete
- Budget: Project is on budget as of March 15, 2020
 - Phase 5 North Design is at 28% of total task budget
 - Phase 5 South Design is at 26% of total task budget
- Easement Status
 - Phase 5: N/A, will provide status when this work begins

B. Detailed Design Phase

- Reviewed preliminary equipment locations
- Submitted Phase 5 North equipment location plan to ATT and Comcast
- Coordinated with utility companies, sub-consultants, and Town
- Developed equipment spreadsheets
- Uploaded Phase 5 North equipment spreadsheet
- Attended property owner meetings
- Phase 8 easement coordination
- Led easement meeting with sub-consultants and Town
- Led coordination meetings with sub-consultants

II. Upcoming Activities (March 26, 2020 – April 25, 2020)

A. Detailed Design Phase

- Review preliminary equipment locations
- Submit Phase 5 South equipment location plan to ATT and Comcast
- Coordinate with utility companies, sub-consultants, and Town
- Develop equipment spreadsheet
- Upload Phase 5 South equipment spreadsheet
- Attend property owner meetings



**Town-Wide Undergrounding - Phase 6 Undergrounding
KHA Project #044063247
March 2020 Progress Report
Period: February 26, 2020 to March 25, 2020**

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below
 - Phase 6 North Design is 17% complete
 - Phase 6 South Design is 14% complete
- Budget: Project is on budget as of March 15, 2020
 - Phase 6 North Design is at 11% of total task budget
 - Phase 6 South Design is at 12% of total task budget
- Easement Status
 - Phase 6: N/A, will provide status when this work begins

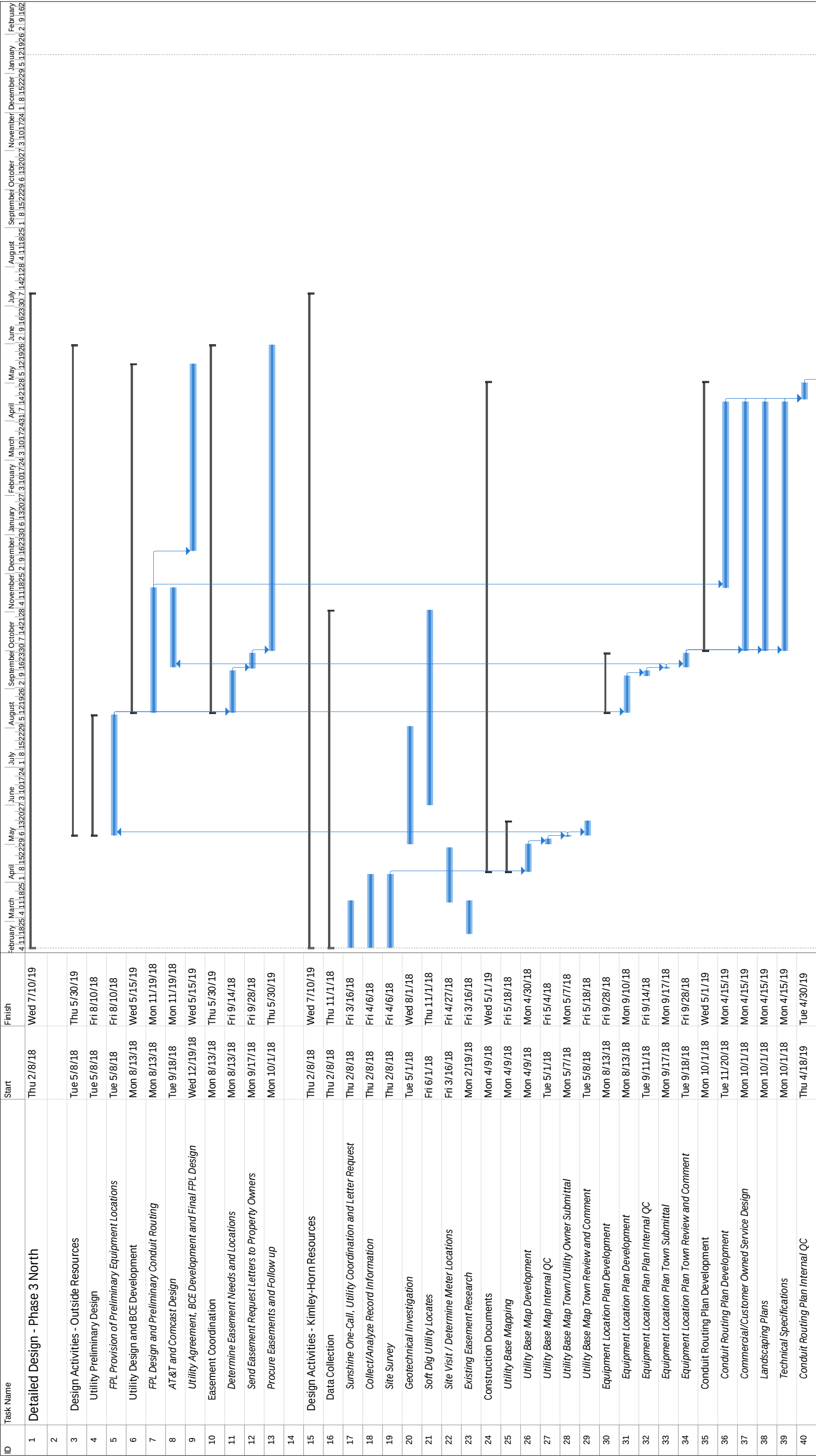
B. Detailed Design Phase

- Surveyed project site
- Developed utility base maps
- Coordinated with utility companies, sub-consultants, and Town
- Presented at UUTF meeting at Town Hall
- Led coordination meetings with sub-consultants

II. Upcoming Activities (March 26, 2020 – April 25, 2020)

A. Detailed Design Phase

- Develop utility base maps
- Submit utility base maps to FPL
- Coordinate with utility companies, sub-consultants, and Town



TCM Backup 4-15-20

Project: Phase 3 Detailed Design
Date: Wed 3/18/20

Task

Summary

Project Summary

Inactive Task

Task

Split

Milestone

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

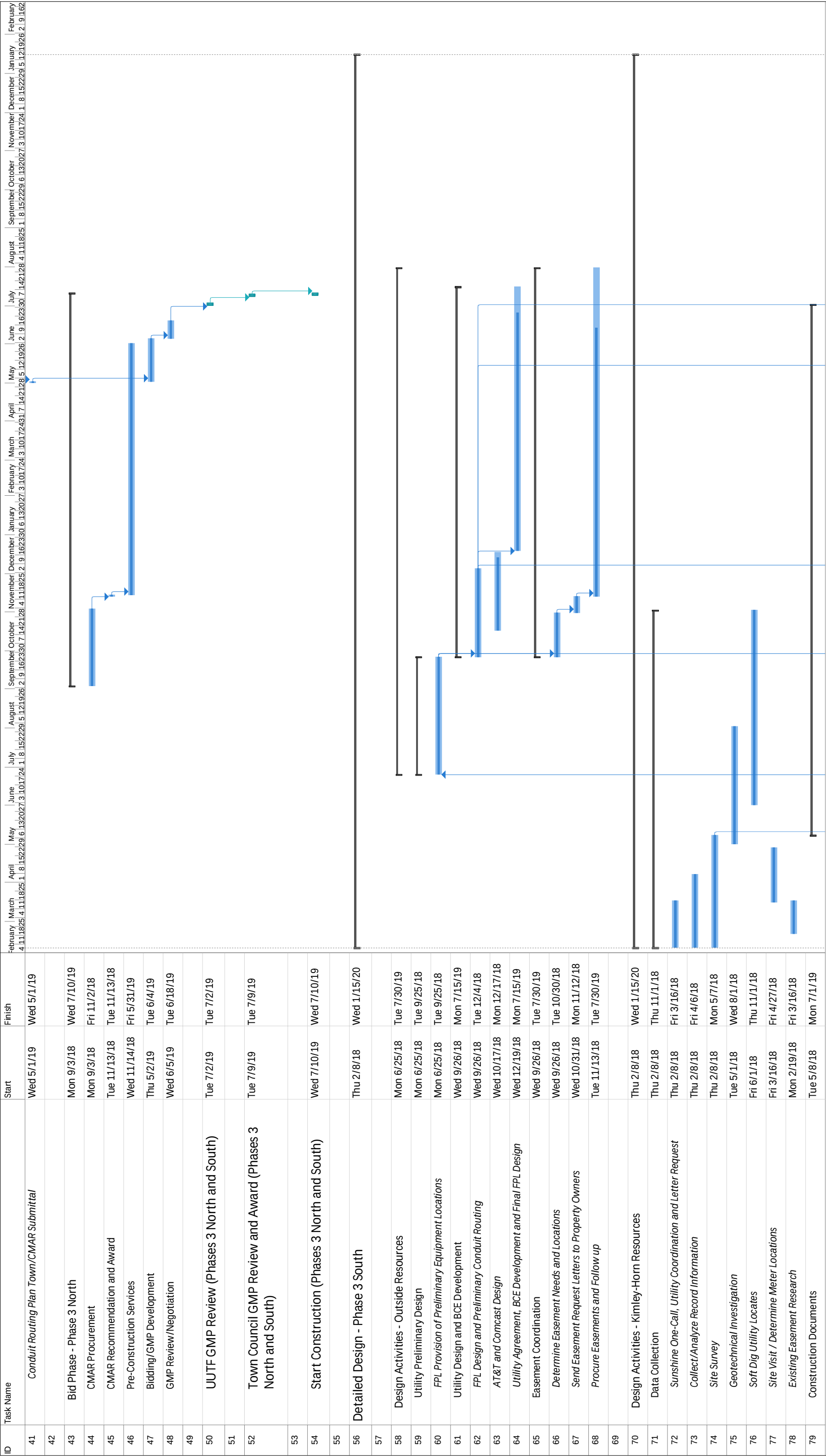
External Milestone

Deadline

Progress

Manual Progress

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ID	Task Name	Start	Finish
80	Utility Base Map Mapping	Tue 5/8/18	Mon 6/18/18
81	Utility Base Map Development	Tue 5/8/18	Tue 5/29/18
82	Utility Base Map Internal QC	Wed 5/30/18	Mon 6/4/18
83	Utility Base Map Town/Utility Owner Submittal	Tue 6/5/18	Tue 6/5/18
84	Utility Base Map Town Review and Comment	Wed 6/6/18	Mon 6/18/18
85	Equipment Location Plan Development	Wed 9/26/18	Tue 11/13/18
86	Equipment Location Plan Development	Wed 9/26/18	Wed 10/24/18
87	Equipment Location Plan Internal QC	Thu 10/25/18	Tue 10/30/18
88	Equipment Location Plan Town Submittal	Wed 10/31/18	Wed 10/31/18
89	Equipment Location Plan Town Review and Comment	Thu 11/1/18	Tue 11/13/18
90	Conduit Routing Plan Development	Thu 11/1/18	Mon 7/1/19
91	Conduit Routing Plan Development	Wed 12/5/18	Mon 4/15/19
92	Commercial/Customer Owned Service Design	Thu 11/1/18	Mon 4/15/19
93	Landscaping Plans	Thu 11/29/18	Mon 4/15/19
94	Technical Specifications	Thu 11/29/18	Mon 4/15/19
95	Conduit Routing Plan Internal QC	Tue 4/16/19	Fri 6/28/19
96	Conduit Routing Plan Town Submittal	Mon 7/1/19	Mon 7/1/19
97			
98	Permitting Activities - Phase 3 South	Wed 5/15/19	Wed 1/15/20
99	FDOT Utility permit Application	Wed 5/15/19	Mon 7/1/19
100	FDOT Utility permit Application Review Process	Tue 7/2/19	Mon 9/2/19
101	FDOT Landscaping Permit Application	Tue 7/2/19	Fri 7/12/19
102	FDOT Landscaping Permit Application Review and MMOA Execution Process	Mon 7/15/19	Wed 1/15/20
103			
104	Bid Phase - Phase 3 South	Mon 9/3/18	Thu 8/29/19
105	CMAR Procurement	Mon 9/3/18	Fri 1/18/19
106	CMAR Recommendation and Award	Mon 1/21/19	Tue 2/12/19
107	Pre-Construction Services	Wed 2/13/19	Mon 7/1/19
108	Bidding/GMP Development	Tue 7/2/19	Thu 8/15/19
109	GMP Review/Negotiation	Fri 8/16/19	Thu 8/29/19
110			
111	UUTF GMP Review (Phases 3 North and South)	Tue 9/3/19	Tue 9/3/19
112			
113	Town Council GMP Review and Award (Phases 3 North and South)	Tue 9/10/19	Tue 9/10/19
114			
115	Start Construction (Phases 3 North and South)	Wed 9/11/19	Wed 9/11/19

