TENTATIVE:
SUBJECT TO
REVISION

TOWN OF PALM BEACH

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

MARCH 12, 2024

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

Danielle H. Moore, Mayor
Margaret A. Zeidman, President
Bobbie D. Lindsay, President Pro Tem
Julie Araskog
Ted Cooney
Lew Crampton

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. RECOGNITIONS

A. Recognition of John David Corey's Service on the Architectural Commission (ARCOM) from March 2016 to March 2024

B. Recognition of Thomas Kirchhoff's Service on the Architectural Commission (ARCOM) from March 2021 to March 2024

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

A. Presentations by the Applicants and Appointments to the Architectural Commission Page 7

Kelly Churney, Acting Town Clerk

B. Presentations by the Applicants and Appointments to the Code Enforcement Board Page 89

Kelly Churney, Acting Town Clerk

C. Presentations by the Applicants and Appointments to the Landmarks Preservation Commission Page 140

Kelly Churney, Acting Town Clerk

D. Presentations by the Applicants and Appointments to the Retirement Board of Trustees Page 220

Kelly Churney, Acting Town Clerk

VII. COMMENTS OF MAYOR DANIELLE H. MOORE

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

X. APPROVAL OF CONSENT AGENDA

A. MINUTES

1. Town Council Meeting Minutes Page 241
   Kelly Churney, Acting Town Clerk

   a. February 13, 2024, Town Council Meeting Minutes
   b. February 14, 2024, Town Council Development Review Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of February 28, 2024 Page 281
   Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 017-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Bifurcating the Project Designation Manual or Design Review Matrix for the ARCOM and LPC as referenced in Chapter 18 of the Town Code of Ordinances; Providing an Effective Date. Page 289

Wayne Bergman, Director of Planning, Zoning and Building

2. RESOLUTION NO. 018-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Locally Funded Agreement (LFA) Between the Florida Department of Transportation (FDOT) and the Town of Palm Beach for the Amount of $17,979, and Amendment One to the Maintenance of Memorandum Agreement for the Roadwork Construction Project along State Road-A1A from Lake Avenue to North of Ibis Way Project. Page 303

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

3. RESOLUTION NO. 024-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to CPZ Architects Inc. for Town of Palm Beach Police Station Renovation of the Bathrooms, Locker Rooms and Aging Sanitary Sewer and Domestic Water Piping in the Amount of $179,906 and Establishing a Project Budget of 198,000 for Design Services. Page 351

   Dean Mealy, II Procurement and Contract Manager

4. RESOLUTION NO. 026-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2024-12, Automated External Defibrillators (AED) and Related Training Material for the Fire Department in an Amount Not-to-Exceed $150,000 to Life Safety Solutions. Page 380

   Dean Mealy, II Procurement and Contract Manager

5. RESOLUTION NO. 029-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn and Associates, Inc. for Professional Engineering Services for the Sand Transfer Plant in the amount of $99,300 and Establishing a Project Budget of $114,195. Page 383

   Dean Mealy, II Procurement and Contract Manager

6. RESOLUTION NO. 030-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Duval Ford for the Purchase of Two (2) Ford Bronco Sports for the Fire Department in an Amount of $63,184 and Establishing a Project Budget of $70,000. Page 392

   Dean Mealy, II Procurement and Contract Manager

7. RESOLUTION NO. 033-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Proposed Beautification Design Plans for the Park Avenue Pocket Parks and Accept a Donation to Construct the Beautification Project. The Donation Amount is to be Determined at the Time of the Final Bid. Page 396

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

C. OTHER

1. Request to Consider Ordinance Nos. 001-2024; 002-2024; 003- Page 405

2024; 004-2024; 005-2024; 006-2024 and 009-2024, at the March 13, 2024, Public Hearing Prior to 5:00 PM

Wayne Bergman, Director of Planning, Zoning and Building

2. PERC - Extension of Appointment Page 495

Gillian Barth, Director of People & Culture

3. Request by the City of West Palm Beach for Town Sponsorship for City's 4th on Flagler Event Page 503

Kirk W. Blouin, Town Manager

4. Endorse Palm Beach County's Bonefish Islands Restoration Project and Approve Waivers to Town Code for Construction Dates, Hours, and Noise in Lake Worth Lagoon Page 507

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

XI. BOARD/COMMISSION ANNUAL REPORT

A. Annual Report of the Landmarks Preservation Commission Page 511

Sue Patterson, Chair

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. Verbal Update Regarding Traffic Study Additional Tasks

Wayne Bergman, Director of Planning, Zoning and Building

2. RESOLUTION NO. 028-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Second Amendment and Restated Ground Lease Agreement with CRE Fund at Okeechobee Boulevard, LLC, a Florida Limited Liability Company and is Joined in the Second Amendment by AHS Residential, LLC. Page 514

Kirk W. Blouin, Town Manager

3. Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status Page 522

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

4. Phipps Ocean Park Project Update Page 538

RESOLUTION NO. 031-2024 A Resolution of the Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Guaranteed Maximum Price Construction Contract for the Phipps Ocean Park Improvements to Burkhardt Construction, Inc. In The Amount Of $30,018,930.15 And Establishing an Overall Construction Budget Of $33,027,930.15. Contingent On the Approval of The Phipps Ocean Park Capital Gifts and Operation Agreement.

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

5. Discussion Regarding Traffic Issues and Presentation of Mitigation Plans Page 584

   Nicholas Caristo, Chief of Police

C. New Business

1. GIS Web Application Demonstration

   Andy Jadoo, Director of Information Techology

2. Pension Plan Review and Proposal Page 641

   Maggie Zeidman, Council President

3. Discussion Regarding Time Extensions & Deferrals Related to LPC/ARCOM

   Wayne Bergman, Director of Planning, Zoning and Building

4. RESOLUTION NO. 034-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, To Amend the Town's Fund Balance Policy for the General Fund. Page 647

   Bob Miracle Deputy Town Manager - Finance and Administration

5. RESOLUTION NO. 035-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, To Amend the Town's Funding Policy for the Retirement Fund. Page 655

   Bob Miracle, Deputy Town Manager - Finance and Administration

D. Quarterly Litigation Report

1. Litigation Status Report Page 660

   Joanne O'Connor, Town Attorney

XIII. ORDINANCES

A. First Reading

1. Proposed Ordinance to Amend the Town Code Relative to the Deferred Retirement Option Program (DROP) Page 726

   ORDINANCE NO. 010-2024 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 Of The Town Code Of Ordinances Relating To Personnel, At Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision IV, Police Officers, By Amending Section 82-119, Deferred Retirement Option Program For Police Officers; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

   Joanne O'Connor, Town Attorney

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

Procedures for Public Participation:

Note 1: **Live Stream audio:** To watch/listen live, visit the 'Public Meetings' webpage on the Town's website at www.townofpalmbeach.com. and select the "View Event" or "Click Here to Listen" button.

Note 2: Any citizen is entitled to be heard concerning any matter under the sections entitled 'Communications from Citizens' and 'Public Hearings', subject to the three-minute limitation. The public also can speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion. 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. In-person or virtual Public Comment is limited to three minutes and must be preceded by your name and address for the record. As a public business meeting, the Town Council President retains the right to limit discussion on any issue.

Alternative public comment is also welcome for Town Council Meetings via four methods:

1. To make a public comment virtually (for Town Council Meetings Only), email a request to publiccomment@townofpalmbeach.com and identify the desired agenda item(s) to be addressed

2. Written public comment submittals should be sent to publiccomment@townofpalmbeach.com.

3. Direct written entry into the public meeting record through the eComment portal on the Public Meetings webpage.

4. Mail or in-person submittal of written document to the Town Clerk's Office at Town Hall no later than the Friday prior to the meeting.

Note 3: **Appeals:** If a person decides to appeal any decision made with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons needing accommodations to participate in this meeting are requested to call the Clerk's Office at (561) 838-5416 at least one day prior to the meeting.

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Architectural Commission

Presenter

Kelly Churney, Acting Town Clerk

ATTACHMENTS:

- **Memorandum Dated March 4, 2024, from Kelly Churney, Acting Town Clerk**
- **Chapter 18 - Specific to the Appointment of ARCOM Members**
- **ARCOM Attendance 2023-2024**
- **ARCOM Roster**
- **Status Sheet**
- **Sample Ballot**
- **Application - Gerard Beekman**
- **Application - Katherine "KT" Catlin**
- **Application - Alicia Grace**
- **Application - Todd Michael Glaser**
- **Application - Henry A. Ittleson**
- **Application - Hillary Masters**
- **Application - David R. Phoenix, Jr.**
- **Application - Jeffrey W. Smith**
- **Application - Claudia Visconti**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Kelly Churney, Acting Town Clerk

RE: Architectural Commission (ARCOM) Appointment of Three (3) Regular Members

DATE: March 4, 2024

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint three (3) regular members to the Architectural Commission (ARCOM). These members will fill the vacancies created due to the term expirations of Jeffrey W. Smith, John David Corey and Thomas M. Kirchhoff. Messrs. Smith and Kirchhoff are eligible for reappointment.

GENERAL INFORMATION

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

1. Jeffrey W. Smith, 241 Sanford Avenue, Palm Beach, FL.

The Town Clerk's office has received one (1) application seeking **PROMOTION TO REGULAR MEMBER** from:

1. Katherine "KT" Catlin, 266 Fairview Road, Palm Beach, FL.

The Town Clerk's office has received seven (7) applications seeking **NEW APPOINTMENT** from:

1. Gerard Beekman, 412 S. Palmway, Apt. 4, Lake Worth Beach, FL;
2. Todd Michael Glaser, 125 Via Del Lago, Palm Beach, FL;
3. Alicia Grace, 247 Seaspray Avenue, Palm Beach, FL;
4. Henry A. Ittleson, 132 El Brillo Way, Palm Beach, FL;
5. Hillary Masters, 170 Chilean Avenue, #3C, Palm Beach, FL;
6. David R. Phoenix, Jr., 434 Chilean Avenue, Palm Beach, FL;
7. Claudia Visconti, 310 Valette Way, West Palm Beach, FL.

Attachments

cc: Wayne Bergman, Director of Planning, Zoning and Building
Jennifer Hofmeister-Drew, Planner III

Sec. 18-166. - Membership; appointment.

(a) The architectural commission shall consist of seven members. At least two members, but not more than three members, of such commission shall be registered architects in the state. In the event there are in the discretion of the town council, no bona tide applicants who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. In addition to the two registered architects, one member of such commission shall be a landscape architect, if available. However, in the event a landscape architect is not available, then one member of such commission shall be a master gardener or someone with equivalent expertise in landscape.

(b) The members of such commission shall be appointed by the town council, and the commission shall designate a chair and a vice-chair.

(Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 07-2018 , § 1, 6-12-18)

Sec. 18-167. - Qualifications of members.

(a) All members of the architectural commission shall be specially qualified by reason of training or experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business or profession, or by reason of civic interest and sound judgment to judge the effects of a proposed building upon the desirability, property values and development of surrounding areas.

(b) Each member of the commission is required to be a registered voter in the town; however, one member may be a non-resident of the town in the event it is determined by the town council that said individual has a special expertise as a State of Florida licensed architect or landscape architect that will benefit the commission and the town.

(Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 07-2018 , § 1, 6-12-18)

Sec. 18-168. - Terms.

(a) Members of the architectural commission shall be appointed for terms of three years from and after the expiration of each term. If a vacancy shall occur otherwise than by the expiration of a term, it shall be filled by the town council for the unexpired term.

(b) No member of the commission may serve more than two consecutive terms; but this subsection shall not preclude any person from being appointed to a successive term, subsequent to the serving of two consecutive three-year terms, if such person has ceased to be a member of the commission for a period of time not less than nine months. Further, if a member has been appointed to fill a vacant term of office, which term is for a period of time less than 50 percent of a full three-year term, that person shall not be precluded from serving for two successive three-

year terms. Additionally, although an alternate member may not serve more than two three-year terms as an alternate, the alternate member may be appointed to serve as a regular member of the commission and shall be entitled to serve two full three-year terms thereafter.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-169. - Removal provisions; absences.

All members of the architectural commission, including alternates, serve at the pleasure of the town council and may be removed from the commission with or without cause. Members of the commission shall be automatically removed for lack of attendance, which is defined as failure to attend three regularly scheduled meetings in any one calendar year. Excused absences due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. The member shall notify the director of planning, zoning and building in writing of the board member's intended absence at least seven business days prior to the regularly scheduled meeting. Failure to do so, absent an emergency which prevents timely notice, will cause the absence to be unexcused. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the commission after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this Code.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-170. - Conflicts of interest.

(a) If excessive conflicts of interest arise during any one calendar year, the architectural commission member shall be subject to being removed by the town council upon the Council's review and consideration of the matter. The town council shall have the sole discretion as to whether removal shall be required. Excessive conflicts of interest are defined as five or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application, once declared, shall not be counted as additional conflicts of interest. This rule shall apply from the date of adoption to the end of the 2013 calendar year and shall be applicable, thereafter, on a calendar year basis. Conflicts declared in regard to "minor projects" shall not be considered in the definition of "excessive conflicts" referenced above for those members of the Commission (architects and master gardeners, or their equivalent) who meet the requirements of section 18-166 of this chapter.

(b) If a member of the commission has a conflict of interest resulting from that member or the member's firm representing an applicant before the commission, it shall be the duty and obligation of the member having the conflict to comply with the following requirements:

(1) Notification of the conflict of interest shall be noted on the application form at the time of the submission of the application. The conflict will be identified on the commission agenda.

(2) The member having the conflict of interest shall not participate in the discussion and shall leave the chamber until the item is concluded.

(3) The member having the conflict shall not present the project to the commission, except in a case where the commission member is a sole practitioner who is unable to represent a client through an associate.

(Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 09-2021 , § 1, 6-9-21)

Sec. 18-171. - Alternate members.

The town council may, in its discretion, appoint three alternate members to the architectural commission, who shall serve when called upon by the chair of the commission in the absence of any regular member. Alternate members are required to attend all meetings of the commission and are subject to the same attendance requirements as regular members with the same provisions relating to excused absences being applicable. Alternate members shall not vote on any matter unless they are sitting to fill the position of a regular member of the commission who is absent or in the event of a conflict of interest; however, alternate members may participate in the discussion of matters coming before the commission whether they are sitting as voting members or not.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

TOWN OF PALM BEACH

ARCHITECTURAL REVIEW COMMISSION

ATTENDANCE RECORD 2024

MEMBERS	1/24/2024	2/28/2024	3/27/2024	4/24/2024	5/29/2024	6/26/2024	7/24/2024	8/28/2024	9/25/2024	10/23/2024	11/22/2024	12/20/2024
Jeffrey Smith	E	P										
Richard Sammons	P	P										
John David Corey	P	P										
Betsy Shiverick	P	P										
Thomas Kirchhoff	P	P										
Kenn Karakul	P	P										
Elizabeth Connaughton	P	P										
ALTERNATE MEMBERS												
Dan Floersheimer	P	P										
Joshua Martin	U	U										
KT Catlin	P	P										

LEGEND P=PRESENT
E=EXCUSED
U-UNEXCUSED
A=ABSENT PENDING CLASSIFICATION AS "EXCUSED" OR "UNEXCUSED"
X=COMMISSION DID NOT MEET
#=TERM EXPIRED
**PROMOTED TO REGULAR MEMBER

TOWN OF PALM BEACH

ARCHITECTURAL REVIEW COMMISSION

ATTENDANCE RECORD 2023

MEMBERS	1/25/2023	2/22/2023	3/29/2023	4/26/2023	5/24/2023	6/28/2023	7/26/2023	8/23/2023	9/27/2023	10/25/2023	11/20/2023	12/15/2023
Jeffrey Smith	P	P	P	P	P	P	P	P	P	E	P	P
Richard Sammons	P	U	P	P	P	P	P	P	U	E	P	P
Alicia "Maisie" Grace	P	P	#	#	#	#	#	#	#	#	#	#
John David Corey	P	P	P	P	P	P	E	P	P	P	P	P
Betsy Shiverick	P	P	P	P	P	P	P	P	P	P	P	P
Thomas Kirchhoff	P	P	U	P	P	P	P	P	P	P	P	E
Kenn Karakul	P	P	P	P	P	P	P	P	P	U	P	E
Elizabeth Connaughton	**	**	P	P	P	U	P	P	P	U	P	P
ALTERNATE MEMBERS												
Dan Floersheimer	P	P	P	P	P	P	P	P	U	P	P	P
Elizabeth Connaughton	P	P	**	**	**	**	**	**	**	**	**	**
Joshua Martin	E	P	U	U	P	P	E	P	P	P	P	E
KT Catlin	*	*	P	P	P	P	P	P	P	P	P	P

LEGEND P=PRESENT
E=EXCUSED
U-UNEXCUSED
A=ABSENT PENDING CLASSIFICATION AS "EXCUSED" OR "UNEXCUSED"
X=COMMISSION DID NOT MEET
#=TERM EXPIRED
**PROMOTED TO REGULAR MEMBER
* Appointed 3/2023

ARCHITECTURAL COMMISSION MEMBERS

NAME AND ADDRESS	APPOINTED	TERM EXPIRES
Jeffrey W. Smith - **Chairman** **ARCHITECT** Palm Beach, FL 33480	3/2021 9/2020	3/2024 (Term 1) 3/2021 (Term 0)
Richard Sammons**, Vice Chairman** **ARCHITECT** Palm Beach, FL 33480	3/2022 5/2021	3/2025 (Term 1) 3/2022 (Term 0 alternate)
John David Corey **Master Gardener** Palm Beach, FL 33480	3/2021 3/2018 3/2016	3/2024 (Term 2) 3/2021 (Term 1) 3/2018 (Term 1 alternate)
Betsy Shiverick Palm Beach, FL 33480	3/2023 3/2020 3/2016	3/2026 (Term 2) 3/2023 (Term 1) 3/2020 (Terms 1 & 2 alternate)
Thomas M. Kirchhoff **ARCHITECT** Jupiter, FL 33458	3/2021	3/2024 (Term 1)
Kenn Karakul Palm Beach, FL 33480	3/2022	3/2025 (Term 1)
Elizabeth Connaughton Palm Beach, FL 33480	3/2023 3/2022	3/2026 (Term 1) 3/2023 (Term 1 Alternate)
Alternate Commission Members		
Dan Floersheimer (Alternate) Palm Beach, FL 33480	3/2022 3/2019 3/2018	3/2025 (Term 2) 3/2022 (Term 1) 3/2019 (Term 0)
Joshua L. Martin (Alternate) Palm Beach, FL 33480	3/2022	3/2025 (Term 1)
Katherine “KT” Catlin Palm Beach, FL 33480	3/2023 *Fulfilling the unexpired alternate term of Elizabeth Connaughton; serving 2 yrs. (more than 50% of a term)	3/2025 (Term 1)*

Rev. 03/21/2023 kmc

Status Sheet

ARCHITECTURAL COMMISSION (ARCOM)

Next appointment: **March 12, 2024, Town Council meeting**

Openings advertised via news release: **January 16, 2024**

Deadline to submit applications: **Friday, March 1, 2024, by 5:00 p.m.**

Number of openings: **3 regular members**

Applicants

NAME	SEEKING
Katherine "KT" Catlin	Promotion to Regular Member
Gerard Beekman	New Appointment
Todd Michael Glaser	New Appointment
Alicia Grace	New Appointment
Henry A. Ittleson	New Appointment
Hillary Masters	New Appointment
David R. Phoenix,Jr.	New Appointment
Claudia Visconti	New Appointment
Jeffrey W. Smith	Reappointment

Current members and open seats

NAME	TERM EXPIRES
Regular Members	
Jeffrey W. Smith, Chair*	March, 2024
Richard Sammons, Vice Chair	March, 2025
John David Corey***	March, 2024
Betsy Shiverick	March, 2026
Thomas M. Kirchhoff – Architect	March, 2024
Kenn Karakul	March, 2025
Elizabeth Connaughton	March, 2026
Alternate Members	
Dan Floersheimer	March, 2025
Joshua L. Martin	March, 2025
Katherine "KT" Catlin**	March, 2025

Highlighted in yellow=term currently expiring/vacant
*=Applied for reappointment
**=Applied for appointment from alternate member to regular member
***=Termed out

3/4/2024 9:12 AM

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER(S)
TO THE **ARCHITECTURAL REVIEW COMMISSION**
Town Council Meeting on **March 14, 2023**

Positions to be filled: **_3__ Regular Members**

Please circle __3__ from the list of names appearing below.

Regular Member Applying for Reappointment

Jeffrey W. Smith

Alternate Member Applying for Promotion

Katherine "KT" Catlin

Others Who Have Submitted Applications
(Listed Alphabetically)

Gerard Beekman

Todd Michael Glaser

Alicia Grace

Henry A. Ittleson

Hillary Masters

David R. Phoenix, Jr.

Claudia Visconti

SAMPLE BALLOT

Signature of Town Council Member: _____
Town Council Member

Application for Service

Profile

Gerard — First Name
J — Middle Initial
Beekman — Last Name

412 S Palmway — Home Address
Apt 4 — Suite or Apt

Lake Worth Beach — City
FL — State
33460 — Postal Code

gbeekman@madisonwortharch.com — Email Address

Mobile: (646) 401-2486 — Primary Phone
Mobile: (917) 225-9096 — Alternate Phone

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

No - GJB

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Architect — Occupation

In what area of town do you live?

None Selected

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I am deeply committed to the continued excellence in architectural design and building construction, specifically in relation to scale, quality of detailing, and the choice of materials. These aspects are intricately tied to - and must be in harmony with - the rich architectural heritage of the Town of Palm Beach.

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

4

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

Sometimes in the Month of August when at my residence in France

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

Yes: I have submitted projects for approval to the Town of Palm Beach ARCOM in different neighborhoods over the years. Mostly in R-B and R-A Zoning

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

- ☑ Preservation Foundation of Palm Beach
- ☑ Other

Present Occupation

Architect

No. of years

23.5 years

Past occupation(s)

member of the Institute of Classical Architecture and Art, Member of the American Institute of Architects

No. of years

Please provide details regarding your educational background:

Bachelor of Fine Arts from the Rhode Island School of Design Bachelor of Architecture (5 year degree) from the Rhode Island School of Design Continuing Education classes at the Institute of Classical Architecture and Art

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

◉ Yes ○ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

◉ Yes ○ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

New York, Rhode Island, Connecticut, Pennsylvania

Gerard_Beekman_Documentation.pdf

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

I bring extensive experience to the table, having dedicated numerous years to the field of residential architecture, primarily catering to ultra-high-net-worth individuals. Throughout my career, I have been privileged to work exclusively with clients who prioritize the excellence of design. Prior to establishing our firm, I honed my skills within AD100 firms, each renowned for its distinctive approach to design. My work philosophy revolves around a meticulous examination of the local vernacular, considering the interplay between the buildings I design and their cultural, historical, and physical contexts, including topography. At our firm, we place a strong emphasis on the detailing of classical elements, showcasing a commitment to the highest standards of quality in our work. I am eager to contribute my innate talent for design, coupled with the knowledge amassed over the years, towards guiding architects and individuals seeking to build in the town. I would like to actively participate in the crucial process of ARCOM ensuring a superior quality end product, contributing to the perpetuation of Palm Beach's architectural and urban design heritage. I am enthusiastic about offering my skills to uphold the town's aesthetic and architectural standards.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

My office is located on 125 Worth Avenue. I have no direct relatives living on the island. My first cousin Moira Forbes owns a house on the North End.

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

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 the Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. The seven regular members and three alternate members are Town registered voters appointed by the Town Council. Regular members are appointed for three-year terms and no member may serve more than two consecutive terms. Members are appointed on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest. At least two members, but not more than three members, shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applications who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats.

GERARD J. BEEKMAN, A.I.A., LEED AP

FLORIDA ARCHITECT LICENSE #AR 95819

BIOGRAPHY



Gerard Beekman is a licensed architect in multiple states and the president of Madison Worth Architecture, a full-service studio with offices in Palm Beach and New York City. A recipient of a 2021 Mizner Award from the Institute of Classical Architecture and Art, Gerard specializes in designing bespoke residential projects for clients with a sophisticated eye for design. He's dedicated his career to designing buildings with impeccable proportions, effortless elegance, and quality of architectural detailing.

Gerard's intimate knowledge of the architecture in Palm Beach and its history positions him to provide leadership on the Commission. His work spans the varied typologies of buildings — from smaller scaled homes in the North End, to condominiums in midtown to mansions in the large estates zone. Gerard has worked on landmarked homes and has formal training in the canons of classical architecture. He believes that while the design process should begin with his clients, their lifestyle and vision for their home, a building must always relate to its context; both in terms of the built-environment and culture.

Navigating the tension between the zoning code's intent and an owner's needs is one of Gerard's greatest strengths. The result is consistently a building that is not only beautiful but also satisfies all parties and is scaled for its site and neighborhood. To date, the construction and renovation projects he has presented to the ARCOM and the Landmarks Commission have been approved without deferrals at their first presentation. Furthermore, Gerard is well-versed in the intricacies of architectural styles and has a love for all those represented in the town's makeup at large. He does not impose stylistic manifestos on his clients and thrives on discussion related to design precedent, and developing buildings with unique, striking appearances. While the foundation of his process lies in his beautiful hand drawings, his firm's work is supported by the study of form using the latest technologies, including 3D printed models and VR animations (used with or without VR headsets).

Prior to founding Madison Worth Architecture, Gerard was an associate at Robert Stern Architects, working on noteworthy commissions in the United States and abroad. Gerard's first introduction to the specificity of design in Palm Beach was at the Rhode Island School of Design, where he worked on a semester-long project for the design of a fictional resort hotel on the five-acre site of the Casa Apava. After graduating with a Bachelor's degree in Architecture, Gerard spent two years at Peter Marino Architect, working on the interior architecture of La Reverie for Sidell Miller. At Ferguson Shamamian Architects, Gerard was the project manager for the reconstruction of Maurice Fatio's residence for E. F. Hutton on South Ocean Boulevard.

Gerard grew up in Switzerland and holds US and French citizenship. (Maurice Fatio's grandchildren are his cousins). He and his husband, award-winning filmmaker, Sean Kaminsky, divide time between their homes in Lake Worth Beach, Brooklyn, upstate New York (The Catskills) and their beach home in the Pays de la Loire in France.

GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

PROFESSIONAL EXPERIENCE

President at **MADISON WORTH ARCHITECTURE D.P.C.** May 2003 - Present

Vice President at **GRAMATAN CORPORATION ARCHITECTURE**

- **167 Seagate Road** residence for Mr. and Mrs. George Merck – 5,500 square feet – new Jamaican inspired island house - landscape by Nievera Williams Design
- **1040 North Lake Way** residence for Mr. and Mrs. Ed Garden – 6,600 square feet – full gut renovation and fenestration alterations of Regency Style house - Landscape by Fernando Wong Outdoor Living Design
- **Earl E. T. Smith Memorial Park** new fountain design, park renovation and landscape plan
- **Conyers Farms, Greenwich CT** residence for Mr. & Mrs. Jim Clark – 20,000 square feet - Gut renovation and addition of accessory buildings - Decoration by Steven Gambrel
- **1574 South Ocean Boulevard** residence for Mr. and Mrs. Martin Gruss – Renovation and enclosure of entry portico - Interior design by Scott Snyder Inc.
- **2252 Ibis Isle Road** residence for Mr. and Mrs. Andrew Marks – 6,000 square feet – new International Style waterfront house - landscape by Nieveral Williams Design
- **575 Island Drive** residence for Mr. and Mrs. Robert Gilbane – 6,800 square feet - full gut renovation of Island Style house - Decoration by Sara Gilbane Interiors and landscape by Environment Design
- **8 Golfview road** residence for Mr. and Mrs. George Roush at– 9,000 square foot home – New Mediterranean Revival style house (ARCOM approved – not built)
- **1486 North Lake Way** residence of Mrs. Phipps – partial interior remodel
- **401 Antigua Lane** private residence – partial interior remodel
- **Residence on the Main Line, Pennsylvania** - Renovation and addition to historic mansion
- **200 Bradley Place** private condominium – gut renovation
- **1768 South Ocean Boulevard** private residence – partial interior remodel
- **Faena House - 315 Collins Avenue Miami** private condominium – Architect of record for gut renovation
- **850 South Ocean Boulevard** – Architect of record for gut renovation of landmarked house
- **360 South Ocean Boulevard** – Architect of record for gut renovation of condominium
- **1960 South Ocean Boulevard** residence for Mr. and Mrs. Steve Wynn – new Master Suite (not built)

Construction Project Manager at **LIVINGSTON BUILDERS, INC.** May 2003 - Present

- **770 Park Avenue, New York New York** – 5,400 square foot penthouse gut renovation in one summer
- **2644 Bronson Road, Fairfield, Connecticut** – new equestrian estate 30 acres, seven buildings and stables

GERARD J. BEEKMAN, A.I.A., LEED AP
FLORIDA ARCHITECT LICENSE #AR 95819

RESUME AND REFERENCES

Associate at **ROBERT A. M. STERN ARCHITECTS** 2007 - 2013

- **Audley Square, Mayfair, London England** – New Seven-story luxury condominium on listed town square
- **Tiffany & Co. By-appointment Jewel Salon** – 1,500 square foot private space in New York Flagship store
- **18 Gramercy Park South** – Reconstruction of an 18-story Georgian landmark and reuse as a condominium
- **Private Residence in Singapore** – New important house inspired by Singapore's "Black and White style"
- **Private Residence in New Delhi, India** – 11,000 square foot 18th century inspired new house
- **50 Curzon Street, Mayfair, London England** – New luxury condominium
- **Miramar Hotel and Bungalows, Santa Barbara** – Five star beach resort in Santa Barbara

Project Manager at **FERGUSON SHAMAMIAN ARCHITECTS, LLP** 2003 - 2007

- **1768 South Ocean Boulevard** – 32,000 square foot reconstruction of a Maurice Fatio landmarked residence
- **944 Fifth Avenue New York** – 5,500 square foot floor gut renovation
- **Old Fort Bay, Nassau Bahamas** – 8,500 square foot new Venetian inspired villa and accessory buildings

Junior Architect at **PETER MARINO ARCHITECT** 1999 - 2003

- **1415 South Ocean Boulevard** – New 65,000 square foot house with Smith Architectural Group Inc.
- **Penthouse of the Four Seasons Hotel, New York** – 4,500 square foot tower addition with I. M. Pei
- **Penthouse at Canary Warf, London England** – 3,000 square foot – gut renovation
- **Château de Chantilly, France** - 5 star hotel design for His Highness the Aga Khan

EDUCATION

Rhode Island School of Design, Providence Rhode Island
Bachelor of Architecture,
Bachelor of Fine Arts

International School of Geneva, Switzerland
International Baccalaureate

Brown University -Dietrich Neumann's course on the architecture of Film
Institute of Classical Art & Architecture - Courses on the orders of classical architecture and interior detailing

LICENSES

State of Florida #AR95819
State of New York #034710
State of Connecticut #ARI.0013999
State of Pennsylvania #RA406481

PROFESSIONAL REFERENCES

Mr. Robert A. M. Stern – Principal – Robert A. M. Stern Architects +1 (212) 967-5100
Mr. Mark Ferguson – Principal – Ferguson Shamamian Architects, LLP +1 (212) 944-8180

Application for Service

Profile

Katherine
First Name

"KT"
Middle Initial

Catlin
Last Name

266 Fairview Road
Home Address

Suite or Apt

Palm Beach
City

FL
State

33481
Postal Code

ktcatlin@hotmail.com
Email Address

Home: (561) 842-7084
Primary Phone

Home: (908) 229-9151
Alternate Phone

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

KTC

Question applies to multiple boards

VERIFIED - KMC 1-23-24

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Retired
Occupation

In what area of town do you live?