ID	Task Name	Start	Finish
1	Detailed Design - Phase 4 North	Wed 5/9/18	Thu 4/30/20
2			
3	Design Activities - Outside Resources	Tue 8/21/18	Thu 4/30/20
4	Utility Preliminary Design	Tue 8/21/18	Mon 1/14/19
5	FPL Provision of Preliminary Equipment Locations	Tue 8/21/18	Mon 1/14/19
6	Utility Design and BCE Development	Tue 12/25/18	Fri 11/22/19
7	FPL Design and Preliminary Conduit Routing	Tue 12/25/18	Tue 4/2/19
8	AT&T and Comcast Design	Wed 2/27/19	Tue 4/23/19
9	Utility Agreement, BCE Development and Final FPL Design	Fri 7/19/19	Fri 11/22/19
10	Easement Coordination	Tue 1/15/19	Thu 4/30/20
11	Determine Easement Needs and Locations	Tue 1/15/19	Fri 2/15/19
12	Send Easement Request Letters to Property Owners	Mon 2/18/19	Fri 3/1/19
13	Procure Easements and Follow up	Mon 3/4/19	Thu 4/30/20
14			
15	Design Activities - Kimley-Horn Resources	Wed 5/9/18	Wed 4/1/20
16	Data Collection	Wed 5/9/18	Tue 10/1/19
17	Sunshine One-Call, Utility Coordination and Letter Request	Wed 5/9/18	Thu 6/14/18
18	Collect/Analyze Record Information	Wed 5/9/18	Fri 7/6/18
19	Site Survey	Wed 5/9/18	Fri 7/6/18
20	Geotechnical Investigation	Wed 5/9/18	Wed 8/1/18
21	Soft Dig Utility Locates	Wed 5/1/19	Tue 10/1/19
22	Site Visit / Determine Meter Locations	Mon 6/18/18	Mon 7/30/18
23	Existing Easement Research	Fri 6/1/18	Thu 6/21/18
24	Construction Documents	Mon 7/9/18	Mon 2/3/20
25	Utility Base Mapping	Mon 7/9/18	Fri 8/31/18
26	Utility Base Map Development	Mon 7/9/18	Fri 8/10/18
27	Utility Base Map Internal QC	Mon 8/13/18	Fri 8/17/18
28	Utility Base Map Town/Utility Owner Submittal	Mon 8/20/18	Mon 8/20/18
29	Utility Base Map Town Review and Comment	Tue 8/21/18	Fri 8/31/18
30	Equipment Location Plan Development	Tue 1/15/19	Mon 3/11/19
31	Equipment Location Plan Development	Tue 1/15/19	Tue 2/19/19
32	Equipment Location Plan Plan Internal QC	Wed 2/20/19	Mon 2/25/19
33	Equipment Location Plan Town Submittal	Tue 2/26/19	Tue 2/26/19
34	Equipment Location Plan Town Review and Comment	Wed 2/27/19	Mon 3/11/19
35	Conduit Routing Plan Development	Wed 4/24/19	Mon 2/3/20
36	Conduit Routing Plan Development	Wed 4/24/19	Mon 1/13/20
37	Commercial/Customer Owned Service Design	Fri 11/1/19	Fri 1/10/20
38	Landscaping Plans	Fri 11/1/19	Fri 1/10/20

Project: Phase 4 Detailed Design
Date: Wed 3/18/20

Task

Split

Milestone

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Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