- [x] North

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I was an alternate member for 5 years and am interested in continuing to server the Town of Palm Beach and it's residents as a full voting member. Committees, Councils and Commissions where volunteers from the community serve are critical to the culture & beauty of Palm Beach.

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

10

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

I have demonstrated my ability and willingness to attend meeting with my attendance record on ARCOM. I take the position seriously and have only missed due to illness or work requirements. Since I am now fully retired, I have complete control of my schedule.

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

My only experience requesting approvals was for a replacement of a roof. like for like. To accomplish this we had to utilize the Historically significant designation. The approval was granted at the staff level. I served as an alternate on the commission for 5 years until terming out and am 10 months into new term of 2 years replacing an alternate that moved up.

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

- [x] Palm Beach Civic Association
- [x] Preservation Foundation of Palm Beach

Present Occupation

Retired

No. of years

1

Past occupation(s)

I have been in the workforce for over 50 years. Starting as an executive in the retail industry I was in the buying line for such noted companies as Hahne's Department Store, Bamberger's, Stern's and JW Rhodes. I moved from the merchandising side of the business to operations and training. I left retail and went to work as a sales associate for Schlott Realtors in 1989. I have over 30 year Real Estate sales/training and management for many of the top companies, Weichert, Re Max and Coldwell Banker and Century 21. My specialty has always been new construction. I have remained an active participant in the Housing Industry. In April of 2023 I retired as the Executive Officer for Gold Coast Builders Association where I sat on the National Association of Home Builders, Remodeler's Council Board of Trustees. I still attend Conferences related to the Home Building Industry including discussions on remodeling and ground up construction. I interact with industry professional and am aware of many aspects of the industry that impact the look and quality as well as functionality of the new homes being built today.

No. of years

40+

Please provide details regarding your educational background:

Fairleigh Dickinson University; Madison, NJ, BA 1974 Licensed NJ Real Estate Broker 1994 Institute of Residential Marketing (MIRM Candidate) Certified New Homes Sales Professional 1994 Certified New Homes Marketing Professional 2001 Certified Luxury Home Marketing Specialist 2004 Graduate Realtor Institute (GRI) 1994 Landmark Education Introduction Leader 2008 Continuing Education Over 400 hours

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

- [x] Architecture
- [x] Landscape Architecture/Design
- [x] Architectural History
- [x] History
- [x] Design
- [x] Building Construction

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

I have an extensive background in "Housing/Building/Real Estate" that allows me to objectively review the projects presented. I am also a Full Time resident and am the 3rd generation of my family to call Palm Beach Home. Having served for 5+ years I have demonstrated my ability to work in a professional manner with both the applicants and my fellow commissioners. I am diligent in my preparation, and I believe fair in my evaluations. I firmly believe it is important to preserve the ambiance, culture and beauty of our town and I fully understand that additions/renovations/restorations and new construction are always going to occur. It has been a privilege to work with all involved to strike a balance that works to enhance the beauty of our town while protecting is history. I am able to look at the home designs presented objectively without prejudice or imposing a preference for my personal taste. I also have the trust and respect of many or the professional that have come before the board while I sat for 5+ years. Many individuals have commented that my comments are professional, helpful and moved the conversation and project forward. Individuals understood what needed to be done to resolve the issue(s) I may have pointed to or questioned and were not left wondering what they might do if they were deferred. As I look back on projects approved and denied over the last 6+ years (5 + of my tenure and 1 with me as an observer) I see many instances where I strongly express an unpopular opinion only to have the commission come round to what my comments or suggestions were at the start. I also have the respect of the community; many a resident has approached me expressing frustration with the commission. I have always been able to answer general questions about "Why or How" ARCOM could let this or that happen or pass explaining the limits and powers of the commission and gently nudging individuals to not be silent but if they feel strongly to attend/speak/write but not remain silent. I do believe that the Builders of "Spec" homes can be a challenge and I also believe that when we meet and work with them versus treating them as the enemy, we can help that Builder/Developer/Investor produce a better product for the prospective client/buyer as well as the town. THIS can result is less "return" visits to the commission, happier residents and our ultimate goal of retaining the special quality of our town.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

Ralph Del Deo - retired and live on Fairview, parents Dr Campazzi - Campazzi Concierge Medical Practice, brother-in -law

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Katherine "KT" Catlin

Question applies to Architectural Review Commission (ARCOM)

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

ARCHITECTURAL COMMISSION (ARCOM)

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. The seven regular members and three alternate members are Town registered voters appointed by the Town Council. Regular members are appointed for three-year terms and no member may serve more than two consecutive terms. Members are appointed on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest. At least two members, but not more than three members, shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applications who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats.

Katherine "KT" Catlin

KATHERINE (K.T.) CATLIN GRI, CSP, CMP, CLHMS

265 Fairview Rd, Palm Beach Florida 333480
Mobile (908) 229-9150

SALES & MARKETING EXECUTIVE

Results driven sales and marketing executive, consistently successful in the design and execution of strategic business plans, and initiatives that exceed projected profitability goals and successfully gain the competitive market advantage. A true ground zero strategist consistent in identifying "gaps" in the product, market and serviceability chain -- and devising innovative approaches to improve pricing, sales, processes and performance -- that directly impact customer satisfactions levels and bottom-line profitability goals.

AREAS OF EXPERTISE • QUALIFICATIONS • ACHIEVEMENTS

Revenue Generation / Profit & Loss	Target Market / Market Trends	Traffic / Lead Generation
Budgets, Capital & Operating Expense	Demographics / Focus Groups	Sales Recruitment & Staffing
Cost Avoidance / Cost Containment	Competitive Product/Market Analysis	Training & Professional Development
Product & Pricing Strategies	Market Penetration / Absorption Rate	Team Building / Leadership

Former Instructor With NJ Association of Realtors. Facilitate Classroom Training For The Graduate Realtor Institute, Former Instructor/Moderator For the Local and National Association Of Home Builder's New Homes Sales Professional Certification Program, And A Series Of Core Selling Programs

Numerous Industry And Corporate Awards For Excellence In Training And Sales Management Including Multi Million Dollar Club Award, Million Dollar Club Award, President's Circle And Sales Director Of The Year

PROFESSIONAL EXPERIENCE

EO at Gold Coast Builders Association of Fl — 2019 - Present

The Gold Coast Builders Association of Fl is a local professional trade organization affiliated with the Florida Home Builders Association (FHBA) and the NationalAssociation of Home Builders (NAHB). Responsibilities included running of the daily operations, coordination and involvement with state and national offices, coordination of advocacy efforts at the local level, development and delivery of educational programs, and events, budgeting, fund raising and among other varied duties.

Owner KT Consulting & Associates LLC. Palm Beach Fl. 2018 to Present

KT consulting and Associates, LLC specializes in marketing strategies, solutions and consultations for Housing Professionals and Property Owners. We create marketing teamsand plans for properties not yet on the market, review and identify alternatives to current marketing plans. Properly marketed properties historically sell faster for more money andlower carrying costs.

Professional Experience Continued….

Broker Associate **2017 – Present**
Paragano Real Estate Management Inc, Short Hills NJ

Paragano Real Estate Management, Inc. is a family owned and operated Real Estate development, investment and property Management Company, specializing in custom new homes, self-storage facilities, commercial property management, leasing and construction, including the development of over 450 custom built homes, multi-family properties and over one million square feet of office, industrial and retail space, purchased, managed and/or renovated.

Director Sales & Marketing
Sales Manager, Licensed Real Estate Broker **1989 – 2002**

Weichert Realtors; Chester, NJ (1996-2002)
Coldwell Banker Schlott Realtors; Pluckemin, NJ (1989-1996)

Exceptional entrepreneurial leadership style successful driving revenue growth through strategic business and market planning, innovative and competitive talent acquisition and comprehensive training, development and team building strategies. Recognized as an industry top performer and leading corporate Sales Director – expert managing pre-construction start-ups, initial and on-going marketing programs, business management and business/customer relationship management for multiple residential communities.

Credited with proactive internal communications leadership efforts, sales and organizational program development, aggressive contract/proposal negotiations and a solid customer solution orientation. Individual productivity exceeds

$7 million year over year with direct impact and accountability for $30 million of completed business transactions over the past 24 months.

- Partnered with relativity new builder to develop target specific sales and marketing plan to aggressively penetrate new market in a highly competitive demographic. Award wining campaign earned numerous industry accolades and brand recognition for the builder; improved sales pace 100%, drove transactional value up 93% and value added revenues grew 230%.
- Initiated and developed the Home Sale Contingency Program to assist customers in the liquidation of their current properties. Program resulted in $50,000 revenue in the first 12 months.

- Collaborated with the executive committee throughout a needs assessment and performance improvement strategy, and successfully championed the design and implementation of the Broker Outreach Program to provide marketing support to key builders targeting high profile realtors, and which became the basis for the New Homes and Lands marketing program incorporated region wide.

- Successful execution of the Broker Outreach Program combined with a formal region wide sales training initiative resulted in the total reorganization of the division from a purely sales operation into a fully integrated sales and marketing support division.

- Earned 20+ Sales and Management Awards During This Period Including:
  Million Dollar Club Gold Level; Multi-Million Dollar Circle Award; Ambassador's Club; President's Circle; Industry Sales & Marketing Awards; National Membership Recruitment; Special Achievement Awards and Sales Director of the Year

Retail Operations & Merchandising **1972 – 1999**

Additional Work Experience

Prior to entering Real Estate worked for several large retailers including Hahne's, Sterns & Bamberger's/Macy's. Positions included Visual merchandising, Advertising, Senior Level Store Line Management, Merchandise Buyer numerous classifications, Controller's division Store Auditor & Trainer and Controller for Macy's Menlo Park Branch Store.

LOCAL / CIVIC / INDUSTRY ACHIEVEMENTS

Alternate Member Town of Palm Beach Architectural Review Commission 2017 - Present

NAHB Remodelers Council Board of Trustees 2021 - Present

NAHB Custom Home Committee Board 2019 - 2020

Chairperson for NAHB/NSMC Sales and Marketing Ideas Magazine with a distribution to over 17,000 industry professionals. Took magazine from staple to perfect bound in 1 year resulting in increased advertising revenue and distribution.

Judge for Greater Atlanata Home Builders Industry Professionalism Awards categories included Personal Achievement, Remodeling and Product Evaluation.

EDUCATION & CERTIFICATIONS

Fairleigh Dickinson University; Madison, N.J. Bachelor of Arts – Fine Arts
Licensed NJ Real Estate Broker
Institute of Residential Marketing (MIRM Candidate)
Certified New Homes Sales Professional
Certified New Homes Marketing Professional
Certified Luxury Home Marketing Specialist (CLHMS)

Extensive Local, State & National Trade Affiliations – Sample Listings Includes:
Hunterdon Somerset , NJ State and National Boards of Realtors; (HSAR), (NJAR), (NAR)
Past member Legislative Committee, RPAC Committee, Elected Board of Trustees

Community, State and National Home Builders Associations; (CBA), (NJBA), (NAHB)
Board of Trustees (CBA PAC); Board of Directors (NJBA),
Past Member Public Relations Committee (NJBA); Sales and Marketing Council (CBA-SMC)
and National Sales & Marketing Council (NSMC), Past Publications Committee Chairperson (NSMC)

Professional Developments And Continuing Education
Includes 3 State And 2 National Conventions Annually
Details Provided Upon Request

KATHERINE (K.T.) CATLIN

265 Fairview Rd, Palm Beach Florida 333480
Residence/Business/Mobile (908) 229-9150

EDUCATION & CERTIFICATIONS

Fairleigh Dickinson University; Madison, NJ, BA 1974
Licensed NJ Real Estate Broker 1994
Institute of Residential Marketing (MIRM Candidate)
Certified New Homes Sales Professional 1994
Certified New Homes Marketing Professional 2001
Certified Luxury Home Marketing Specialist 2004
Graduate Realtor Institute (GRI) 1994
Landmark Education Introduction Leader 2008

Continuing Education Over 300 hours

LOCAL, STATE & NATIONAL TRADE AFFILIATIONS

Local Associations:
Hunterdon Somerset Association of Realtors (HSAR)
Community Builder's Association (CBA)
Sales & Marketing Council (CBA)

State Associations:
New Jersey Association of Realtor (NJAR)
New Jersey Builders Association (NJBA)

National Associations:
National Association of Realtors (NAR)
National Association of Home Builders (NAHB)
National Sale & Marketing Council (NSMC)
Institute for Luxury Home Marketing (CLHM)

Committees:
NJBA Legislative Committee 2011
NCJAR Board of Trustees 2003 - 2005
NCJAR PAC committee member 2001- 2002
NCJAR PAC Chairperson 2003- 2005
NCJAR Legislative committee member 2001-2004
GRI Instructor 1995 – 1996
NJBA Board of Trustees 2006
CSP Instructor 1995 - 2004
CBA PAC Board of Trustees 1993 – Present
NAHB/NSMC Publications Committee 2002 –2004
NAHB/NSMC Publications Committee Chairperson 2003
NAHB/NSMC Membership / Local Council Committee 2002

NJBA PR Committee 2000 – 2004
NJBA Sales & Marketing Committee 1993-96, 2002
NJBA Associate Committee 1993 – 1999
NJBA PAC Auction Committee 2000 - 2006
Musconetcong Watershed 1998 - 2001
Membership Committee Somerset County Board of Realtors (SCBR) 1994
Chairperson and Instructor SCBR Orientation Committee 1994 -1996 Visionary & Strategic Planning Committee (SCBR) 1993
Associate Vice President CBA 1993 & 1994
CBA Tradeshow Chairperson 1998, 2001
CBA PAC Auction Chairperson 1996 & 1999
Chair Person CBA Sales & Marketing Council 1994, 2002

AWARDS

NSMC National Membership Recruitment Certificate of Achievement 2001
CBA Membership Recruitment Award 2000
CBA Associate Appreciation Award 2000, 2001
CBA Sales Director of the Year 1998
CBA Special Achievement in New Home Sale 1997
CBA Kathy Hughes Memorial Award, 1995
CBA Million Dollar Sales Club 1993-2001
NJBA Million Dollar Sales Club 1995 - 2001
NJBA Chairman's Award PR Committee 2001
NJBA Associate Hall of Fame 2002
NJAR Million Dollar Sales Club 1992 – 95, 1997 – 2002
NJAR Distinguished Sales Club
Weichert Ambassador Club 1999 – 2001
Weichert Realtors Marketing Club, 1996
Weichert Realtors Sales & Marketing Club, 1997- 2001
Coldwell Banker Million-Dollar Club, 1989-1991
Coldwell Banker Multi-Million Dollar Club, 1992
Coldwell Banker Presidents Circle, 1993
Coldwell Banker New Homes Special Achievement Award 1992 &1993

Application for Service

Profile

Alicia — First Name
M — Middle Initial
Grace — Last Name

247 Seaspray Avenue — Home Address
Suite or Apt

Palm Beach — City
FL — State
33480 — Postal Code

amginny@aol.com — Email Address

Home: (917) 371-7246 — Primary Phone
Alternate Phone

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

Yes

Question applies to multiple boards

Verified - KMC

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Pilot/attorney/designer

Occupation

In what area of town do you live?

- [x] Midtown

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I would like to serve on ARCOM to help preserve the Town's character and architectural integrity. In addition, I am a certified Master Gardener from the University of Fl and would enjoy working with applicants and their architects on their projects. I have previously served on ARCOM for 7 years and believe I can apply my experience for the benefit of the Town.

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

Approximately 8

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

I intend to always be available. I had no unexcused absences during my prior tenure.

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

Yes. I applied for and received approval from ARCOM for the renovation of my guest house.

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

- [x] Palm Beach Civic Association
- [x] Preservation Foundation of Palm Beach
- [x] Neighborhood Alliance of Palm Beach

Present Occupation

Retired

No. of years

8

Past occupation(s)

Pilot Attorney Floral Designer

No. of years

35

Please provide details regarding your educational background:

Bachelor of Arts, Univ of Penn Juris Doctor, New York Law School

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

- [x] Architecture
- [x] Landscape Architecture/Design
- [x] Architectural History
- [x] History
- [x] Design

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

I grew up in Palm Beach and am very familiar with the Town and its beautiful surroundings. My daughter also attended Palm Beach Day School. I have previously served on the Architectural Commission for 7 years and am very familiar with the ordinances and processes governing the Town. I am also a certified Master Gardener in the State of Florida which will also inform my decision-making. I will make decisions based on our ordinances and guidelines and with my combined experiences, I believe I am qualified to serve.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

Jane Grace Jack and Sherri Grace

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

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 the Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. The seven regular members and three alternate members are Town registered voters appointed by the Town Council. Regular members are appointed for three-year terms and no member may serve more than two consecutive terms. Members are appointed on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest. At least two members, but not more than three members, shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applications who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats.

Alicia M Grace

Application for Service

Profile

Todd (First Name) | M. (Middle Initial) | Glaser (Last Name)

125 Via Del Lago (Home Address) | (Suite or Apt)

Palm Beach (City) | FL (State) | 33480 (Postal Code)

todd@toddmichaelglaser.com (Email Address)

Mobile: (786) 208-2113 (Primary Phone) | Mobile: (786) 208-2124 (Alternate Phone)

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

TG

Question applies to multiple boards

Verified 2/7/24 KMC

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Builder

Occupation

In what area of town do you live?

☑ South

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I have extensive experience in designing and building homes and commercial buildings from Miami to Palm Beach.

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

approximately 10

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

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

I have personal experience in presenting my homes at both Landmarks and ARCOM. I live in a Landmarked home.

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

None Selected

Present Occupation

No. of years

Past occupation(s)

No. of years

Please provide details regarding your educational background:

Miami Beach High School

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

None Selected

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

My 35 years of experience i building homes makes me qualified to be on the Architectural Review Commission. I have lived in many different houses and neighborhoods in Palm Beach and feel I know the sensitivities of the neighborhoods and Town.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

None.

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Todd M. Glaser

Question applies to Architectural Review Commission (ARCOM)

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ARCHITECTURAL COMMISSION (ARCOM)

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. The seven regular members and three alternate members are Town registered voters appointed by the Town Council. Regular members are appointed for three-year terms and no member may serve more than two consecutive terms. Members are appointed on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest. At least two members, but not more than three members, shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applications who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats.

Application for Service

Profile

Henry (First Name) | A (Middle Initial) | Ittleson (Last Name)

132 El Brillo Way (Home Address) | (Suite or Apt)

Palm Beach (City) | FL (State) | 33480 (Postal Code)

ittlowcountry@gmail.com (Email Address)

Mobile: (516) 848-4921 (Primary Phone) | Home: (561) 659-4999 (Alternate Phone)

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

HAI

Question applies to multiple boards

VERIFIED - KMC 1-23-24

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Retired
Occupation

In what area of town do you live?

- [x] Midtown

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I was a member of the Corporation of Brown University for 35 years. For approximately the past 20 years, I have served on an active Corporation committee now called Facilities and Campus Planning. This committee selects architects, approves designs and monitors the building process. It also evaluates the placement of buildings within the compus footprint. ARCOM seems to be well suited for my interests and experience.

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

none as I just decided to get involved

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

Normally available at all times.

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

No

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

None Selected

Present Occupation

Retired

No. of years

30

Past occupation(s)

Originally called CIT Financial and now called The CIT Group.

No. of years

35+

Please provide details regarding your educational background:

Brown University undergraduate degree and Honorary Doctorate degree. Harvard University AMP degree

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

☑ None

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

General background in the field through my many years on a committee at Brown University that selects architects and reviews plans for major new buildings.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

Chandler Mashek Ittleson Grant Maskek Allyson Mashek

Demographics

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Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

Physically Disabled

○ Yes ◉ No

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☑ I Agree

Henry A Ittleson

Question applies to Architectural Review Commission (ARCOM)

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ARCHITECTURAL COMMISSION (ARCOM)

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Henry A Ittleson

Application for Service

Profile

Hillary
First Name

Middle Initial

Masters
Last Name

170 Chilean ave, 3c
Home Address

Suite or Apt

palm beach
City

FL
State

33480
Postal Code

hmasters@tridentgroup.cc
Email Address

Home: (646) 660-4995
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

HM

Question applies to multiple boards

Voter ID card - verified PGG 2/6/24

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Real Estate Professional

Occupation

In what area of town do you live?

☑ Midtown

Interests/Experience

Question applies to Planning and Zoning Commission

Why are you interested in serving on the Planning and Zoning Commission?

I am an active member on the board of my building and am an advocate for my community. I have experienced my own challenges with noise, traffic disruptions, and building projects. I would like to learn more about the future plans for Palm Beach proper and be involved in the decision making to improve the town.

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I work very closely with my uncle who was the head of the architectural division for Sothebys on the west coast. I love architecture and preserving the beauty of the structural history of a place. Part of the beauty and draw of Palm Beach for me is the charm, feeling, and accessibility. I don't want to see the continuity of Palm Beach proper get lost in modern new builds and unsightly architecture. I love coming home to Palm Beach for the beauty, quiet, and safety it offers its residents. Taking late bight walks down Worth Ave is like no other place on earth. I can't explain that feeling. I want to be a part of protecting that for many generations to come.

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

It is the history and stories of Palm Beach that interest me. I love knowing where the energy comes from in the beautiful homes and buildings that occupy the island. I am currently doing work marketing a John Volk property here on the Island and am a member at Maralago where the fortress walls have so much history you can feel them breathing. I love knowing the reasons society created specific environments to escape the hustle and bustle of everyday life in other places. I want to be at the forefront of preserving paradise.

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

0

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

0

Question applies to Planning and Zoning Commission

How many meetings of the Planning and Zoning Committee have you attended in the last year?

0

Question applies to Planning and Zoning Commission

Are you willing and available to attend meetings of the Planning and Zoning Commission as described below? Please select all that apply. *

- [x] Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)?
- [x] Meetings on consecutive dates?
- [x] Meetings which might be scheduled for multiple dates within the same month
- [x] Meetings scheduled year-round

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

In the summer I do travel for about a month and a half. But this time is flexible and is scheduled around my real estate work here in Palm Beach. Palm Beach is my primary year round residence.

Question applies to multiple boards

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 am currently the Vice President of the Board of my building Everglades Plaza on 170 Chilean ave. I manage and lead most of our restoration projects. Some of those projects involved a million dollar roofing project. I covered all aspects, from engineering, inspections, planning, and overseeing the approval steps. I also headed the painting project, pool renovation project, and deal with most of the resident requests for in home projects which I have a team of contractors that help fulfill these needs.

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

I have never had to personally request approval from the Town's Architectural commission but I have worked with my contractors through the town approval steps specifically for many different construction projects. I also deal with many historic homes here in real estate and I know the importance in getting approvals before you embark on a project in order to keep a deal intact.

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

- (•) Yes
- ( ) No

Question applies to Landmarks Preservation Commission

If So, where?

I spent all of my childhood into early adulthood in a historical home in Goshen, NY. My home was a part of the underground railroad and a protected Victorian style home built in1861. We also had landmarked oak trees and one of the only Ginko Trees on our property that was famously visited.

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

I lived in one growing up and I am currently living in a building that holds a historic name.. Everglades Plaza.

Question applies to Planning and Zoning Commission

Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain.)

I have not had a need to do this yet but I have a variety of strong skill sets when it comes to communication, planning, and in person follow up. I am new to the community just moving here full time in 2020 but I have lots of experience working in NYC, Miami Beach and Goshen, NY. Goshen held some of the most historical buildings and government and municipal buildings in the North East. My Town Hall was built by Frank Lloyd Wright, and the many court houses, government buildings and my library were historical buildings from the civil war times. George Washington stayed at Hill Hold and we had one of the first noted one room school houses. Hambeltonian is buried at our historic race track in town and many of our fountains and monuments are staples for traffic flow till this day. Preserving history and all types of architectural planing is crucial in protecting the identity of a town. Getting approval and zoning passed for future projects is a delicate and very serious process when keeping the livelihood of a historic place a priority. I am familiar with the voting processes and approval paths that take place while trying to build out new projects.

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

None Selected

Present Occupation

Real Estate

No. of years

8 years

Past occupation(s)

Management Flagship Tier 1 locations Head of International Sales and Marketing for US & Canada Executive Assistant to CEO

No. of years

7

Please provide details regarding your educational background:

Bachelors in Biology with a concentration in environmental studies Tri Beta Honors from Pace University

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

- [x] History
- [x] Design
- [x] Building Construction

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

- [x] None

Question applies to Planning and Zoning Commission

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) *

- [x] Social Sciences
- [x] Geography

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

- ○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

- ○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

06FILE.pdf

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

- ◉ Yes ○ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

- [x] I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

I am an active member of my community and a strong leader in real estate here in Palm Beach. I have invested my personal money and interests in properties here and want to continue to grow with my community as this is my forever home. I want to preserve the look and feel of my town and be involved in its transformation for the future.

Question applies to Planning and Zoning Commission

Why do you feel that you are qualified to serve on the Town's Planning and Zoning Commission?

I am a smart, able bodied, and proactive professional. I am very responsible, hard working, and am a people person. I am a great listener to others concerns for the community and strong willed to hold intact the values and importance behind protecting the face of palm beach. I feel I could breath a vibrant and youthful outlook into the work but still keep the best interest of locals and previous generations.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

Benjamin Masters- husband

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

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 the Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

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Hillary Masters

Question applies to Landmarks Preservation Commission

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.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be anon-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms,although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

Question applies to Planning and Zoning Commission

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 Commission applications will expire on December 15 of each year.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission acts in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The Commission is required to follow the concepts and contents of theTown's comprehensive land use plan in all planning, zoning and development related deliberations and decisions.The Commission shall also have such powers and duties as may be prescribed by Ordinance. The members of the Commission must be registered voters in the Town of Palm Beach. The seven regular members serve for terms of three years. Three alternate members of the Zoning Commission may be appointed by the Town Council who serve when called upon by the Chair of the Commission in the absence of any regular member.

HILLARY M. MASTERS

Palm Beach, FL 33480 **646.660.4995** **hmasterste@gmail.com**

LEADERSHIP PROFILE

Experienced, polished Senior Executive Assistant with proven record of accomplishment in demanding, fast-paced environments providing C-level executive administrative support. Extensive background in business, hospitality and real estate including work with very private and high net worth clientele including celebrities, politicians, musicians, and professional athletes in NY and FL. Strengths encompass:

- Executive Office Administration
- Program & Project Management
- Bookkeeping and Invoicing Functions
- Travel Arrangements and Logistics
- Executive Calendar Management
- Office Team Training/Supervision
- Proposal/Presentation Preparation
- Handling Highly Confidential Material
- Report/Spreadsheet Development
- Event/Meeting Planning
- Budget Management
- Sales Support Functions
- Contract/Document Review
- Client and Vendor Relations
- Professional Networking

A high energy team player with outstanding interpersonal dynamics and communication skills, flexible to changing conditions within an organization. Articulate, assertive and driven to succeed with exceptional attention to detail and follow-through able to meet strict deadlines. A trusted advisor with strong business acumen, superior work ethic and high degree of integrity and confidentiality.

PROFESSIONAL EXPERIENCE

XPI CORP | PALM BEACH, FL **04/2016 - 09/2023**

■ **Executive Assistant to President**

Provided direct administrative support to the CEO and President of an international manufacturing company. Accountable for executive calendar and scheduling, client/vendor relations, drafting correspondence, reports, international travel arrangements, event planning, presentation and proposal preparation, property management, business development, and financial administration.

Personal Assistant Duties/General Administration

- Managed extremely busy calendar for the CEO. Scheduled and organized meetings and events including arranging rooms, facilities and/or caterers, distributing information or invitations, coordinating speakers, preparing presentations, etc.
- Directed administration of the office and workflow by prioritizing projects, monitoring calendar, and handling meeting and conference call logistics. Maintained an efficient, professional office operation with a high degree of initiative and discretion.
- Maintained and scheduled executive calendars (personal & office) for appointments and meetings.
- Researched and coordinated international and domestic executive travel and logistical arrangements including hotel and flight reservations, car services, entertainment, dining, excursions, travel plans/agenda, preparing agendas and contacts, etc.
- Consistently met/exceeded demands, expectations and deadlines through exceptional work ethic and commitment to excellence.

Property Management/Estate Management

- Managed all aspects of a multimillion-dollar estate and personal business affairs including two homes and 6 rental properties, assisting with all financial decisions and investments.
- Accountable for extremely diverse duties with full accountability for daily operations and function of property, facilities, landscaping and premise maintenance, contracting vendors and service providers, and overseeing special projects and parties.
- Oversaw several property improvement projects, ensuring quality finished products and adherence to budget requirements.

Event Management

- Oversaw the successful planning and execution of multiple charity events each year raising millions of dollars for causes.
- Effectively managed extensive high-profile guests, catering to individual and unique needs.

Special Projects

- Co-developer and managed the company's Not-for-Profit 501 C status.

MORGANS HOTEL GROUP/MONDRIAN DOWNTOWN | NEW YORK, NY **09/2014 - 04/2016**

■ **Events & Promotions Manager**

Accountable for overseeing all aspects of event project management and production at this luxury hotel. Led events through all aspects from program planning to execution and post-event analysis for weddings, private parties, and high-profile celebrity events.

- Select clientele included Colliers International, Gypsy Kings, The NFL, The NBA, Beyonce, and BlackRock. (Cont. P2)

Professional Experience

Morgans Hotel Group/Mondrian Downtown - (continued)

- Built vendor relationships and strategically positioned Mister H as a premier event venue.
- Managed VIP and celebrity guests ensuring the highest level of luxury service and flawless attention to detail.
- Directed outside vendors, as well as employee teams to ensure events were executed with precision and excellence.
- Consistently performed to budget, maximizing both client satisfaction and company profitability.

Agent Provocateur | New York, NY **12/2009 - 09/2014**

■ **Head of Sales and Marketing, US and Canada**

Spearheaded new business development, sales and marketing efforts promoting this luxury retail brand to businesses, hotels, concierges, high net worth individuals, and celebrities. Provided leadership for staff in 8 Tier I locations and 30+ Tier 2 locations in the US, as well as 6 other locations in Canada. Coordinated in-store events for personal shoppers and private off-premise events for clientele.

- Consistently ranked as the #1 Sales Associate globally.
- Select brand partnerships included The Carlyle Hotel, The Surrey Hotel, The Mark Hotel, The Plaza, Soho House, Bloomingdales, and The Metropolitan Club.
- Developed and implemented a corporate clienteling program which was implemented company-wide.
- Coached and developed the sales team to achieve a 34% increase year-over-year.
- Developed in-store marketing strategies which increased traffic by 14%.

Stathis Enterprises | New York, NY **07/2008 - 10/2009**

■ **Executive Personal Assistant to CEO**

Provided direct assistance to the CEO, CFO and owners of a corporate enterprise with subsidiaries in electrical contracting, technology, agricultural development, and horse racing industries. Accountabilities encompassed executive calendar and scheduling, internal and external stakeholder relations, meeting management, drafting communications, event planning, sponsorships, inventory control, reporting, new business development support, and project management.

- Served as the first line of contact for the President screening all calls, mail and email.
- Coordinated all meetings both in-house and on the road.
- Traveled internationally to assist in sales and new business development initiatives for multiple companies.
- Effectively coordinated complex international and private travel including private aviation services.
- Consistently met/exceeded demands, expectations and deadlines through exceptional work ethic and commitment to excellence.

Education

Bachelor of Science Degree in Biology, *Concentration in Environmental Studies*
Honors and Activities: NCAA/IHSA Equestrian Team and TriBeta Honor Society
Pace University, New York, NY

Technical Proficiencies

Microsoft Office (Word, Excel, PowerPoint, and Outlook), Google Suite, Adobe, and QuickBooks

Community Involvement

Vice President on the Board of Everglades Plaza
Involved in the planning and execution of multiple charitable events in Palm Beach

Interests

Avid and competitive equestrian

Application for Service

Profile

David
First Name

R
Middle Initial

Phoenix Jr
Last Name

434 Chilean Ave
Home Address

2C
Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

david@davidphoenix.com
Email Address

Mobile: (310) 770-5686
Primary Phone

Business: (561) 264-3744
Alternate Phone

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

Yes

Question applies to multiple boards

Verified - 3/1/24 PGG

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Interior Designer
Occupation

In what area of town do you live?

☑ Midtown

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

Palm Beach is home for me and I want to help preserve and insure the quality of life here. My passion for beautiful architecture coupled with my desire to serve , I believe makes me a good candidate to serve on ARCOM

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

Phoenix

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

no

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

no

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

☑ Preservation Foundation of Palm Beach

Present Occupation

Interior Designer

No. of years

30

Past occupation(s)

No. of years

Please provide details regarding your educational background:

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

☑ None

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

FL

David_Phoenix_ARCOM_BIO.docx

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

In addition to 30 years in the Interior Design field, I also was a commissioner for the California State Historic Preservation Commission appointed by Gov. Arnold Schwarzenegger and again by Gov. Jerry Brown. I really enjoyed serving on the commission for 8 years representing the public and learning the value of landmarks in our society. With my combined experience I feel that I would add value to the ARCOM board. It would be an honor to serve the town of Palm Beach.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

None

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

David R Phoenix Jr

Question applies to Architectural Review Commission (ARCOM)

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 the Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. The seven regular members and three alternate members are Town registered voters appointed by the Town Council. Regular members are appointed for three-year terms and no member may serve more than two consecutive terms. Members are appointed on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest. At least two members, but not more than three members, shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applications who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats.

David Phoenix is an award-winning designer known for his elegant style and luxurious, comfortable interiors. The client-driven firm has delivered personal, sophisticated, and thoughtful homes to celebrities, royalty, and financiers for nearly three decades.

David Phoenix also was appointed twice as a commissioner in California on the State Historic Preservation Board representing the public. https://ohp.parks.ca.gov/pages/1054/files/OHP_OrgChart_Web%2009-2014.pdf

David is based in Palm Beach, FL, after years in California, where he was named by the Hollywood Reporter as one of the top 25 interior designers in Los Angeles. David's work is consistently recognized in various publications, including multiple covers of Architectural Digest and stories in Traditional Home, Veranda, LUXE, and more.

David Phoenix's growing stable of product collaborators, includes industry leaders Hickory Chair for furniture , textiles with Kravet and decorative art with Soicher Marin. www.davidphoenix.com

Application for Service

Profile

Jeffery — First Name
W — Middle Initial
Smith — Last Name

241 Sanford Avenue — Home Address
Suite or Apt

Palm Beach — City
FL — State
33480 — Postal Code

jeff@smitharchitecturalgroup.com — Email Address

Home: (561) 655-0908 — Primary Phone
Home: (561) 832-0202 — Alternate Phone

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

Yes

Question applies to multiple boards

Verified - KMC

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Architect — Occupation

In what area of town do you live?

☑ North

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I am interested in preserving the architectural traditions of the Town of Palm Beach as well as working with residents and their architects to find appropriate solutions for new construction. I will judge projects on their appropriate mass and scale which have become some of the most important design criteria that make a project successful in our Town.

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

11

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

Nothing that I am aware of at this time.

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

I have been a practicing architect in the Town of Palm Beach for over 40 years.

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

- [x] Palm Beach Chamber of Commerce
- [x] Palm Beach Civic Association
- [x] Preservation Foundation of Palm Beach
- [x] National Trust for Historic Preservation

Present Occupation

Architect

No. of years

41

Past occupation(s)

None

No. of years

Please provide details regarding your educational background:

Bachelor of Architecture 1980 Louisiana State University

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

- [x] Architecture
- [x] Architectural History
- [x] History
- [x] Design
- [x] Building Construction

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

(•) Yes ( ) No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

(•) Yes ( ) No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

NY, LA, CO, IL, NY, TX, GA, DC, MA

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

( ) Yes (•) No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

I believe my education as a registered architect in the State of Florida and eight other states, the fact that I have lived in the Town of Palm Beach for over 50 years and that I have previously served on the Architectural Commission for a combined 18 years as well as 5 years on the Landmarks Preservation Commission uniquely qualifies me to serve on the Architectural Commission.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

○ Yes ◉ No

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

Nancy Smith, wife Natalie Smith, daughter

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

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ARCHITECTURAL COMMISSION (ARCOM)

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JEFFERY W. SMITH, AIA, PERSONAL EXPERIENCE RESUMÉ

POSITION

President, Smith Architectural Group, Inc. 1989
Architect and Planner

EDUCATION

Louisiana State University, Bachelor of Architecture, 1980
University of Miami, School of Architecture, 1976

REGISTRATIONS

Architect:	Florida	#9772
	New York	#026182
	Louisiana	#3391
	Colorado	#306522
	Illinois	#001-018691
	Texas	#18462
	Georgia	#RA011890
	Washington DC	#ARC100644
	Massachusetts	#31076
National Council of Architectural Registration Boards		#28359

COMMUNITY ACTIVITIES

Chairman, Town of Palm Beach Underground Utilities Task Force, 2015 - 2020
Director, Palm Beach Civic Association, 2017 - Present
Chairman, Town of Palm Beach Architectural Commission, 1988-1993, 2010-2012, 2020 - Present
Member, Town of Palm Beach Architectural Commission, 1984-1993, 2006-2012, 2020 - Present
Chairman, Town of Palm Beach Landmarks Preservation Commission, 1995-2000
Member of the 2018 Class of AIA Florida Citizen Architect
President, Palm Beach Chapter of the American Institute of Architects, 1989
Member, Palm Beach Chapter of the American Institute of Architects, 1981-Present
Board of Governors, The Historical Society of Palm Beach County, 1998-1999
Trustee, United Way, Town of Palm Beach, 2007-2009
Member, Town of Palm Beach Building Board of Adjustments and Appeals, 1985-2009
Trustee, Preservation Foundation of Palm Beach, 1996-Present
Member, Preservation Foundation of Palm Beach, 1989-Present
Member, National Trust for Historic Preservation, 1989-Present
Member, Florida Trust for Historic Preservation, 1989-Present
Member, Palm Beach County Historical Society
President, Fraternal Order of Police Associates, Palm Beach Lodge #19, 1990
Member, Fraternal Order of Police Associates, Palm Beach Lodge #19, 1990 - 2005
Member, The Institute of Classical Architecture and Art, 2012- Present

Awards

2024 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through additions and renovations to 124 Via Bethesda, the residence of Aerin Lauder Zinterhofer and Eric Zinterhofer, Palm Beach.*

2018 AIA Florida's 2018 class of Citizen Architects *You have exemplified civic engagement and helped shape your community through service.*

2018 AIA Palm Beach Firm of the Year *Recognizing outstanding achievement in design, community services, education and service to the profession*

2018 The William J. "Bill" Brooks *Award for Community Service from the Palm Beach Civic Association*

2018 The Addison Mizner Medal for *Excellence in Classical and Traditional Architecture, Florida Chapter of the Institute of Classical Architecture and Art, Casa Marius, the residence of Mr. and Mrs. Marion Antonini, Palm Beach*

2017 Florida Trust for Historic Preservation *Award In Recognition of Meritorious Achievement in the Field of Restoration/Rehabilitation for Casa Marius, 920 South Ocean Boulevard, Palm Beach*

2016 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through additions and renovations to "Casa Marius", the residence of Mr. and Mrs. Marion Antonini, Palm Beach*

2016 The Addison Mizner Medal for Excellence in Classical and Traditional Architecture, Florida Chapter of the Institute of Classical Architecture and Art, *La Tonteria, the Residence of Mr. and Mrs. James Harpel, Palm Beach*

2016 Cast Stone Institute Excellence Award, Residential for *Barnett Residence, Fort Lauderdale*

2014 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through additions and renovations to "Pelican Hall", the residence of Mr. and Mrs. William Tiefel, Palm Beach*

2013 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration and Renovation of "Villa Artemis", the residence of Mr. and Mrs. E. Llwyd Ecclestone, Palm Beach*

2013 The Addison Mizner Medal for Excellence in Classical and Traditional Architecture, Florida Chapter of the Institute of Classical Architecture and Art, *Graff Jewelers, Palm Beach*

2012 Palm Beach Chapter of the American Institute of Architects *Excellence Award for the Residence of Mr. and Mrs. Stephen Dattels, Palm Beach*

2012 The Addison Mizner Medal for Excellence in Classical and Traditional Architecture, Florida Chapter of The Institute of Classical Architecture and Art, *Flagler Keenan Pavilion at the Henry Morrison Flagler Museum, Palm Beach*

2012 The Florida Association of the American Institute of Architects Award of Public Recognition as one of the top 100 buildings in the State of Florida as selected by its citizens in association with the *Florida Architecture: 100 Years 100 Places Competition for "Concha Marina", Jungle Road, Palm Beach*

2012 The Preservation Foundation of Palm Beach, Elizabeth L. and John H. Schuler Award for new construction*, Residence of Mr. and Mrs. Jeffrey Marcus, 240 Clarke Avenue, Palm Beach*

2010 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of "La Tonteria ", the residence of Mr. and Mrs. James Harpel, Palm Beach*

2008 Florida Trust for Historic Preservation *Award In Recognition of Outstanding Achievement in the Field of Infill Design the Henry M. Flagler Museum, Palm Beach*

2007 The Preservation Foundation of Palm Beach, Elizabeth L. and John H. Schuler Award for new construction *300 North Lake Way, Palm Beach*

2007 DCOTA Design Center of the America's Stars of Design 2007 award for *Architecture*

2007 Palm Beach Chapter of the American Institute of Architects *Honor Award for Flagler Keenan Pavilion at the Henry Morrison Flagler Museum, Palm Beach*

2007 U.S. Trust Tribute to Philanthropists award for *The Henry Morrison Flagler Museum, Palm Beach*

2006 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for "Villa Venezia", Palm Beach*

2006 The Associated General Contractor's of America *"Build Florida Award" for the Flagler Keenan Pavilion at the Henry Morrison Flagler Museum, Palm Beach*

2005 The Associated General Contractor's of America *"Build Florida Award" for the residence of Mr. and Mrs. Walter Racquet*

2004 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for "Pietra Mar", Naples*

2004 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for Graff Diamonds, Palm Beach*

2003 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of 220 El Bravo Way, Palm Beach*

2003 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for New York Penthouse, New York*

2003 Florida Trust for Historic Preservation *Award In Recognition of Meritorious Achievement in the Field of Restoration/Rehabilitation for 220 El Bravo Way, Palm Beach*

2002 Palm Beach Chapter of the American Institute of Architects *Honor Award for Design for "Old Trees", Southampton, New York*

2001 Palm Beach Chapter of the American Institute of Architects *Award of Excellence for Historic Restoration for 220 El Bravo Way, Palm Beach*

2000 Palm Beach Chapter of the American Institute of Architects *Award of Design Excellence for "Joya del Mar", Palm Beach*

1999 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of L. Lauder Residence and R. Lauder Residence, Palm Beach*

1999 Palm Beach Chapter of the American Institute of Architects *Award for Excellence in Architecture for Casa Bendita, Palm Beach*

1999 American Institute of Architects *Award for Excellence in Architecture, State of Florida for "La Follia", Palm Beach*

1998 Garden Club of Palm Beach, *Civic Improvement Award For Dedication to Preserving the Architectural Integrity of Palm Beach and Having the Vision to Rescue our Threatened Heritage to be used in Creative Ways*

1996 Palm Beach Chapter American Institute of Architects *Award for Excellence in Architecture, "La Follia", Palm Beach*

1995 American Institute of Architects *Award for Excellence in Architecture, State of Florida, Historic Restoration of the Vitale Residence, Palm Beach*

1995 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of "Casa de Leoni", Palm Beach*

1995 The Preservation Foundation of Palm Beach, Ballinger Award for *Outstanding Contribution to Palm Beach Heritage through Restoration of 319 Brazilian Avenue, Palm Beach*

1994 Palm Beach Chapter of the American Institute of Architects *Award for Excellence in Architecture for the Historic Renovation of the Vitale Residence, Grace Trail, Palm Beach*

1994 Florida Trust for Historic Preservation *Award for Recognition of Meritorious Achievement in the Field of Residential Restoration for "Villa des Cygnes", Palm Beach*

1994 Florida Trust for Historic Preservation *Award for Recognition of Outstanding Achievement in the Field of Residential Renovation of "Casa de Leoni", Palm Beach*

1993 Palm Beach Chapter of the American Institute of Architects *Merit Award for Outstanding Contribution Towards Architecture Design for the design of Tiffany & Co., Palm Beach*

1993 American Institute of Architects *Award for Honor in Design, State of Florida Historic Restoration of "Concha Marina", Palm Beach*

1993 Florida Trust for Historic Preservation *Award for Outstanding Contribution to Preservation in the Field of Residential Restoration and Rehabilitation of an Historic Residential Structure "Concha Marina", Palm Beach*

1992 Florida Trust for Historic Preservation *Award for Meritorious Achievement in the Field of Residential Restoration and Rehabilitation of a Historic Residential Structure, Carriage House, Palm Beach*

1991 Florida Trust for Historic Preservation *Award for Outstanding Achievement in the Rehabilitation of an Historic Non-Residential Structure for the Town Hall, Palm Beach*

1991 Florida Trust for Historic Preservation *Award for Meritorious Achievement for Compatible New Construction in an Historic Environment for "La Villa dei Sogni", Palm Beach*

1991 Palm Beach Chapter of the American Institute of Architects *Certificate of Special Recognition for the design of the Courtyard Room addition, "La Villa dei Sogni", Palm Beach*

1990 The Preservation Foundation of Palm Beach, Ballinger Award *for Outstanding Contribution to Palm Beach Heritage through Restoration of "The Vicarage", Palm Beach*

1990 Palm Beach Chapter of the American Institute of Architects *Award for Excellence in Architecture for the Restoration of the Palm Beach Town Hall*

TELEVISED

Today's Classic Homes With Mitchell McDaniel, 2001

CNN, 2000 "Palm Beach Architecture – La Follia and Villa des Cygnes"

HGTV, 2000 "Spanish Architecture"

HGTV, 1997/1998 "Villa des Cygnes"

PUBLICATIONS

BOOKS

The Classical American House, Phillip James Dodd, Images Publishing, 2017

Palm Beach Chic, Jennifer Ash Rudick, Vendome Press, 2015

The Art of Classical Details II: An Ideal Collaboration, Phillip James Dodd, Images Publishing, 2015

Preservation Foundation of Palm Beach: Elizabeth L. and John H. Schuler Award, 2006 – 2015, Alexander C. Ives, President, Preservation Foundation of Palm Beach, Preservation Foundation of Palm Beach, 2016

Palm Beach Chic: La Follia, Jennifer Ash Rudick, Vendome Press, 2015

Palm Beach People*,* Harry Benson and Hilary Geary Ross, Powerhouse Books, 2014

The Detailed Interior: Decorating Up Close with Cullman & Kravis, Elissa Cullman and Tracey Pruzan, The Monacelli Press, 2013

Mario Buatta: Fifty Years of American Interior Decorating, Mario Buatta, Rizzoli International Publications, Inc., 2013

The Art of Classical Details: Theory, Design, and Craftsmanship, Phillip James Dodd, Images Publishing, 2013

Forever Green, Mario Nievera, Pointed Leaf Press, 2013

Alexa Hampton: The Language of Interior Design**,** Alexa Hampton, Clarkson Potter, 2010

Foreward: ***Maurice Fatio: Palm Beach Architect,*** Kim I. Mockler, Acanthus Press, New York, 2010

Bunny Williams' Point of View, Three Decades of Decorating Elegant and Comfortable Houses, Bunny Williams, Stewart, Tabori & Chang, 2007

Palm Beach Splendor, The Architecture of Jeffery W. Smith**,** Joyce C. Wilson, Rizzoli International Publications, Inc., 2005

Tiffany's Palm Beach, John Loring, Henry R. Abrams, 2005

A Decade of Art and Architecture 1992-2002: With an Introduction by Robert A.M. Stern, The Editors of The Classicist, *The Institute of Classical Architecture,* 2002

Palm Beach: An Architectural Legacy**,** Polly Anne Earl, Rizzoli International Publications, Inc., 2002

Villa El Sarmiento, The Story of a House**,** Caroline Seebohm, David H. & Julia F. Koch, 2003

The Southern Garden, Lydia Longshore with the Editors of *Southern Accents,* Bullfinch Press, 2001

Celebration Pattern Book, Celebration, Florida, The Walt Disney Company, 1995

Private Palm Beach, Tropical Style**,** "Mediterranean Mystique" and "The Vicarage". Jennifer Ash, Abbeville Press Inc., 1992

PERIODICALS

Architectural Digest "Finally, Home" With signature elan, Aerin Lauder makes a classic Palm Beach manse her very own. July/August 2023

Palm Beach Life "Buenos Recuerdos Revitalized" A multi-year restoration and renovation by homeowners Jane and Craig Omtvedt renewed a landmark Palm Beach house that hadn't seen a serious update since it was built in 1927. Spring 2020

Modern Luxury Palm Beach "Ageless Beauty" What keeps a vacation home in the family for generations? February 2019

Modern Luxury Palm Beach "Timeless Beauty" Stretching from the Atlantic Ocean to the Intracoastal Waterway, Broadway producer Terry Allen Kramer's dream home awaits its second act. February 2019

Veranda "Palm Beach Style Now & Forever" Shell Games; From seashell pinks to garden greens, Bunny Williams's glamorous refresh of a Mediterranean-style villa takes its color cues from the homes lush setting. January/February 2019

Veranda "Palm Beach Style Now & Forever" Original Thinking, Given the rare opportunity to update a fabled 1920s Palm Beach mansion, designer Susan Zises Green deftly preserves the home's authentic detail while ushering in the sun. January/February 2019

Palm Beach Illustrated Open House, Waterfront Wonder, 1197 North Lake Way, Palm Beach, Florida. September 2017

Veranda The Power of PRESERVATION, Tropical Splendor: The Preservation Foundation of Palm Beach ensures the architectural legacy of the seaside enclave lives on. May/June 2017

Elegant Homes "Timeless Appeal" By tastefully blending traditional elements with contemporary flourishes, everything old is new again in this historic, century-old Florida home. Fall/Winter 2016

luxe.interiors & design "On View" A Palm Beach home on the water experiences a metamorphosis with fresh furnishings and fabrics and an impressive collection of art. July/August 2016

Ocean Home (10th Anniversary edition) "Art & Soul" August/September 2016

Art & Culture of Palm Beach County (Cultural Council of Palm Beach County) "Artists Share Work, Wisdom as Authors" Winter 2013 Volume 7 issue 2

Florida Design "Gracious and Elegant" Volume 22 Number 4 Winter 2012/2013

Period Homes (2008 Palladio Awards) "Jewelry for the Home" July 2008

Robb Report (Luxury Home Issue) "Top 30 Architects" Summer 2007

House and Garden (Renovation Issue) "The Sun King" February 2007

Palm Beach Cottages & Gardens "Deconstructing Palm Beach" November 2006

Palm Beach Daily News "Homage to Mizner" A winner November 19, 2006

The Palm Beach Post/Residences "Local experts share tips about hiring and working with Architects" February 19, 2006

Architectural Digest "Serenity Found on Biscayne Bay" April 2006

Palm Beach Illustrated "Paradise Found: The Munders' Epic Romance" February 2006

Architectural Digest "Looking Homeward" February 2006

Palm Beach Daily News/Grandeur "In a Mediterranean Mood" January 13, 2006

Palm Beach Cottages & Gardens "Splendid-What's New" January 2006

Panache "Architecture for the Ages" November/December 2005

Florida Design "Palm Beach Splendor" Volume 15 Number 4

Southern Accents "Palm Beach Baroque" Mimi Read. January/February 2005

House & Garden "Defining Moment" September 2004

Vanity Fair "Palm Beach Exclusive" February 2004

Architectural Digest "Eye for Understatement: Photographer Ellen Graham goes Anglo-Indian in Palm Beach" Amanda Vaill, April 2003

Quest "Gardens of Eden" David Patrick Columbia, February 2002

Palm Beach Life "Master of the House" Robert Janjigian, Spring 2002

Boca "At Home with the Smiths—The Architect of Megamansions finds his angle of repose" Joyce C. Wilson, January/February 2002

Homestyle "In the Pink" Craig Kellogg, September 2001

The New York Times "Palm Beach's Ultraluxury Market Sizzles" Jon Nordheimer, August 5, 2001

Forbes.com "Today's Best Architects" Felicia Paik. June 2001

Town & Country "Villa With a View" Anthony Barzilay Freund, June 2001

Southern Accents "Echoes of Italy" Philip Morris, January/February 2001

House Beautiful "Palm Beach Story" Martin Filler, December 2000

Architectural Digest "Tropical Glamour for Palm Beach—Evelyn and Leonard Lauder Gently Update their Family Retreat" Mitchell Owens, November 2000

Town & Country "White Glove Contractors" Alexa Yablonski, October 2000

Architectural Digest "Palm Beach Story—Mediterranean Themes for an Oceanfront Villa in Florida" Mitchell Owens, May 2000

Florida Design "A Decade of Florida Design 1900-2000" Summer 2000 Volume 10 Number 2

Boca "Architect's Casebook" Jeffery W. Smith, May/June 2000

Palm Beach Illustrated "Power House" February 2000

Quest "Livable Luxe" Trey Wegman, February 2000

Florida Caribbean Architect "Award for Excellence 1999 for La Follia, Palm Beach", Fall/Winter 1999-2000

Architectural Digest "Florida Formality—A Palm Beach Villa Is Lightened with Breezy French Grace" Mitchell Owens, December 1999

House and Garden "Beach Plums" William Norwich, December 1999

Palm Beach Illustrated "Kings of the Castles" Daphne Nikolopoulos, December 1999

Robb Report "Palm Beach Grand—At La Follia, Architect Jeffery Smith Mixes Fun with Formality to Resurrect the Society House Party Era" Barbara Dinerman, October 1999

The New York Times "Trouble in Paradise: The Changing of the Guard" Tracie Rozhon, March 25, 1999

Quest "The House of Mirth" Kyra Larkin, March 1999

Robb Report "Power Players of Luxury for 1999" Interior Design and Architecture January 1999

Florida Design "Sandcastles By The Sea—La Follia Epitomizes the Romantic Glamour of Old Palm Beach" Barbara Marshall, Volume 8 Number 2

Chicago Tribune from the Wall Street Journal "Temples of the Wealthy" Felicia Paik, May 23, 1998

The Wall Street Journal "The Home Front—When Too Big Isn't Big Enough" Felicia Paik, May 1, 1998

W "Terry Town" James Reginato, May 1998

Florida Design "Concha Marina" Barbara Marshall, Volume 6 Number 4

Palm Beach Illustrated "Villa des Cygnes" January 1997

Architectural Digest "Palm Beach Renaissance-An Italianate Villa on the Florida Coast for Irwin and Terry Kramer" Aileen Mehle, December 1996

Florida Design "Casa Casuarina, Versace's South Beach Estate" Roberta Klein, Volume 6 Number 2

Florida Design "Artful Living in Palm Beach." Linda Marx, Volume 6 Number 1

Palm Beach Illustrated "Ballinger Award Winners, Casa de Leoni" January 1996

Florida Design "Artist Tom McKnight's Palm Beach Home—Renate and Tom McKnight Combine a Love of Color, Travel and Art in Their House" Linda Marx, Volume 5 Number 4

Florida Architecture "Artistic Fantasy in a Private Domain" 55th Annual Edition, 1995

Florida Design "Concha Marina—Mizner's Own Palm Beach Estate" Barbara Dinerman, Volume 4 Number 3

Florida Design "A Palm Beach Palace" Mary Doyle-Kimball, Volume 3 Number 4

Southern Accents "Villa des Cygnes—A Palm Beach Ugly Duckling Becomes a Swan" Marjorie Klein, September 1991

Metropolitan Home "Making a Jazz-Age Splash" Ziva Freiman, March 1989

Application for Service

Profile

Claudia (First Name) | F (Middle Initial) | Visconti (Last Name)

310 Valette Way (Home Address) | (Suite or Apt)

West Palm Beach (City) | FL (State) | 33401 (Postal Code)

claudia@smila.net (Email Address)

Business: (561) 914-1954 (Primary Phone) | (Alternate Phone)

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Landscape architect (Occupation)

In what area of town do you live?

None Selected

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I am passionate about architecture , garden and designs and hope to see the best execution of all three in the town of palm beach

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

5

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

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

Yes as a landscape architect in the town I apply to arcom for many projects

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

None Selected

Present Occupation

Landscape architect

No. of years

10

Past occupation(s)

No. of years

Please provide details regarding your educational background:

Bachelors of landscape architecture Master of landscape architecture

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

☑ Landscape Architecture/Design

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

◉ Yes ○ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

◉ Yes ○ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

New York

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

I have studied landscape architecture both at an introductory and graduate level. I work in the town of palm beach as a landscape architect so I am well versed in the town code and in the aesthetic that the board and the Town work to maintain

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

NA

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

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 the Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. The seven regular members and three alternate members are Town registered voters appointed by the Town Council. Regular members are appointed for three-year terms and no member may serve more than two consecutive terms. Members are appointed on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest. At least two members, but not more than three members, shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applications who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats.

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Code Enforcement Board

Presenter

Kelly Churney, Acting Town Clerk

ATTACHMENTS:

- **Memorandum Dated March 4, 2024, from Kelly Churney, Acting Town Clerk**
- **Attendance Record**
- **CEB Roster**
- **Status Sheet**
- **Sample Ballot**
- **Application - Cynthia Amling**
- **Application - John Cohen**
- **Application - Gary Feldman**
- **Application - Harris Fried**
- **Application - Herbert Krauss**
- **Application - Corinne Lagano**
- **Application - Chris Larmoyeux**
- **Application - Scotch Peloso**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Kelly Churney, Acting Town Clerk

RE: Code Enforcement Board Appointment of Three (3) Regular Members

DATE: March 4, 2024

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint three (3) regular members to the Code Enforcement Board. These members will fill the vacancies created due to the term expirations of Scotch Peloso, Linda Wartow and Chris Larmoyeux. Messrs. Peloso and Larmoyeux are eligible for reappointment.

GENERAL INFORMATION

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

1. Chris Larmoyeux, 217 Tangier Avenue, Palm Beach, FL;
2. Scotch Peloso, 244 Sunset Avenue, Apt. 5, Palm Beach, FL.

The Town Clerk's office has received one (1) application seeking **PROMOTION TO REGULAR MEMBER** from:

1. Harris Fried, 250 Seminole Avenue, Palm Beach, FL.

The Town Clerk's office has received five (5) applications seeking **NEW APPOINTMENT** from:

1. Cynthia Amling, 277 Jamaica Lane, Palm Beach, FL;
2. John Cohen, 2778 S. Ocean Blvd, #405N, Palm Beach, FL;
3. Gary Feldman, 264 Everglade Avenue, Palm Beach, FL;
4. Herbert Krauss, 100 Sunrise Avenue, #615, Palm Beach, FL;
5. Corinne Lagano, 2840 S. Ocean Blvd., #112, Palm Beach, FL.

Attachments

cc: Nicholas Caristo, Chief of Police
Benjamin Alma, Support Services Manager
Carla Marcote, Parking/Code Enforcement Specialist

Code Enforcement Board Attendance Record 2024

Member	1/18	2/15	3/21	4/18	5/23	6/20	7/18	8/15	9/19	10/17	11/21	12/19
Bram Majtlis		*(Regular Member 4/2019 - Term 1, re-elected 4/2022 2nd term)*										
	P	**P**										
John B. McGowan Jr.		(Regular Member as of 8/2022)										
	P	**P**										
Linda K. Wartow		*(Regular Member as of 04/2018, Alternate 02/2018 - 04/2018)*										
	P	**P**										
Martin Klein		*(Regular Member as of 1/2021)*										
	P	**P**										
Scotch Peloso		(Regular Member as of 4/2021)										
	P	**P**										
Chris Larmoyeux		((Regular Member as of 4/2021)										
	P	**P**										
Pamela Saba		*(Regulary Member as of 4/ 2022 Alternate Member as of 4/2020)*										
	P	**P**										
Harris Fried		(Alternate Member as of 8/2022)										
	P	**P**										
Armand Harris		(Alternate Member as of 1/2024)										
	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
V= Audio/Visual problems from Zoom meeting

Town of Palm Beach, FL

Code Enforcement Board

Board Roster

Chris Larmoyeux

1st Term Apr 01, 2021 - Apr 01, 2024

Appointing Authority Town Council
Position Regular Member
Previous Terms N/A

Scotch Peloso

1st Term Apr 01, 2021 - Apr 01, 2024

Appointing Authority Town Council
Position Vice Chair
Previous Terms 4/2017-4/2020 (Term 2), 8/2015-4/2017 (Term 1), 4/2011-4/2014 (Term 1 Alternate)

Linda Wartow

2nd Term Apr 01, 2021 - Apr 01, 2024

Appointing Authority Town Council
Position Regular Member
Previous Terms 4/2018 - 4/2021 (Term 1), 2/2018-4/2018 (Term 0, served less than 50% of term)

Armand Harris

Partial Term Jan 09, 2024 - Mar 01, 2025

Appointing Authority Town Council
Position Alternate Member
Previous Terms Term 0, serving less than 50% of term

Bram Majtlis

2nd Term Apr 01, 2022 - Apr 01, 2025

Appointing Authority Town Council
Position Chair
Previous Terms 4/2019-4/2022 (Term 1), 6/2018 - 4/2019 (Term 0 Alternate)

Pamela Saba

1st Term Apr 01, 2022 - Apr 01, 2025

Appointing Authority Town Council

Position Regular Member

Previous Terms 4/2020-4/2022 (Term 0, served less than 50% of term)

Harris Fried

1st Term Aug 09, 2022 - May 01, 2025

Appointing Authority Town Council

Position Alternate Member

Previous Terms N/A (Term 1, serving more than 50% of term)

Martin I. Klein

2nd Term Jan 10, 2023 - Jan 12, 2026

Appointing Authority Town Council

Position Regular Member

Previous Terms 1/2021 - 1/2023 (Term 1), 4/2006-4/2009

John B. McGowan Jr.