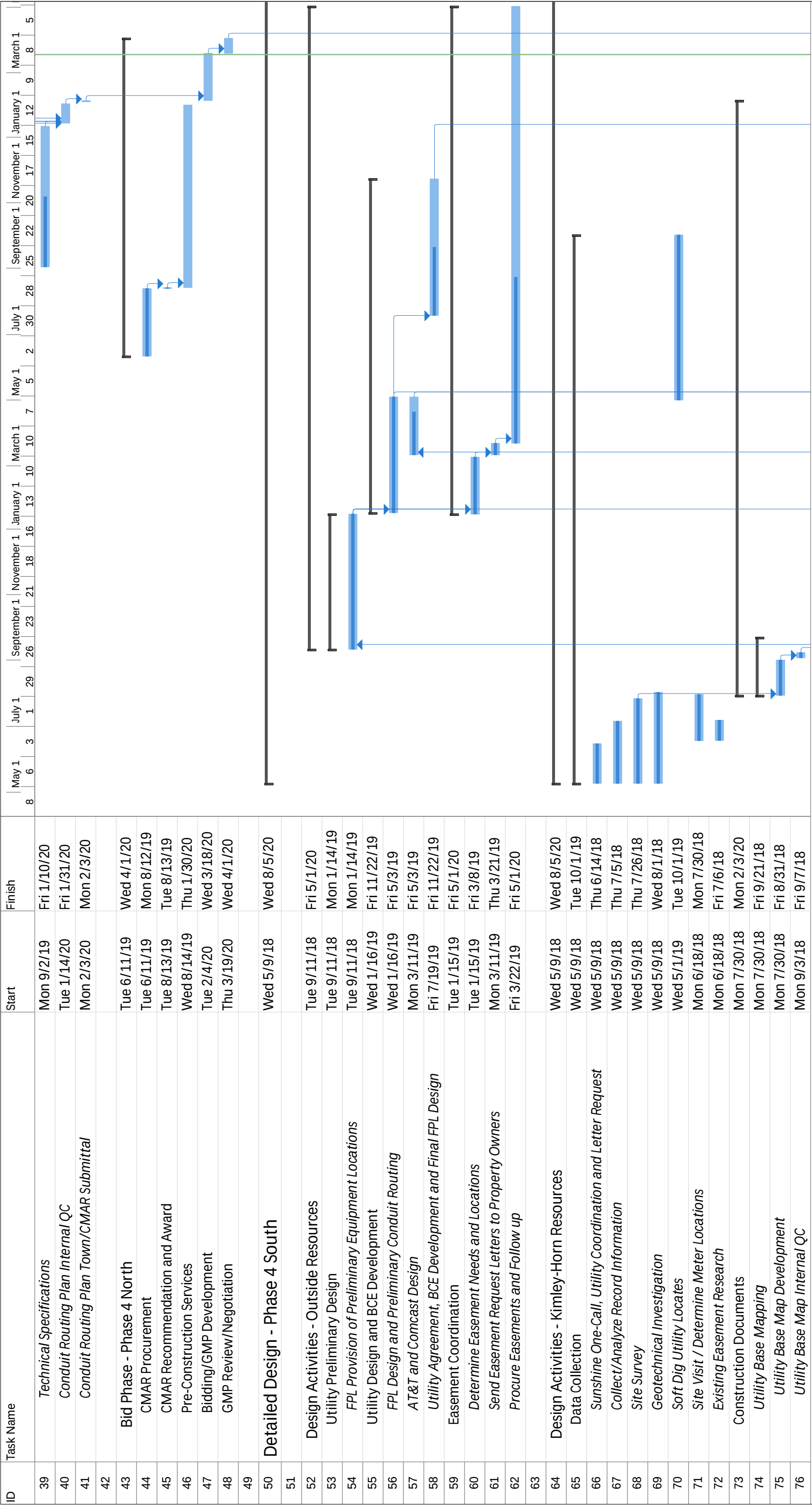
External Milestone

Deadline

Progress

Manual Progress

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Project: Phase 4 Detailed Design
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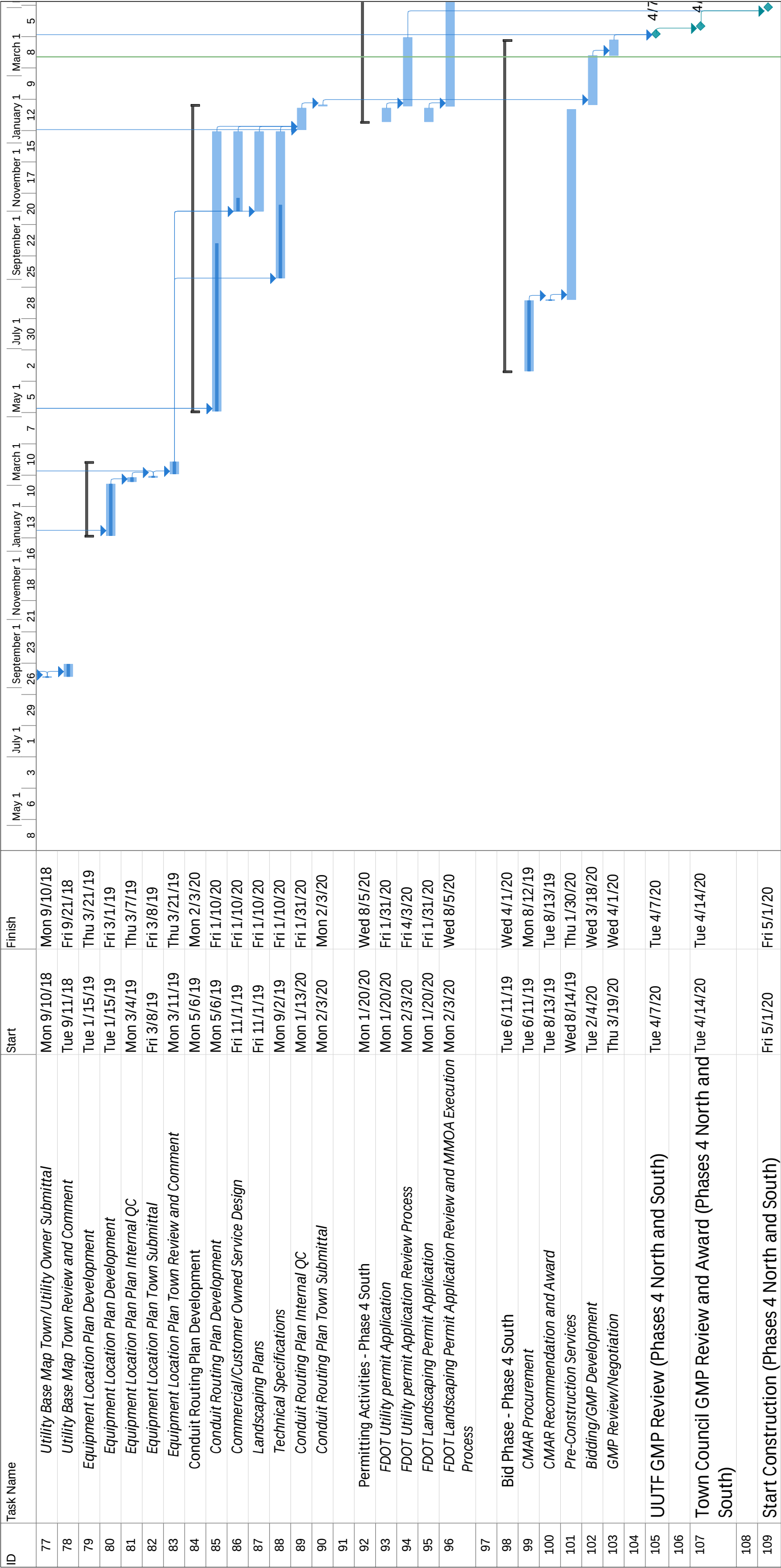
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Project: Phase 4 Detailed Design
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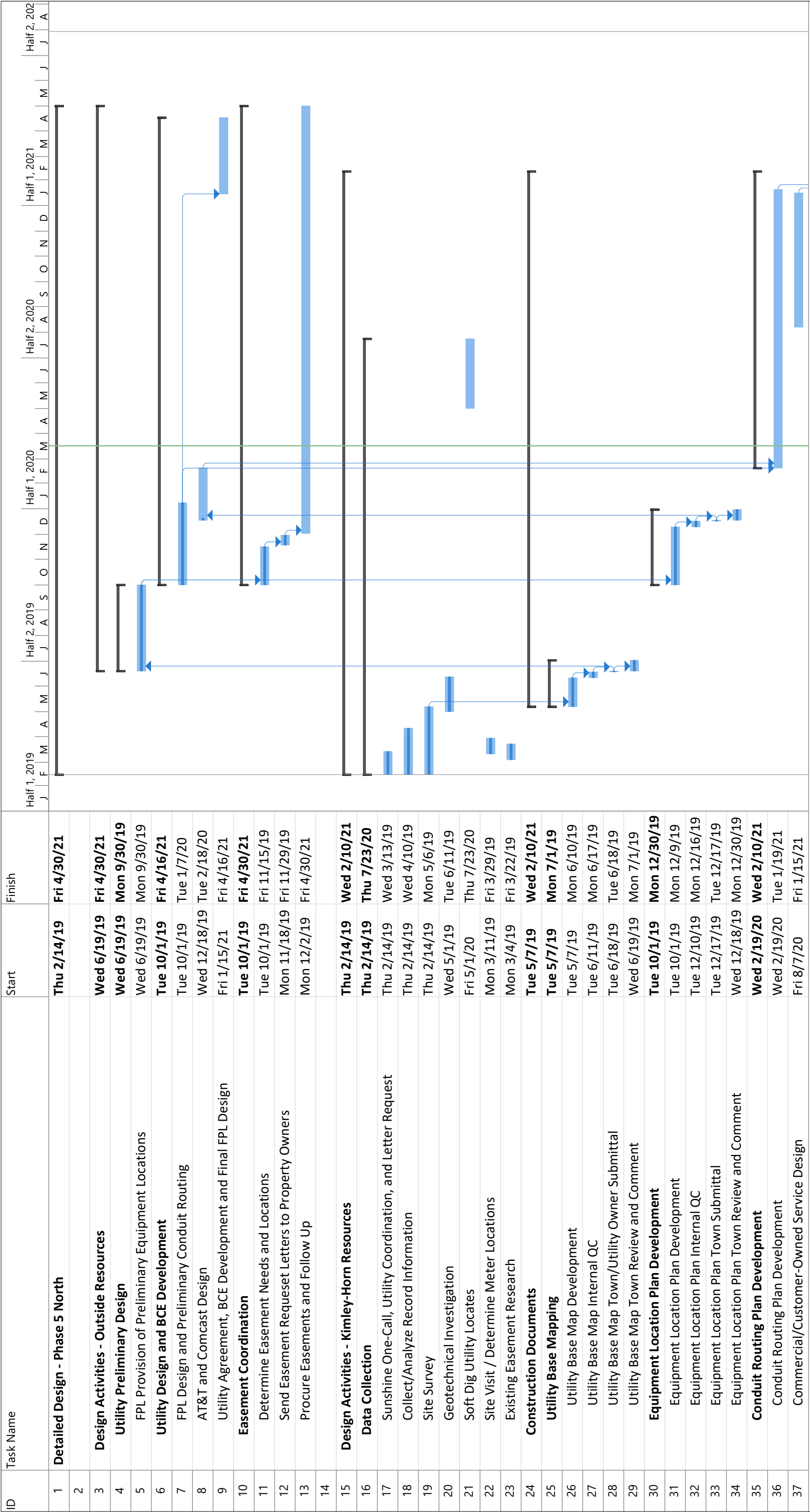
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Project: 2019_0226_Schedule
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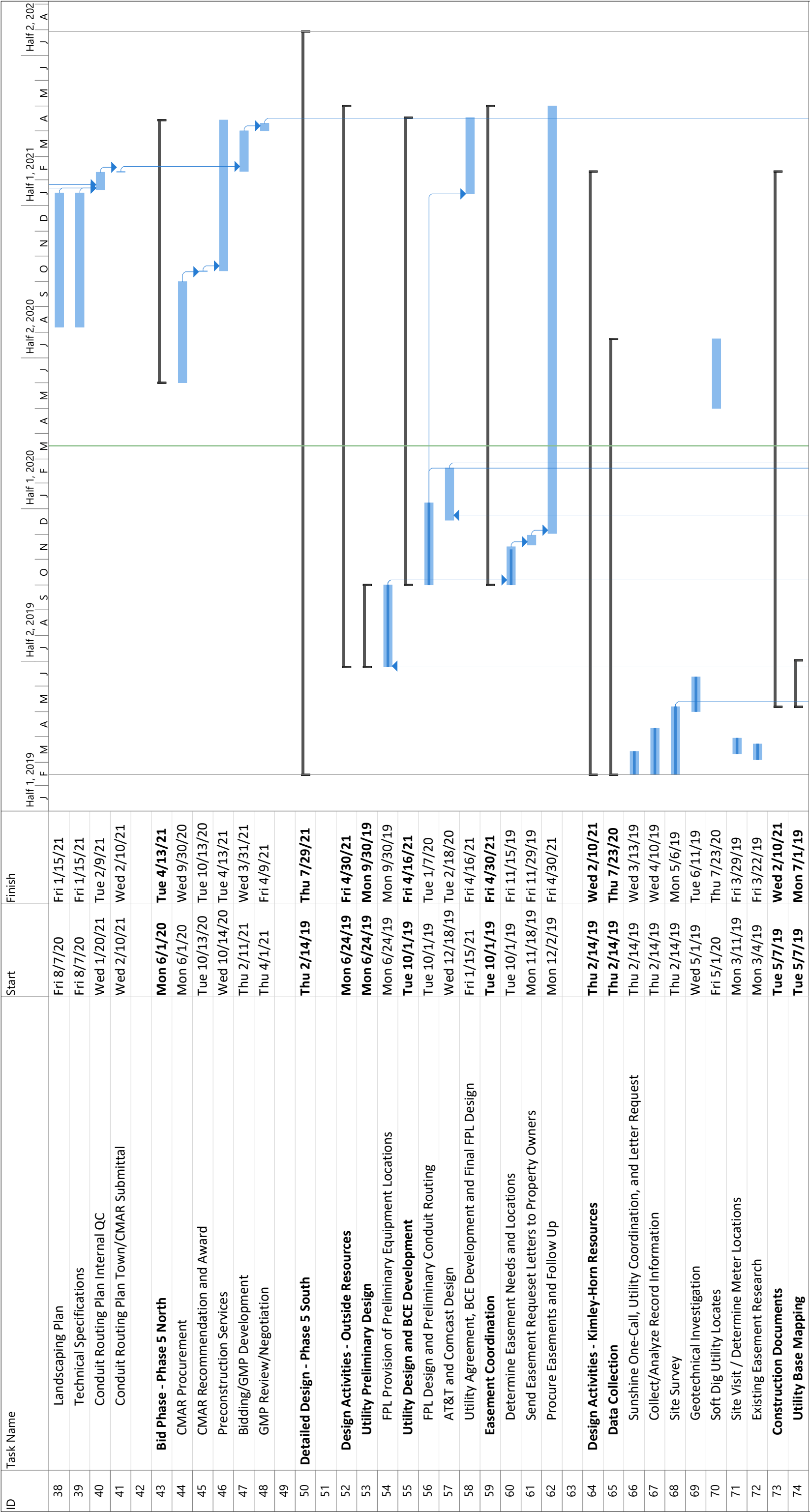
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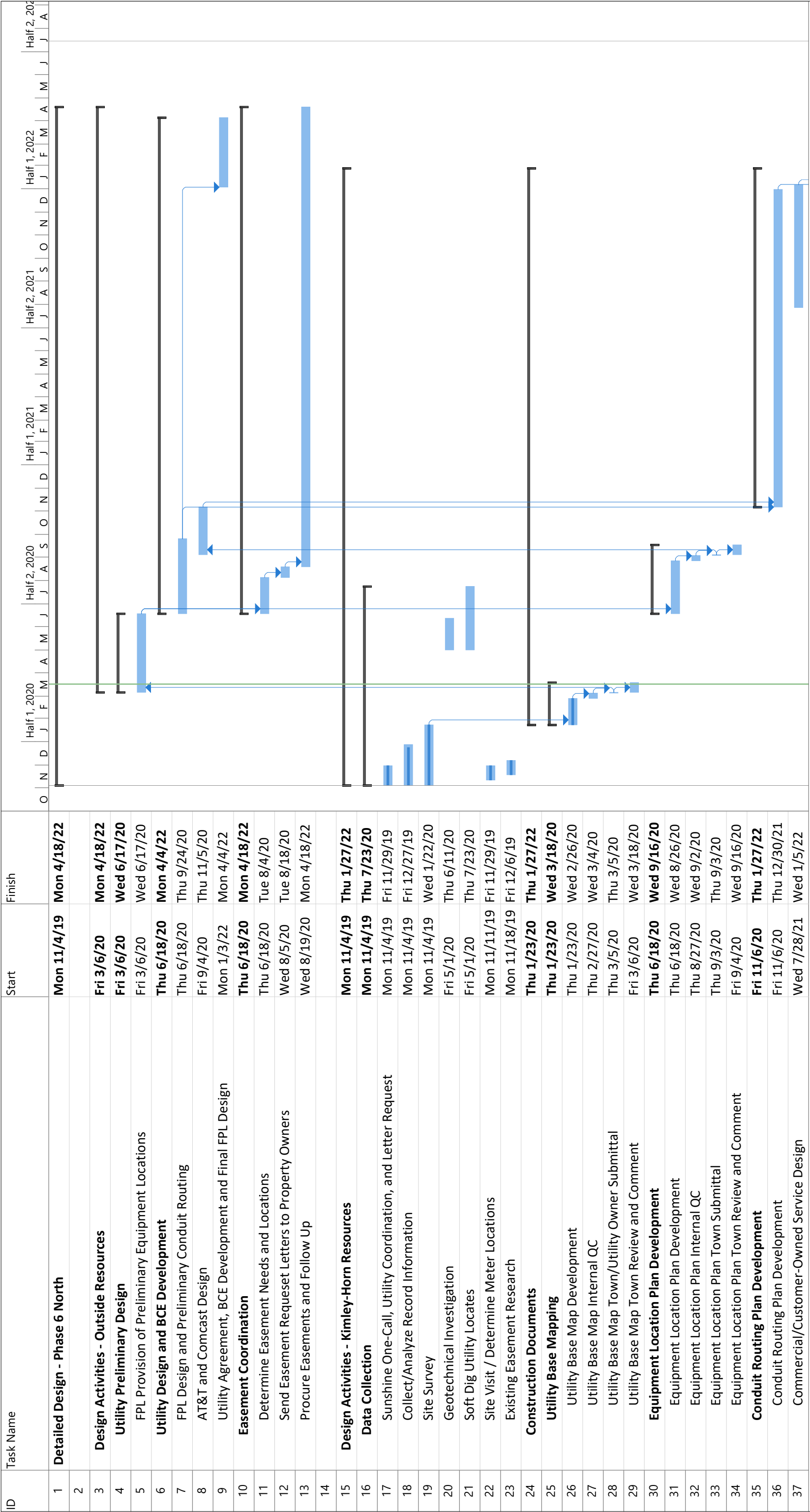
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ID	Task Name	Start	Finish
75	Utility Base Map Development	Thu 1/23/20	Wed 2/26/20
76	Utility Base Map Internal QC	Thu 2/27/20	Wed 3/4/20
77	Utility Base Map Town/Utility Owner Submittal	Thu 3/5/20	Thu 3/5/20
78	Utility Base Map Town Review and Comment	Fri 3/6/20	Wed 3/18/20
79	Equipment Location Plan Development	Thu 6/18/20	Wed 9/16/20
80	Equipment Location Plan Development	Thu 6/18/20	Wed 8/26/20
81	Equipment Location Plan Internal QC	Thu 8/27/20	Wed 9/2/20
82	Equipment Location Plan Town Submittal	Thu 9/3/20	Thu 9/3/20
83	Equipment Location Plan Town Review and Comment	Fri 9/4/20	Wed 9/16/20
84	Conduit Routing Plan Development	Fri 11/6/20	Thu 1/27/22
85	Conduit Routing Plan Development	Fri 11/6/20	Thu 12/30/21
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87	Landscaping Plan	Wed 7/28/21	Wed 1/5/22
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105	Town Council GMP Review and Award (Phases 6 North and South)	Tue 4/12/22	Tue 4/12/22
106			
107	Start Construction (Phases 6 North and South)	Mon 5/2/22	Mon 5/2/22

Project: 2019_0226_Schedule
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Vincent G. Burkhardt
President



Executive Summary

Executive Summary

For February 2020

The project has gotten back on schedule and continues to stay within budget.

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 NORTH
PRELIMINARY SCHEDULE
RFQ No. 2018-03

ID	Task Name	% Complete	Duration	Start	Finish
1	Phase 2 NORTH	81%	399 days?	Tue 8/14/18	Fri 2/21/20
2	Town Council Approval	100%	1 day	Tue 8/14/18	Tue 8/14/18
3	Award Prime Contract	100%	13 days	Wed 8/15/18	Fri 8/31/18
4	Permitting	100%	14 days	Wed 8/15/18	Mon 9/3/18
5	Customer Owned Service Connection	100%	14 days	Wed 8/15/18	Mon 9/3/18
6	Sub Contract Agreements	100%	14 days	Wed 8/15/18	Mon 9/3/18
7	Material Procurement	100%	11 days	Mon 8/20/18	Mon 9/3/18
8	Underground Conduit Installation, Primary/Secondary (FPL, ATT, Comcast)	100%	240 days	Mon 9/3/18	Fri 8/2/19
9	Feeder Splice Box Installation	100%	140 days	Sun 12/30/18	Thu 7/11/19
10	Set Transformers / Switch Cabinets (FPL)	100%	155 days	Sun 1/13/19	Thu 8/15/19
11	Secondary Services / Wire	100%	235 days	Mon 11/5/18	Fri 9/27/19
12	As-Built Submission / Review (FPL)	100%	220 days	Mon 2/11/19	Fri 12/13/19
13	Pull Wire / Terminations Primary (FPL)	100%	145 days	Mon 2/18/19	Fri 9/6/19
14	*ATT Rod Conduit, Pull Wire, Set Pedestals	95%	180 days	Mon 3/11/19	Fri 11/15/19
15	*Comcast Pull Wire, Set Pedestals	100%	180 days	Mon 3/11/19	Fri 11/15/19
16	Cut over / Overhead Removal (ATT/Comcast)	60%	150 days	Mon 6/3/19	Fri 12/27/19
17	Energize Underground (FPL)	40%	140 days	Mon 4/8/19	Fri 10/18/19
18	Secondary Service Switch Over (FPL)	50%	180 days	Fri 4/19/19	Thu 12/26/19
19	** Demo Overhead / Remove Poles (FPL) / Final Restoration	0%	180 days	Mon 6/17/19	Fri 2/21/20
20	*This Work Will Be Performed By ATT/COMCAST Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of	0%			
21	**This Work Must Be Performed By FPL Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%			
22	Storm Drainage	100%	30 days	Mon 8/12/19	Fri 9/20/19

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 3 NORTH
PRELIMINARY SCHEDULE
RFQ No. 2018-03



ID	Task Name	% Complete	Duration	Start	Finish	Qtr 3, 2019			Qtr 4, 2019			Qtr 1, 2020			Qtr 2, 2020			Qtr 3, 2020			Qtr 4, 2020			Qtr 1, 2021			Qtr 2, 2021		
						Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	
1	PHASE 3 NORTH	29%	444 days?	Wed 8/14/19	Mon 4/26/21																								
2	Town Council Approval	100%	1 day	Wed 8/14/19	Wed 8/14/19																								
3	Award Prime Contract	100%	13 days	Thu 8/15/19	Mon 9/2/19																								
4	Permitting	100%	14 days	Thu 8/15/19	Tue 9/3/19																								
5	Customer Owned Service Connection Permitting	100%	14 days	Thu 8/15/19	Tue 9/3/19																								
6	Sub Contract Agreements	100%	14 days	Thu 8/15/19	Tue 9/3/19																								
7	Material Procurement	100%	55 days	Tue 8/20/19	Sun 11/3/19																								
8	Underground Conduit Installation, Primary/Secondary (FPL, ATT, Comcast)	35%	240 days	Mon 11/4/19	Fri 10/2/20																								
9	As-Built Submission / Review (FPL)	25%	200 days	Fri 1/3/20	Thu 10/8/20																								
10	Secondary Services / Wire	35%	100 days	Fri 5/8/20	Thu 9/24/20																								
11	Feeder Splice Box Installation	0%	55 days	Fri 7/10/20	Thu 9/24/20																								
12	Set Transformers / Switch Cabinets (FPL)	30%	55 days	Fri 7/10/20	Thu 9/24/20																								
13	Pull Wire / Terminations Primary (FPL)	20%	85 days	Fri 8/14/20	Thu 12/10/20																								
14	*ATT Rod Conduit, Pull Wire, Set Pedestals	0%	55 days	Fri 8/14/20	Thu 10/29/20																								
15	*Comcast Pull Wire, Set Pedestals	0%	55 days	Fri 8/14/20	Thu 10/29/20																								
16	Cut over / Overhead Removal (ATT/Comcast)	0%	20 days	Fri 11/6/20	Thu 12/3/20																								
17	Energize Underground (FPL)	0%	20 days	Tue 12/15/20	Mon 1/11/21																								
18	Secondary Service Switch Over (FPL)	0%	35 days	Tue 12/15/20	Mon 2/1/21																								
19	** Demo Overhead / Remove Poles (FPL) / Final Restoration	0%	57 days	Fri 2/5/21	Mon 4/26/21																								
20	*This Work Will Be Performed By ATT/COMCAST Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%																											
21	**This Work Must Be Performed By FPL Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%																											



Underground Utility Project Budget
Project Financial Summary
March 31, 2020

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,829,947	\$ 12,655,507	98.6%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 5,639,908	43.7%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 6,031,565	\$ 2,932,311	48.6%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 1,335,096	\$ 813,533	60.9%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 1,599,805	\$ 411,069	25.7%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,886,346	\$ -	0.0%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ -	\$ -	
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ -	\$ -	
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 36,598,645	\$22,452,327	61.3%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 1,180,414	\$ 1,180,414	\$ 925,151	78.4%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 121,085,059	\$ 37,779,059	\$23,377,478	61.9%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 6,098,350	\$ 4,636,639	76.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 1,158,567	\$ 1,953,138	168.6%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 121,085,059	\$ 38,937,626	\$25,330,616	65.1%

Total Project Budget - Opinion of cost for construction	\$ 121,085,059
% Budgeted/Encumbered To Date Project Costs	31.20%
% Spent to Date - Project Costs	19.31%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 11,966,042	0.0%
Assessment Revenue	\$ 13,380,000	\$ 12,549,018	93.8%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ 396,389	0.0%
Interest	\$ 512,000	\$ 1,988,644	388.4%
GO Bond Proceeds	\$ 60,500,000	\$ 60,499,897	100.0%
1 Cent Sales Tax	\$ 5,000,000	\$ 1,750,000	35.0%
FPL		\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ -	0.0%
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 (001) General Fund - PM Salary	\$ 409,450	\$ 337,225	82.4%
Total Project Revenues	\$ 91,908,191	\$ 93,579,103	101.8%

Underground Utility Project Budget
Phase 1 Project Costs
March 31, 2020

	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	3,598,144	100.0%
Street Light Conversion			\$ 26,273	109,049	415.1%
Change Order for AT&T and Comcast Conduit			\$ 371,201	371,201	100.0%
Other Change orders			\$ 130,415	130,415	100.0%
Utility Design Costs			\$ 15,595	15,595	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	483,548	101.4%
Construction Engineering (KH)			\$ 230,532	205,818	89.3%
	\$ 4,210,000	\$ 4,930,000	\$ 4,868,657	\$ 4,933,490	101.3%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	4,267,153	95.9%
Change Order for AT&T and Comcast Conduit			\$ 125,147	125,147	100.0%
Other Approved Change Orders			\$ 12,749	12,749	100.0%
Utility Design Costs			\$ 33,013	33,013	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,362,028	99.1%
Construction Engineering (KH)			\$ 316,498	315,453	99.7%
	\$ 6,800,000	\$ 6,350,000	\$ 6,334,777	\$ 6,137,742	96.9%
Easement Recording Fees			\$ 347	740	
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					
Surveying			\$ 13,978		
Temp Service					
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,829,947	\$ 12,655,507	98.6%

Underground Utility Project Budget
Phase 2 Project Costs
March 31, 2020

	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	\$ 129,348	94.7%
Total Phase 2 Design	\$ 735,000	\$ 807,000	\$ 806,513	\$ 799,244	99.1%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 4,015,865	3,604,249	89.8%
Approved Change Orders			\$ -	-	
FPL Design Cost			\$ 11,759	1,350	11.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 496,307	100.0%
FPL - Additional Vista Switches				\$ 54,938	
Street Light Conversion			\$ 19,186	\$ 19,186	100.0%
Construction Engineering (KH)			\$ 248,121	\$ 221,256	89.2%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 4,831,238	\$ 4,438,838	91.9%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	-	
Burkhardt Construction			\$ 6,494,596		
Approved Change Orders			\$ -		
FPL Design Cost			\$ 13,330	14,200	106.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 200,000	\$ 123,948	
Street Light Conversion			\$ 20,000	\$ 19,268	
Construction Engineering (KH)	-		\$ 282,973	\$ 31,288	
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,055,899	\$ 198,286	2.8%
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	\$ 19,409	89.3%
Advertising				\$ 1,101	
Jones Foster - Legal			\$ 25,000	\$ 23,325	93.3%
Postage			\$ -	\$ 491	
Recording Costs			\$ 3,605	\$ 2,793	77.5%
Easement Abandonment			\$ 15,484	\$ -	0.0%
Total Easement Acquisition Costs	200,000	219,000	\$ 222,236	\$ 203,541	91.6%
Total Phase 2 Costs	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 5,639,908	43.7%

Underground Utility Project Budget
Phase 3 Project Costs
March 31, 2020

	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	\$ 423,101	87.0%
Task 1.3 Permitting Assistance			\$ 13,739		0.0%
Task 1.4 Bid Phase Assistance			\$ 36,834	\$ 18,417	50.0%
Task 1.5 Meetings			\$ 77,411	\$ 76,491	98.8%
Total Phase 3 Design	\$ 860,000	\$ 895,000	\$ 894,505	\$ 798,197	89.2%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000			
Preconstruction			\$ 24,580	\$ 24,580	100.0%
Construction - Burkhardt			\$ 4,042,171	\$ 1,309,232	32.4%
Approved Change Orders					
FPL Design Cost			\$ 12,850	\$ 1,350	10.5%
ATT Design Cost				\$ 5,000	
Comcast Design Cost				\$ 3,128	
FPL Construction			\$ 87,101	\$ 87,101	
Construction Engineering (KH)			\$ 236,976	\$ 68,040	28.7%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 243,470	\$ 243,470	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			\$ 74,900	\$ 74,900	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%
Total Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000	\$ 4,761,488	\$ 1,856,240	39.0%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 11,359	6,950	
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Construction Engineering (KH)					
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 11,359	\$ 15,078	0.0%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 258,538	94.6%
Legal Advertising				\$ 1,076	
Surveys					
Task Legal Sketch South			\$ 37,436		
Jones Foster - Legal			\$ 25,000		
Recording Costs				\$ 3,181	
Easement Abandonment			\$ 28,387	\$ -	
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 364,213	\$ 262,796	72.2%
Total Phase 3 Costs	\$ 10,910,000	\$ 15,400,000	\$ 6,031,565	\$ 2,932,311	48.6%

Underground Utility Project Budget
Phase 4 Project Costs
March 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000		\$ 312,317	234,238	75.0%
Task 1.2 Phase 4 South Design	\$ 413,000		\$ 451,284	275,283	61.0%
Task 1.3 Permitting Assistance			\$ 14,468	-	0.0%
Task 1.4 Bid Phase Assistance			\$ 37,899	-	0.0%
Task 1.6 Meetings			\$ 77,911	30,440	39.1%
Total Phase 4 Design	\$ 815,000	\$ 894,000	\$ 893,879	539,961	60.4%
Construction Costs					
Phase 4 North Construction	4,605,000	6,275,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 12,757		
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 12,757	8,128	0.0%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 13,160	1,350	
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 13,160	9,478	0.0%
Easement Acquisition/Abandonment	\$ 240,000	\$ 411,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 280,270	240,746	85.9%
Easement Assistance (KH) -- Switches			\$ 67,747	49	0.1%
<i>Surveys</i>					
Legal Sketch			\$ 38,230	13,725	35.9%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs				1,446	
Easement Abandonment			\$ 24,086		
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 415,300	255,967	61.6%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 1,335,096	813,533	60.9%

Underground Utility Project Budget
Phase 5 Project Costs
March 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	\$ 520,000		\$ 454,210	\$ 168,058	37.0%
Task 1.2 Phase 5 South Design	\$ 600,000		\$ 606,951	\$ 188,155	31.0%
Task 1.3 Permitting Assistance North					0.0%
Task 1.3 Permitting Assistance South			\$ 17,100		0.0%
Task 1.4 Bid Phase Assistance North			\$ 37,899		0.0%
Task 1.4 Bid Phase Assistance South					0.0%
Task 1.6 Meetings North			\$ 77,911	\$ 10,196	13.1%
Task 1.6 Meetings South					0.0%
Total Phase 5 Design	\$ 1,120,000	\$ 1,195,000	\$ 1,194,071	\$ 366,409	30.7%
Construction Costs					
Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
FPL Design Costs			\$ 16,223	17,573	108.3%
Construction Engineering (KH)					
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 16,223	\$ 17,573	108.3%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
FPL Design Costs			\$ 19,283	20,633	107.0%
Construction Engineering (KH)					
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 19,283	\$ 20,633	107.0%
Easement Acquisition/Abandonment	\$ 330,000	\$ 365,000			
<i>Kimley Horn Easement Assistance</i>					
<i>Easement Assistance</i>			\$ 218,600	\$ 6,092	2.8%
<i>Easement Assistance</i>			\$ 81,086	\$ 250	0.3%
<i>Surveys</i>					
<i>Legal Sketch</i>			\$ 41,080		
<i>Jones Foster - Legal</i>					
<i>Recording Costs</i>				\$ 111	
<i>Easement Abandonment</i>			\$ 29,462	\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 370,228	\$ 6,454	1.7%
Fema Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$14,090,000	\$11,694,645	\$ 1,599,805	\$ 411,069	25.7%

Underground Utility Project Budget
Phase 6 Project Costs
March 31, 2020

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	\$ 420,000		\$ 475,019	\$ 71,253	15.0%
Task 1.2 Phase 6 South Design	\$ 940,000		\$ 826,551	\$ 115,717	14.0%
Task 1.3 Permitting Assistance North					0.0%
Task 1.3 Permitting Assistance South			\$ 17,694		0.0%
Task 1.4 Bid Phase Assistance North			\$ 35,938		0.0%
Task 1.4 Bid Phase Assistance South					0.0%
Task 1.6 Meetings North			\$ 84,791	\$ 2,414	2.8%
Total Phase 6 Design	\$ 1,360,000	\$ 1,440,000	\$ 1,439,993	\$ 189,384	13.2%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost					
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ -	\$ -	0.0%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost					
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ -	\$ -	0.0%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 472	0.1%
<i>Surveys</i>					
Legal Sketch			\$ 58,415		0.0%
Jones Foster - Legal					
Recording Costs				\$ 208	
Easement Abandonment			\$ 36,344	\$ -	0.0%
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 446,353	\$ 680	0.2%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 1,886,346	\$ 190,064	10.1%

Underground Utility Project Budget
Other Project Costs
March 31, 2020

Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	\$ 88,021	\$ 88,021	100.0%
Tash 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	
Easement Abandonment	\$ 200,000	\$ 7,645	3.8%
Community Outreach	\$ 282,519	\$ 207,608	73.5%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 1,180,414	\$ 925,151	78.4%

Debt Service and Related Debt Issuance Costs

	Budget	Actual	% Expended
Commercial Paper Issuance Cost		\$ 195,366	
Commercial Paper Fees		\$ 52,252	
Commercial Paper Interest		\$ 243,096	
GO Bond Closing Costs		\$ 487,471	
GO Bond Debt Service	\$ 6,098,350	\$ 3,658,456	60.0%
Total Debt Service and Related Debt Issuance Costs	\$ 6,098,350	\$ 4,636,639	76.0%

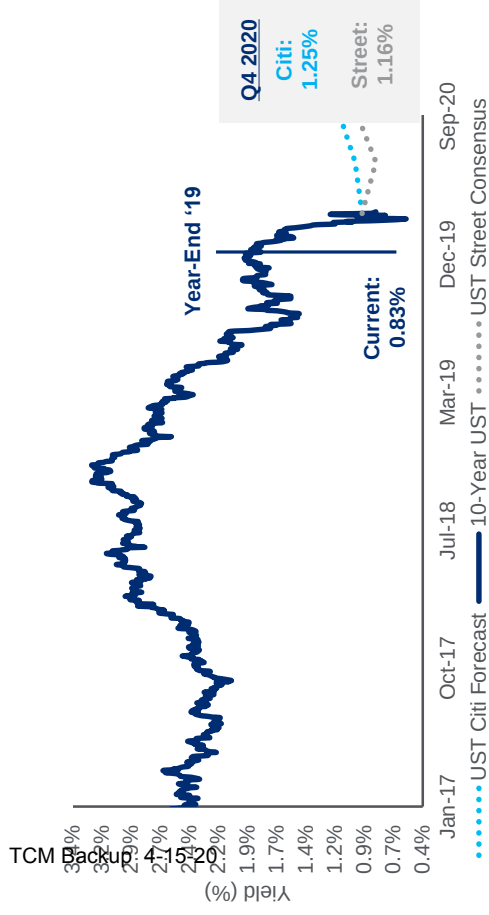
Related Costs Outside of the Underground Project Budget

	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	\$ 346,124	98.6%
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	\$ 513,847	97.8%
Ibis Way PGD Improvements	\$ 14,583	\$ 14,583	100.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		\$ 183,701	
Kosberg v TPB Legal and Other Costs		\$ 522,707	
PBT Real Estate v TPB		\$ 159,408	
Gardner, Bist Bowden, Bush (Shef Wright)		\$ 24,799	
Temp Services - Easement acquisition	\$ 40,000	\$ 40,618	101.5%
Project Manager -Pay and benefits	\$ 454,398	\$ 386,531	85.1%
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	\$ 1,158,567	\$ 1,953,138	168.6%

U.S. Rate Forecasts

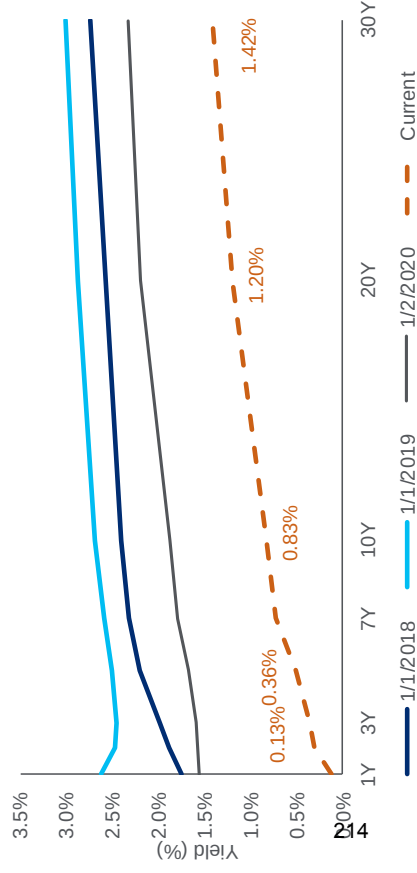
10-Year Treasury Yield Forecast

Citi is forecasting higher rates at year-end, similar to the Street consensus



US Treasury Yield Curve

The yield curve has fallen significantly as the coronavirus outbreak has prompted the Federal Reserve to cut interest rates as investors put on a flight-to-quality trade