1st Term Apr 03, 2023 - Apr 03, 2026

Appointing Authority Town Council

Position Regular Member

Previous Terms 8/2022-4/2023 (Term 0, served less than 50% of term), 3/2022-8/2022 (Term 0, Alternate)

Status Sheet

CODE ENFORCEMENT BOARD

Next appointment: **March 12, 2024, Town Council meeting**

Openings advertised via news release: **January 16, 2024**

Deadline to submit applications: **Friday, March 1, 2024, by 5:00 p.m.**

Number of openings: **3 Regular Members**

Applicants

NAME	SEEKING
Cynthia Amling	New Appointment
John Cohen	New Appointment
Gary Feldman	New Appointment
Herbert Krauss	New Appointment
Corinne Lagano	New Appointment
Harris Fried	Promotion to Regular Member
Chris Larmoyeux	Reappointment
Scotch Peloso	Reappointment

Current members and open seats

NAME	TERM EXPIRES
Regular Members	
Bram Majtlis, Chair	April 1, 2025
Scotch Peloso, Vice Chair*	April 1, 2024
John B. McGowan	April 1, 2026
Linda K. Wartow***	April 1, 2024
Martin I. Klein	January 1, 2026
Pamela Saba	April 1, 2025
Chris Larmoyeux*	April 1, 2024
Alternate Members	
Harris Fried**	March 1, 2025
Armand Harris	May 1, 2025

Highlighted in yellow=term currently expiring/vacant
*=Applied for reappointment
**=Applied for promotion to regular member
***=Not eligible for reappointment

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER(S) TO THE CODE ENFORCEMENT BOARD
Town Council Meeting on **March 12, 2024**

Position(s) to be filled: **3** **Regular Members**

Please circle three (3) from the list of names appearing below.

Regular Members Applying for Reappointment:

Chris Larmoyeux

Scotch Peloso

Alternate Member Seeking Promotion to Regular Member

Harris Fried

Others who Have Submitted Applications:

Cynthia Amling

John Cohen

Gary Feldman

Herbert Krauss

Corinne Lagano

Signature of Town Council Member: _____

Town Council Member

SAMPLE BALLOT

Application for Service

Profile

Cynthia (First Name) | S (Middle Initial) | Amling (Last Name)

277 Jamaica Lane (Home Address) | (Suite or Apt)

Palm Beach (City) | FL (State) | 33480 (Postal Code)

cyndymd@aol.com (Email Address)

Mobile: (443) 807-8434 (Primary Phone) | (Alternate Phone)

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

CSA

Question applies to multiple boards

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's 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.

Question applies to multiple boards

kmc - 1/17/24

Please upload proof of residency

Retired attorney

Occupation

In what area of town do you live?

☑ North

Interests/Experience

Question applies to Code Enforcement Board

Why are you interested in serving on the Code Enforcement Board?

I have lived at 277 Jamaica Lane since 1998 and am a Florida resident. I have seen many changes in the Town while living here and am interested in preserving the unique atmosphere that makes the Town of Palm Beach a special place. To that end, I believe that enforcement of our Town Code is very important and I would like to contribute to serving the Town.

Question applies to Code Enforcement Board

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

0

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

Question applies to multiple boards

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.

Question applies to Code Enforcement Board

Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions? (Please explain)

No personal experience.

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

None Selected

Present Occupation

Retired attorney

No. of years

20

Past occupation(s)

Attorney

No. of years

18

Please provide details regarding your educational background:

Duke University, BA magna cum laude, 1975; University of Maryland, JD 1978.

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

☑ Law

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Code Enforcement Board

Why do you feel you are qualified to serve on the Town's Code Enforcement Board?

I have a legal background, having practiced law for 18 years. I am able to read and interpret legal codes and statutes.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

None

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Code Enforcement Board

Please attach proof of residency (as listed above) 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.

Application for Service

Profile

JOHN (First Name) | P (Middle Initial) | COHEN (Last Name)

2778 S OCEAN BLVD (Home Address) | APT 405N (Suite or Apt)

Palm Beach (City) | FL (State) | 33480 (Postal Code)

johnpcohen@gmail.com (Email Address)

Mobile: (561) 317-7579 (Primary Phone) | (Alternate Phone)

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

J.P.C

Question applies to multiple boards

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's 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.

Question applies to multiple boards

Verified - KMC
Please upload proof of residency

Retired
Occupation

In what area of town do you live?

☑ South

Interests/Experience

Question applies to Code Enforcement Board

Why are you interested in serving on the Code Enforcement Board?

Have always offered myself for public service, Presently work as a Florida Supreme Court Mediator and attend court each week. Served a Magistrate in the United Kingdom, on the Westminster Bench, and Oxford Bench, where I was Bench training officer. Therefore, I have a good concept of the legal implications of the decisions the Board has to reach.

Question applies to Code Enforcement Board

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

6

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

September

Question applies to multiple boards

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.

Northern Palm Beach County Improvement district. (supervisor) 2012 - Town Councillor Wallingford UK

Question applies to Code Enforcement Board

Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions? (Please explain)

Good concept of municipal codes, Excelent listening skills, and ability to diferentiate between speculation, and evidence. None directly in code enforcement, But I believe I have special ability as a mediator, and magistrate.

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

None Selected

Present Occupation

Retired

JOHN P COHEN

No. of years

19

Past occupation(s)

British Broadcasting Corporation Royal Mail

No. of years

See attached

Please provide details regarding your educational background:

Grenville College Cranfield Management College

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

☑ Law

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Code Enforcement Board

Why do you feel you are qualified to serve on the Town's Code Enforcement Board?

Proven public service, and trust Good legal comprehension, plus engineering experience

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

None

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Code Enforcement Board

Please attach proof of residency (as listed above) 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.

JOHN P. COHEN
2778 South Ocean Boulevard, #405 N
Palm Beach
Florida 33480
561 317 7579 JohnPCohen@gmail.com

Experience

FLORIDA SUPREME COURT CERTIFIED MEDIATOR attends court each week..
Current

ETHICS INVESTIGATOR FRO THE FLORIDA SUPREME COURT D.R.C.

Created a mediation training program for inmates in State Prison

Served as the chairman of the fines committee of the Bear Island HOA

SUPERVISOR NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 2012 - 2019

ROYAL MAIL, UNITED KINGDOM 1995 - 2005
(Nations leading Postal and logistics company, which also provides consultancy services to other Nations)
Marketing, Customized Solutions Manager 2001 - 2005
Charged with multiple projects from $5M. to $200M.

Productivity Manager 1995 – 2001
Responsible for promoting and implementing productivity and change management.

BBC, UNITED KINGDOM 1988 – 1995
Project Manager / Change Management

COURT SERVICE, UNITED KINGDOM 1993 – 2005
Magistrate :
Performed judicial appointment concurrent with all other activities.
- Member of bench in Oxford petty sessional area.
- Member of Inner London petty sessional area, and appointed Bench training officer.
- Responsible for high profile decision making dealings with criminal cases, requiring highest level of public confidence.

Lead various charities including, American Red Cross, the Salvation Army, Royal British legion.

EDUCATION / PROFESSIONAL ENHANCEMENTS

TOWN COUNCILOR WALLINGFORD UK
Grenville College
Canfield Management College
Arbitrator in grievance and harassment cases
Chairman of Political Party
Commission in Army Reserve 24 years' service. (Including Chief Engineering Instructor)

Application for Service

Profile

Gary — First Name
M — Middle Initial
Feldman — Last Name

264 Everglade Avenue — Home Address
Suite or Apt

Palm Beach — City
FL — State
33480 — Postal Code

gary@garyfeldman.com — Email Address

Mobile: (970) 948-3737 — Primary Phone
Mobile: (970) 948-1046 — Alternate Phone

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

GMF

Question applies to multiple boards

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's 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.

Question applies to multiple boards

Gary_s_Florida_DL.pdf **PGG verified 1/18/24**
Please upload proof of residency

Real Estate Broker
Occupation

In what area of town do you live?

☑ Midtown

Interests/Experience

Question applies to Code Enforcement Board

Why are you interested in serving on the Code Enforcement Board?

To assist in keeping Palm Beach a wonderful place to live.

Question applies to Code Enforcement Board

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

0

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

Question applies to multiple boards

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.

Aspen Board of Realtors - Past President; 15 years of service ASE Vision - Served on Aspen Airport Experience Committee which evaluated and provided input on how the overall airport experience integrates with the regional community. (2018-2019)

Question applies to Code Enforcement Board

Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions? (Please explain)

No.

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

None Selected

Present Occupation

Real Estate Broker

No. of years

40+

Gary M Feldman

Past occupation(s)

Real estate has been my entire adult career

No. of years

40+

Please provide details regarding your educational background:

Economics degree from the University of Utah. On-going continuing education requirements established by the Florida Department of Business and Professional Regulation

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

☑ None

2021_Resume.pdf

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Code Enforcement Board

Why do you feel you are qualified to serve on the Town's Code Enforcement Board?

40+ years in residential real estate in Aspen, Houston, Chicago and Salt Lake City in addition to commercial real estate in Chicago and Houston.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

Amy H Feldman - Spouse

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Prefer not to Answer

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Gary M Feldman

Question applies to Code Enforcement Board

Please attach proof of residency (as listed above) 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.

Gary Feldman

EXPERIENCE

2014-	Aspen Snowmass Sotheby's	Aspen
2013-2014	BJ Adams & Company	Aspen
2007-2013	Joshua & Co. Managing Partner	Aspen
2002-2007	Coates Reid & Waldron	Aspen
2001-2002	Joshua & Co.	Aspen
1998-2001	Aspen Real Estate Company	Aspen
1997-1998	Maroon Creek Marketing Group	Aspen
1996-1997	Aspen Club Properties	Aspen
1985-1996	Showcase Properties *Owner/Managing Broker*	Aspen
1983-1985	Showcase Properties *Owner/Managing Broker*	Houston

EDUCATION

1970-1975	University of Utah *B.S. Economics*	Salt Lake City

PROFESSIONAL LICENSES & CREDENTIALS

Licensed as a broker in Colorado since 1985

Granted Realtor Emeritus designation by National Association of Realtors

Licensed as a broker in Florida since 2010

Previously licensed as a broker in Texas, Illinois, Utah

Certified expert real estate witness in Pitkin County, Garfield County, Eagle County, Colorado

Former Property Manager for R.T.C. (Resolution Trust Corporation)

Faculty Instructor – The Real Estate School, Boulder Colorado

ASPEN BOARD OF REALTORS

Served as President, Appointed Past President, Director, MLS Director, Professional Standards Committee Chairman and instructor for the Aspen Fair Housing/Ethics course for ten years.

Realtor of the Year - 1998

TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

CODE ENFORCEMENT BOARD

RECEIVED
FEB 02 2024
Town Clerk's Office

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: HARRIS S. FRIED

Residence Address: 250 SEMINOLE AVE, P.B., FL

Mailing Address: P.O. Box 2840, P.B. FL 33480

Home Telephone: 561-596-4559

E-mail Address: HARRIS.FRIED@gmail.COM

Work Telephone: _____

I am a resident of the Town of Palm Beach ~~FSF~~ (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. FPL bill verified

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

Please see attachment 1.

2. How many meetings of the Code Enforcement Board have you attended in the last year? 12

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.

PB Fellowship of Christians & Jews - Board
PB Synagogue - Board member

4. Please indicate if there are any periods of time for which you will be unavailable for meetings. I am a year round resident. Available to attend all 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)

YES. Please see the attached.

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

- ☐ Palm Beach Chamber of Commerce
- ☐ Palm Beach Civic Association
- ☐ Neighborhood Alliance of Palm Beach
- ☐ Citizens' Association of Palm Beach
- ☐ Preservation Foundation of Palm Beach
- ☐ North End Property Owners Association
- ☑ Other PB Fellowship of Christian & Jews

7. Present occupation. Corporate Executive No. of years. 4 years

Employer. Citadel Air Defense Systems LLC

8. Past occupation(s). Attorney No. of years. 25

Employer(s). Self.

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:

University of Florida - BSBA, Emory Univ School of Law - JD, Columbia Univ. - Masters International Affairs, Harvard Univ. - Special Student.

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

As a lawyer, full time resident of Palm Beach, previous service on the CEB and good communication skills qualify me to be a Regular member of the CEB.

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 _____ 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
☐ Asian American
☐ Hispanic American
☐ Native American
☑ Caucasian
☐ 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: Daina L. Fried DATE: 2/2/24

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.

This attachment is in regard to question no 1, i.e. why am I interested in serving:

In short, serving on the Code Enforcement Board ("CEB") is my way of giving back to the community which has given so much to me.

I believe that the CEB plays an important role in keeping our town safe and beautiful.

The CEB team, including the Town staff, is very professional and a pleasure to work with.

Attachment in regard to question number 5 on the application.

My previous service on the Code Enforcement Board is as follows:

Current term as an Alternate began in August, 2022.

4/2006---7/2006---Alternate.

7/2006---4/2007---Regular Member (term less than 6 months.).

4/2007---4/2010---Regular Member (term 1).

4/2010---4/2013---Regular Member---Vice Chairman.

4/2013---4/2016---Chairman.

Application for Service

Profile

Herbert (First Name) | I (Middle Initial) | Krauss (Last Name)

100 Sunrise Avenue Apt.615 (Home Address) | (Suite or Apt)

Palm Beach (City) | FL (State) | 33480 (Postal Code)

pbhik100@gmail.com (Email Address)

Mobile: (917) 536-2154 (Primary Phone) | Home: (561) 804-9134 (Alternate Phone)

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

hik

Question applies to multiple boards

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's 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.

Question applies to multiple boards

Please upload proof of residency

Retired (Occupation)

In what area of town do you live?

- [x] Midtown

Interests/Experience

Question applies to Code Enforcement Board

Why are you interested in serving on the Code Enforcement Board?

Enforcement of our Town codes is essential to foster compliance. As a current Board member and past president of the Sun & Surf 100 Assn., myself and another Board member recently revised our building Rules and Regulations to comply with updated changes in Florida state law and changing conditions in our building over the years.We also set up enforcement procedures and fines for non compliance.Now that I am fully retired, I would like to get involved in Public service in our Town during a time of expanded development, construction,and traffic.My background includes 45 years in the office furniture industry, working with architects, contractors, and realtors on major corporate relocations. I feel that this level of experience would enable me to contribute to the work and mission of the CEB

Question applies to Code Enforcement Board

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

None

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

June to October. Would be able to attend via Zoom if available for meetings held during this time period.

Question applies to multiple boards

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.

Ronald McDonald Board 1985-1990., Children's Medical Center Board at LIJ 1985-1990, Associate Trustee North Shore/LIJ Hospital 1987-1995. Founding member University of Pennsylvania Club of NYC. All of the above while residing in Roslyn, NY. The following affiliations pertain to Palm Beach: Board of Directors Vietnam Veterans of America Chapter 25 2005-present, West Palm Beach Veteran's Hospital Strategic Planning Committee 2016,Palm Beach Civic Assn. many long years, Board of Directors American Humane 2017-current,Past President and current Board member of the Sun & Surf 100 Building 2005-current. Excellent attendance for all of the organizations mentioned.

Question applies to Code Enforcement Board

Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions? (Please explain)

no

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

- [x] Palm Beach Civic Association
- [x] Other

Present Occupation

Retired

No. of years

3

Past occupation(s)

President, Royal Office Supply Corporation/Furniture Furniture Consultants, Partner Arenson Office Furniture

No. of years

45 years +

Please provide details regarding your educational background:

Woodmere Academy Grade 1 through High School 1957 University of Pennsylvania Wharton School BSE 1961 New York University School of Law JD 1964

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

- [x] Law
- [x] Building Construction

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

- ○ Yes
- ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Code Enforcement Board

Why do you feel you are qualified to serve on the Town's Code Enforcement Board?

Experience on many and varied Boards, industry experience, military experience as CPT. Vietnam (1966). Familiar with drafting and enforcing Rules & Regulations on my condo level As President, supervised building construction over 12 million dollars, dealing with architects working with our town for building permits, ARCOM issues, code compliance,etc.Ability to work on behalf of our Town now that I am fully retired.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

None

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Code Enforcement Board

Please attach proof of residency (as listed above) 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.

PERSONAL DATA

NAME:	HERBERT KRAUSS
DATE OF BIRTH:	APRIL 27, 1940
PLACE OF BIRTH:	NEW YORK, NY

ADDRESSES:	100 SUNRISE AVE., #615, #619 PALM BEACH, FL 33480	45 EAST 80TH ST. NEW YORK, NY 10075

EMPLOYMENT

ARENSON OFFICE FURNISHINGS:	2001- PRESENT 2019
FURNITURE CONSULTANTS:	1985 - 2001, PRINCIPAL
ROYAL OFFICE FURNITURE:	1966-1985, PRINCIPAL

EDUCATION

UNIVERSITY OF PENNSYLVANIA:	1961 B.S. ECONOMICS
NYU SCHOOL OF LAW:	1964 J.D.

MILITARY SERVICE

CAPTAIN, U.S. ARMY	REPUBLIC OF VIETNAM; 1964-1966

ORGANIZATIONS

ASSOC. TRUSTEE:	NORTHSHORE LU HEALTH SYSTEM
BOD:	RONALD MCDONALD HOUSE OF LI.
BOD:	45 EAST 80TH STREET CONDOMINIUM
UNIVERSITY OF PENNSYLVANIA:	WHARTON CLUB
VIETNAM VETERANS OF AMERICA:	LIFE MEMBER
AMERICAN LEGION:	NY A.C. CHAPTER
FRESH MEADOW COUNTRY CLUB	MAR A LAGO CLUB
BREAKERS COUNTRY CLUB	TRUMP ENTL CLUB
PALM BEACH CIVIC ASSOCIATION	

RECENTLY NAMED TO THE NATIONAL BOARD OF THE AMERICAN HUMANE

*AS PAST PRESIDENT OF OUR BOARD OVER MULTIPLE TERMS, I OVERSAW THE CONSTRUCTION AND FINANCING OF MUCH NEEDED STRUCTURAL PROJECTS. THIS INCLUDED THE RENOVATION OF ALL BALCONIES, STANDARDIZATION OF HURRICANE SLIDING GLASS DOORS, GARAGE RENOVATIONS, NEW FRONT FOUNTAIN, AND DRIVEWAY REPAIRS. ALL THESE NEEDED IMPROVEMENTS HAD BEEN NEGLECTED FOR MANY YEARS. PERHAPS THE MOST IMPORTANT ACHIEVEMENT WAS THE CREATION OF A CAPITAL RESERVE FUND. THIS IS CRITICAL IN LIGHT OF THE NEW FLORIDA STATE LAWS AND REQUIREMENTS. IF RE-ELECTED, I WILL CONTINUE TO WORK HARD ON BEHALF OF ALL OF OUR UNIT OWNERS.

Application for Service

Profile

Corinne
First Name

Middle Initial

Lagano
Last Name

2840 S Ocean Blvd
Home Address

Apt. 112
Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

corinnepalmbeach@gmail.com
Email Address

Home: (201) 403-4001
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

CL

Question applies to multiple boards

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's 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.

Question applies to multiple boards

Verified - 3/1/24 PGG
Please upload proof of residency

Private Property Manager
Occupation

In what area of town do you live?

☑ South

Interests/Experience

Question applies to Code Enforcement Board

Why are you interested in serving on the Code Enforcement Board?

I would like to contribute the my community, I believe that code enforcement is critical to the safety of our town.

Question applies to Code Enforcement Board

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

2

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

none

Question applies to multiple boards

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 served on the Board of Directors of Royal Saxon for 2 years. I am also an Advocacy Ambassador for the CAI (community association institute), I also continue to educate myself on the most recent legislation effecting the associations on South Ocean Blvd.

Question applies to Code Enforcement Board

Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions? (Please explain)

No

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

- ☑ Citizens' Association of Palm Beach
- ☑ Other

Present Occupation

Private Property Manager

No. of years

5

Past occupation(s)

Owned and operated a successful Restaurant Consulting Business for 15 years. Property Management of private homes in Bergen County NJ, and also the North Shore of Long Island, NY

No. of years

15

Please provide details regarding your educational background:

B.A. in Psychology and Education

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

☑ Law

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Code Enforcement Board

Why do you feel you are qualified to serve on the Town's Code Enforcement Board?

I have served on the Bd. of Directors of my building and have been involved in property management here in Palm Beach County for 3 years. Its important to serve ones community. I believe Palm Beach is very special and I hope to contribute to our town.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

None

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Code Enforcement Board

Please attach proof of residency (as listed above) 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.

Application for Service

Profile

Chris
First Name

M
Middle Initial

Larmoyeux
Last Name

217 TANGIER AVE
Home Address

Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

cml@lb-law.com
Email Address

Home: (561) 685-4206
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

yes

Question applies to multiple boards

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's 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.

Question applies to multiple boards

PGG verified 1/17/24
Please upload proof of residency

Attorney
Occupation

In what area of town do you live?

☑ North

Interests/Experience

Question applies to Code Enforcement Board

Why are you interested in serving on the Code Enforcement Board?

I have served on the Board for the past 3 years and I am seeking reappointment. I have enjoyed working with town employees and other Board members to create an environment of code compliance as well a recovering the outstanding fines that were owed. I wish to continue to keep our Town beautiful and safe.

Question applies to Code Enforcement Board

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

11

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

no

Question applies to multiple boards

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.

Code Enforcement Board-- past 3 years term expiring in April 2024

Question applies to Code Enforcement Board

Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions? (Please explain)

Yes, Town of Palm Beach Code Enforcement

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

- [x] Palm Beach Civic Association

Present Occupation

Attorney

No. of years

44

Past occupation(s)

No. of years

Please provide details regarding your educational background:

BA University of Florida JD University of Florida

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

☑ Law

CML_CV.doc

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Code Enforcement Board

Why do you feel you are qualified to serve on the Town's Code Enforcement Board?

I have lived on the island since 1987. My wife and I raised our three children here. I have served for the past three years. I believe that my insight and legal background encouraged the Town to adopt a legal methodology to collect outstanding fines that had not been paid for years as well as demonstrating that code compliance by its residents and those that work on the island is an important quality of life issue for all residents.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

○ Yes ◉ No

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

Leigh Larmoyeux, wife

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Code Enforcement Board

Please attach proof of residency (as listed above) 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.

CHRISTOPHER M. LARMOYEUX, Sr.

Larmoyeux & Bone, P. L. 550 South Quadrille Blvd., Suite 200
West Palm Beach, FL 33401
(561) 832-9400

Florida Bar Board Certified

EDUCATION:

University of Notre Dame, Juris Doctor, 1979
Notre Dame London Center of Law, London, England (1977 - 1978)
University of London, Kings College,
University of Florida, B.A. - 1976 (Magna Cum Laude)

BAR MEMBERSHIPS:
The Florida Bar
Colorado Bar (inactive)
Federal Bar: U.S. District Court, Southern District
Federal Bar: U.S. District Court, Middle District
Fifth Circuit Court of Appeals
Eleventh Circuit Court of Appeals

CIVIC AFFILIATIONS:
Florida Arts Council (2001 - 2005)
Palm Beach County Cultural Council (President, 6/2001-6/2002)

PERSONAL:
Date of Birth: June 4, 1954
Married to Leigh T. Larmoyeux
Three children: Christopher Jr., Nash, Camille

HONORS:
Listed in “Best Lawyers in America”
Listed in Florida Trends Magazine: “Florida’s Legal Elite”
Listed in Florida Monthly Magazine: “Florida’s Top Lawyers”
Listed in “Super Lawyers”

Application for Service

Profile

Scotch
First Name

Middle Initial

Peloso
Last Name

244 Sunset Ave, Apt 5
Home Address

Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

scotch1+ceb@gmail.com
Email Address

Home: (561) 247-1072
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

Yes

Question applies to multiple boards

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's 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.

Question applies to multiple boards

verified - 2/29/24 PGG
Please upload proof of residency

Tutor
Occupation

In what area of town do you live?

☑ North

Interests/Experience

Question applies to Code Enforcement Board

Why are you interested in serving on the Code Enforcement Board?

I'm interested in continuing to serve on the Code Enforcement Board because I believe in the importance of maintaining a safe and visually appealing community for everyone. I possess a strong sense of fairness and believe in approaching each case with a rational and balanced perspective. I understand the complexities of regulations and strive to find reasonable and practical solutions that uphold the code while considering the specific circumstances of each situation. My approach to problem-solving is collaborative and empathetic. I believe in open communication where all parties feel heard and understood. My goal is to work together to find solutions that address the code violation and benefit the community as a whole, creating a pleasant and respectful environment for everyone.

Question applies to Code Enforcement Board

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

All (I believe)

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

None, full-time year round resident.

Question applies to multiple boards

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 on the Code Enforcement board in the current position since June of 2021 and had previously served on the board for a number of years before Covid happened. It is the only Town board that I have served on.

Question applies to Code Enforcement Board

Do you have any personal experience with the Code Enforcement Board in the Town of Palm Beach or other jurisdictions? (Please explain)

Back in the early 2000's, CE cited our condominium board and I took point ot make sure that the issues was brought into compliance. That was first experience, then when doing the Citizens Police Academy it was suggested I apply for a position.

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

None Selected

Scotch Peloso

Present Occupation

Tutor

No. of years

12

Past occupation(s)

Self-Employed

No. of years

10

Please provide details regarding your educational background:

Physics, B.S. Film, B.A. American Studies, B.A.

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

☑ None

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Code Enforcement Board

Why do you feel you are qualified to serve on the Town's Code Enforcement Board?

My deep connection to this town, built over 20 years of residency and 40 years of family ties, has instilled in me a strong sense of community pride and a desire to see it thrive. This passion, coupled with my previous experience serving on the Code Enforcement Board, makes me well-qualified to serve again.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

None

Demographics

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Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

Physically Disabled

○ Yes ◉ No

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☑ I Agree

Question applies to Code Enforcement Board

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TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Landmarks Preservation Commission

Presenter

Kelly Churney, Acting Town Clerk

ATTACHMENTS:

- **Memorandum Dated March 4, 2024, from Kelly Churney, Acting Town Clerk**
- **Chapter 54 - Specific to the Appointment of LPC Members**
- **Sample Ballot**
- **LPC Roster**
- **LPC Attendance**
- **Application - Jacqueline Albarran**
- **Application - Catherine Brooker**
- **Application - Daniel Clavijo**
- **Application - Kim Coleman**
- **Application - Dragana Connaughton**
- **Application - Brittain Damgard**
- **Application - Isabella Gonzalez**
- **Application - Henry A. Ittleson**
- **Application - Hillary Masters**
- **Application - David R. Phoenix, Jr.**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Kelly Churney, Acting Town Clerk

RE: Landmarks Preservation Commission Appointment of Two (2) Regular Members

DATE: March 4, 2024

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) regular members (including one Non-Resident Expert) to the Landmarks Preservation Commission. These members will fill the vacancies created due to the term expirations of Jacqueline Albarran and Brittain Damgard, who are both eligible for reappointment.

GENERAL INFORMATION

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

1. Jacqueline Albarran, 11979 Polo Club Road, Wellington, FL;
2. Brittain Damgard, 117 Wells Road, Palm Beach, FL.

The Town Clerk's office has received six (6) applications seeking **NEW APPOINTMENT** from:

1. Daniel Clavijo, 17474 Tiffany Trace Drive, Boca Raton, FL;
2. Kim Coleman, 555 Island Drive, Palm Beach, FL;
3. Dragana Connaughton, 267 Merrain Road, Palm Beach, FL;
4. Isabella Gonzalez, 361 S. County Road, Palm Beach, FL;
5. Henry Ittleson, 132 El Brillo Way, Palm Beach, FL;
6. Hillary Masters, 170 Chilean Avenue, #3C, Palm Beach, FL.

Attachments

cc: Wayne Bergman, Director of Planning, Zoning and Building
Friederike H. Mittner, Design & Preservation Manager

Sec. 54-36. - Created; appointment; qualifications; terms; compensation; filling vacancies; reappointment.

(a) A landmarks preservation commission is created consisting of seven members. At least two members, but not more than three members, of such commission shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applicants who are registered architects in the state, the town may solicit and appoint architects registered outside the state to fill one of the architect seats. A majority of the members shall have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. Each member shall be a registered voter in the town, however, one member may be a non-resident of the town in the event it is determined by the town council that said individual has a special expertise in historic landmarks preservation. Each member other than the individual, if any, appointed by the town council as an expert, shall be a registered voter in the town. The members shall serve staggered terms of three years, and each will serve without compensation, except in the event of the appointment of an outside expert who will serve a term of only one year, but who may be reappointed by the town council on an annual basis for up to six total years. Each member shall serve without compensation. The town council shall appoint the members. If a vacancy shall occur otherwise than by the expiration of a term, it shall be filled by the town council for the unexpired term.

(b) A member 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.

(Code 1982, § 16-35; Ord. No. 12-95, § 1(a), 9-12-95; Ord. No. 8-99, § 1, 11-9-99; Ord. No. 7-00, § 1, 6-13-00; Ord. No. 6-01, § 1, 4-10-01; Ord. No. 19-01, § 1, 10-9-01; Ord. No. 19-2013, § 1, 10-8-13; Ord. No. 09-2020 , § 1, 5-13-20)

Sec. 54-37. - Alternate members.

(a) *Appointment.* The town council may, in its discretion, appoint three alternate members with similar qualifications who shall serve when called upon the chair of the commission in the absence of any regular members.

(b) *Attendance requirements.* Alternate members are required to attend all meetings of the commission and are subject to the same attendance requirements, as regular members with the same provisions relating to excused absences being applicable.

(c) *Voting.* Alternate members shall not vote on any matter unless they are sitting to fill the position of a regular member of the commission in the event of absence or in the event of a conflict of interest; however, alternate members may participate in the discussion of matters coming before the commission whether they are sitting as a voting member or not.

(d)

Terms of office. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

(Code 1982, § 16-35; Ord. No. 12-95, § 1(b), 9-12-95; Ord. No. 8-99, § 2, 11-9-99; Ord. No. 6-01, § 2, 4-10-01)

Sec. 54-38. - Removal provisions; absences; conflicts of interest.

(a) All members of the commission, including alternates, serve at the pleasure of the town council and may be removed from the commission with or without cause. Members of the commission shall be automatically removed for lack of attendance, which is defined as failure to attend three regularly scheduled meetings in any one calendar year. Excused absences due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. The member shall notify the director of planning, building and zoning office in writing of the board member's intended absence at least seven business days prior to the regularly scheduled meeting. Failure to do so, absent an emergency which prevents timely notice, will cause the absence to be unexcused. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the commission after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this article.

(b) In the event of excessive conflicts of interest during any one calendar year, the commission member shall be subject to being removed by the town council upon the council's review and consideration of the matter. The town council shall have the sole discretion as to whether removal shall be required. Excessive conflicts of interest are defined as five or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application, once declared, shall not be counted as additional conflicts of interest. This rule shall apply from the date of adoption to the end of the 2013 calendar year and shall be applicable, thereafter, on a calendar year basis.

(c) If a member of the commission has a conflict of interest resulting from that member or the member's firm representing an applicant before the commission, it shall be the duty and obligation of the member having the conflict to comply with the following requirements:

(1) Notification of the conflict of interest shall be noted on the application form at the time of the submission of the application. The conflict will be identified on the commission agenda.

(2) The member having the conflict of interest shall not participate in the discussion and shall leave the chamber until the item is concluded.

(3) The member having the conflict shall not present the project to the commission, except in a case where the commission member is a sole practitioner who is unable to represent a client through an associate.

TIE BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER(S)
TO THE **LANDMARKS PRESERVATION COMMISSION**
Town Council Meeting on **March 12, 2024**

Positions to be filled: **__2__ Regular Members**

Please circle __2__ from the list of names appearing below

Regular Members Applying for Reappointment
(Listed Alphabetically)

Jacqueline Albarran – Non-Resident Expert

Brittain Damgard

Others Who Have Submitted Applications
(Listed Alphabetically)

Catherine Brooker

Daniel Clavijo – Non Resident Expert

Kim Coleman

Dragana Connaughton

Isabella Gonzalez

Henry Ittleson

Hillary Masters

David R. Phoenix, Jr.

SAMPLE BALLOT

Signature of Town Council Member: _____
Town Council Member

LANDMARKS PRESERVATION COMMISSION MEMBERS

NAME AND ADDRESS	APPOINTED	TERM EXPIRES
Sue Patterson, **Chair** Palm Beach, FL 33480	3/2022 3/2019	3/2025 (Term 2) 3/2022 (Term 1)
Brittain Damgard, **Vice Chair** Palm Beach, FL 33480	3/2021 3/2020	3/2024 (Term 1) 3/2021 (Term 1 Alternate)
Jacqueline Albarran - **ARCHITECT** ***Non-Resident Expert*** Palm Beach, FL 33480	3/2023 3/2022 3/2021 3/2020 5/2014 * 6 year term limit	3/2024 (Term 10)* 3/2023 (Term 9)* 3/2022 (Term 8)* 3/2021 (Term 7)* 3/2020 (Terms 1-6)
Anne Fairfax - **ARCHITECT** Palm Beach, FL 33480	3/2023 3/2020	3/2026 (Term 2) 3/2023 (Term 1)
Bridget R. Moran Palm Beach, FL 33480	3/2022 3/2021	3/2025 (Term 1) 3/2022 (Term 1 Alternate)
Julie Herzig Desnick - **ARCHITECT** Palm Beach, FL 33480	3/2023 3/2022	3/2026 (Term 1) 3/2023 (Term 0 Alternate)
Alexander Hufty Griswold Palm Beach, FL 33480	3/2023	3/2026 (Term 1)

Alternate Commission Members

Anne G. Metzger (Alternate) Palm Beach, FL 33480	3/2022 3/2019 8/2018	3/2025 (Term 2) 3/2022 (Term 1) 3/2019 (Term 0)
Fernando Wong (Alternate) Palm Beach, FL 33480	3/2023 5/2020 5/2019	3/2026 (Term 2) 3/2023 (Term 1) 3/2020 (Term 0)
Alexander C. Ives Palm Beach, FL 33480	3/2023	3/2026 (Term 1)

TOWN OF PALM BEACH **ATTENDANCE RECORD 2024**
LANDMARKS PRESERVATION COMMISSION

MEMBERS	1/17/2024	2/21/2024	3/20/2024	4/17/2024	5/22/2024	6/21/2024	7/17/2024	8/21/2024	9/18/2024	10/16/2024	11/20/2024	12/18/2024
JACQUELINE ALBARRAN	P	P										
SUE PATTERSON	P	P										
ANNE FAIRFAX	P	P										
BRITTAIN DAMGARD	E	P										
BRIDGET MORAN	E	P										
JULIE HERZIG-DESNICK	P	P										
ALEXANDER HUFTY GRISWOLD	P	P										
ALTERNATE MEMBERS												
ANNE METZGER	P	P										
FERNANDO WONG	U	U										
ALEXANDER IVES	P	P										

LEGEND P=PRESENT
E=EXCUSED
U-UNEXCUSED
X=COMMISSION DID NOT MEET
* Term Expired
% Not Reappointed
# Promoted within Commission
& Appointed to Commission

TOWN OF PALM BEACH **ATTENDANCE RECORD 2023**
LANDMARKS PRESERVATION COMMISSION

MEMBERS	1/18/2023	2/17/2023	3/22/2023	4/19/2023	5/17/2023	6/21/2023	7/19/2023	8/16/2023	9/20/2023	10/18/2023	11/17/2023	12/20/2023
JACQUELINE ALBARRAN	P	P	P	P	P	P	P	P				P
PATRICK W. SEGRAVES	P	P	*	*	*	*	*	*	*	*	*	*
KIM COLEMAN	P	P	*	*	*	*	*	*	*	*	*	*
SUE PATTERSON	P	P	P	P	P	P	P	P	P	P	P	P
ANNE FAIRFAX	P	P	P	P	E	P	U	P	E	P	P	P
BRITTAIN DAMGARD	P	P	P	P	P	P	P	P	P	P	P	P
BRIDGET MORAN	P	P	P	P	P	P	P	P	P	P	P	P
JULIE HERZIG-DESNICK	#	#	P	P	P	U	P	P	P	P	P	P
ALEXANDER HUFTY GRISWOLD	&	&	P	P	P	P	P	P	P	P	P	P
ALTERNATE MEMBERS												
ANNE METZGER	P	E	P	P	U	P	P	P	P	P	P	P
FERNANDO WONG	E	P	P	P	P	P	P	P	E	P	P	P
ALEXANDER IVES	&	&	P	P	P	P	P	P	P	P	P	P
JULIE HERZIG-DESNICK	P	P	#	#	#	#	#	#	#	#	#	#

LEGEND P=PRESENT
E=EXCUSED
U-UNEXCUSED
X=COMMISSION DID NOT MEET
* Term Expired
% Not Reappointed
# Promoted within Commission
& Appointed to Commission

Application for Service

Profile

Jacqueline
First Name

Middle Initial

Albarran
Last Name

11979 Polo Club Road
Home Address

Suite or Apt

Wellington
City

FL
State

33414
Postal Code

jackie@jackiealbarran.com
Email Address

Home: (561) 655-7676
Primary Phone

Mobile: (561) 346-9892
Alternate Phone

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

N/A

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Architect
Occupation

In what area of town do you live?

- [x] Midtown

Interests/Experience

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

Having been an architect in Palm Beach since 1985, I have had the privilege of working on many Historic homes. I am currently serving on the Landmark's Preservation Commission of the Town of Palm Beach and would like the opportunity to continue to serve on this Commission as the "non resident" member.

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

All (12)

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

Question applies to multiple boards

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 served on the Landmark's Preservation Commission for two consecutive, 3 year terms from 1991-1997. I served one three year term from 1998-2001. After moving to Wellington in 2001, I was reappointed following the ordinance change creating a non resident position. I served in this position for 9 months before offering my position to Gene Pandula when he became a non resident. I resumed this position in 2012 and continue to serve at this time.

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

○ Yes ◉ No

Question applies to Landmarks Preservation Commission

If So, where?

N/A

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

I have had many years of experience serving on this Commission and as the Architect of many landmarked homes in the Town of Palm Beach. I have had the privilege of being the architect for the two Ballinger Award winners for 2017.

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

- [x] Preservation Foundation of Palm Beach

Present Occupation

Architect

No. of years

Approx 30 years

Past occupation(s)

Same

No. of years

n/a

Please provide details regarding your educational background:

Diploma in Development Planning at the University of London, Great Britain Diploma in Architecture at the University of Los Andes, Bogota Colombia Diplome de Langue Francais at Ecole Lemania, Lausanne Switzerland

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

- [x] Architecture
- [x] Architectural History

resume_full.pdf

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

- ○ Yes
- ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

○ Yes ◉ No

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

N/A

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Landmarks Preservation Commission

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.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be anon-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms,although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

Jacqueline Albarran, Architect P.A.

Principal of SKA Architect + Planner

Specializing in new residences, renovations, and historic restorations of single family homes in Palm Beach, Jupiter, and Hobe Sound.

324 Royal Palm Way, Suite 227
Palm Beach, FL 33480
(561) 655-7676 office
(561) 346-9892 cell
Jackie@jackiealbarran.com
www.skaarchitectspalmbeach.com





NAME: **Jacqueline Albarran de Mendoza**

ADDRESS: 324 Royal Palm Way Suite 227
Palm Beach, Florida 33480

TELEPHONE: 561-655-7676

FAX: 561-655-3533

E - MAIL: Jackie@jackiealbarran.com

WEBSITE: www.skaarchitectspalmbeach.com

EDUCATION:

Diploma in Development Planning
University of London Great Britain

Diploma in Architecture
University of Los Andes Bogota Colombia

Diplome de Langue Francaise
Ecole Lemania Lausanne Switzerland

PUBLICATIONS: Multiple publications in Architectural Digest, Florida Design, Palm Beach Life, Conde Nast House and Garden, and other architectural publications.

ARCHITECTURAL EXPERIENCE:

Practice in the United States, Colombia, El Salvador, Spain and Switzerland has included architectural design and planning for a six thousand student university and over fifty units of small residential developments as well as designs of a variety of building types, including new designs and remodeling of residences, office buildings and other commercial projects.

In recent years I have been mostly dedicated to new residences, renovations and historic restorations of single family homes in Palm Beach, Jupiter, and Hobe Sound.

I have served four terms on the Landmarks Preservation Commission of the Town of Palm Beach as a regular member and am currently serving as the non-resident expert.

SKA Architect + Planner
Palm Beach, Florida

The Steel Partnership
Palm Beach, Florida

Harry Weese and Associates
Miami, Florida

Panelfab International Corp.
Miami, Florida

Suarez and Associates
San Salvador, El Salvador

Bureau d' Architecture et Urbanisme
Vevey, Switzerland

ARK
Madrid, Spain

I.N.C.O.L.
Bogota, Colombia

LANDMARK HOMES COMPLETED PROJECTS:

720 South Ocean Boulevard Palm Beach, Florida	Mrs. Yoko Ono c1919 Mizner
160 Cocoanut Row Palm Beach, Florida	Seagull Cottage (Royal Poinciana Chapel) Henry Flagler's 1st home and oldest house in Palm Beach
50 Via Bellaria Palm Beach, Florida	Mr. and Mrs. Edward Cook c1920 Mizner
210 Via del Mar Palm Beach, Florida	Mr. and Mrs. Edward Cook c1928 Treanor & Fatio
25 Middle Road Palm Beach, Florida	Mr. and Mrs. James Clark 1924
110 Clarke Avenue Palm Beach, Florida	Mr. and Mrs. Stephen Schwarzman 1928
252 El Bravo Way Palm Beach, Florida	Mrs. Merrilyn Bardes 1929 Volk & Maass
218, 220 Phipps Plaza Palm Beach. Florida	Mr. Larry Rivers 1947 Shoumate
218, 220 Phipps Plaza Palm Beach, Florida	Mr. Paul Prosperi *1947 Shoumate*
174 Via Del Lago Palm Beach, Florida	Mr. and Mrs. Stanley Tollman *1934 Wyeth*
1768 South Ocean Boulevard Palm Beach, Florida	Mr. and Mrs. John Pickett *1928 Treanor & Fatio*
250 Barton Road Palm Beach, Florida	Mr. and Mrs. David Callaway lll *1932 Volk & Maass*
6 Golfview Road Palm Beach, Florida	Mr. and Mrs. Wynant Vanderpoel *1922 Wyeth*
14 Golfview Road Palm Beach, Florida	Mr. and Mrs. Clark Graebner *c1927 Wyeth*
210 El Brillo Way Palm Beach, Florida	Mr. and Mrs. J V Shields *1929 Volk & Maass*
196 Banyan Road Palm Beach, Florida	Mr. and Mrs. Robert Miller *1929 Volk & Maass*
105 Clarendon Avenue Palm Beach, Florida	Mr. Robert Miller *1926 Wyeth*

LANDMARK HOMES COMPLETED PROJECTS (cont'd):

236 Phipps Plaza Palm Beach, Florida	Centigon, Inc. *1925 Wyeth*
Turtle Point Tuxedo Park, New York	Centigon, Inc.
Hampshire House New York ,New York	Centigon, Inc.
Villa Florida - Dunbar Road Palm Beach, Florida	Mr. Robert Eigelberger
800 South County Road Palm Beach, Florida	Mr. and Mrs. Peter Tigges *1923 Mizner*
2 Golfview Road Palm Beach, Florida	Mr. and Mrs. Daniel James *1922 Wyeth*
224 Phipps Plaza Palm Beach, Florida	Mr. William McCranie *1939 Major*
232 Phipps Plaza Palm Beach, Florida	Addison Development *c1920 Wyeth*
252 El Bravo Way Palm Beach, Florida	Mr. and Mrs. Jeffrey Prosser *1929 Volk & Maass*
234 Valencia Road West Palm Beach, Florida	Dr. and Mrs. Perrin Blank
25 Middle Road Palm Beach, Florida	Ms. Kathleen Hammer and Mr. Arthur Seelbinder *1924*
210 El Brillo Way Palm Beach, Florida	Ms. Kathleen Hammer and Mr. Arthur Seelbinder *1929 Volk & Maass*
Memorial Fountain South County Road Palm Beach, Florida	Town of Palm Beach
120 N. County Road Palm Beach, Florida	Palm Beach Orthodox Synagogue
801 S. County Road Palm Beach, Florida	Mr. and Mrs. Richard Schlessinger
25 Middle Road Palm Beach, Florida	Mr. and Mrs. John Preston
1200 South Ocean Blvd Palm Beach, Florida	Mr. and Mrs. Malcolm Glazer
270 Algoma Road Palm Beach, Florida	Mr. and Mrs. Oliver and Carolyn Grace (Landmark)

LANDMARK HOMES COMPLETED PROJECTS (cont'd):

235 Sunrise Ave Palm Beach, Florida	Palm Beach Hotel Condominium (Landmark)
10 South Lake Trail Palm Beach, Florida	Mr. Chuck Royce (Landmark)
241 Banyan Road Palm Beach, FL 33480	Mr. and Mrs. Bob and Laura Reynolds

Application for Service

Profile

Catherine (First Name) | E (Middle Initial) | Brooker (Last Name)

127 Root Trail (Home Address) | (Suite or Apt)

Palm Beach (City) | FL (State) | 33480 (Postal Code)

brookerce@gmail.com (Email Address)

Home: (202) 494-0674 (Primary Phone) | (Alternate Phone)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

CEB

Question applies to multiple boards

Verified 3/1/24 PGG

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Retired
Occupation

In what area of town do you live?

☑ North

Interests/Experience

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

I believe historic architecture is part of the soul of any community. It reminds us of where we have been, and provides a window into what is possible going forward. Preservation of historic properties can protect the legacy of a town, while still allowing those properties to function and be relevant in a contemporary society. My husband and I have completed two extensive renovations of historic properties. The first was our home in the Dupont Circle neighborhood of Washington, DC. Most of the homes in this area are townhomes, creating a number of logistical challenges in the heart of the city. The entire Dupont Circle neighborhood in Washington is protected and governed by a historic zoning overlay, and the facade of our home is protected by 2 separate preservation bodies, making it absolutely critical to coordinate and cooperate with public officials when altering the exterior of the building. The second renovation was our home here in Palm Beach on Root Trail, a unique street with small wood frame homes, on small lots that do not generally conform to the zoning code. In both instances, our design and project required respect for the character of the neighborhood and historical architecture, but also presented tremendous opportunity to restore important buildings, make them livable for a modern family, and most importantly, assuring their long term viability. Having sat in the seat of the homeowner in many public architectural reviews, I feel I can bridge the experience of the homeowner with the requirements of the town and its building code, ensuring projects that come before LPC are ultimately successful. "Successful", in my opinion, means that the homeowner ends up with a functioning and lovely residence in which he/she/they can build a wonderful life, and the town preserves important historic structures that will stand the test of time while remaining true to their past. For these reasons, I am interested in serving on the Landmarks Preservation Commission.

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

1, but virtually

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

This should not be an issue for me.

Question applies to multiple boards

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 served for approximately one year on the Zoning, Preservation and Development Committee for the Dupont Circle ANC in Washington, DC. While it has been some time since I volunteered, I believe my attendance record at our monthly meetings was quite solid. This committee served to evaluate all development projects in our neighborhood, whether historically designated or not, considered the impact of the development on neighbors, zoning exceptions and requirements, and whether the application of the homeowner or developer met the requirements of the city before formally recommending to the DC government that a project to move forward. While the ANC could not fully guarantee approval of a project by the city, nor did it have outright veto power, its recommendation carried great weight with the DC government. I would have continued to serve for a longer period of time if not for changes in my job which required me to travel frequently.

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

◉ Yes ○ No

Question applies to Landmarks Preservation Commission

If So, where?

In the Dupont Circle neighborhood of Washington, DC and in Palm Beach on Root Trail. Please note that we voluntarily landmarked our property here in Palm Beach.

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

As noted above, I have live in and owned two landmarked properties in two separate cities.

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

☑ Preservation Foundation of Palm Beach

Present Occupation

Retired

No. of years

Days, Retired on March 1, 2024

Past occupation(s)

Senior Vice President, Corporate Finance, SiriusXM Radio (20+ years total with the company) MCI Price Waterhouse

No. of years

approximately 30 years total

Please provide details regarding your educational background:

BSFS, International Politics, Georgetown University Masters, Accounting, University of North Carolina, Chapel Hill

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

☑ None

Catherine_Brooker_Resume.docx

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

Not applicable

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

- [x] Caucasian/Non-Hispanic

Gender

- [x] 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 of dismissal after appointment.

- [x] I Agree

Question applies to Landmarks Preservation Commission

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.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be anon-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms,although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

CATHERINE BROOKER

202-494-0674 **brookerce@gmail.com**

Finance executive with over 20 years of experience with public companies in various lifecycle stages, with a proven track record of building strong teams that partner with leadership to deliver on the strategic and operational priorities of the organization.

EXPERIENCE

SIRIUSXM RADIO

SENIOR VICE PRESIDENT, CORPORATE FINANCE
AUGUST 2017 – March 2024

VICE PRESIDENT, CORPORATE FINANCE
APRIL 2005-AUGUST 2017

DIRECTOR, SALES & MARKETING FINANCE OPERATIONS
SEPTEMBER 2003-APRIL 2005

- Respected member of the senior leadership team, responsible for short- and long-term forecasting for $9B entertainment and technology company, with increasing responsibility over a 20-year period for various revenue and expense line items, as well as capital expenditures, culminating in full oversight of the budgeting process.
- Regularly counsel executive management on the financial implications of business operations and return on investment of resource allocation across all business functions.
- Prepare materials for quarterly Board of Directors meetings for the CFO, including review and explanation of quarterly results as well as fiscal operating plan and long-range planning scenarios. Support CEO and CFO during quarterly BOD meetings and actively participate in discussion of results, forward projections and strategy with board members.
- Liaise with Controller's organization during close process to assist with accruals, and interpretation of business decisions for proper accounting treatment and disclosure. Review quarterly SEC filings for completeness and accuracy, most notably the forward-looking statements.
- Support the Investor Relations team during quarterly earnings call preparation and composition of CEO and CFO scripts to ensure accurate representation of results and forward-looking business plans and to develop, affirm and recommend changes to external guidance.
- Provide regular cash forecasts to Treasurer for use in securing short- and long-term debt to manage cash flow. Support capital allocation program by providing long term forecasts that determine appropriateness of stock buybacks and dividends.
- Respond to inquiries from Internal Audit on various business initiatives under review, including vendor selection, contract compliance, payment processing, and annual risk assessment.
- Successfully integrated finance organizations following 5 different acquisitions.
- Lead continuous process improvement and automation efforts including selection of new planning consolidation tool, and revamping of headcount planning process.

- Built and mentor a team of approximately 60 financial professionals ranging in title from analyst to Vice President.

BOARD OF DIRECTORS, SIRIUSXM CANADA

AUGUST 2022-March 2024

- Active member of SiriusXM Canada's Board of Directors.
- Leverage in depth knowledge of SiriusXM US to provide guidance to the executive management team on operations and optimizing financial performance.

MCI

SENIOR MANAGER CONSUMER MARKETS PLANNING

APRIL 2002-SEPTEMBER 2003

- Responsible for managing forecasting and budgeting process for $4B Consumer Markets business unit, covering both long distance and local service products.
- Consolidated business unit results and forecasts for submission to Corporate Finance Team. Worked with leadership to explain financial performance to Corporate Planning.
- Managed the planning organization through a bankruptcy and subsequent restructuring.

SENIOR MANAGER CONSUMER MARKETS BUSINESS ANALYSIS

OCTOBER 1999-MARCH 2002

MANAGER CONSUMER MARKETS BUSINESS ANALYSIS

SEPTEMBER 1998-SEPTEMBER 1999

ANALYST CONSUMER MARKETS **JUNE 1996-**
AUGUST 1998

- Increasing level of responsibility for evaluating Return on Investment of all marketing, call center, partnership and distribution programs, including operational budgets and efficiency in generating sales, promotional pricing, and resource planning.

PRICE WATERHOUSE

STAFF ACCOUNTANT

AUGUST 1994-MAY 1996

- Audited financial statements of public and private companies as well as not-for-profit institutions and international banks.

EDUCATION

MS ACCOUNTING, UNIVERSITY OF NORTH CAROLINA, CHAPEL HILL (MAY 1994)

BSFS INTERNATIONAL POLITICS, GEORGETOWN UNIVERSITY (MAY 1993)

INTERESTS

FAMILY, FOOD, BIKING, BEACH, GOLF, GEORGETOWN HOYAS

Application for Service

Profile

DANIEL (First Name) | (Middle Initial) | CLAVIJO (Last Name)

17474 Tiffany Trace Drive (Home Address) | (Suite or Apt)

Boca Raton (City) | FL (State) | 33487 (Postal Code)

danclavijo11@gmail.com (Email Address)

Home: (561) 301-0228 (Primary Phone) | (Alternate Phone)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

No

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Architect, Associate, Project Manager

Occupation

In what area of town do you live?

None Selected

Interests/Experience

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

From a young age, I knew I wanted to be an architect. As a South Florida native, I grew up admiring the work of Addison Mizner and my interest in drawing, designing, and traveling to see great buildings sparked my interest in architecture. I graduated first in my class and summa cum laude from the University of Miami School of Architecture where I focused mainly on traditional architecture. During my college years I was twice awarded a Scholarship for Historic Preservation by The Villagers, a not-for-profit organization dedicated to the restoration and preservation of historic sites in Miami-Dade County. My studies have taken me to various places around the world with extended periods in Italy (Rome, Florence, Venice, Milan, Assisi and other cities), admiring and learning from great architectural past. For nearly a decade I have worked as an architect in the Town of Palm Beach and the surrounding areas. During that time, I have worked on and presented many Landmarked and Historically Significant Homes before the Town of Palm Beach Landmark Preservation Commission as well as West Palm Beach's Historic Preservation Board. I also have an MBA from New York University, Leonard N. Stern School of Business with a specialization in Real Estate among other topics. I love seeing the beauty and historic character of Palm Beach both evolving and being preserved. Being very familiar with the LPC and with great admiration for its work, I would be honored to continuing its mission to safeguard the Town’s historic structures and districts.

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

10

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

NA

Question applies to multiple boards

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.

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

○ Yes ◉ No

Question applies to Landmarks Preservation Commission

If So, where?

N/A

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

For nearly a decade I have worked as an architect in the Town of Palm Beach and the surrounding areas. During that time, I have worked on and presented many Landmarked and Historically Significant Homes before the Town of Palm Beach Landmark Preservation Commission as well as West Palm Beach's Historic Preservation Board. Being well-versed in architectural history and design, as well as the Design Review Process of the Town, I understand the procedures of Landmarks and its vital importance to our community.

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

None Selected

Present Occupation

Architect, Associate, Project Manager

No. of years

10

Past occupation(s)

No. of years

Please provide details regarding your educational background:

NEW YORK UNIVERSITY, Leonard N. Stern School of Business Master of Business Administration Specializations in Real Estate, Finance, and Marketing New York, NY May 2022 ● Fellow, Consortium for Graduate Study in Management ● Recipient, W.R. Berkley Professor of Economics and Finance and Dean Emeritus Peter Henry Faculty Scholarship (full-tuition, merit-based) UNIVERSITY OF MIAMI, School of Architecture Bachelor of Architecture (B.Arch), Minor in Urban Studies Coral Gables, FL December 2015 ● Summa cum laude, Award Recipient, Henry Adams Medal for graduating architecture student with highest GPA ● Recipient, University Scholarship (2011-2015); Villager's Scholarship for Historic Preservation (2013 & 2015) ● Recipient, Miami Commitment Newcomer's Award (2013) ● Member, American Institute of Architecture Students; Alpha Lambda Delta Honor Society; Miami Commitment ● University of Miami, School of Architecture Study Abroad, Rome, Italy, Fall 2014 Boston College High School High School Diploma Boston, MA May 2011

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

- [x] Architecture
- [x] Architectural History
- [x] Landscape/Architecture Design
- [x] Building Construction

Daniel_Clavijo_-_LPC_Resume_2023.pdf

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

- ○ Yes
- ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

- [x] I Agree

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

- ◉ Yes
- ○ No

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

N/A

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Landmarks Preservation Commission

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

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be anon-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms,although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

Application for Service

Profile

Kim
First Name

Middle Initial

Coleman
Last Name

555 Island Drive
Home Address

Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

kim@kimcoleman.com
Email Address

Mobile: (561) 840-8688
Primary Phone

Home: (516) 527-3612
Alternate Phone

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

Kc

Question applies to multiple boards

FL Voter ID verified - PGG 2/21/24

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Interior Design
Occupation

In what area of town do you live?

☑ Midtown

Interests/Experience

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

I am interested in serving again because our town is undergoing a critical period of change. Palm Beach is being subjected to over development. We need people who care about maintaining the integrity of Palm Beach.

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

Several

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

None

Question applies to multiple boards

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 served as a commissioner on Landmarks and Preservation for 6 years. I was the Vice Chairman for my final 3 years before I “termed out.’ I missed 2 meetings in 6 years.

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

◉ Yes ○ No

Question applies to Landmarks Preservation Commission

If So, where?

Weschester, New York

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

NA

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

- [x] Palm Beach Civic Association
- [x] Preservation Foundation of Palm Beach

Present Occupation

Interior Design

No. of years

40+

Past occupation(s)

Sothebys Auction House

No. of years

20

Please provide details regarding your educational background:

BA From The New School at Hofstra Universsity Helena Rubenstein Fellowship in Museum Curation Whitney Museum of Art New York School of Interior Design 2 years of study in Landscape Architecture New York Botanical Garden

Question applies to Code Enforcement Board,Landmarks Preservation Commission

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) *

- [x] Architecture
- [x] Landscape/Architecture Design

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

- ○ Yes
- ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

My husband, Payson Coleman, practices law and has an office in Palm Beach but none of his clients are in Palm Beach.

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Landmarks Preservation Commission

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.

LANDMARKS PRESERVATION COMMISSION

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Application for Service

Profile

Dragana
First Name

N
Middle Initial

Connaughton
Last Name

267 Merrain Road
Home Address

Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

draganaconnaughton@gmail.com
Email Address

Home: (561) 379-5467
Primary Phone

Mobile: (561) 379-5467
Alternate Phone

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

yes

Question applies to multiple boards

PGG verified 1/31/24

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Senior Global Advisor for Sothebys, Nature photographer
Occupation

In what area of town do you live?

- [x] North

Interests/Experience

Question applies to Planning and Zoning Commission

Why are you interested in serving on the Planning and Zoning Commission?

Palm Beach is being challenged to protect its small time feel, it's environment and architecture ever since covid arrived. Everyone seems to want a piece of our island and the sudden assault has the community desperately trying to shield itself from overdevelopment. My in-depth knowledge of the town and my desire to protect the integrity of our community, its architectural jewels, our oceans, and our way of life is what motivates me to serve. I think I can make a difference and be effective in helping make great decisions for the town going forward. I have sold real estate on the island for 37 years. I have a unique knowledge of the history of the island and particularly the built environment. I have also resided here for over 50 years, have been civically involved, and am distinctly aware of the issues of this island, past and present. I am not afraid of making a difficult decision in order to protect the integrity of this island.

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

I have sold real estate on the island for 37 years. I have a unique knowledge of the history of not only landmarked properties but many many others that make our built environment. I have also resided here for over 50 years, have been civically involved, and am distinctly aware of the issues of this island, past and present. I am not afraid of making a difficult decision in order to protect the integrity of this island.

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

2 but listened to many

Question applies to Planning and Zoning Commission

How many meetings of the Planning and Zoning Committee have you attended in the last year?

several and have listened to many

Question applies to Planning and Zoning Commission

Are you willing and available to attend meetings of the Planning and Zoning Commission as described below? Please select all that apply. *

- [x] Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)?
- [x] Meetings on consecutive dates?
- [x] Meetings which might be scheduled for multiple dates within the same month
- [x] Meetings scheduled year-round

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

Palm Beach is my permanent home. I should be available throughout the year, although I do travel more in the summer.

Question applies to multiple boards

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.

Seaview Commission in the mid 1980's The Armory Art Center, West Palm Beach 2005 -2006 National Wildlife Refuge Association, Board of Directors 2016 through 2022 Co-chair of the Beautification and Environmental Committee for the Civic Association 2020 to current Schoolyard films, co-executive producer, free educational movies for children about environmental issues 2020 to current Served on numerous committees over the years for a variety of charities, The Young Friends of the Red Cross, Kravis Center, the Heart Ball, Palm Beach Day School, Armory Art center fundraisers, Junior Committee of the Bath and Tennis Club, The Lords Place Harvard T.H. Chan School of Public Health Board member 2017 2019

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

○ Yes ◉ No

Question applies to Landmarks Preservation Commission

If So, where?

n/a

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

I have sold real estate in Palm Beach for over 37 years. I had listed a couple of landmarked properties for sale and have sold a few over the years.

Question applies to Planning and Zoning Commission

Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain.)

I have built my own home here on the island and am currently planning on building another property.