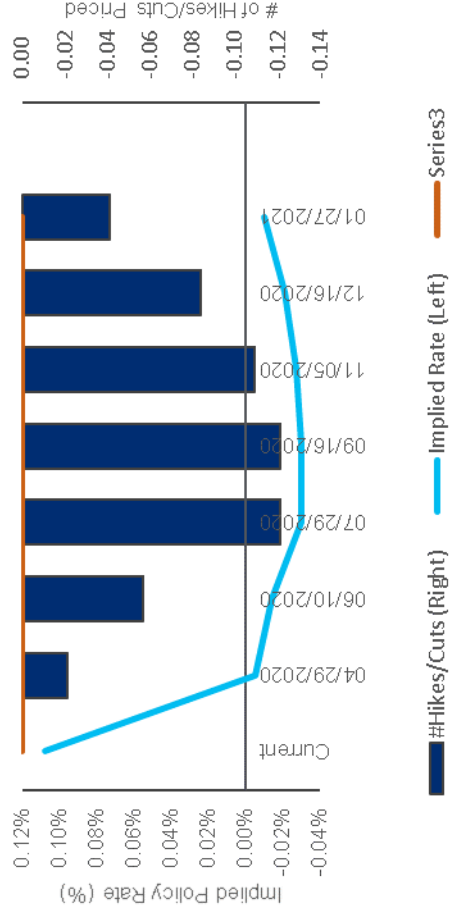


Rate Forecasts

5-Year Treasury	Current	2Q20	3Q20	4Q20	1Q21	2Q21	3Q21
Citi's Forecast	0.51%	0.61%	0.65%	0.70%	0.70%	0.70%	0.70%
Economists' Consensus		0.60%	0.75%	0.86%	0.97%	1.10%	1.16%
10-Year Treasury	Current	2Q20	3Q20	4Q20	1Q21	2Q21	3Q21
Citi's Forecast	0.83%	0.98%	1.11%	1.25%	1.25%	1.25%	1.25%
Economists' Consensus		0.80%	0.96%	1.16%	1.27%	1.40%	1.50%
30-Year Treasury	Current	2Q20	3Q20	4Q20	1Q21	2Q21	3Q21
Citi's Forecast	1.42%	1.53%	1.64%	1.75	1.75%	1.75%	1.75%
Economists' Consensus		1.36%	1.57%	1.70%	1.84%	1.93%	2.05%
Fed Funds	Current	2Q20	3Q20	4Q20	1Q21	2Q21	3Q21
Citi's Forecast	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.50%
Economists' Consensus		0.50%	0.50%	0.50%	0.50%	0.50%	0.75%

Expectations of Fed Change in Interest Rates (Market View)

The market is currently pricing in another policy rate cut



TOWN OF PALM BEACH

Information for Town Council Meeting on: April 15, 2020

TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

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

RE: Authorization to Execute Easement and Use Agreement at 265 Palmo Way for Florida Power & Light as Part of the Town Wide Overhead Utility Undergrounding Phase 3-North
Resolution No. 16-2020

DATE: March 10, 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 16-2020 granting a non-exclusive utility easement to Florida Power & Light (FPL), upon Town owned land within ALTO LIDO lots 21 Palm Beach, Florida as recorded in Plat Book 11, Page 36 Public Records of Palm Beach County, Florida.

GENERAL INFORMATION

The owner at 226 Kenlyn Road has requested to relocate the transformer from their property to directly across the street to the Town owned property, Palmo Park. They have agreed to pay all associated costs to relocate the transformer, conduit, and wiring. The transformer will not be the only piece of equipment in Palmo Park. Staff presented, with Town Council, approved easements within Palmo Park for the May 2019 Town Council for two (2) switch cabinets and two (2) capacitor banks on Palmo Way. The proposed non-exclusive easement is to accommodate equipment and conduit/wires as described in the attached sketch and legal description. The sketch and legal description of the proposed easement is provided by Avirom & Associates, Inc.

FUNDING/FISCAL IMPACT

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

TOWN ATTORNEY REVIEW

This item has been reviewed by the Town Attorney.

Attachments

cc: Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Michael Roach, P.E., Project Engineer
Steven Stern, Underground Utilities Manager

RESOLUTION NUMBER 16-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE AN EASEMENT AND USE AGREEMENT BETWEEN THE TOWN OF PALM BEACH AND FLORIDA POWER AND LIGHT (FPL) AT 265 PALMO WAY FOR ACCESS, AND MAINTENANCE OF FPL EQUIPMENT.

* * * * *

WHEREAS, the Town is constructing and operating an FPL Transformer/Equipment at the 265 Palmo Way property; and

WHEREAS, FPL has requested that the Town of Palm Beach grant an easement to FPL to access and maintain the transformer equipment that services 265 Palmo Way; and

WHEREAS, the installation of the conduit and wires and equipment are necessary to operate and provide power to 265 Palmo Way.

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 Manager is hereby authorized to execute an Easement and Use Agreement between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for access and maintenance of FPL equipment.

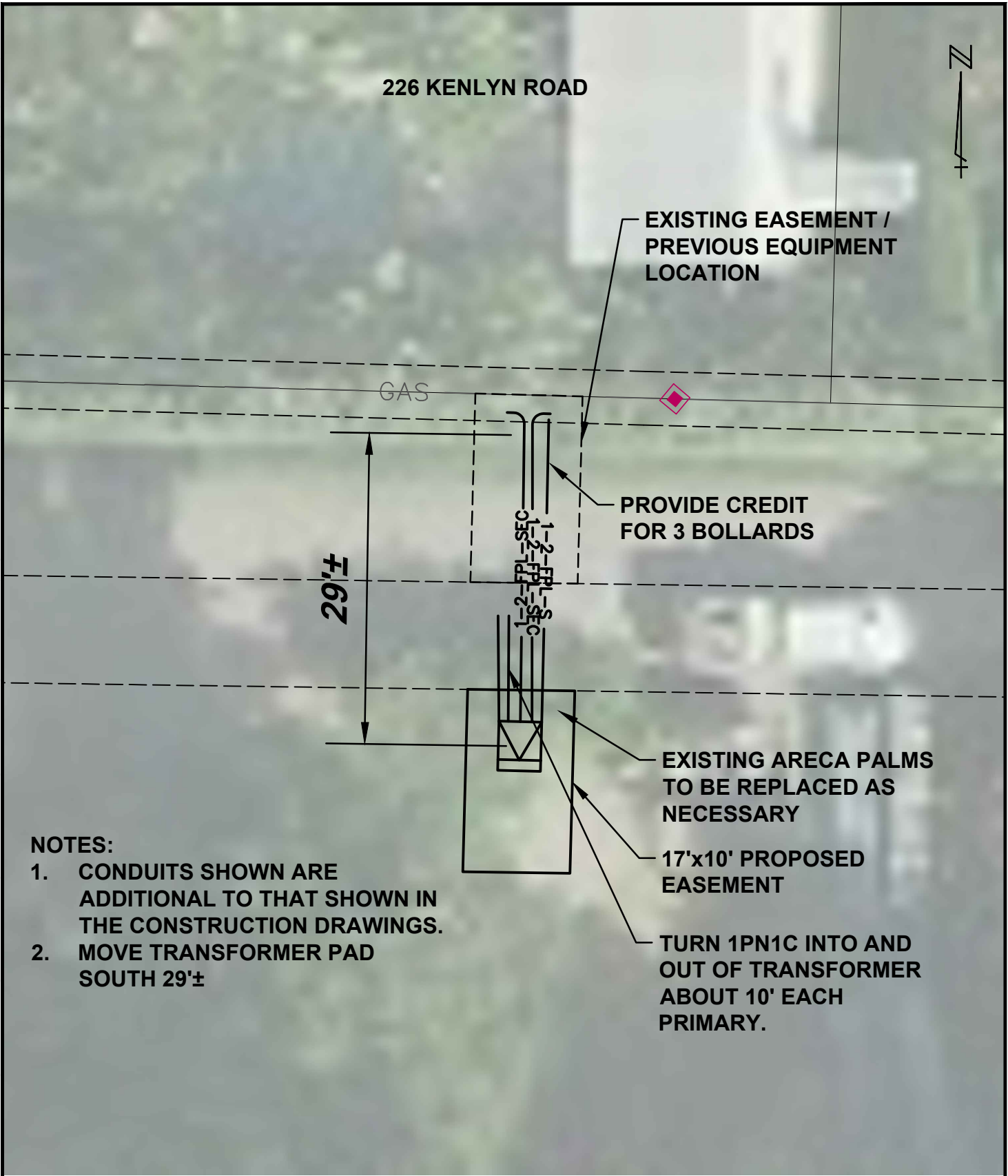
PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 15th day of April 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

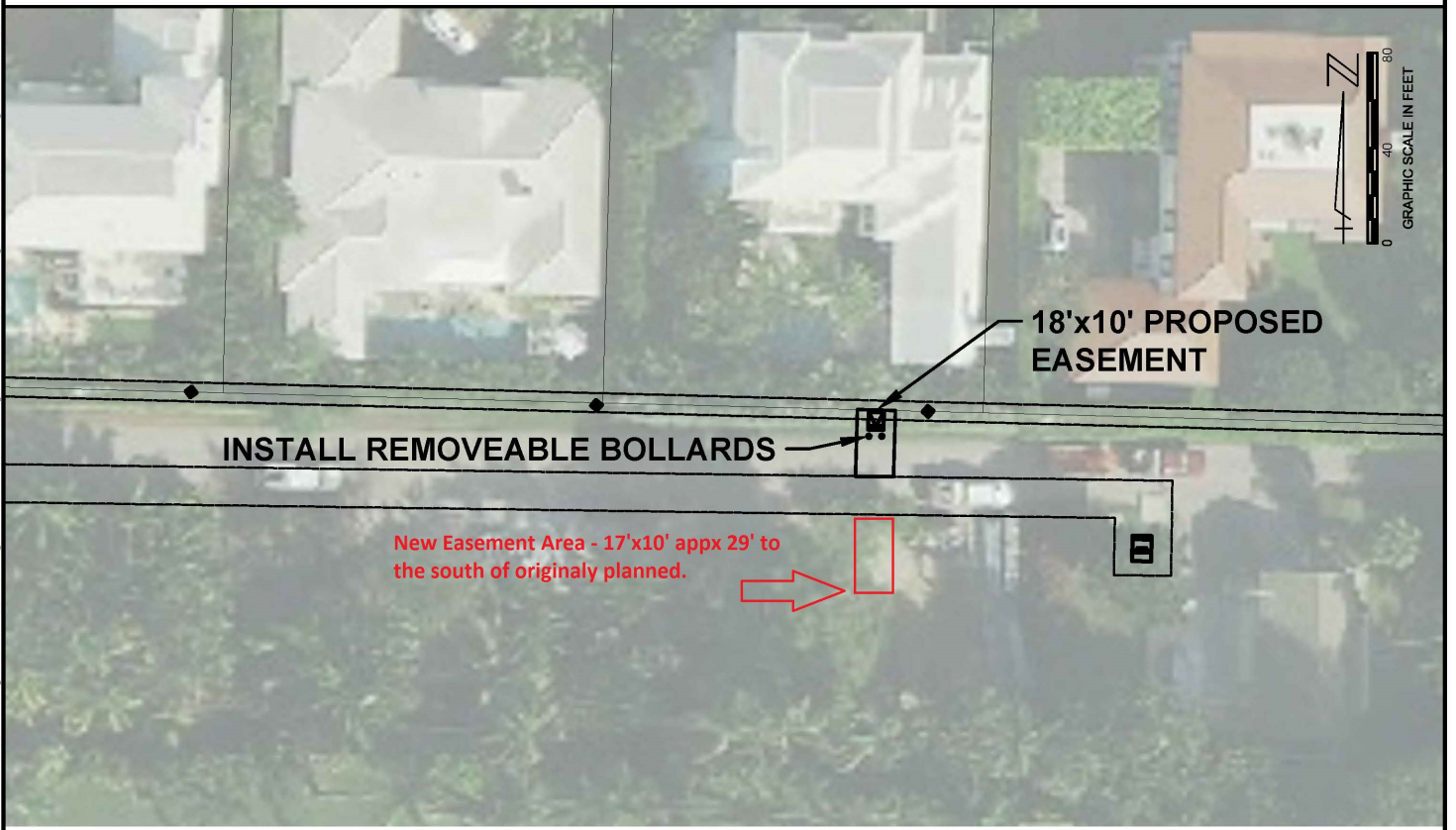
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SEC. 03, TWP. 43S., RGE. 43E.

SCALE: AS SHOWN	FL. E.B. NO. 48	FL. L.B. NO. 48	TOWN OF PALM BEACH UNDERGROUNDING PHASE 3 NORTH EASEMENT EXHIBIT PALM BEACH COUNTY, FL	DATE: 2019
FIELD: ----	MOCK•ROOS CONSULTING ENGINEERS 5720 Corporate Way, West Palm Beach, Florida 33407 (561) 683-3113, fax 478-7248			P.A. NO. B5040.30
DRAWN: SMR				DR. NO. 4667
APPR: JPC				ADD: 265 PALMO WAY 3
TCM Backup 4-13-20				

DWG: F:\khorkh\und3\Cad\dwg\EASEMENTS.dwg PLOT DATE: Mar '15, 2019 - 2:28pm
XREFS: UND3CS01_UT01.dwg und3cs01_bnd1.dwg und3cs01_BM02.dwg und3cs01_BM03.dwg und3cs01_md01.dwg und3cs01_sup.dwg IMAGES: F:\khorkh\und3\Cad\dwg\img\overall_project_print_quality.jpg ..\img\overall_project_medium_quality.jpg



SEC. 03, TWP. 43S., RGE. 43E.