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

- ☑ Palm Beach Chamber of Commerce
- ☑ Palm Beach Civic Association
- ☑ Preservation Foundation of Palm Beach

Present Occupation

Realtor, Nature Photographer, Co-Executive Producer

No. of years

37 years

Past occupation(s)

Senior Global Estate Advisor with Sotheby's 37 years. Photographer, Former Ford Model, Mother of 4 children

No. of years

modeled in the mid 70's, Photographers Assistant 1978-1979, mother since 1980

Please provide details regarding your educational background:

Rollins College graduated 1976 with a BA in psychology Case Western Reserve Business School 1977 Cleveland State University, Photography class 1977-1978 Real Estate License 1985 Master Gardener University of Fl 2023, Florida Master Naturalist University of Fl completed 2023, Coastal Shoreline Restoration & Coastal Systems

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

- [x] Landscape/Architecture Design
- [x] None

Question applies to Planning and Zoning Commission

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) *

- [x] Landscape Architecture/Design
- [x] None

Dec_2023_DNC_Resume.pdf

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

- ○ Yes
- ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Planning and Zoning Commission

Why do you feel that you are qualified to serve on the Town's Planning and Zoning Commission?

I have unique knowledge of the Town of Palm Beach, having lived here for over 50 years and working in the real estate world for over 37 years. I am very familiar with the laws that govern this town and I have always taken an interest in the community at every level for decades. I am very well educated about the issues affecting our community. I have expertise in both the natural environment and the built environment. I have worked closely with conservation groups protecting Fl. water and the wild life corridors. I have recently completed courses taken through the Univ. of Florida that pertain to coastal management and restoration of living shorelines. I am a Master Gardener and a member of the Native plant society. I have great knowledge about the zoning in progress, historic preservation, the schools, housing, future development, open space, parking issues and very concerned about the upcoming commercial districts and the future development of these area. I am most concerned about protecting our island from overdevelopment, preserving the jewels that we have, and maintaining the charm and peaceful enjoyment of our island. I am knowledgable about the towns, cultural, economic, social and historic past and most concerned of protecting the architectural character and integrity of our island. The traffic is becoming a big issue as is global warming. Palm Beach has its work cut out for itself. We have a huge host of issues that can negatively impact our community if we don't have strong leadership and knowledge. I think I can bring both of these to the Planning Board.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

Richard Connaughton, husband children: Cameron Lickle, Sasha Lickle, Elizabeth Connaughton, Nicole Connaughton

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Landmarks Preservation Commission

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.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be anon-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms,although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

Dragana N Connaughton

Question applies to Planning and Zoning Commission

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 Commission applications will expire on December 15 of each year.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission acts in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The Commission is required to follow the concepts and contents of theTown's comprehensive land use plan in all planning, zoning and development related deliberations and decisions.The Commission shall also have such powers and duties as may be prescribed by Ordinance. The members of the Commission must be registered voters in the Town of Palm Beach. The seven regular members serve for terms of three years. Three alternate members of the Zoning Commission may be appointed by the Town Council who serve when called upon by the Chair of the Commission in the absence of any regular member.

DRAGANA CONNAUGHTON

267 Merrain Road, Palm Beach, FL 33480
(561) 379-5467 draganaconnaughton@gmail.com

EXPERIENCE

Licensed Real Estate Agent, Palm Beach, FL
1985 - Current

Nature Photographer
Lifelong, Professionally 2005 - Current

Ford Model and Actress, New York, NY
Mid 1970's

EDUCATION

Rollins College, Winter Park, FL
1976, BA in Psychology

Case Western Reserve Business School, Cleveland, OH
1977, Business Courses

Cleveland State University, Cleveland, OH
1977-1978, Photography Courses

BOARDS & AFFILIATIONS

Schoolyard Films
2020 - Current, Co-Executive Producer, *Plastic in Paradise*. Free educational films for children on environmental issues. Filmed in Midway Atoll for a series on sea level rise, plastics, and the albatross population.

Forida Master Naturalist, University of Florida
Completed 2023, Coastal Shoreline Restoration & Coastal Systems

Master Gardener, University of Florida
Completed 2023, Native Plant Society Member, Herbal Society Member

Beautification and Environmental Committee, Palm Beach, FL
2020 - Current, Co-Chair

National Wildlife Refuge Association
2016 - 2022, Board of Directors. 2022 - Current, Advisory Board Member

Harvard School T.H. Chan School of Public Health
2017-2019, Board of Directors

National Association of Realtors
1985 - Current, Member

Preservation Foundation, Palm Beach, FL
1985 - Current, Member on and off

Palm Beach Civic Association, Palm Beach FL
1985 - Current, Member on and off

Armory Art Center, West Palm Beach, FL
2006, Board Member

Seaview Commission, Palm Beach, FL
Mid-1980's, Member

Served on Committees for a variety of Local Charities, Palm Beach, FL
Young Friends of the Red Cross, Kravis Center, The Heart Ball, Palm Beach Day School, Armory Art Center fundraisers, Junior Committee of The Bath and Tennis Club, The Lord's Place

Town of Palm Beach

Application for Service

RECEIVED
2024 JAN 17 PM5:06 TWN CLERK

Profile

Brittain — First Name
B — Middle Initial
Damgard — Last Name

117 Wells Road — Home Address
Suite or Apt

Palm Beach — City
FL — State
33481 — Postal Code

brittainbardes@gmail.com — Email Address

(561) 659-6653 — Primary Phone
Mobile: (202) 256-6344 — Alternate Phone

Which Boards would you like to apply for?

Landmarks Preservation Commission: Reapplying

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

BBD

Question applies to multiple boards

1-17-24 BMC

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Retired — Occupation

In what area of town do you live?

☑ North

Interests/Experience

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

All

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

I will not be available next July 2024. Other than that I plan to be at all meetings.

Question applies to multiple boards

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've served on landmarks preservation for the last three years

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

(•) Yes ( ) No

Question applies to Landmarks Preservation Commission

If So, where?

owned

I own the landmark home on Washington Road in West Palm Beach. And I lived in a historic home in Newport Rhode Island.

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

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

- [x] Palm Beach Civic Association
- [x] Preservation Foundation of Palm Beach

Present Occupation

Retiref

No. of years

Past occupation(s)

Manufacturing, retail, real estate

No. of years

Please provide details regarding your educational background:

BA George Washington University. Political science major.

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

- [x] None

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

- ( ) Yes (•) No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

- [x] I Agree

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

○ Yes ◉ No

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

Demographics

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Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Landmarks Preservation Commission

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.

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LANDMARKS PRESERVATION COMMISSION

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Application for Service

Profile

Isabella
First Name

P
Middle Initial

Gonzalez
Last Name

361 S. County Rd.
Home Address

Apt 4
Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

esabella.gonzalez@gmail.com
Email Address

Home: (561) 412-6043
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

I.G.

Question applies to multiple boards

verified 2/29/24 PGG

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Community Relations Coordinator/Artist/Social Worker
Occupation

In what area of town do you live?

- [x] Midtown

Interests/Experience

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

I am very passionate about safeguarding the local iconic architectural land and structures that form our present, past and future sense of self as individuals and community. I would like to assist the Town's historic and cultural resources in making sound decisions regarding its land marked structures and historic districts. I have grown up in landmarked and historic homes, districts and traveled to many, as well as assisted at a local historic preservation architectural firm. My background is in classical and traditional art and community urban planning.

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

via video 2x

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

There are not any periods of time which I would be unavailable for the meetings.

Question applies to multiple boards

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 not served on any boards/commissions/committees in the Town of Palm Beach. I have been attending Town of Palm Beach meetings virtually and City of West Palm Beach meetings locally as well as engaging in many different local non profits and businesses in the community.

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

◉ Yes ○ No

Question applies to Landmarks Preservation Commission

If So, where?

746 Upland Road, West Palm Beach FL 33401, home designed by architect Jon Volk and 735 Ardmore Road, West Palm Beach FL 33401.

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

I have worked with the architectural firm I am at - REG Architects, Inc. regarding landmarked properties alternatively.

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

- [x] Palm Beach Chamber of Commerce
- [x] Preservation Foundation of Palm Beach
- [x] National Trust for Historic Preservation
- [x] Florida Trust for Historic Preservation
- [x] Palm Beach County Historical Society
- [x] Other

Present Occupation

Community Relations Coordinator

No. of years

1

Past occupation(s)

I have been an artist since birth and a Social Worker licensed in multiple states since 2018. I have engaged in Community Relations during this time in both the arts and urban sociology industries.

No. of years

15+

Please provide details regarding your educational background:

Artist since Highschool where I attend Alexander W. Dreyfoos Highschool of the Arts and St. Anns (both historic landmarked buildings). I then went to traditional and classic arts college - Maryland Institute College of Art for Sculpture then Morgan State University for a Masters in Social Work and Public Health.

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

- [x] Architecture
- [x] Architectural History
- [x] Landscape/Architecture Design
- [x] Municipal Planning

Resume_Feb24__1_.pdf

Upload a Resume

Isabella P Gonzalez

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

◉ Yes ○ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

n/a

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Landmarks Preservation Commission

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.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be anon-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms,although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

Town of Palm Beach
Application for Service

- ✔ Profile
- Interests/Experience
- ✔ Demographics
- Save/Submit

* Denotes a required field

Profile

First Name *
Henry

Middle Initial
A

Last Name *
Ittleson

Home Address *
132 El Brillo Way

City *
Palm Beach

State *
FL

Postal Code *
33480

Email Address *
ittlowcountry@gmail.com

Primary Phone *
Mobile
(516) 848-4921

Alternate Phone
Home
(561) 659-4999

Which Boards would you like to apply for? *

This board does not have a vacancy

Landmarks Preservation Commission ▾

These board-specific questions have been added to your application:

Landmarks Preservation Commission

Go to Question

I am a registered voter in the Town of Palm Beach (Initial below) **Go to Question**

Upload a Voter Registration Card in one of the accepted formats (Front) **Go to Question**

Upload a Voter Registration Card in one of the accepted formats (Back) **Go to Question**

Why are you interested in serving on the Landmarks Preservation Commission? **Go to Question**

How many meetings of the Landmarks Preservation Commission have you attended in the last year? **Go to Question**

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. **Go to Question**

Have you ever lived in or owned a landmarked home or property? **Go to Question**

If So, where? **Go to Question**

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain. **Go to Question**

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) **Go to Question**

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member? **Go to Question**

Go to Question

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

HAI

Question applies to multiple boards

Florida_Voter_Registration.pdf (https://townofpalmbeach.granicus.com/boards/admin/answers/8067778/attachment?timestamp=1706029055)

Replace Upload | Delete Upload (/boards/apply/3642123/answers/8067778)

Question applies to multiple boards

Florida_Voter_Registration.pdf (https://townofpalmbeach.granicus.com/boards/admin/answers/8067779/attachment?timestamp=1706029055)

Replace Upload | Delete Upload (/boards/apply/3642123/answers/8067779)

Occupation

Retired

In what area of town do you live?

Midtown

Interests/Experience

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission? *

I feel it is important to preserve fabulous architectural achievements and maintain historic landmarks in the town where we live.

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year? *

one

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

Normally available at all times.

Question applies to multiple boards

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

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property? *

- Yes
- No

Question applies to Landmarks Preservation Commission

If So, where? *

None

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain. *

As a member of the Brown University Facilities and Campus Planning Committee, we must deal with landmark and historic issues when they arise.

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

None selected

Present Occupation

Retired

No. of years

30

Past occupation(s)

Originally called CIT Financial and now called The CIT Group.

No. of years

35+

Please provide details regarding your educational background:

Brown University undergraduate degree and Honorary Doctorate degree.
Harvard University AMP degree

Question applies to Landmarks Preservation Commission

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) *

None selected

Upload a Resume

Choose file

Accepted file types: RTF, DOC, DOCX, PDF, TXT, JPG, JPEG, GIF, PNG

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations? *

- Yes
- No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

- [x] I Agree *

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member? *

- (•) Yes
- ( ) No

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

Chandler Mashek Ittleson
Grant Maskek
Allyson Mashek

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

Caucasian/Non-Hispanic

Gender

Male

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 of dismissal after appointment.

- [x] I Agree *

Question applies to Landmarks Preservation Commission

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

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be anon-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms,although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

Please fill out all required fields and correct any errors before submitting.

Withdraw (/boards/forms/693/apply/3642123?code=ad248c69-3ce5-4b83-b073-109007016c91)

View as PDF/Print (/boards/forms/693/apply/3642123.pdf?code=ad248c69-3ce5-4b83-b073-109007016c91&no_redaction=true)

Save for later Submit

Application for Service

Profile

Hillary
First Name

Middle Initial

Masters
Last Name

170 Chilean ave, 3c
Home Address

Suite or Apt

palm beach
City

FL
State

33480
Postal Code

hmasters@tridentgroup.cc
Email Address

Home: (646) 660-4995
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

HM

Question applies to multiple boards

FL Voter ID verified PGG 2/6/24

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Real Estate Professional

Occupation

In what area of town do you live?

☑ Midtown

Interests/Experience

Question applies to Planning and Zoning Commission

Why are you interested in serving on the Planning and Zoning Commission?

I am an active member on the board of my building and am an advocate for my community. I have experienced my own challenges with noise, traffic disruptions, and building projects. I would like to learn more about the future plans for Palm Beach proper and be involved in the decision making to improve the town.

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I work very closely with my uncle who was the head of the architectural division for Sothebys on the west coast. I love architecture and preserving the beauty of the structural history of a place. Part of the beauty and draw of Palm Beach for me is the charm, feeling, and accessibility. I don't want to see the continuity of Palm Beach proper get lost in modern new builds and unsightly architecture. I love coming home to Palm Beach for the beauty, quiet, and safety it offers its residents. Taking late bight walks down Worth Ave is like no other place on earth. I can't explain that feeling. I want to be a part of protecting that for many generations to come.

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

It is the history and stories of Palm Beach that interest me. I love knowing where the energy comes from in the beautiful homes and buildings that occupy the island. I am currently doing work marketing a John Volk property here on the Island and am a member at Maralago where the fortress walls have so much history you can feel them breathing. I love knowing the reasons society created specific environments to escape the hustle and bustle of everyday life in other places. I want to be at the forefront of preserving paradise.

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

0

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

0

Question applies to Planning and Zoning Commission

How many meetings of the Planning and Zoning Committee have you attended in the last year?

0

Question applies to Planning and Zoning Commission

Are you willing and available to attend meetings of the Planning and Zoning Commission as described below? Please select all that apply. *

- [x] Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)?
- [x] Meetings on consecutive dates?
- [x] Meetings which might be scheduled for multiple dates within the same month
- [x] Meetings scheduled year-round

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

In the summer I do travel for about a month and a half. But this time is flexible and is scheduled around my real estate work here in Palm Beach. Palm Beach is my primary year round residence.

Question applies to multiple boards

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 am currently the Vice President of the Board of my building Everglades Plaza on 170 Chilean ave. I manage and lead most of our restoration projects. Some of those projects involved a million dollar roofing project. I covered all aspects, from engineering, inspections, planning, and overseeing the approval steps. I also headed the painting project, pool renovation project, and deal with most of the resident requests for in home projects which I have a team of contractors that help fulfill these needs.

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

I have never had to personally request approval from the Town's Architectural commission but I have worked with my contractors through the town approval steps specifically for many different construction projects. I also deal with many historic homes here in real estate and I know the importance in getting approvals before you embark on a project in order to keep a deal intact.

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

- (•) Yes
- ( ) No

Question applies to Landmarks Preservation Commission

If So, where?

I spent all of my childhood into early adulthood in a historical home in Goshen, NY. My home was a part of the underground railroad and a protected Victorian style home built in1861. We also had landmarked oak trees and one of the only Ginko Trees on our property that was famously visited.

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

I lived in one growing up and I am currently living in a building that holds a historic name.. Everglades Plaza.

Question applies to Planning and Zoning Commission

Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain.)

I have not had a need to do this yet but I have a variety of strong skill sets when it comes to communication, planning, and in person follow up. I am new to the community just moving here full time in 2020 but I have lots of experience working in NYC, Miami Beach and Goshen, NY. Goshen held some of the most historical buildings and government and municipal buildings in the North East. My Town Hall was built by Frank Lloyd Wright, and the many court houses, government buildings and my library were historical buildings from the civil war times. George Washington stayed at Hill Hold and we had one of the first noted one room school houses. Hambeltonian is buried at our historic race track in town and many of our fountains and monuments are staples for traffic flow till this day. Preserving history and all types of architectural planing is crucial in protecting the identity of a town. Getting approval and zoning passed for future projects is a delicate and very serious process when keeping the livelihood of a historic place a priority. I am familiar with the voting processes and approval paths that take place while trying to build out new projects.

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

None Selected

Present Occupation

Real Estate

No. of years

8 years

Past occupation(s)

Management Flagship Tier 1 locations Head of International Sales and Marketing for US & Canada Executive Assistant to CEO

No. of years

7

Please provide details regarding your educational background:

Bachelors in Biology with a concentration in environmental studies Tri Beta Honors from Pace University

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

- [x] History
- [x] Design
- [x] Building Construction

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

- [x] None

Question applies to Planning and Zoning Commission

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) *

- [x] Social Sciences
- [x] Geography

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

- ○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

- ○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

06FILE.pdf

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

- ◉ Yes ○ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

- [x] I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

I am an active member of my community and a strong leader in real estate here in Palm Beach. I have invested my personal money and interests in properties here and want to continue to grow with my community as this is my forever home. I want to preserve the look and feel of my town and be involved in its transformation for the future.

Question applies to Planning and Zoning Commission

Why do you feel that you are qualified to serve on the Town's Planning and Zoning Commission?

I am a smart, able bodied, and proactive professional. I am very responsible, hard working, and am a people person. I am a great listener to others concerns for the community and strong willed to hold intact the values and importance behind protecting the face of palm beach. I feel I could breath a vibrant and youthful outlook into the work but still keep the best interest of locals and previous generations.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

Benjamin Masters- husband

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ 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 of dismissal after appointment.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

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 the Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. The seven regular members and three alternate members are Town registered voters appointed by the Town Council. Regular members are appointed for three-year terms and no member may serve more than two consecutive terms. Members are appointed on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest. At least two members, but not more than three members, shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applications who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats.

Hillary Masters

Question applies to Landmarks Preservation Commission

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.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be anon-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms,although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

Question applies to Planning and Zoning Commission

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 Commission applications will expire on December 15 of each year.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission acts in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The Commission is required to follow the concepts and contents of theTown's comprehensive land use plan in all planning, zoning and development related deliberations and decisions.The Commission shall also have such powers and duties as may be prescribed by Ordinance. The members of the Commission must be registered voters in the Town of Palm Beach. The seven regular members serve for terms of three years. Three alternate members of the Zoning Commission may be appointed by the Town Council who serve when called upon by the Chair of the Commission in the absence of any regular member.

HILLARY M. MASTERS

Palm Beach, FL 33480 **646.660.4995** **hmasterste@gmail.com**

LEADERSHIP PROFILE

Experienced, polished Senior Executive Assistant with proven record of accomplishment in demanding, fast-paced environments providing C-level executive administrative support. Extensive background in business, hospitality and real estate including work with very private and high net worth clientele including celebrities, politicians, musicians, and professional athletes in NY and FL. Strengths encompass:

- Executive Office Administration
- Program & Project Management
- Bookkeeping and Invoicing Functions
- Travel Arrangements and Logistics
- Executive Calendar Management
- Office Team Training/Supervision
- Proposal/Presentation Preparation
- Handling Highly Confidential Material
- Report/Spreadsheet Development
- Event/Meeting Planning
- Budget Management
- Sales Support Functions
- Contract/Document Review
- Client and Vendor Relations
- Professional Networking

A high energy team player with outstanding interpersonal dynamics and communication skills, flexible to changing conditions within an organization. Articulate, assertive and driven to succeed with exceptional attention to detail and follow-through able to meet strict deadlines. A trusted advisor with strong business acumen, superior work ethic and high degree of integrity and confidentiality.

PROFESSIONAL EXPERIENCE

XPI CORP | PALM BEACH, FL **04/2016 - 09/2023**

■ **Executive Assistant to President**

Provided direct administrative support to the CEO and President of an international manufacturing company. Accountable for executive calendar and scheduling, client/vendor relations, drafting correspondence, reports, international travel arrangements, event planning, presentation and proposal preparation, property management, business development, and financial administration.

Personal Assistant Duties/General Administration

- Managed extremely busy calendar for the CEO. Scheduled and organized meetings and events including arranging rooms, facilities and/or caterers, distributing information or invitations, coordinating speakers, preparing presentations, etc.
- Directed administration of the office and workflow by prioritizing projects, monitoring calendar, and handling meeting and conference call logistics. Maintained an efficient, professional office operation with a high degree of initiative and discretion.
- Maintained and scheduled executive calendars (personal & office) for appointments and meetings.
- Researched and coordinated international and domestic executive travel and logistical arrangements including hotel and flight reservations, car services, entertainment, dining, excursions, travel plans/agenda, preparing agendas and contacts, etc.
- Consistently met/exceeded demands, expectations and deadlines through exceptional work ethic and commitment to excellence.

Property Management/Estate Management

- Managed all aspects of a multimillion-dollar estate and personal business affairs including two homes and 6 rental properties, assisting with all financial decisions and investments.
- Accountable for extremely diverse duties with full accountability for daily operations and function of property, facilities, landscaping and premise maintenance, contracting vendors and service providers, and overseeing special projects and parties.
- Oversaw several property improvement projects, ensuring quality finished products and adherence to budget requirements.

Event Management

- Oversaw the successful planning and execution of multiple charity events each year raising millions of dollars for causes.
- Effectively managed extensive high-profile guests, catering to individual and unique needs.

Special Projects

- Co-developer and managed the company's Not-for-Profit 501 C status.

MORGANS HOTEL GROUP/MONDRIAN DOWNTOWN | NEW YORK, NY **09/2014 - 04/2016**

■ **Events & Promotions Manager**

Accountable for overseeing all aspects of event project management and production at this luxury hotel. Led events through all aspects from program planning to execution and post-event analysis for weddings, private parties, and high-profile celebrity events.

- Select clientele included Colliers International, Gypsy Kings, The NFL, The NBA, Beyonce, and BlackRock. (Cont. P2)

Professional Experience

Morgans Hotel Group/Mondrian Downtown - (continued)

- Built vendor relationships and strategically positioned Mister H as a premier event venue.
- Managed VIP and celebrity guests ensuring the highest level of luxury service and flawless attention to detail.
- Directed outside vendors, as well as employee teams to ensure events were executed with precision and excellence.
- Consistently performed to budget, maximizing both client satisfaction and company profitability.

Agent Provocateur | New York, NY **12/2009 - 09/2014**

■ **Head of Sales and Marketing, US and Canada**

Spearheaded new business development, sales and marketing efforts promoting this luxury retail brand to businesses, hotels, concierges, high net worth individuals, and celebrities. Provided leadership for staff in 8 Tier I locations and 30+ Tier 2 locations in the US, as well as 6 other locations in Canada. Coordinated in-store events for personal shoppers and private off-premise events for clientele.

- Consistently ranked as the #1 Sales Associate globally.
- Select brand partnerships included The Carlyle Hotel, The Surrey Hotel, The Mark Hotel, The Plaza, Soho House, Bloomingdales, and The Metropolitan Club.
- Developed and implemented a corporate clienteling program which was implemented company-wide.
- Coached and developed the sales team to achieve a 34% increase year-over-year.
- Developed in-store marketing strategies which increased traffic by 14%.

Stathis Enterprises | New York, NY **07/2008 - 10/2009**

■ **Executive Personal Assistant to CEO**

Provided direct assistance to the CEO, CFO and owners of a corporate enterprise with subsidiaries in electrical contracting, technology, agricultural development, and horse racing industries. Accountabilities encompassed executive calendar and scheduling, internal and external stakeholder relations, meeting management, drafting communications, event planning, sponsorships, inventory control, reporting, new business development support, and project management.

- Served as the first line of contact for the President screening all calls, mail and email.
- Coordinated all meetings both in-house and on the road.
- Traveled internationally to assist in sales and new business development initiatives for multiple companies.
- Effectively coordinated complex international and private travel including private aviation services.
- Consistently met/exceeded demands, expectations and deadlines through exceptional work ethic and commitment to excellence.

Education

Bachelor of Science Degree in Biology, *Concentration in Environmental Studies*
Honors and Activities: NCAA/IHSA Equestrian Team and TriBeta Honor Society
Pace University, New York, NY

Technical Proficiencies

Microsoft Office (Word, Excel, PowerPoint, and Outlook), Google Suite, Adobe, and QuickBooks

Community Involvement

Vice President on the Board of Everglades Plaza
Involved in the planning and execution of multiple charitable events in Palm Beach

Interests

Avid and competitive equestrian

Application for Service

Profile

David
First Name

R
Middle Initial

Phoenix Jr
Last Name

434 Chilean Ave
Home Address

2C
Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

david@davidphoenix.com
Email Address

Mobile: (310) 770-5686
Primary Phone

Business: (561) 264-3744
Alternate Phone

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) 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 required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

I am a registered voter in the Town of Palm Beach (Initial below)

Yes

Question applies to multiple boards

verified 3/1/24 PGG

Upload a Voter Registration Card in one of the accepted formats (Front)

Question applies to multiple boards

Upload a Voter Registration Card in one of the accepted formats (Back)

Interior Designer
Occupation

In what area of town do you live?

☑ Midtown

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

Palm Beach is home for me and I want to help preserve and insure the quality of life here. My passion for beautiful architecture coupled with my desire to serve , I believe makes me a good candidate to serve on ARCOM

Question applies to Landmarks Preservation Commission

Why are you interested in serving on the Landmarks Preservation Commission?

I served on California State Historic Preservation as a commissioner representing the public

Question applies to Architectural Review Commission (ARCOM)

How many meetings of the Architectural Commission have you attended in the last year?

Phoenix

Question applies to Landmarks Preservation Commission

How many meetings of the Landmarks Preservation Commission have you attended in the last year?

1

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

no

Question applies to multiple boards

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.

Question applies to Architectural Review Commission (ARCOM)

Do you have any personal experience with requesting approvals from the Town's Architectural Commission? (Please explain)

no

Question applies to Landmarks Preservation Commission

Have you ever lived in or owned a landmarked home or property?

○ Yes ◉ No

Question applies to Landmarks Preservation Commission

If So, where?

No

Question applies to Landmarks Preservation Commission

If you have not lived in or owned a landmarked property, do you have any experience in dealing with landmarked properties? Please explain.

Yes As a commissioner in California for 8 years appointed by Gov Schwarzenegger and them Gov Brown.

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

☑ Preservation Foundation of Palm Beach

Present Occupation

Interior Designer

No. of years

30

Past occupation(s)

No. of years

Please provide details regarding your educational background:

Question applies to Architectural Review Commission (ARCOM),Underground Utilities Task Force (UUTF)

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) *

☑ None

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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) *

☑ None

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in the State of Florida?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

○ Yes ◉ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

FL

David_Phoenix_ARCOM_BIO.docx

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

Why do you feel you are qualified to serve on the Town's Architectural Commission?

In addition to 30 years in the Interior Design field, I also was a commissioner for the California State Historic Preservation Commission appointed by Gov. Arnold Schwarzenegger and again by Gov. Jerry Brown. I really enjoyed serving on the commission for 8 years representing the public and learning the value of landmarks in our society. With my combined experience I feel that I would add value to the ARCOM board. It would be an honor to serve the town of Palm Beach.

Question applies to multiple boards

In the event you are applying to be a Regular Member and you are not successful, will you accept appointment as an Alternate Member should the Town Council wish to appoint you as an Alternate Member?

◉ Yes ○ No

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

None

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Architectural Review Commission (ARCOM)

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 the Board/Commission applications will expire on December 15 of each year.

ARCHITECTURAL COMMISSION (ARCOM)

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. The seven regular members and three alternate members are Town registered voters appointed by the Town Council. Regular members are appointed for three-year terms and no member may serve more than two consecutive terms. Members are appointed on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest. At least two members, but not more than three members, shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applications who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats.

Question applies to Landmarks Preservation Commission

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.

LANDMARKS PRESERVATION COMMISSION

(LPC) - The LPC safeguards the Town's historic and cultural resources through its landmarked structures and historic districts. This State of Florida Certified Commission reviews and approves structural and landscape modifications to Designated structures and properties. The LPC is comprised of seven regular and three alternate members, who are registered voters of the Town of Palm Beach and appointed by the Town Council, and who have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. One commissioner may be anon-resident of the Town who possesses specific knowledge or skills directly related to the preservation of historic structures or property. At least two members, but not more than three members, shall be registered architects in the State of Florida. In the event that there are, in the discretion of the Town Council, no bona fide applicants who are registered architects in the State of Florida, the Town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. Members are appointed for three-year terms and no member may serve more than two consecutive terms,although a member may be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

David Phoenix is an award-winning designer known for his elegant style and luxurious, comfortable interiors. The client-driven firm has delivered personal, sophisticated, and thoughtful homes to celebrities, royalty, and financiers for nearly three decades.

David Phoenix also was appointed twice as a commissioner in California on the State Historic Preservation Board representing the public. https://ohp.parks.ca.gov/pages/1054/files/OHP_OrgChart_Web%2009-2014.pdf

David is based in Palm Beach, FL, after years in California, where he was named by the Hollywood Reporter as one of the top 25 interior designers in Los Angeles. David's work is consistently recognized in various publications, including multiple covers of Architectural Digest and stories in Traditional Home, Veranda, LUXE, and more.

David Phoenix's growing stable of product collaborators, includes industry leaders Hickory Chair for furniture , textiles with Kravet and decorative art with Soicher Marin. www.davidphoenix.com

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Retirement Board of Trustees

Presenter

Kelly Churney, Acting Town Clerk

ATTACHMENTS:

- **Memorandum Dated March 4, 2024, from Kelly Churney, Acting Town Clerk**
- **Attendance Record**
- **RBT Roster**
- **Status Sheet**
- **Sample Ballot**
- **Application - David Sabath**
- **Application - Daniel Stanton**
- **Application - John Ver Bockel**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Kelly Churney, Acting Town Clerk

RE: Retirement Board of Trustees Appointment of One (1) Resident Member

DATE: March 4, 2024

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint one (1) resident member to the Retirement Board of Trustees. This member will fill the vacancy created due to the term expiration of Daniel Stanton, who is eligible for reappointment.

GENERAL INFORMATION

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

1. Daniel Stanton, 1100 North Lake Way, Palm Beach, FL.

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

1. David Sabath, 3170 S. Ocean Boulevard, #503S, Palm Beach, FL;
2. John P. Ver Bockel, 217 Mockingbird Trail, Palm Beach, FL.

Attachments

cc: Robert Miracle, Deputy Town Manager – Finance and Administration
Gillian Barth, Director of People and Culture

TOWN OF PALM BEACH ATTENDANCE RECORD SINCE 2022
RETIREMENT SYSTEM BOARD

MEMBERS	3/4/2022	5/20/2022	8/19/2022	11/14/2022	3/3/2023	5/19/2023	8/18/2023	11/28/2023
Michael Marx	P	P	P	P	P	E	P	P
Daniel Stanton	P	P	P	P	E	P	P	P
Tom Parker	P	P	P	P	P	P	P	P
C. Edward Carter	P	P	P	P	P	P	P	P
Bob Miracle	-	-	-	-	P	P	P	E
David Lambert	E	P	P	P	P	P	E	P
Jason Debrincat	P	E	P	P	P	P	P	P
John Copeland	-	P	P	P	P	P	P	P
Joseph Guelli	-	P	P	P	P	E	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, FL

Retirement Board

Board Roster

Jason Debrincat

1st Term Apr 01, 2021 - Mar 31, 2024

Appointing Authority Staff
Position General
Office/Role Employee

Daniel Stanton

3rd Term Apr 01, 2021 - Mar 31, 2024

Appointing Authority Town Council
Position Chair
Previous Terms 4/2018-3/2021 (Term 2), 4/2015-3/2018 (Term 1)

John W. Copeland

1st Term Apr 12, 2022 - Mar 31, 2025

Appointing Authority Town Council
Position Resident Member

Thomas Parker

2nd Term Apr 12, 2022 - Mar 31, 2025

Appointing Authority Town Council
Position Secretary
Previous Terms 4/2019-3/2022 (Term 1)

Joseph Guelli

1st Term Apr 01, 2022 - Mar 31, 2025

Appointing Authority Staff
Position Police
Office/Role Employee

David Lambert

2nd Term Apr 01, 2023 - Mar 01, 2026

Appointing Authority Town Council
Position Resident Member
Previous Terms 9/2020-3/2023 (Term 1)

Michael Marx

4th Term Apr 01, 2023 - Mar 31, 2026

Appointing Authority Staff
Position Fire
Office/Role Employee
Previous Terms 4/2020-3/2023 (Term 3), 4/2017-3/2020 (Term 2), 4/2014-3/2017 (Term 1)

C. Edward Carter

3rd Term Apr 01, 2023 - Mar 31, 2026

Appointing Authority Town Council
Position Vice Chair
Previous Terms 4/2020-3/2023 (Term 2), 4/2017-3/2020 (Term 1)

Robert Miracle

1st Term N/A - N/A

Position Ex-officio

Status Sheet

RETIREMENT BOARD OF TRUSTEES

Next appointment: **March 12, 2024, Town Council meeting**

Openings advertised via news release: **January 16, 2024**

Deadline to submit applications: **Friday, March 1, 2024, by 5:00 p.m.**

Number of openings: **1 Resident Member**

Applicants

NAME	SEEKING
Daniel Stanton	Reappointment
David Sabath	New Appointment
John Ver Bockel	New Appointment

Current members and open seats

NAME	TERM EXPIRES
Resident Members	
Daniel Stanton, Chair*	March, 2024
C. Edward Carter, Vice Chair	March, 2026
Thomas Parker, Secretary	March, 2025
David G. Lambert	March, 2026
John W. Copeland	March, 2025
Employee Members	
Joseph Guelli (Police)	March, 2025
Michael Marx (Fire)	March, 2026
Jason DeBrincat (General)	March, 2024
Bob Miracle (ex-officio)	

Highlighted in yellow=term currently expiring/vacant
*=Applied for reappointment
**=Applied for appointment from alternate member to regular member
***=Termed out

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER(S)
TO THE **RETIREMENT BOARD OF TRUSTEES**
Town Council Meeting on **March 12, 2024**

Positions to be filled: **__1__ Regular Member**

Please circle __1__ from the list of names appearing below.

Member Applying for Reappointment

Daniel Stanton

Others Who Have Submitted Applications
(Listed Alphabetically)

David Sabath

John Ver Bockel

SAMPLE BALLOT

Signature of Town Council Member: _____
Town Council Member

Application for Service

Profile

David
First Name

Middle Initial

Sabath
Last Name

3170 S Ocean Blvd, Apt 503S
Home Address

Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

ds@latigopartners.com
Email Address

Mobile: (201) 280-6776
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Retirement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

DHS

Question applies to multiple boards

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's 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.

Question applies to multiple boards

FL DL PGG verified 1/19/24
Please upload proof of residency

Portfolio Manager
Occupation

In what area of town do you live?

☑ Midtown

Interests/Experience

Question applies to Retirement Board

Why do you wish to be appointed as a member of the Retirement Board of Trustees?

I am eager to be appointed as a member of the Retirement Board of Trustees. Recognizing the current challenges and opportunities facing the board, my 35 years of experience in investing and portfolio management positions me to contribute significantly to the board's mission. I have successfully invested across asset classes and throughout many financial cycles and will bring sound financial decision-making for the benefit of the retirees. Throughout my career, I have honed my skills in financial management and investment strategies, and I am enthusiastic about applying this experience to support the long-term financial well-being of retirees. I understand the importance of prudent financial stewardship to ensure the sustainability of retirement funds and to safeguard the interests of those who have dedicated their lives to public service. Moreover, my motivation to serve on the Retirement Board extends beyond professional accomplishments; it is rooted in a genuine desire to prioritize service over self. I believe in the value of community service and recognize the critical role that the Retirement Board plays in securing the futures of retirees who have dedicated their careers to public service. By actively participating in the board, I aim to contribute to the creation and implementation of policies that prioritize the needs of retirees, ensuring that their hard-earned pensions are managed responsibly and that they can enjoy a secure and dignified retirement. In summary, my extensive experience in investing, coupled with a sincere commitment to giving back to the community, positions me as a dedicated candidate ready to actively contribute to the success and well-being of retirees as a member of the Retirement Board of Trustees.

Question applies to Retirement Board

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

☑ 0

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

Question applies to multiple boards

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 served on the board of Children's Aid and Family Services for over 10 years with my last 2 years as Vice Chairman. I retired from the board in 2020. My attendance record was excellent. I also served on a financial review committee for the Town of Ridgewood NJ developing a 5 year plan for the municipality

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

None Selected

Present Occupation

Retired

No. of years

0

Past occupation(s)

Senior Managing Director of Pretium Partners, a $50 billion AUM asset manager 2020 - 2023 Co-Founder and Co-Portfolio Manager Latigo Partners hedge fund 2005 - 2020 Managing Director, JP Morgan Head of Distressed Research, Goldman Sachs

No. of years

35

Please provide details regarding your educational background:

MBA Northwestern University, 1990 BS in Accountancy, University of Missouri, 1986

David_Sabah_Resume.pdf

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

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

Cheryl Sabath - spouse

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Retirement Board

Please attach proof of residency (as listed above) 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.

David Sabath

David.sabath@latigopartners.com | (201) 280-6776 | Ridgewood, NJ / Palm Beach, FL | LinkedIn.com/DavidSabath

Dynamic portfolio manager with a proven track record of launching, building and leading successful asset management businesses. Expertise in analyzing, trading, and building portfolios across asset classes. Deep knowledge of complex capital structures, bankruptcies and restructurings, as well as companies and industries undergoing major fundamental change. Demonstrated proficiency in idea generation, conducting deep fundamental research, implementing risk management and optimizing portfolio construction. Particularly adept at investing during market dislocations.

Experience

Pretium Partners *2020 – June 2023*
Senior Managing Director and Co-Head, Corporate Opportunistic Investing and Distressed Platform
- Operated as a member of the Executive Committee and the Credit Investment Committee for the $50 billion asset manager and largest privately held owner of single-family rental housing.
- Built and managed the firm's distressed corporate credit investing business.
- Invested through the covid disruption and generated strong returns by starting with investment grade bonds and moving down the credit spectrum into syndicated bank loans and bonds and ending with distressed securities.
- Leveraged firm's real estate expertise for idea generation and due diligence.

Latigo Partners *2005 - 2020*
Co-Founder and Co-Portfolio Manager
- Launched and built an event driven hedge fund focused primarily on the credit markets, managing $1 billion AUM and 20 employees.
- Steered the fund for 15 years, successfully investing through market dislocations, including the global financial crisis and the commodity sell off in 2015.
- Managed all aspects of the business including business strategy, recruiting, day-to-day operations and fund raising.
- Featured in both Financial Times and Barron's as one of the top event driven hedge funds.
- Sold Latigo Partners to Pretium Partners in 2020.

JPMorgan *2002 - 2005*
Managing Director, Proprietary Positioning Business
- Established and led the North America credit investing team, managing approximately $1 billion in assets.
- Invested across the capital structure in relative value strategies and distressed securities.

Goldman Sachs *1998 - 2002*
Head, Distressed Loan Research
- Managed the research team and deployed capital on behalf of Goldman Sachs.
- Led discussions with dozens of clients regarding opportunities in the distressed market.
- Presented as industry expert at numerous events, including Milken conference.

Highbridge Capital *1996 - 1998*
Senior Analyst
- Hired as first distressed analyst at Highbridge and was responsible for sourcing and investing in distressed opportunities.

Chase Manhattan Bank *1990 - 1996*
Portfolio Manager
- Invested in distressed securities and led loan restructurings on behalf of the bank.

KPMG *1986 - 1988*
Senior Tax Accountant (CPA)

Boards

Children's Aid and Family Services *2011 - 2020*
- Served on the board for ten years, most recently as Vice Chairman.

Education

Northwestern University *1990*
MBA

University of Missouri *1986*
B.S. in Accountancy

Application for Service

Profile

Daniel
First Name

Middle Initial

Stanton
Last Name

1100 North Lake Way
Home Address

Suite or Apt

Palm Beach
City

FL
State

33480
Postal Code

danielstanton@mac.com
Email Address

Home: (561) 214-5202
Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Retirement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

DWS

Question applies to multiple boards

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's 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.

Question applies to multiple boards

Please upload proof of residency

Occupation

In what area of town do you live?

None Selected

Interests/Experience

Question applies to Retirement Board

Why do you wish to be appointed as a member of the Retirement Board of Trustees?

I have been Chairman uncontested since 2017.

Question applies to Retirement Board

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

☑ 4+

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

I usually participate via Zoom for the August meeting.

Question applies to multiple boards

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.

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

None Selected

Present Occupation

No. of years

Past occupation(s)

No. of years

Daniel Stanton

Please provide details regarding your educational background:

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

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

None

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Retirement Board

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RETIREMENT BOARD OF TRUSTEES

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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.

Daniel Stanton

Application for Service

Profile

John
First Name

P
Middle Initial

Ver Bockel
Last Name

217 MOCKINGBIRD TRL
Home Address

Suite or Apt

PALM BEACH
City

FL
State

33480
Postal Code

jverbockel@gmail.com
Email Address

Home: (561) 803-1091
Primary Phone

Home: (561) 803-1091
Alternate Phone

Which Boards would you like to apply for?

Retirement Board: Submitted

Question applies to multiple boards

I am a resident of the Town of Palm Beach (Initial below)

JVB

Question applies to multiple boards

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's 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.

Question applies to multiple boards

[redacted] PGG verified 2/1/24
Please upload proof of residency

Managing Director - JPMorgan
Occupation

In what area of town do you live?

☑ North

Interests/Experience

Question applies to Retirement Board

Why do you wish to be appointed as a member of the Retirement Board of Trustees?

I have over 40 year of experience in the Capital Markets

Question applies to Retirement Board

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

☑ 2

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

I live in Palm Beach year-round.

Question applies to multiple boards

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.

Western Golf Association - Board of Governors (6 years) Wood Family Foundation - Board of Directors (7 years) Rush Hospital Chicago - Neurosciences Advisory Board - 4 years University of Wisconsin School of Business Board of Directors - 4 years

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

☑ Preservation Foundation of Palm Beach

Present Occupation

Managing Director JPMorgan

No. of years

41 yrs industry - 1 year at JPM

Past occupation(s)

First Republic - Managing Director - 4 years Merrill Lynch - Managing Director - 37 years

No. of years

see above

Please provide details regarding your educational background:

University of Wisconsin - BS Industrial Engineering 1980

Upload a Resume

Have you ever been convicted or pled guilty or nolo contendere to a crime other than minor traffic violations?

○ Yes ◉ No

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

I agree that I will resign from the board, commission, or committee if I am appointed to the position I am seeking in this application.

☑ I Agree

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

Spouse: Kathleen Carbonara

Demographics

Some boards and commissions require membership to be racially, politically or geographically proportionate to the general public. The following information helps track our recruitment and diversity efforts.

Ethnicity

☑ Caucasian/Non-Hispanic

Gender

☑ Male

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 of dismissal after appointment.

☑ I Agree

Question applies to Retirement Board

Please attach proof of residency (as listed above) 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.

John P Ver Bockel

TOWN OF PALM BEACH
Town Council Meeting on: March 12, 2024

Section of Agenda
Minutes

Agenda Title
Town Council Meeting Minutes
Kelly Churney, Acting Town Clerk

a. February 13, 2024, Town Council Meeting Minutes
b. February 14, 2024, Town Council Development Review Meeting Minutes

Presenter

ATTACHMENTS:

- **February 13, 2024, Town Council Meeting Minutes**
- **February 14, 2024, Town Council Development Review Meeting Minutes**

TOWN OF PALM BEACH
Town Clerk's Office

MINUTES OF THE TOWN COUNCIL
MEETING HELD ON FEBRUARY 13, 2024

I. CALL TO ORDER AND ROLL CALL (01:05)

The Town Council Meeting of February 13, 2024, was called to order at 9:30 a.m. On roll call, all Council members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. MODIFICAT IONS TO THE AGENDA (02:07)

The following modifications were made to the agenda:

X.B. Annual Report of the Shore Protection Board will be heard as X.A.
X.A. Annual Report of the Investment Advisory Committee will be heard as X.B.
Under ANY OTHER MATTERS Discussion and Potential Vote Regarding Zoning in Progress for Restaurants

IV. APPROVAL OF AGENDA

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

V. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS (21:37)

A. Presentations by the Applicants and Appointments to the Planning and Zoning Commission
Kelly Churney, Acting Town Clerk

The following applicants presented their applications:

Dragana Connaughton
Corrine Lagano
Nicole Sconzo-Rametta (via Microsoft Teams)

After hearing from all applicants, the Town Council voted to appoint Dragana Connaughton as an alternate member of the Planning and Zoning Commission.

Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Cooney to appoint Dragana Connaughton as an alternate member of the Planning and Zoning Commission. On roll call, the Motion passed unanimously.

VI. COMMENTS OF MAYOR DANIELLE H. MOORE (25:41)

Mayor Moore congratulated the following employees on their milestone anniversaries with the Town:

Angela Young (REC)	10 years
Daniel Wilkinson (PD)	15 years
Craig Newby (PD)	15 years

VII. COMMENTS OF TOWN COUNCIL MEMBERS (25:46)

Council President Pro Tem Lindsay advised that since Christmas, she had heard numerous complaints from parents about underage children driving fast motorcycles, bicycles, and golf carts in areas at the island's north end. She asked parents in Palm Beach to speak to their children about this dangerous behavior. Mayor Moore noted that a valid driver's license is required to operate golf carts and motorized bicycles on public streets.

Council Member Crampton congratulated Council President Pro Tem Lindsay and her cohorts for bringing the Songbirds Presentation to Palm Beach. Council President Pro Tem Lindsay mentioned the partners who were involved in bringing programs such as the Songbirds Presentation to town.

Council Member Araskog said that the Songbirds Presentation is available online. She mentioned complaints about the Bradley Avenue and Sunset Avenue traffic signals being of too short a duration. She also noted concern about people walking up and down Worth Avenue and down near the beach wearing only a swimsuit. She asked if the town could require swimsuit cover-ups to be worn. She expressed concern about people honking their horns in

town and suggested a letter from the mayor be written to the editor. Council Member Araskog recently noted another ticket being issued where Brazilian meets County Road. She wondered if something could be implemented to help drivers understand that they must turn right.

Council Member Cooney thought the Change of Command Ceremony for the retirement of Darrel Donatto was a lovely event. He thanked the Foundation for hosting the event. Council President Zeidman stated the event was a Foundation event, and attendance was limited to staff, firefighters, paramedics, the police department, and the Town Council.

Council President Zeidman stated the town is on a campaign of lights out for turtles. The town will be sending out a letter before March 1, 2024. She said that residents who live along the oceanfront need to understand that the information about lighting is the law, turtles are protected species, and violations will have consequences. She said there are many options for downlighting.

Council President Zeidman said that a Publix store needed to be constructed in West Palm Beach to support condominiums that are currently under construction. The existing Publix is small, and that community needs a regular Publix to serve the people.

Police Major John Scanlon provided an update on traffic situations, including Sunset and Bradley Avenues. The Police Department has been working with Public Works to create a proper sequencing of the traffic signals at four intersections. Council President Zeidman asked to see drone photographs taken at the intersections. She said the adaptive system is not working.

Mr. Paul Brazil, Director of Public Works, responded that the adaptive system is designed to identify where potential optimization changes may occur. He said there is no opportunity to optimize at the subject intersections because of the traffic volumes. However, the adaptive system does work and has been proven at other intersections. Mr. Kirk Blouin, Town Manager, said the volume of traffic is an apparent problem, and there are only two major lanes north and south onto and off the island. Town staff members will continue to look for a solution. He said having officers at the intersections does not make much difference.

Mr. Brazil said he would return to the March Town Council Meeting with recommendations for review and consideration. Council Member Crampton asked that bridge opening times be a part of the discussion in March. Mr. Blouin noted there may be some security issues with the State of Florida in reference to the town's cameras, but staff is working with IT and the Police Department to provide some feed of the traffic on the bridges.

VIII. COMMUNICAT IONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE (59:59)

Dr. Ellen Howe, 2295 S. Ocean Boulevard, spoke about the use of car horns.

Dragana Connaughton, 267 Merrain Road, spoke about traffic issues.

Irwin Meisler, 3250 S. Ocean Boulevard, spoke about damage to the dunes.

Mr. Brazil stated there is a planned fiscal year 2024-25 project where sand will be placed in November, January, and February, outside of sea turtle nesting season. He said what is being observed is pre-project conditions. He also pointed out that now is the dunes' most challenging time of year.

Patricia Ferrell, Manager of The Dorchester, 3250 S. Ocean Blvd, confirmed that town staff would assist property owners with stage deck stairs. Mr. Brazil said staff would talk the property owners through what may and may not be done.

Ronald Matzner, 3120 S. Ocean Blvd, spoke about many of the condominiums that were impacted by the storm. He said the problem with the dunes goes to the town's southern border.

IX. APPROVAL OF CONSENT AGENDA (1:33:02)

The following items were pulled and heard under Item No. X1.A.:

IX.B.1 RESOLUTION NO. 006-2024
IX.B.3. RESOLUTION NO. 008-2024
IX.B.5. RESOLUTION NO. 010-2024
IX.B.8. RESOLUTION NO. 020-2024

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

A. MINUTES

1. Town Council Meeting Minutes
   Kelly Churney, Acting Town Clerk

   a. January 9, 2024, Town Council Meeting
   b. January 10, 2024, Local Planning Agency Meeting
   c. January 10, 2024, Town Council Development Review Meeting

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of January 24, 2024
   Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 006-2024, A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2023-50, Professional Engineering Services for Sand Search to Geosyntec Consultants, Inc.
   *Dean Mealy, II Procurement and Contract Manager - **Pulled***

2. RESOLUTION NO. 007-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RTN No. 2023-39, Computer Aided Dispatch and Records Management System to Tyler Technologies, Inc. in the amount of $408,805 and Awarding Year One of the Maintenance Contract in the Amount of $245,000 for the Initial Amount of $653,805 and Approving Future Annual Maintenance for Years Two and Three in the Amount of $245,000 Annually as they are renewed based on Budget Approval and Satisfactory Vendor Performance.
   Dean Mealy, II Procurement and Contract Manager

3. RESOLUTION NO. 008-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2024-01, Temporary Office Personnel Services to AppleOne, Inc. and 22nd Century Technologies, Inc. in the Annual Amount of $500,000 and establishing a five-year Award in the Amount of $2,500,000 Contingent upon Satisfactory Performance and Budget Authorization.
   *Dean Mealy, II Procurement and Contract Manager - **Pulled***

4. RESOLUTION NO. 009-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Retroactive Change Order in the Amount of $18,300 to Kimley-Horn and Associates, Inc. for Additional Work related to Central Fire Fuel Tank Replacement Assessment, Design Phase Services, Environmental Regulatory Permitting and Environmental Site Remediation for a New Project Budget of $214,050.
   Dean Mealy, II Procurement and Contract Manager

5. RESOLUTION NO. 010-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2023-51, Public Works Renovation Improvements to East Coast Construction Group in the amount of $1,395,198.27 and Establishing a Project Budget of $1,977,697.92.
   *Dean Mealy, II Procurement and Contract Manager - **Pulled***

6. RESOLUTION NO. 013-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order in the Amount of $5,000 to the Awarded Resolution No. 107-2023, for MCCI Laserfiche from Premise to Cloud for a new Project Budget of $177,000.
Dean Mealy, II Procurement and Contract Manager

7. RESOLUTION NO. 015-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Retroactive Purchase Order to Murray Logan Construction, LLC for Emergency Repairs to Town's Inlet Dock in the Amount of $143,050 and Establishing a Project Budget in the Amount of $160,000.
Dean Mealy, II Procurement and Contract Manager

8. RESOLUTION NO. 020-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Geosyntec Consultants, Inc. in the Amount of $1,693,470 for Sand Search Investigations.
Dean Mealy, II Procurement and Contract Manager - ***Pulled***

9. RESOLUTION NO. 021-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Extension of the Contract with Health Fitness Corporation in the Amount of $209,620 for the period of March 1, 2024, through February 28, 2025.
Dean Mealy, II Procurement and Contract Manager

C. OTHER

1. Approval of Town Manager Performance Evaluation
Kirk W. Blouin, Town Manager

2. Budget Calendar for FY25 Budget Process
Bob Miracle, Deputy Town Manager - Finance and Administration

X. BOARD/COMMISSION ANNUAL REPORT

Clerk's Note: This item was taken out of order

A. Annual Report of the Shore Protection Board (01:18:02)
Melissa Ceriale, Chair

Ms. Ceriale, 230 S. Ocean Blvd, serves as Chair of the Shore Protection Board. She provided the annual report. The sand transfer plant is of concern and the Shore Protection Board wanted to make sure that was high on the list of things to be considered by the Town Council. Ms. Ceriale stated that the Board was requesting permission to become involved in communicating the issues that

might be hindering project implementation and to help create a stronger public awareness of some of the issues. The Board suggested increased communication in the southern part of the town so they understand that the Beach Management Action Plan is working on their behalf, even though it may not seem so now. Ms. Ceriale reviewed the actions of the Shore Protection Board for the upcoming year.

Council President Zeidman congratulated Ms. Ceriale for the excellent leadership she has brought to the Shore Protection Board.

Motion was made by Council Member Cooney and seconded by Council Member Crampton to accept the Annual Report of the Shore Protection Board. On roll call, the Motion passed unanimously.

B. Annual Report of the Investment Advisory Committee (01:25:42)
Christopher Storkerson, Chair

Mr. Storkerson, Chair of the Investment Advisory Committee, provided the annual report. He said the town finances are in great condition. He provided details.

Council Member Crampton asked about the renewal of the 1% sales tax. Mr. Robert Miracle, Deputy Town Manager, said there have been discussions concerning the Palm Beach City Manager's Association. The Town Council has approved a resolution to extend the surtax, and a few other towns have. Mr. Miracle advised staff has not heard back from the county or the school district. He said there would need to be a referendum to renew the 1% sales tax.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to accept the Annual Report of the Investment Advisory Committee. On roll call, the Motion passed unanimously.

Clerk's Note: Lunch Break was taken at 1:35 PM and reconvened at 2:15 PM

XI. REGULAR AGENDA

A. Matters Pulled from Consent Agenda: If needed

1. RESOLUTION NO. 006-2024 (03:53:00) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2023-50, Professional Engineering Services for Sand Search to Geosyntec Consultants, Inc.
Dean Mealy, II Procurement and Contract Manager

Mr. Brazil explained the resolution, he stated that Resolution No. 006-2024 and Resolution No. 020-2024 were related.

Council President Pro Tem Lindsay asked if staff felt confident that sand would be found. Mr. Brazil said the professionals understand that the process will be challenging. However, they feel comfortable that they will find sand in areas that have not previously been mined.

Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Crampton to approve Resolution No. 006-2024. On roll call, the Motion passed unanimously.

2. RESOLUTION NO. 008-2024 (04:02:10) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2024-01, Temporary Office Personnel Services to AppleOne, Inc. and 22nd Century Technologies, Inc. in the Annual Amount of $500,000 and establishing a five-year Award in the Amount of $2,500,000 Contingent upon Satisfactory Performance and Budget Authorization.
Dean Mealy, II Procurement and Contract Manager

Ms. Stone stated these are contracts used for temporary staffing every year. The amount is $2,500,000 because it is a five-year award.

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to approve Resolution No. 008-2024. On roll call, the Motion passed unanimously.

3. RESOLUTION NO. 010-2024 (4:03:22) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2023-51, Public Works Renovation Improvements to East Coast Construction Group in the amount of $1,395,198.27 and Establishing a Project Budget of $1,977,697.92.
Dean Mealy, II Procurement and Contract Manager

Mr. Brazil explained the age of the Public Works building. He explained the renovations that would be made to the facility.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to approve Resolution No. 010-2024. On roll call, the Motion passed unanimously.

4. RESOLUTION NO. 020-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Geosyntec Consultants, Inc. in the Amount of $1,693,470 for Sand Search Investigations.
Dean Mealy, II Procurement and Contract Manager

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Resolution No. 020-2024. On roll call, the Motion passed unanimously.

B. Old Business

1. Town-wide Undergrounding Project (4:06:38) - Review of Project and Dashboard, Summary of Project Status
H. Paul Brazil, P.E., Director of Public Works

Patricia Strayer, Town Engineer, gave an update on the project.

Ms. Strayer stated that in Phase 3 South, there are 95 remaining conversions out of two hundred twenty-five. It is taking so long because there are many commercial properties. Fifty-seven of the conversions are going to impact businesses. Those will not be done until May. Ms. Holzer is working with the town now because some meters have to be relocated. Phase 4 North, the poles are being removed. Ms. Strayer said Wilco works for Florida Power and Light and the Town of Palm Beach. They are doing a great job with looping, switching, and timing. Phase 6 North and South are moving along nicely. Phase 6 North is expected to be transitioned during the summer.

Council Member Cooney asked for a midtown update. Ms. Strayer said in Phase 5 South there may be a chicane on Atlantic Avenue. She explained the status and the reason for the process being prolonged. She anticipated the project would be completed by fall 2024. Council President Pro Tem Lindsay asked about the sidewalks. Ms. Strayer stated she is doing her best to get the sidewalks replaced and completed as soon as possible. She said it should be less than three months.

Ms. Strayer provided an update on the property at 251 Bradley Ave. She had spoken to the property owner several times and modified the easement to include specific language for the property owner. Several appointments have been made for the property owner to sign the easement, and at the last minute, he informed Ms. Strayer that he did not have the authority to sign the easement. She continues to try to work with the property owner to obtain an easement.

C. New Business

1. Corradino Traffic & Parking Study (1:35:46)
TIME CERTAIN: 11:00AM
Wayne Bergman, Director of Planning, Zoning and Building

Joe Corradino, The Corradino Group, introduced his team members present and provided an overview of what would be presented as the Traffic and Parking Study. He said the focus needed to be on solutions and the big picture. He noted that it would be essential to know how the Town Council desires the system to perform, which is a function of convenience. He explained what the next steps would entail based on feedback from the Town Council.

Eric Czerniejewski, Traffic Engineer, presented the Traffic and Parking Study.

Council Member Araskog questioned elements spelled out in the scope but changed during the study. She asked why the Playhouse was not included in the plan and why peak hours for the study were changed from what had been specifically requested by the council. Mr. Czerniejewski responded that he had spoken to the vendor who collected the traffic data to request a re-evaluation of the data.

Council President Zeidman pointed out that the data was already one year old, and a lot had changed. She suggested to Mr. Czerniejewski that he call West Palm Beach to find out how many condominiums they will add since that will impact the town.

Council President Pro Tem Lindsay asked for clarification on daily traffic counts. Srinivas Varanasi, engineer, said there would be 76,000 – 80,000 trips into and out of town per day.

Council President Pro Tem Lindsay asked about making South Lake Drive one-way. She did not think that making South Lake Drive one-way would reduce commercial traffic, but she did think it would have a negative impact on residents.

Council Member Crampton observed a statement in the summary that indicated the number of proposed parking recommendations aligned with the six key points of the six-point parking program as being developed. He asked about a comment that suggested the zoning code requirements were conservative with respect to taking parking spaces off the street to satisfy the requirement for the building. He asked whether the Business and Administration Committee should look at this or discuss it within the context of the Zoning Code Reform. Council Member Crampton also asked about the idea of public/private partnerships. He thought the town should assist in developing partnerships to help with parking. Council Member Cooney thought the fee structure would also need to be reviewed.

Council Member Cooney asked about the 1% annual growth rate with regard to traffic forecasting. Mr. Varanasi explained how the analysis was

done. Council Member Cooney was interested in the origin designation and whether there should be a separation of the Sunrise and Sunset Avenues, which are more commercial. He also suggested that The Breakers Planned Unit Development be added to the plan. Council Member Cooney also thought a restudy of Sunset after the one-way conversion may be merited.

Mayor Moore questioned if there was any breaking out of the Southern Boulevard traffic circle area. Mr. Czerniejewski said no, but having looked at the guardhouse project, there would be a follow-up study about event sizes. That study would provide details of what is going on regarding the cueing and traffic volume during special events. The staff was directed to follow up.

Council President Zeidman did not think the 1% growth projection would be adequate. She said the consultant would need to find out from West Palm Beach what has been done over the past year and what their plans are for the future. That information would need to be overlaid with happenings in the Town to look at traffic projections for the future of Palm Beach. The professionals will need to extrapolate or use a factor to look at the peak traffic times. 7:00 a.m. to 9:00 a.m. seemed to be okay but the afternoon hours need to be re-studied. She said the principle of equivalency needs to be reviewed, and the areas where that principle has been used need to be tracked. Council President Zeidman asked if drones may be used to monitor valet services. The report suggested looking at the installation of a light at Bradley Place. She said the very same situation exists on County Road, where there is a light at Sunset Avenue and, one block up, a light on Royal Poinciana. She said there was also parking on both sides of the street. One side would need to be given up.

Council President Zeidman summarized the following feedback and suggestions that had been discussed:

- Inclusion of the Royal Poinciana Plaza Playhouse and Restaurant
- Review of Peak Hours 2:00 p.m. – 6:00 p.m.
- Revise future growth projection to include growth in West Palm Beach and Palm Beach
- Inclusion of The Breakers Planned Unit Development
- Schedule an after-study of Sunset as a One-Way Street and placing a traffic light at Sunset and Bradley
- Enhance valet program permitting and monitoring

Council Member Araskog thought traffic issues on Worth Avenue needed to be studied. She wanted data for Royal Poinciana Way going back to Wells Road.

Council President Pro Tem Lindsay reiterated that a solution would be necessary at Sunset Avenue. She said the area has become highly congested. Mr. Czerniejewski noted a road segment link analysis could be conducted to determine the amount of traffic.

Public Comment
Anne Fairfax, 455 Worth Avenue, shared her thoughts and suggestions for mitigating traffic point loads.