SCALE: AS SHOWN	FL. E.B. NO. 48	FL. L.B. NO. 48	TOWN OF PALM BEACH UNDERGROUNDING PHASE 3 NORTH EASEMENT EXHIBIT PALM BEACH COUNTY, FL	DATE: 2018
FIELD: ----	MOCK•ROOS CONSULTING ENGINEERS 5720 Corporate Way, West Palm Beach, Florida 33407 (561) 683-3113, fax 478-7248			P.A. NO. B5040.30
DRAWN: SMR				DR. NO. 4667
APPR: JPC				ADD: 265 PALMO WAY 3

Work Request No.

UNDERGROUND EASEMENT (BUSINESS)

Sec. ____, Twp __ S, Rge __ E

Parcel I.D. **50-43-43-03-08-000-0160**

(Maintained by County Appraiser)

This Instrument Prepared By
S.N. Stern, Project Manager
Town of Palm Beach
360 S. County Rd.
Palm Beach, FL 33480

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company ("FPL"), BellSouth Telecommunications, LLC, Comcast Corporation, and the Town of Palm Beach, together with the affiliates, licensees, agents, successors, and assigns of the above named entities, a non-exclusive easement forever for the construction, operation and maintenance of underground electric utility, communications, and cable distribution facilities (including cables, conduits, appurtenant equipment, and appurtenant above ground equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them, within an easement described as follows:

Reserved for Circuit Court

See Exhibit "C" ("Easement Area")

Together with the right to permit any other person, firm, or corporation on behalf of the above named entities, and their affiliates, licensees, agents, successors, and assigns, to attach or place wires to or within any facilities hereunder and lay cable and conduit within the easement area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area, over, along, under, and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 20__.

Signed, sealed, and delivered in the presence of:

(Witness' Signature)

(Entity Name)

Print Name: _____

(Witness)

(Witness' Signature)

By: _____

(Grantor's signature)

Print Name: _____

(Witness)

Print Name: _____

Print Address: _____

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this _____ day of March, 2020, by _____, as the _____ of _____, on behalf of the _____. He/She is personally known to me or has produced _____ as identification.

(NOTARY SEAL)

Notary Public

Print Name: _____

My commission expires: _____

EXHIBIT C**SKETCH AND DESCRIPTION
UTILITY EASEMENT**

PORTION OF LOT 21, ALTO LIDO

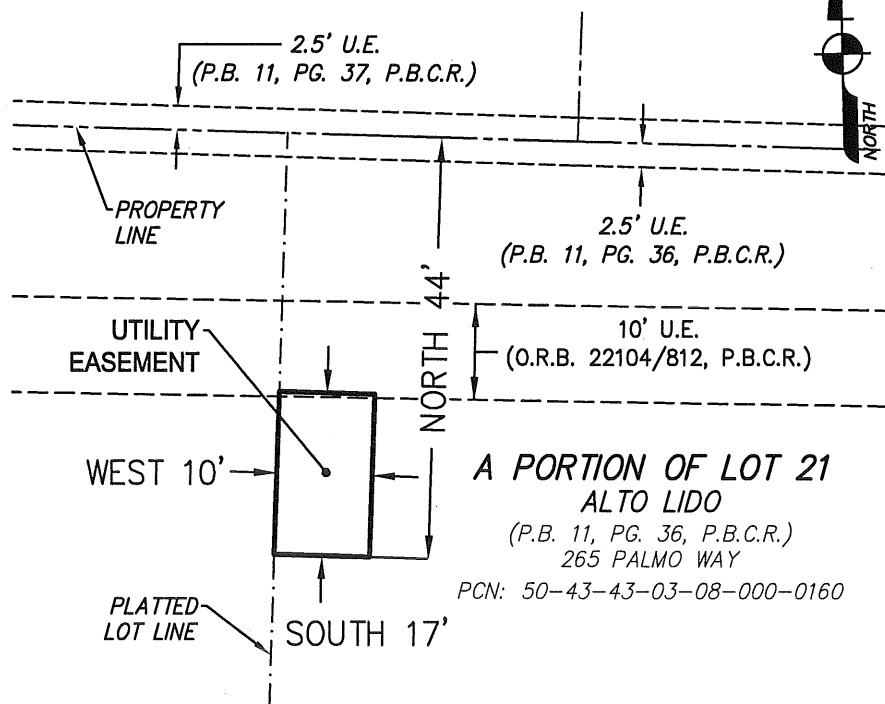
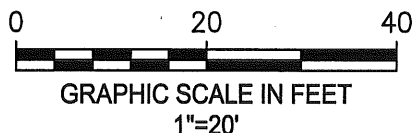
(P.B. 11, PG. 36, P.B.C.R.)

TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

The west 10 feet of the south 17 feet of the north 44 feet Lot 21, ALTO LIDO, according to the Plat thereof as recorded in Plat Book 11, Page 36, of the Public records of Palm Beach County, Florida.

Said land lying in Palm Beach County, Florida and contains 170 square feet, more or less.

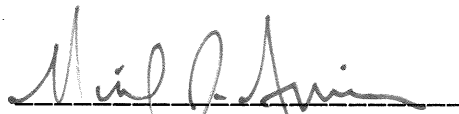
**SURVEYOR'S REPORT:**

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
5. Abbreviation Legend: L.B. = Licensed Business; P.B. = Plat Book; P.B.C.R. = Palm Beach County Records; PCN = Parcel Control Number; PG. = Page; P.S.M. = Professional Surveyor & Mapper; R/W = Right of Way.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 2/19/2020


MICHAEL J. AVIROM, P.S.M.
Florida Registration No. 7253
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS**AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING**

50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROMSURVEY.com

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JOB #: **10194-4.170c**

SCALE: 1" = 20'

DATE: 02/19/2020

BY: M.J.A.

CHECKED: M.D.A.

F.B. — PG. 220 —

SHEET: 1 OF 1

TCM Backup 4-15-20

SKETCH AND DESCRIPTION
UTILITY EASEMENT

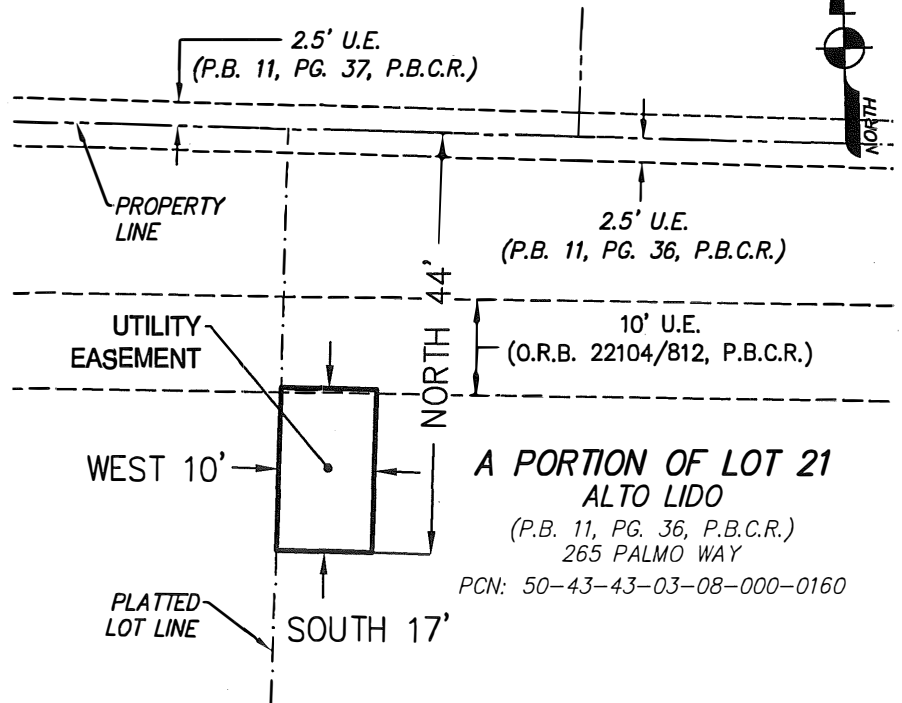
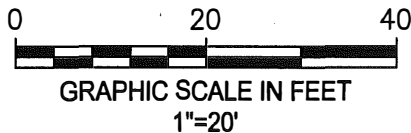
PORTION OF LOT 21, ALTO LIDO
(P.B. 11, PG. 36, P.B.C.R.)

TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA

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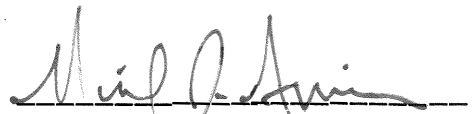
SURVEYOR'S REPORT:

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CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 2/19/2020


MICHAEL J. AVIOM, P.S.M.
Florida Registration No. 7253
AVIOM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS

TCM Backup 4-15-20



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JOB #: **10194-4.170c**

SCALE: **1" = 20'**

DATE: **02/19/2020**

BY: **M.J.A.**

CHECKED: **M.D.A.**

F.B. — PG. **221** —

SHEET: **1 OF 1**

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

RESOLUTION NO. 29-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Kimley-Horn And Associates For The Engineering Services Water Supply Feasibility Study Proposal In The Amount Of \$316,380 And An Overall Project Budget Of \$367,387.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated April 4, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 29-2020**
- ▣ **Kimley-Horn Proposal**

Information for Town Council Meeting on April 15, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving a Purchase Order to Kimley-Horn and Associates for the Engineering Services Water Supply Feasibility Study Proposal in the amount of \$316,380 and an overall Project Budget of \$363,837 - Resolution No. **29-2020**

DATE: 4 April 2020

STAFF RECOMMENDATION

Staff recommends Town Council approval of a Purchase Order to Kimley-Horn and Associates for the Engineering Services Water Supply Feasibility Study Proposal in the amount of \$316,380 and an overall Project Budget of \$363,837.

SUMMARY EXPLANATION/BACKGROUND

On December 10, 2019, Town Council approved Resolution No. 151-2019, which approved the award of RFQ No. 2019-36 to Kimley-Horn and Associates. The objective of Kimley-Horn and Associates was to address the following:

The Town of Palm Beach is interested in exploring options for providing residents of the Town potable water upon expiration of the current Retail Water Service and Franchise Agreement with the City of West Palm Beach which will expire in 2029. The water supply options that will be reviewed include:

- Continue with a Retail Agreement with the City of West Palm Beach
- Negotiating a Wholesale Agreement with the City of West Palm Beach
- Negotiating a Wholesale Agreement with another Utility
- Developing a Town-owned water source
- Entering into a Public-Private-Partnership with a water provider
- Combination of the above water supply options

Each of the water supply options could have impacts on the existing water distribution system. These impacts could include the following:

- The City of West Palm Beach could maintain ownership of the water distribution system and continue to perform repairs and replacement
- The Town could take ownership of the water distribution system “as is” and perform repairs

and replacement

- The Town could take ownership of a portion of the water distribution system, except for South Palm Beach (as documented in the existing Agreement with West Palm Beach)
- The Town could implement the capital improvements necessary to allow the existing distribution network to accommodate new water source options (with potential need for new larger diameter water mains, storage tanks and re-pump facilities)

Kimley-Horn will perform a conceptual review of the options to determine advantages and disadvantages of each along with an “Order of Magnitude” conceptual opinion of probable cost for each alternative. The results of this review will be presented to the Town to narrow the list of options and make recommendations regarding which options should be examined in further detail.

Kimley-Horn and Associates will provide the following five tasks:

1. Data Collection
2. Establishing Hydraulic Base (existing) Conditions
3. Water Supply Alternatives
4. Water Distribution Systems Modifications
5. Evaluation Report

USER DEPARTMENT CONCURRENCE

The Public Works Department has reviewed and is in full agreement with the Selection Committee Recommendation.

FISCAL IMPACT

The project will be fully funded from the Capital Improvement Program Budget.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues.

TOWN ATTORNEY REVIEW

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

CC: Jay Boodheshwar, Deputy Town Manager
H. Paul Brazil, P.E., Director of Public Works
Patricia Strayer, P.E., Town Engineer

RESOLUTION NO. 29-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A PURCHASE ORDER TO KIMLEY-HORN AND
ASSOCIATES FOR THE ENGINEERING SERVICES WATER
SUPPLY FEASIBILITY STUDY PROPOSAL IN THE AMOUNT
OF \$316,380 AND AN OVERALL PROJECT BUDGET OF
\$367,387.**

NOW, 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 29-2020 approving a purchase order to Kimley-Horn and Associates for the Engineering Services Water Supply Feasibility Study Proposal in the amount of \$316,380 and an overall Project Budget of \$367,387.

Section 2. The Town Manager 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 this 15th day of April, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk



January 28, 2020

Dean Mealy
Town of Palm Beach
951 Old Okeechobee Road
Suite A
West Palm Beach, FL 33401

RE: *Water Supply Feasibility Study – Engineering Services Proposal*

Dear Dean,

Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "CONSULTANT") is pleased to submit this proposal to The Town of Palm Beach ("TOWN" or "CLIENT") for providing professional engineering services related to the Water Supply Feasibility Study for the Town of Palm Beach. Our project understanding, scope of services, and fee follows.

Project Understanding

The Town of Palm Beach is interested in exploring options for providing residents of the Town potable water upon expiration of the current Retail Water Service and Franchise Agreement with the City of West Palm Beach which will expire in 2029. The water supply options that will be reviewed include:

- Continue with a Retail Agreement with the City of West Palm Beach
- Negotiating a Wholesale Agreement with the City of West Palm Beach
- Negotiating a Wholesale Agreement with another Utility
- Developing a Town-owned water source
- Entering into a Public-Private-Partnership with a water provider
- Combination of the above water supply options

Each of the water supply options could have impacts on the existing water distribution system. These impacts could include the following:

- The City of West Palm Beach could maintain ownership of the water distribution system and continue to perform repairs and replacement
- The Town could take ownership of the water distribution system "as is" and perform repairs and replacement
- The Town could take ownership of a portion of the water distribution system, except for South Palm Beach (as documented in the existing Agreement with West Palm Beach)
- The Town could implement the capital improvements necessary to allow the existing distribution network to accommodate new water source options (with potential need for new larger diameter water mains, storage tanks and re-pump facilities)

Kimley-Horn will perform a conceptual review of the options to determine advantages and disadvantages of each along with an "Order of Magnitude" conceptual opinion of probable cost for each alternative. The results of this review will be presented to the Town to narrow the list of options and make recommendations regarding which options should be examined in further detail.

Scope of Services

Task 1 – Data Collection

We will attend a kickoff meeting to discuss the study goals and objectives. We will coordinate with Town staff to request the following information from the City of West Palm Beach and the Town of Palm Beach:

- Water distribution system GIS data within the Town including the Intracoastal Crossings
- Existing InfoWater hydraulic water model of the distribution system which serves the Town and South Palm Beach
- Record drawings of the booster pump stations (north and south station), pump performance curves and control logic
- A 2-year; 1-hr interval operational data to include booster pumps flow and pressure data, and storage tank levels
- Fire flow test reports within the Town
- Meter data to determine actual water consumption of Town and South Palm Beach residents (preferably a 2-year 1-hr interval record)
- Study Report documenting results of a bulk metering study performed by the City approximately two decades ago where meters were installed at all of the subaqueous crossings
- Any past studies and reports that may be relevant to the review of water supply options

Task 2 – Establishing Hydraulic Base (Existing) Conditions

We assume that the water model has been sufficiently developed by the City, that it will not need to be calibrated, and that it can be relied upon for the performance of this study; except for minimum adjustments based on GIS and operational data. To establish the base conditions of the system, the Consultant will perform the following tasks:

- Compare the hydraulic model network with the GIS data, and update the model network as it relates to watermains 6-inch and above.
- Complete a series of steady state model simulations to validate the hydraulic model and establish the system base conditions. We will compare modeling results with the operational data provided by the Town and perform minor adjustments to the network parameters and demand distribution.
- Determine existing water distribution system maximum and minimum service pressures
- Determine Town's maximum day demand based on operating records provided by the City and the fire flow demand.
- Determine the minimum supply pressure required at the West Palm Beach ICW crossings to maintain the same level of service that currently exists.
- Determine required minimum storage tank capacity to serve the Town based on maximum day demand.
- Review both the north and south booster pump stations to determine their pumping capacity along with the storage capacity of the tank located at the north booster pump station.

The Consultant will use the base hydraulic conditions established from the above tasks in developing water supply alternatives (Task 3) and in the Water Distribution System Modifications (Task 4).

Task 3 – Water Supply Alternatives

Evaluate a Retail or Wholesale Agreement with a Local Utility - We will coordinate and meet with the Town staff and up to four adjacent public utility providers to determine interest in providing potable water to the Town of Palm Beach. We will interview each utility provider to determine the following information:

- Interest in and capability for providing potable water to the Town of Palm Beach with either a retail or wholesale agreement
- Existing permitted water treatment plant capacity, current production capacity, and planned expansions
- Document the type of treatment, age of plant, disinfection chemicals and physical limitations for plant expansion
- In case of a retail option:
 - Ability to operate and maintain the Town's distribution system
 - Existing tank storage capacity and ability to meet fire flow storage requirements for the Town
 - Existing water distribution system target system pressure at potential service connection locations
- Water distribution modifications required to connect to the Town's existing distribution system
- Water treatment modifications required to provide the quality and quantity of water required by the Town
- Existing retail and wholesale/bulk water rates

Development of a Town-Owned Water Source - We will review and update the Feasibility Analysis for Reverse Osmosis Facilities for the Town of Palm Beach completed by Kimley-Horn in 2009. We will also coordinate with Town staff to approach up to three golf course operators within the Town of Palm Beach who currently have reverse osmosis plants to supply irrigation water. We will interview each golf course operator to determine the following information:

- Interest in partnership with the Town to provide potable water to the Town of Palm Beach
- Existing water treatment capacity and quality
- Document the age of the plant and limitations for plant expansion
- Water use permit limits
- Existing tank storage capacity and ability to meet fire flow storage requirements for the Town
- Existing water distribution system target system pressure at potential service connection locations
- Water distribution modifications required to connect to the existing distribution system in the Town
- Water treatment modifications required to provide the quality and quantity of water required by the Town and regulatory agencies
- Permitting requirements to expand existing RO facilities

Public-Private Partnership - We will coordinate and meet with Town staff and up to three private utility providers to determine interest in providing potable water to the Town of Palm Beach under a public-private partnership. We will interview each provider to determine the following information:

- Interest in and capability for providing potable water to the Town of Palm Beach
- Discuss their business model for serving potable water system needs
- Ability to operate and maintain the existing water distribution system
- Ability to provide drinking water through treatment plant construction or other alternative means
- Existing retail and wholesale/bulk water rates

Based on the results of the above meetings, we will prepare a summary analysis of each alternative that may include multiple combinations of the individual alternatives should any combination be found to provide significant advantages. The summary analysis will include a general description of the alternatives, provide a listing of the advantages and disadvantages of each, and contain a Class 5 "Order of Magnitude" opinion of probable cost for implementation. Because this study is intended to be "high-level," rate analysis, operational costs, utility formation costs, etc. will not be developed for each alternative. Rather, should any alternative appear to be advantageous over the existing agreement, further study of that alternative will be recommended to gain additional information.

Task 4 – Water Distribution System Modifications

For all alternatives, we will determine the required rehabilitation/replacement improvements to the water distribution system based on the age of the existing infrastructure. We will review the Inventory of City of West Palm Beach Water Facilities in the Town of Palm Beach completed by Erdman Anthony in 2015 and update replacement costs based on current information for similar projects available to Kimley-horn. These costs will be applied to all alternatives as these rehabilitation/replacement needs exist regardless of which alternative is pursued.

We will use the hydraulic water model validated in Task 2 to create planning scenarios for each of the water supply alternatives listed in Task 3. Each planning scenario will include two derivatives: one providing potable water service through the Town's distribution system to serve South Palm Beach and the other scenario will exclude South Palm Beach. The results of each hydraulic model scenario will be the basis for determining the required improvements such as upgraded watermain, storage tanks and re-pump facilities for each corresponding water supply alternative. Each hydraulic model scenario will determine required flow rate and delivery pressure at the boundary point(s) of connection to the Town's system. Offsite transmission main routes will be conceptually developed for the purposes of developing cost opinions and will take the shortest distance between the water suppliers' system and the Town's point of service on the west side of the Intracoastal Waterway utilizing existing rights-of-way. We are assuming that the water supplier can develop and describe to Kimley-Horn the improvements they will need for the offsite transmission main to the Town's point(s) of connection.

We will develop a Class 5 "Order of Magnitude" opinion of probable cost for the water distribution system modifications required for each alternative and include this information in the evaluation report.

Task 5 – Evaluation Report

The evaluation report will contain a summary of each of the alternatives, advantages and disadvantages of each, descriptions of capital improvements required for implementation, Class 5 "Order of Magnitude" opinions of probable costs, and our recommendations regarding the need for further study of any alternative that initially appears to provide significant advantages to the Town. We will meet with the Town to review the draft report and incorporate any comments that are received. We will develop a brief presentation for the Town Council to report our findings and address technical questions.

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope you request, will be considered additional services. These services will be performed based on proposals approved by the Town prior to the performance of those requested additional services. Additional services we can provide include, but are not limited to, the following:

- Calibration of the hydraulic water model
- Water Loss Study of existing system
- Corrosion Study to examine effects of differing water quality from alternative water suppliers
- Review of disinfection by-products for any alternative
- Transmission and Distribution improvements due diligence, route feasibility, siting studies, and permitting agency and stakeholder coordination.
- Rate sufficiency analysis of any alternative
- Real Estate Acquisition Cost Development
- Meetings with the Town of South Palm Beach

Information Provided by the Town

We shall be entitled to rely upon the accuracy of information provided by others in the performance of professional services. It is anticipated that the following items will need to be provided to Kimley-Horn by the Town during the project.

- Water distribution system GIS data within the Town including the Intracoastal Crossings
- Existing InfoWater hydraulic water model of the distribution system which serves the Town and South Palm Beach
- Record drawings of the water distribution system and booster pump stations (north and south station) including pump curves
- Meter data to determine actual water consumption of Town and South Palm Beach residents
- Study Report documenting results of a bulk metering study performed by the City approximately two decades ago where meters were installed at all of the subaqueous crossings
- Any past studies and reports that may be relevant to the review of water supply options

Schedule

We will provide our services as expeditiously as practical to meet a mutually agreed upon schedule.

Fee and Billing

Kimley-Horn will perform the services described in this Scope of Services on an hourly basis in accordance with our Contract with the Town. It is recommended that the following budgets be established for these services:

Task 1 – Data Collection	\$16,981
Task 2 – Establishing Hydraulic Base (Existing) Conditions	\$17,789
Task 3 – Water Supply Options	\$132,943
Task 4 – Water Distribution Options	\$86,841
Task 5 – Evaluation Report	\$61,826
Total	\$316,380

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in the Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc, which are incorporated by reference. As used in the Agreement, the term "CONSULTANT" shall refer to Kimley-Horn and Associates, Inc., and the term "TOWN" or "CLIENT" shall refer to The Town of Palm Beach.

We appreciate the opportunity to propose these services to you.

Very truly yours,

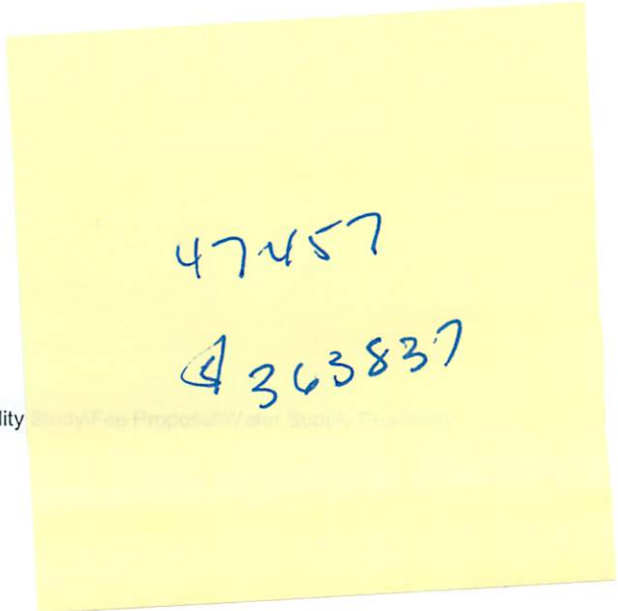
KIMLEY-HORN AND ASSOCIATES, INC.



By: Kevin Schanen, P.E.
Vice President

Attachment

K:\WPB_Civil\General\Lee\Proposals\Palm Beach\Water Supply Feasibility Study.docx



47457
4363837

ESTIMATE FOR ENGINEERING SERVICES

PROJECT:	Water Supply Feasibility Study							SHEET 1 of 1				
CLIENT:	Town of Palm Beach							FILE NO.				
ESTIMATOR:	JRL							DATE: 01/28/20				
								ALLOCA 0.0000				
DESCRIPTION:	DIRECT LABOR (MAN-HOURS)											
See Scope of Services	Principal	Chief Engineer	Project Manager	Senior Reg. Prof.	Eng. Prof.	Eng. Int.	Analyst	Admin/Clrical	Senior Designer	SUB	EXP	LINE TOTAL
Task 1 Data Collection												
Kickoff Meeting	3.0		3.0			4.0		2.0				\$2,099
Review Water Distribution GIS			2.0		8.0	8.0						\$2,561
Review Hydraulic Model			2.0		10.0	8.0						\$2,863
Review Booster Pump Station Record Drawings			2.0		2.0	4.0		2.0				\$1,344
Review Operational Data from Booster Pump Station			2.0		8.0	4.0		2.0				\$2,256
Review Fire Flow Test Reports			2.0		4.0	6.0		4.0				\$2,066
Review Meter Data			2.0		4.0	12.0						\$2,415
Review Report of bulk meter study	2.0		4.0									\$1,344
												\$0
Task 2 Establishing Hydraulic Base (Existing) Condition												
Compare Hydraulic Model Network to GIS Data			2.0			16.0						\$2,310
Steady State Simulations	2.0		2.0		20.0	30.0						\$7,587
Determine Min and Max Water Distribution Service Pressures			1.0		4.0	8.0						\$1,760
Determine Max Day and Fire Flow Demand			1.0		4.0	8.0						\$1,760
Determine minimum supply pressure at the ICW Crossings			1.0		4.0	16.0						\$2,719
Determine the Code Required Minimum Storage Tank Capacity to Serve the Town			1.0		1.0	4.0						\$625
Determine Pumping Capacity of both North and South Booster Pump Stations			1.0		1.0	4.0						\$625
												\$0
Task 3 Water Supply Alternatives												
Evaluate Retail or Wholesale Agreement with a Local Utility												\$0
Research and meeting prep	4.0		8.0					2.0				\$2,882
Pre-Meeting with Town to discuss strategy	8.0		4.0									\$1,069
Coordinate up to four meetings with local utilities			4.0					8.0				\$1,482
Attend up to four meetings	30.0		16.0								\$2,000	\$11,704
Summarize and document findings from the meetings			8.0					16.0				\$2,963
Evaluate water provider water distribution modifications required to connect to Town	2.0		8.0		24.0	40.0						\$10,564
Evaluate water treatment modifications required to serve the Town	4.0		8.0		24.0	24.0						\$9,217
Formulate a list of advantages and disadvantages	4.0		8.0		8.0							\$1,918
Develop a Class 5 or Order of Magnitude opinion of probable cost	4.0		16.0		24.0	24.0						\$10,760
												\$0
Development of a Town-Owned Water Source												
Review and Update 2009 RO Feasibility Analysis	4.0		6.0		12.0	12.0						\$5,571
Coordinate and prep for up to three meetings with local golf courses			4.0					6.0				\$1,697
Attend up to three meetings	12.0		12.0									\$5,756
Summarize and document findings from the meetings			6.0		6.0			12.0				\$1,130
Evaluate off-site water distribution modifications required to connect to Town	1.0		6.0		18.0							\$4,182
Evaluate water treatment modifications required to serve the Town	1.0		6.0		18.0							\$4,182
Evaluate Permitting Requirements	1.0		6.0		6.0							\$2,366
Formulate a list of advantages and disadvantages	1.0		6.0		6.0							\$2,366
Develop a Class 5 or Order of Magnitude opinion of probable cost	3.0		12.0		18.0	18.0						\$8,085
												\$0
Public Private Partnerships												
Coordinate and prep for up to three meetings with private utility providers			6.0					6.0				\$1,697
Attend up to three meetings	30.0		12.0								\$2,000	\$12,922
Summarize and document findings from the meetings	1.0		6.0					12.0				\$2,308
Evaluate water supplier distribution system modifications required to connect to Town	1.0		6.0		12.0	12.0						\$4,713
Evaluate water treatment modifications required to serve the Town	1.0		6.0		12.0	12.0						\$4,713
Formulate a list of advantages and disadvantages	1.0		6.0		6.0							\$2,366
Develop a Class 5 or Order of Magnitude opinion of probable cost	3.0		12.0		18.0	18.0						\$8,085
												\$0
Task 4 Water Distribution Supply Modifications												
Review Eastman Ansothy Report and update costs	5.0		16.0			20.0		20.0				\$8,131
Hydraulic Model 2 scenarios for each water supply alternative (SPB included and excluded)												\$0
Evaluate Retail or Wholesale Agreement with a Local Utility												\$0
Develop up to 3 offsite transmission routes (one for each local utility except WPB)	3.0		3.0		12.0	36.0						\$7,577
Develop up to 6 hydraulic scenarios for Local Utility Serving Town	6.0		3.0		12.0	48.0						\$9,874
Develop a Class 5 or Order of Magnitude opinion of probable cost	3.0		12.0			24.0						\$6,081
												\$0
Development of a Town-Owned Water Source												
Develop one offsite transmission route (one for the Quadribe property)	1.0		2.0		4.0	8.0						\$2,241
Develop up to 12 hydraulic scenarios for Town-owned water supply	6.0		12.0		48.0	48.0						\$22,836
Develop a Class 5 or Order of Magnitude opinion of probable cost	3.0		12.0			24.0						\$6,081
												\$0
Public Private Partnerships												
Develop up to 3 offsite transmission routes (one for each private utility)	1.5		6.0		12.0	36.0						\$7,734
Develop up to 6 hydraulic scenarios for private utilities	3.0		12.0		12.0	48.0						\$10,775
Develop a Class 5 or Order of Magnitude opinion of probable cost	1.0		12.0			24.0						\$5,509
												\$0
Task 5 Evaluation Report												
Summarize data from each alternative	4.0		40.0			40.0						\$19,811
Develop exhibits	1.0		12.0		24.0	24.0		24.0				\$11,240
Finalize Draft of Report	10.0		12.0		16.0	16.0		12.0			\$501	\$11,114
Meet with Town	4.0		4.0					4.0				\$2,405
Finalize Report	2.0		12.0		12.0	20.0		8.0				\$7,831
Develop presentation for Town Council	4.0		8.0		8.0	20.0						\$6,716
Town Council Presentation	6.0		6.0									\$2,888
												\$0
												\$0
TOTAL HOURS	184.5	0.0	431.8	0.0	422.0	782.0	0.0	336.0	0.0	0	\$4,501.00	\$316,330
LABOR (\$/HOUR)	\$285.96	\$266.26	\$195.44	\$184.35	\$151.32	\$119.92	\$107.97	\$87.47	\$152.84	1.00	1.0	
ALLOCATION	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00	0.00	0.00	
TOTALS	\$52,749	\$0	\$84,312	\$0	\$72,936	\$93,777	\$0	\$11,296	\$0	\$0	\$4,501	\$316,330

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Ordinances - Second Reading

Agenda Title

ORDINANCE NO. 06-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 106 Of The Town Code Of Ordinances At Article VII, Special Events On Public Property, At Division 1, Section 106-256, Definitions, So As To Amend The Definition Of Special Event To Include Walk/Run; Further Amending Section 106-283, Standards For Issuance, So As To Provide That Special Events Shall Be Subject To Section 106-289; Including A New Section 106-289 Titled Walks And Runs, So As To Provide For Applications For Such Activities And Procedures And Criteria For Approving A Walk/Run Event; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Ordinance No. 06-2020**

ORDINANCE NO. 06-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 106 OF THE TOWN CODE OF ORDINANCES AT ARTICLE VII, SPECIAL EVENTS ON PUBLIC PROPERTY, AT DIVISION 1, SECTION 106-256, DEFINITIONS, SO AS TO AMEND THE DEFINITION OF SPECIAL EVENT TO INCLUDE WALK/RUN; FURTHER AMENDING SECTION 106-283, STANDARDS FOR ISSUANCE, SO AS TO PROVIDE THAT SPECIAL EVENTS SHALL BE SUBJECT TO SECTION 106-289; INCLUDING A NEW SECTION 106-289 TITLED WALKS AND RUNS, SO AS TO PROVIDE FOR APPLICATIONS FOR SUCH ACTIVITIES AND PROCEDURES AND CRITERIA FOR APPROVING A WALK/RUN EVENT; 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. Chapter 106, Article VII of the Town Code of Ordinances is hereby amended at Section 106-256, Definitions, to read as follows:

“Sec. 106-256. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Special event means any meeting, activity, walk/run, or gathering of a group of persons having a common purpose, design or goal, upon any public street, sidewalk, alley, park, beach or other public place or building, which special event substantially inhibits the usual flow of pedestrian or vehicular travel or which occupies any public area or building, which results in preempted use by the general public or which deviates from the established use. Nothing in this article shall preclude the use of such areas by the town for governmental purposes.”

Section 2. Chapter 106, Article VII of the Town Code of Ordinances is hereby amended at Section 106-283, to read as follows:

“Sec. 106-283. - Standards for issuance.

The town manager shall issue a special event permit, when from consideration of the application and from such other information as may otherwise be obtained, he/she finds that:

- (1) No other applicant has obtained a permit for the date requested.
- (2) The special event applicant has agreed in writing to abide by all provisions set forth in this article.
- (3) All required information is set forth in the application and is in accordance with all provisions set forth in this article.
- (4) The concentration of persons and vehicles at assembly points of the special event will not interfere with the proper fire and police protection of or ambulance services to areas contiguous to such assembly areas.
- (5) The conduct of such special event will not interfere with the movement of police and fire rescue vehicles and equipment en route to a fire or the movement of emergency medical services equipment en route to an emergency.
- (6) The special event is not being held for the purpose of advertising any product, goods or event, and shall not be held for private profit or fund raising, unless the applicant is a 501 (c) 3 non-profit, in which a charitable solicitation permit would also be required.
- (7) The conduct of the special event will not substantially interrupt the safe and orderly movement of pedestrian or vehicular traffic contiguous to the place of the special event.
- (8) The conduct of the special event will not result in damage to town-owned property or constitute a hazard to the safety of other persons within the immediate vicinity of the event.
- (9) No event is scheduled elsewhere in the town where the town's resources required for that event are so great that the deployment of resources for the proposed assembly would have an immediate and adverse effect upon the welfare and safety of persons and property.
- (10) An original certificate of insurance was supplied to the town naming the town as additional insured on a policy of liability insurance in an amount not less than \$1,000,000.00 or an amount higher based upon the particular special event proposed.

Applications for the use of Phipps Plaza Park shall receive town council approval prior to the issuance of a special events permit. Said requirement shall automatically expire after three years from the adoption of Ordinance 29-2019.

Applications for special events that involve leaving the primary event location (public or private properties) to utilize public sidewalks, streets and/or bike paths shall receive town council approval prior to the issuance of a special event permit and shall be subject to section 106-289.”

Section 3. Chapter 106, Article VII of the Town Code of Ordinances is hereby amended to include a new Section 106-289, titled Walks and Runs, to read as follows:

“Sec. 106-289. — Walks and Runs

Applications for activities or events that involve leaving the primary event location on public or private properties that will utilize public sidewalks, streets and/or bike paths, and other right-of-way areas for the purpose of organized walks or runs of any distance, shall receive Town Council approval prior to the issuance of a special event permit.

The following procedure and criteria for approving a walk/run event shall be as follows:

- a) Applications for walk/run events shall be submitted as required in section 106-282.
- b) The Town Manager or his/her designee will submit a staff report, the special event application and supporting documentation to the Town Council for its consideration and final approval.
- c) Approval of a walk/run event application shall be subject to the following requirements:
 - 1. Adequacy of the location of the start and finish line as well as the walk/run route, relative to public safety and impact to the residents; and
 - 2. The date(s) and start time(s) of the event, and/or whether or not it will conflict with a town sponsored event or another event in close proximity of the proposed event, and will not adversely impact adjacent residential areas.
 - 3. The maximum number of events held in the requested route area is no more than three per year calendar year and no more than one event every other month.
 - 4. The maximum number of persons permitted by the Town to participate in a walk/run event (including but not limited to spectators, vendors, volunteers, and staff) is 400.
 - 5. Set-up prior to Council approved walk/run event shall not begin prior to 8:00am without Council approval.
 - 6. No amplified music or speaking shall be permitted prior to 9:00am without Council approval.
 - 7. No walk/run events shall be held on a Sunday.”

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 10th day of March, 2020, and for second and final reading on this 15th day of April, 2020.

Gail L. Coniglio, Mayor

Julie Araskog, Town Council Member

Lewis S.W. Crampton, Town Council Member

Bobbie Lindsay, Town Council Member

ATTEST:

Danielle H. Moore, Town Council Member

Patricia Gayle-Gordon
Acting Town Clerk

Margaret A. Zeidman, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Ordinances - Second Reading

Agenda Title

ORDINANCE NO. 07-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 66 Of The Town Code Of Ordinances Related To Natural Resource Protection At Article IV, Vegetation, Division 5, Regulations, Section 66-311, Prohibited Plants, So As To Prohibit, In Addition To Ficus Benjamina, Ficus Nitida; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Ordinance No. 07-2020**

ORDINANCE NO. 07-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 66 OF THE TOWN CODE OF ORDINANCES RELATED TO NATURAL RESOURCE PROTECTION AT ARTICLE IV, VEGETATION, DIVISION 5, REGULATIONS, SECTION 66-311, PROHIBITED PLANTS, SO AS TO PROHIBIT, IN ADDITION TO FICUS BENJAMINA, FICUS NITIDA; 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. Chapter 66 of the Town Code of Ordinances titled Natural Resource Protection, is hereby amended at Article IV, Vegetation, Division 5, Regulations, at Section 66-311, Prohibited Plants, Subsection (d) Prohibition of ficus benjamina, to read as follows:

“Sec. 66-311. - Prohibited plants.

- (d) *Prohibition of ficus benjamina and ficus nitida.* Due to extreme susceptibility of the invasive white fly pest and the consequent enforcement issues to require owners to treat or remove infested ficus benjamina and ficus nitida, no new planting of ficus benjamina or ficus nitida shall be allowed, with the exception of replacement plantings associated with a utility easement. The planting of appropriate native vegetation in a hedge or hedgerow is encouraged.”

Section 2. 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 3. 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 4. 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 11th day of March, 2020, and for second and final reading on this 15th day of April, 2020.

Gail L. Coniglio, Mayor

Julie Araskog, Town Council Member

Lewis S.W. Crampton, Town Council Member

Bobbie Lindsay, Town Council Member

ATTEST:

Danielle H. Moore, Town Council Member

Patricia Gayle-Gordon,
Acting Town Clerk

Margaret A. Zeidman, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: April 15, 2020

Section of Agenda

Ordinances - First Reading

Agenda Title

EMERGENCY ORDINANCE NO. 10-2020 An Emergency Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Extending By A Period Of Ninety (90) Days Deadlines For The Town Council And Its Boards And Commissions To Act Upon Applications Submitted To The Council And Its Boards And Commissions Based Upon The Declaration Of An Emergency Related To The Coronavirus And The Consequent Cancellation Of Meetings and/or Deferral Of Items Which Were Scheduled To Be Heard At A Board Of Commission Meeting; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing An Effective Date.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Emergency Ordinance No. 10-2020**

ORDINANCE NO. 10-2020

AN EMERGENCY ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, EXTENDING BY A PERIOD OF NINETY (90) DAYS DEADLINES FOR THE TOWN COUNCIL AND ITS BOARDS AND COMMISSIONS TO ACT UPON APPLICATIONS SUBMITTED TO THE COUNCIL AND ITS BOARDS AND COMMISSIONS BASED UPON THE DECLARATION OF AN EMERGENCY RELATED TO THE CORONAVIRUS AND THE CONSEQUENT CANCELLATION OF MEETINGS AND/OR DEFERRAL OF ITEMS WHICH WERE SCHEDULED TO BE HEARD AT A BOARD OF COMMISSION MEETING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to the emergency resulting from the Coronavirus, it has become necessary for the Town to cancel regularly scheduled meetings and/or defer items which were scheduled to be heard at meetings of the Town's various boards and commissions; and

WHEREAS, the cancellation of such meetings and/or deferral of items at meetings held may make it impossible for the Town Council and its boards and commissions to act on applications filed with the Town within the time periods designated within the Town Code of Ordinances; and

WHEREAS, because of the declared emergency relating to the Coronavirus, the Town Council desires to extend the time periods in which the Town Council and its boards and commissions are required to act upon applications submitted to the Town for a period of an additional ninety (90) days.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The specific time periods required for the Town and its boards and commissions to act in response to applications filed with the Town, as specifically designated in, but not limited to, Chapters 18, 54, and 134 of the Town Code of Ordinances are hereby extended for an additional ninety (90) days to account for the period of time during which the emergency declaration relating to the Coronavirus is in effect.

Section 2. 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 3. 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 4. Effective Date.

This Ordinance shall take effect immediately upon first reading as an emergency ordinance.

PASSED AND ADOPTED as an emergency ordinance in a special session of the
Town Council of the Town of Palm Beach this 15th day of April, 2020.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Patricia Gayle-Gordon, Acting Town Clerk

, Town Council Member