Richard Sammons, 455 Worth Avenue, spoke about the need for walkability in the town. He also shared some suggestions for making improvements to traffic and parking.

Anita Seltzer, 44 Cocoanut Row, did not feel that an accurate snapshot of traffic on the island had been provided. She shared other concerns about the study that had been presented. She also had a list of places that she thought should be included in the study.

Council Member Araskog suggested addition of the new school on Bradley and the new hotel north of County Road, on Royal Palm to the study area, as well as the areas suggested by Ms. Seltzer. Ms. Seltzer was asked to provide her list to Town staff.
Pat, I don't know which hotel Julie is referring to. There is no hotel "north of County Road… "on Royal Palm"?

Clerk's Note: A lunch break was taken at 1:35 PM

2. Re-Appointment of Town Manager (4:22:04) Pursuant to Section 4.02(b) of the Town Charter from February 14, 2024, through February 13, 2025.
Kirk W. Blouin, Town Manager

Council President Zeidman commented that Mr. Blouin is a very trusted Town Manager who has many responsibilities. He maintains a solid and transparent fiscal standing for our Town and has developed a top-notch team.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve the re-appointment of the Town Manager. On roll call, the Motion passed unanimously.

D. Town Attorney Report (04:32:09)

1. Update on Form 6 Litigation
Joanne O'Connor, Town Attorney

Ms. O'Connor said the lawsuit is anticipated to be filed soon, and an

update will be available in March. She asked anyone who wished to participate to let her know. Council Member Cooney and Mayor Moore expressed a desire to participate.

XII. ANY OTHER MAT TERS (04:32:15)

Discussion and Potential Vote Regarding Zoning in Progress for Restaurants
Julie Araskog, Council Member

Council Member Araskog said the zoning progress, due to the law that was passed, was eliminated. She expressed interest in passing a new zoning in progress.

Mayor Moore wanted to know exactly what commercial zoning districts would be, included even though she did not support passing a zoning in progress. She asked Ms. O'Connor to be clear about the commercial zoning districts when preparing a Resolution.

Mr. Bergman thought that if the goal was to prohibit new restaurants, consideration should be given to making them town-wide. He also said that staff would need to define the applications already in the queue.

Mr. Bergman was asked to provide a list of projects that have been submitted.

Council Member Cooney had hoped for better data about restaurants from the traffic and parking study.

Council Member Crampton expressed hesitation about voting on zoning in progress without more notice and opportunity to speak to town staff. He suggested waiting until March to address this request.

Council President Zeidman asked if The Breakers had already filed an outdoor area project. Mr. Bergman said he did not believe it had been filed and a pre-app meeting had been held on February 2, 2024. There was additional discussion about projects that have been filed.

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to pass a zoning in progress to end on August 12, 2024, and to advise staff to not accept new applications for restaurants, bars, and nightclubs in Town. On roll call, the Motion was voted on as follows: Araskog – yes, Council President Pro Tem Lindsay – yes, Cooney – no, Crampton – no, and Council President Zeidman did not vote.

President Zeidman requested that the discussion and vote be deferred until the next day's meeting to allow the staff to prepare a list of applications in the queue and their status.

Council Member Araskog then amended her Motion to defer the discussion on a Zoning in Progress for restaurants to the February 14, 2024, Town Council Development Review Meeting. No vote was taken, and it was noted that President Zeidman could add the discussion to the agenda.

Council President Zeidman said Council Member Crampton had asked whether a Taxation and Finance meeting should be scheduled. She spoke with Mr. Miracle, and he indicated that Financial Policies about the reserves should be presented to the Town Council. If a meeting of the Taxation and Finance Committee is necessary, it would be scheduled at that time. Mr. Miracle said that in March, he would bring policy recommendations for changes to the policies related to reserves.

XIII. ADJOURNMENT

Motion was made by Council Member Araskog and seconded by Council Member Cooney to adjourn the February 13, 2024, Town Council Meeting at 3:49 PM. On roll call, the Motion passed unanimously.

APPROVED:

_____
Margaret A. Zeidman, Town Council President

ATTEST:

_____
Pat Gayle-Gordon, Deputy Town Clerk

_____
Date

TOWN OF PALM BEACH

Minutes of the Development Review
Town Council Meeting
Held on February 14, 2024

I. CALL TO ORDER AND ROLL CALL (00:46)

The Development Review Town Council Meeting was called to order on February 14, 2024, at 9:32 a.m. On roll call, all elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE (01:08)

Acting Town Clerk Churney gave the invocation. Council President Zeidman led the Pledge of Allegiance.

III. COMMENTS OF MAYOR DANIELLE H. MOORE (01:54)

Mayor Moore reminded the community that beeping horns does not contribute to the community's peace. She added a reminder that a valid driver's license was needed to operate a dirt bike or a golf cart.

IV. COMMENTS OF TOWN COUNCIL MEMBERS (08:18)

Council Member Araskog reminded everyone to drive slower and obey the speed limit.

Council Member Cooney thought there was a need for Code Enforcement to step up in the commercial districts, especially with the sandwich boards that were increasing in these areas. Mayor Moore had received complaints about the restaurants in the 300 block of Peruvian Avenue. Council Member Araskog thought Code Enforcement also needed to look at balloon displays.

Council President Zeidman spoke about the traffic study and the items that were missing from the study, including future data and the development in West Palm Beach and Palm Beach. She suggested that the Town Council speak with the Chief of Police about an ordinance addressing the people's lack of clothing when leaving the beach and walking through the Town. She also asked Mr. Bergman if he could produce a map of the major construction sites that would allow Code Enforcement to visit the sites twice a day.

V. COMMUNICATIONS FROM CITIZENS – 3-MINUTE LIMIT, PLEASE (16:17)

KT Catlin, 265 Fairview Road, asked the Town Council to consider recent discussions about the comprehensive plan, codes, traffic studies, and proposed projects when asked to approve agenda items. She said residents wanted the zoning codes and the comprehensive plan enforced.

Clay Lifflander, 2770 S. Ocean Avenue, opposed the proposed text amendment for the Palm Beach Ambassador. He believed the development would increase density in the Town.

Barry Esrig, 2580 S. Ocean Blvd., opposed the proposed text amendment for the Palm Beach Ambassador.

VI. APPROVAL OF AGENDA (24:31)

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve the agenda as amended. The motion was carried unanimously, 5-0.

VII. CONSENT AGENDA (30:10)

A. **ZON-23-068 (ARC-23-090) 206 CARIBBEAN RD. (COMBO)—SITE PLAN REVIEW(32:50)** The applicant, Walter Wick, has filed an application requesting Town Council review and approval for Site Plan Review to allow development of a new single-family residence on a platted nonconforming parcel deficient in lot width and lot area required in the R-B Zoning District. The Architectural Commission shall perform the design review component of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved this project 7-0 with conditions.]*

A motion was made by Council Member Cooney and was seconded by Council President Pro Tem Lindsay to approve Site Plan Review No. ZON-23-068, as said applications, meet the criteria set forth in Sections 134-229 and 134-329, respectively, of the Town Code and finding based upon the finding that approval of the site plan will not adversely affect the public interest and that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329. The motion was carried unanimously, 5-0.

B. **ZON-23-070 (ARC-23-092) 217 BAHAMA LN (COMBO) - SITE PLAN REVIEW** The applicant, James and Sarah McCann, have filed an application requesting Town Council review and approval for Site Plan Review for the construction of new two-story single-family residence on a non-conforming platted lot which is 90 feet in depth in lieu of the 100-foot minimum depth required in the R-B Zoning District. The Architectural Commission shall perform the design review component of the application. *[The Architectural Review Commission approved this project 4-3.]*

This item was pulled from consent and heard under X.A.1.

C. **ZON-24-029 230 ROYAL PALM WAY – SPECIAL EXCEPTION AND VARIANCE** The applicant, Flagstar Bank, has filed an application requesting Town Council review and approval for a (1) Special Exception for

a bank and a Site Plan Review for a use greater than 2,000 SF in the C- OPI zoning district for first floor and third floor in an existing four-story office building. Additionally, a Variance is being requested to not provide the 6 additional parking spaces required as a change of use from office space to banking space.

This item was pulled from consent and heard under X.A.1.

D. **ZON-24-030 400 ROYAL PALM WAY, SUITE 100 and 300—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE** The applicant, Citizens Bank NA, has filed an application requesting Town Council review and approval for a (1) Special Exception for a bank and a Site Plan Review for a use greater than 2,000 SF in the C-OPI zoning district for first floor and previously approved third floor in an existing four- story office building. Additionally, a Variance is being requested to not provide 2 additional parking spaces required as a change of use from office space to banking space.

This item was pulled from consent and heard under X.A.1.

E. **ZON-24-032 250 BRADLEY PL – VARIANCE(S)** The applicant, Lake Towers Condo and Andrew Schilling, has filed an application requesting Town Council review and approval of the installation of a boatlift requiring (2) variances, (1) to encroach into the north side setback and (2) for a boat lift projection further than 150' from land.

This item was pulled from consent and heard under X.A.1.

VIII. REGULAR BUSINESS

A. Society of the Four Arts, Inc., Comprehensive Plan Amendments / Zoning Code Amendments - Review & Feedback (1:58:07)
TIME CERTAIN 11:30 AM

Harvey Oyer, the attorney for the applicant, presented the proposed amendments and requested the Town Council's feedback.

Mr. Bergman discussed the proposed changes to the Code. He thought the three stories by right and four stories by request were two items for discussion.

Council Member Cooney provided feedback on the proposed changes. He expressed concerns about some of the requests.

Council Member Araskog was against moving forward with the item. She provided feedback on the proposed changes.

Council Member Crampton supported moving the changes forward to the Planning and Zoning Commission for review. He recognized the benefits that the Society of the Four Arts brought to Palm Beach.

Council President Pro Tem Lindsay thought the applicant was asking for a lot. She provided feedback on the proposed changes. She mentioned the size and frequency of events and restaurant hours and was concerned about the intensification of use.

Mayor Moore supported the proposal but agreed that the changes suggested by Town Council members were valid. She thought the applicant should make changes based on the discussion.

Council President Zeidman thought the new cultural district was needed. She agreed with the changes presented by her fellow members. She asked Mr. Oyer about why the changes were brought to the Town Council at this time before the changes to the code.

Council Member Crampton wondered if any changes were proposed for the Lake Trail. Mr. Oyer responded.

Council President Zeidman called for public comment.

The following individuals spoke in favor of the changes:

Patrick Henry, 630 Crest Road
John Koch, 100 Royal Palm Way
Bob Gutherie, 140 El Mirasol
Barry Hoyt, 133 Banyan Road
Robert Forbes, 171 Clarke Avenue
Rick McIntosh, N. Lake Way
Dr. Phillip Rylands, President and CEO of the Four Arts
Bob Donnelley, 190 Via Palma
Christina Aylward, 117 Casa Bendita

Council Member Cooney recommended Mr. Oyer look at the requirements of the sculpture garden during the revisions.

Clerk's note: A lunch break was taken at 1:31 p.m. The meeting resumed at 2:06 p.m.

B. Palm Beach Ambassador Fee Borrower LLC - Zoning Code Amendments - Review & Feedback (5:37:20)

Council Members Araskog, Cooney, Crampton, Council President Pro Tem Lindsay, Council President Zeidman, and Mayor Moore declared ex parte communications.

Ken Miller, Oko Group, presented opening comments and gave a brief overview of the Oko Group. Nelo Freijomel, with Spina O'Rourke Architects, presented the architectural plans for the commercial buildings. Harvey Oyer, the applicant's attorney, discussed why the applicant was seeking the path of a zoning text amendment.

Council Member Araskog was not in favor of the text amendment.

Council Member Cooney thought a community-based approach was needed to determine the neighborhood's best interests. He thought the zoning code review, led by ZoneCo, was the best approach. Council Member Crampton agreed.

Mr. Oyer stated that a green roof would need a text amendment. He urged the Town Council to consider a change to rooftop use.

Council President Pro Tem Lindsay agreed with Council Members Cooney

and Crampton.

Council Member Cooney understood the need for different uses and stated he would keep an open mind during the Code Review.

Council President Zeidman called for public comment.

The following individuals voiced concern and/or objections to the changes:

Ronald Matzner, 3120 S. Ocean Blvd., on behalf of the Citizens Association of Palm Beach
Gerald Heller, 2770 S. Ocean Blvd.
Ellen Howe, 2295 S. Ocean Blvd.
Joanne Sorkin, 2770 S. Ocean Blvd.

Dick Kleid, 2660 S. Ocean Blvd., was pleased that his condominium was getting communication.

Council Member Araskog clarified why she did not support the text amendment.

The Town Council's consensus was not to support the Zoning Text Amendment.

C. Tutto Mare Revised, Amended & Restated 1979 Agreement (34:04)

Jamie Crowley, the attorney for the applicant, stated the declaration of use was completed last month, had been revised and submitted to staff. He said all developments approved since the 1979 agreement was originally enacted were captured, and a parking baseline was established for the entire facility. When the application was approved, 220 seats in the restaurant were requested, but the applicant was asking for 200 seats. He stated that the applicant was trying to reserve the already approved 20 seats in connection to the theater. That was specifically outlined in the amended and restated agreement approved in 2022. Two of those spots were removed because when Marissa Collections was approved, the office was converted to retail, which required additional parking. The applicant was trying to restore seven seats while taking away two allocated to Marissa Collections. Mr. Crowley said the Town Council had previously approved all of this. Mr. Crowley noted that no parking spaces were being taken away. He said referrals to seats were appropriate because seats trigger the number of required parking spaces.

Mayor Moore was supportive but was not keen on the previous approvals from past Town Councils. She acknowledged it was necessary to work with what existed.

Mr. Bergman provided staff comments.

Council Member Cooney thought this parking plan underparked the site. He did not endorse the request.

Council Member Araskog stated she was opposed to the request. She did not understand how parking spaces could be returned when there was already a shortage of parking.

Council Member Crampton said the applicant would be held accountable for managing the site.

Council President Zeidman asked about remediation. Mr. Crowley said the applicant must return to the Town Council one month after a violation. The Town Council would have the right to request corrective measures. If the violations continued, the Town Council could invalidate the agreement and remove some of the initial rights granted.

James Murphy, Assistant Director of Planning, Zoning, and Building stated that he and Mr. Bergman had looked more stringently at the applications to identify concerns. He recommended the Town Council pay attention to the staff's concerns regarding future applications.

Council Member Cooney disagreed and thought the Town Council could have been tougher, knowing the project would create more intensity.

Council President Pro Tem Lindsay clarified the request.

Council President Zeidman called for public comment.

Anne Pepper, 333 Seaspray Avenue, thought a remediation plan was needed.

Dena Spudnuts, 44 Cocoanut Row, discussed the current issues with the parking lot, including large trucks making early morning deliveries.

A motion was made by Council Member Crampton and was seconded by Council President Pro Tem Lindsay to approve the revised and restated 1979 agreement for Tutto Mare. The motion was carried by a vote of 3-2, with Council Member Araskog and Council Member Cooney dissenting.

D. Discussion on Staff-Initiated Draft Zoning Text Amendments – Screening Walls / Mechanical Equipment and Docks (1:03:59)

Mr. Bergman stated the Town Council was asked to review proposed changes to the Zoning Code sections related to mechanical equipment and docks. Staff was directed to review and propose changes to the code to primarily remove the need for zoning variances relating to screening wall height when FEMA required mechanical equipment to be raised and the multiple variances required for new docks and dock expansions. The staff had taken the liberty to clean up some language in the code that had proved problematic.

Council Member Cooney favored raising a wall to attenuate sound and mitigate impact to neighbors. He supported removing the requirement for pool equipment.

Council Member Araskog provided her feedback on the text amendments. She liked the idea of enclosures but thought specific guidelines should be developed. She suggested leaving the decisions to the Architectural Commission (ARCOM). She did not think landscaping requirements were adequate.

Council President Pro Tem Lindsay agreed with raising the walls.

Council President Zeidman thought the wall and the hedge should include

the requirements to screen equipment.

Mr. Bergman discussed the changes regarding docks.

Mr. Murphy further discussed the increase in variances for docks since the ordinance changed in the last few years.

Bradley Falco, Design & Preservation Planner, explained the proposed changes to the Code regarding docks.

Council Member Cooney thought the proposed language would resolve the issues. He suggested capturing in the language that a structure could not extend over the water. He asked Council President Pro Tem Lindsay about the new platform docks being used in Town. She explained it looked more like a platform than a dock and was a nice feature.

Council Araskog wondered if staff could send an application to the Town Council if they thought it inappropriate, to which Mr. Murphy provided confirmation.

Council President Zeidman called for public comment.

Maura Ziska, an attorney in the Town, supported the change to the language relating to docks.

E. Zoning in Progress – Restaurants, Bars, Night Clubs, Lounges and Private Clubs (6:53:00)

Council President Zeidman stated that zoning in progress should be used when there was a problem and should not be used unless there was a problem with supporting data. She noted that no data supported zoning in progress for restaurants in the evening. The data showed that there were no traffic issues during evening hours. She suggested the Town Council review the Special Exception list and use it more. She reviewed tools available to the Town Council for protecting the town.

Council Member Araskog asked Ms. O'Connor to explain the difference between an applicant approaching the Town Council under zoning in progress (ZIP) versus a special exception. Ms. O'Connor explained. Council Member Araskog thought denying requests under a zoning in progress would be better. Ms. O'Connor said that may be true, but the Town Council would have to be cautious about the reasons for allowing some applicants to be exempted from the ZIP and not others.

Council President Pro Tem Lindsay said the comprehensive plan was clear that intensifying existing uses or intensification on a block were not desired. She noted that zoning in progress could always be put into place. She did not want to alienate businesses but would prefer they take part in finding solutions.

Council Member Crampton thought implementing zoning in progress would be too much at this time. He said every proposal was presented to the Town Council and could be controlled on a case-by-case basis.

Council Member Araskog noted that the lunchtime hours also present problems.

Council President Zeidman called for public comment.

Anne Pepper, 333 Seaspray Avenue, supported approving zoning in progress.

The Town Council's consensus was not to support the renewal of the zoning in progress.

IX. RESOLUTIONS

A. A resolution to landmark the property at **2505 S. Ocean Blvd.**, known as The President of Palm Beach Condominium. (1:40:14)

RESOLUTION NO. 012-2024: 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 **2505 S. Ocean Blvd.** 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. *The property owners are in support of this designation. The Landmarks Preservation Commission voted 5-2 to recommend the property for designation as a landmark.*

Ex-parte communications were disclosed.

Janet Murphy, with MurphyStillings, presented background information on the project and historical information on the property. She outlined how the property met Criteria 1, 3, and 4 for Landmark Designation.

Ms. Churney, Acting Town Clerk, provided proof of publication.

Steve Darlington, 2505 S. Ocean Blvd., spoke in support of the designation.

A motion was made by Council Member Cooney and was seconded by Council President Pro Tem Lindsay to make the designation report part of the record. The motion was carried unanimously, 5-0.

Council Member Cooney complemented Ms. Murphy on her report. He thought the history provided was valuable.

Friederike Mittner, Design & Preservation Manager, spoke in support of the request.

A motion was made by Council Member Araskog and seconded by Council Member Crampton to adopt Resolution No. 012-2024, designating the property at 2505 S. Ocean Boulevard as a landmark of the Town of Palm Beach on the basis that it meets criteria Numbers 1, 3 and 4 of Section 54-161 of the Town of Palm Beach Code and in the Landmarks Preservation Ordinance No. 2-84. The motion was carried unanimously, 5-0.

B. A resolution to landmark the property at **262 Sunset Ave.** (6:41:31)

RESOLUTION NO. 148-2023: 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 **262 Sunset Ave.** 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. *The property owner is opposed to this designation. The Landmarks Preservation Commission voted*

7-0 to recommend the property for designation as a landmark.

Council President Zeidman stated that the owner's attorney asked to defer the resolution for one month.

A motion was made by Council Member Cooney and was seconded by Council President Pro Tem Lindsay to defer the resolution to the meeting on March 13, 2024. The motion was carried unanimously, 5-0.

C. A request for tax abatement at **137 Seaspray Ave**. (6:42:55)

RESOLUTION NO. 022-2024: 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."

There was no presentation on this item. The Town Council reviewed the item and felt comfortable with approval.

A motion was made by Council Member Cooney and was seconded by Council Member Araskog to approve Resolution No. 022-2024. The motion was carried unanimously, 5-0.

X. DEVELOPMENT REVIEWS

A. **Variances, Special Exceptions, and Site Plan Reviews**

1. **Matters Pulled From Consent If Needed**

A. **ZON-23-070 (ARC-23-092) 217 BAHAMA LN (COMBO) - SITE PLAN REVIEW (6:43:50)** The applicant, James and Sarah McCann, have filed an application requesting Town Council review and approval for Site Plan Review for the construction of new two-story single-family residence on a non-conforming platted lot which is 90 feet in depth in lieu of the 100-foot minimum depth required in the R-B Zoning District. The Architectural Commission shall perform the design review component of the application. *[The Architectural Review Commission approved this project 4-3.]*

Council Member Cooney declared ex parte communication.

Maura Ziska, the attorney for the applicant, outlined the zoning requests and provided an overview of the project. Roger Janssen with Dailey Janssen Architects presented the architectural plans for the project.

A motion was made by Council Member Cooney and seconded by Council Member Crampton to approve Site Plan Review No. ZON-23-070, as said applications meet the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finding that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329. The motion was carried unanimously, 5-0.

B. **ZON-24-029 230 ROYAL PALM WAY – SPECIAL EXCEPTION AND VARIANCE (6:48:33)** The applicant, Flagstar Bank, has filed an application requesting Town Council review and approval for a (1) Special Exception for a bank and a Site Plan Review for a use greater than 2,000 SF in the C- OPI zoning district for first floor and third floor in an existing four-story office building. Additionally, a Variance is being requested to not provide the 6 additional parking spaces required as a change of use from office space to banking space.

Council Member Cooney declared ex parte communication.

Maura Ziska, the attorney for the applicant, outlined the zoning requests and provided an overview of the project.

A motion was made by Council Member Cooney and seconded by Council Member Crampton to approve Special Exception No. ZON-24-029, as said applications meet the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finding that approval of the site plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329. The motion was carried unanimously, 5-0.

A motion was made by Council Member Cooney and seconded by Council Member Crampton that Variance No. ZON-24-029 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7, have been met. The motion was carried unanimously, 5-0.

C. **ZON-24-030 400 ROYAL PALM WAY,SUITE 100 and 300 - SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE (1:55:09)** The applicant, Citizens Bank NA, has filed an application requesting Town Council review and approval for a (1) Special Exception for a bank and a Site Plan Review for a use greater than 2,000 SF in the C-OPI zoning district for first floor and previously approved third floor in an existing four- story office building. Additionally, a Variance is being requested to not provide 2 additional parking spaces required as a change of use from office space to banking space.

Maura Ziska, the applicant's attorney, outlined the zoning requests and provided an overview of the project.

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

There was no ex parte communication disclosed.

A motion was made by Council Member Araskog and was seconded by Council Member Cooney that Variance No. ZON-24-030 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A) items 1 through 7 have been met. The motion was carried unanimously, 5-0.

A motion was made by Council Member Cooney and was seconded by Council Member Crampton that Special Exception & Site Plan Review No. ZON-24-030 be approved as said applications meet the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finding that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329. The motion was carried unanimously, 5-0.

Clerk's note: A short break was taken at 11:29 a.m. The meeting resumed at 11:40 a.m.

D. **ZON-24-032 250 BRADLEY PL – VARIANCE(S) (6:51:25)** The applicant, Lake Towers Condo and Andrew Schilling, has filed an application requesting Town Council review and approval of the installation of a boatlift requiring (2) variances, (1) to encroach into the north side setback and (2) for a boat lift projection further than 150' from land.

There were no ex-parte communications declared.

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

A motion was made by Council Member Cooney and was seconded by Council Member Crampton that Variance No. ZON-24-032 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7, have been met. The motion was carried unanimously, 5-0.

Clerk's note: A short break was taken at 5:31 p.m. The meeting resumed at 5:38 p.m. Council Member Araskog and Mayor Moore left at 5:31 p.m.

2. **Old Business**

a. **ZON-23-077 (ARC-23-117) 162 E INLET DR. (COMBO) - VARIANCE (7:13:41)** The applicants, David, and Jill Shulman, have filed an application requesting Town Council review and approval for a variance to (1) exceed the maximum allowable Cubic Content Ratio (CCR) for the construction of enclosed additions and a rear awning to the single-family residence. The Architectural Commission shall perform the design review component of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative architectural impact to the subject property. Motion carried, 7-0.] [The Architectural Review Commission approved this project. Motion carried, 5-2.] At the December 13, 2023, Town Council Meeting, the project variance was denied. At the January 10, 2024, Town Council Meeting, a motion to reconsider the above-mentioned project was approved. Therefore, this project will be reheard.*

Council Members Cooney, Crampton, Council President Pro Tem Lindsay, and Council President Zeidman declared ex parte communication.

M. Timothy Hanlon, the applicant's attorney, outlined the zoning

requests and provided an overview of the project.

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

Council Member Cooney stated after visiting the site, he supported the request.

A motion made by Council Member Cooney and seconded by Council Member Crampton that Variance No. ZON-23-077 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7 have been met. The motion was carried unanimously, 4-0.

b. **ZON-23-109 (COA-23-040) 134 EL VEDADO RD (COMBO) – VARIANCE (5:35:31)** The applicants, Elizabeth and Jeffrey Leeds, have filed an application requesting Town Council review and approval for (1) Variance to provide vehicle queuing space deficient in depth between the driveway gate and edge of roadway. The Landmarks Preservation Commission shall perform design review of the application. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause a negative architectural impact on the subject landmark property. Motion carried, 7-0.] [The Landmarks Commission approved the project. Motion carried, 7-0.] Applicant is prepared to request a deferral of this item at the meeting.*

Chris Simon, with Nievera Williams Design, stated that the applicants requested a one-month deferral and discussed the reasons for the deferral.

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

A motion was made by Council President Pro Tem Lindsay and was seconded by Council Member Cooney to defer the project to the March 13, 2024, meeting. The motion was carried unanimously, 5-0.

c. **ZON-23-072 (ARC-23-094) 247-251 WORTH AVE (COMBO) - SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES (3:48:46)** The applicant, Holbrook Real Estate LLC, has filed an application requesting Town Council review and approval for three (3) Special Exception requests, (1) for permitted use (retail) over 4,000 SF of leasable area in the C-WA zoning district, (2) for a second floor in the C-WA zoning district, and (3) for a third story as a Special Allowance in accordance with the Worth Avenue Design Guidelines. Additionally, the applicant is requesting Site Plan Review for a building with additions greater than 2,000 SF. The applicant is also requesting six (6) Variance requests: (1) to exceed the maximum lot coverage of 69% in lieu of the 35% maximum allowed for the second floor using the Worth Avenue Design Guidelines for a 2nd story addition, (2) to not provide the required 27 parking spaces for new commercial and residential additions, (3) to not provide the required 25% landscape open space to have 5% open space for a three-story building, (4) to not provide the required on-site loading space, (5) to allow residential

uses above the second floor mercantile/office space, and (6) to exceed the maximum floor area of 15,000 SF to allow a structure with +/- 18,250 SF, in conjunction with a new two-story addition to an existing one-story commercial building on a site with two existing one and two-story buildings. The Architectural Commission will perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative architectural impact to the subject property. Motion carried, 5-1.] [The Architectural Review Commission approved this project with items to return to February 28, 2024, ARCOM meeting. Motion carried, 4-2.] [The Architectural Review Commission made an affirmative finding that the subject redevelopment project is consistent with the adopted urban design goals for Worth Avenue, the MID Avenue Development Area objectives, and more specifically the criteria for approval for granting the Special Allowances for the third floor, as identified within the adopted Worth Avenue Design Guidelines. Motion carried/supported, 4-2.]*

TIME CERTAIN 2:00PM

Council Members Araskog, Cooney, Crampton, Council President Pro Tem Lindsay, and Council President Zeidman declared ex parte communication.

Maura Ziska, the attorney for the applicant, outlined the zoning requests and provided an overview of the project. Roger Janssen, with Dailey Janssen Architects, presented the architectural plans for the project.

Council President Pro Tem Lindsay asked about the front elevation design. Mr. Janssen responded.

Mr. Bergman provided staff comments. He noted ARCOM approved the project. The project was an intensification of the site's current use, building size, and height.

Council Member Araskog explained her concerns about the request.

Council President Zeidman called for public comment.

Anne Pepper, 333 Seaspray Avenue, asked about the allowances for Ralph Lauren. Mr. Murphy responded.

Maisie Grace, 247 Seaspray Avenue, expressed concern about the proposed application. She mentioned parking and the intensification of use.

Council President Pro Tem Lindsay asked if the employees would be parking in the Apollo Parking Lot. Ms. Ziska responded, yes.

Mary Hilliard, 325 S. Lake Drive, was concerned about a request to waive 27 parking spaces.

Aimee Sunny, Preservation Foundation of Palm Beach, weighed in on the architecture and the design details. She thought the design improvements were significant and positive. She thought everyone needed to see renderings on Worth Avenue that clearly show the building from different views.

Council President Zeidman asked for more renderings of the street view.

Mr. Murphy clarified the proposed uses for the second and third floors. He said the Worth Avenue Design Guidelines state that all uses above the first floor shall be residential. The variance is being sought to allow the residents to be only on the third floor.

Barry Kean, 400 S. Ocean Blvd., expressed concern about the proposed application.

Council Member Araskog asked Ms. Sunny about her recommendation. Ms. Sunny stated that the Town Council should see a rendering of the building further down the street to determine how the building will look.

A representative from Brioni spoke about the need for additional space for an on-site tailor.

Sarah Cecil, 330 Cocoanut Row, expressed concern about the proposed application. She wanted to know where construction vehicles would be parked.

Robert Rosinski, representing the owners of 237 and 243 Worth Avenue, provided comments supporting the request.

Jane Holzer, owner of the building and parking lot, stated that there were very few vehicles parked starting in May, June, and July. She also referred to a building across the street with commercial and residential on the second floor.

Mayor Moore confirmed that most places on Worth Avenue would have parking issues.

Council President Zeidman asked how many parking spaces would be needed according to the code. Mr. Murphy said parking regulations require one space for every 200 square feet of retail space. The 5,000 sq ft of commercial space yielded a 25-parking space requirement.

Council Member Araskog asked staff if this request was an intensification in use. Mr. Bergman stated it was an intensification. Council Member Araskog believed that the Town Council should consider the views recommended by Ms. Sunny.

Alice Howard, 2295 S. Ocean Blvd., expressed concern about the proposed application.

A motion was made by Council Member Araskog and seconded by Council Member Crampton to defer the request for one month to allow the Architectural Commission to weigh in on the plans and obtain renderings of different street angles. The motion died for lack of a second.

A motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay that Variance No. ZON-23-072 be approved, with a condition relating to a utility easement as well as the following conditions: the applicant must obtain a parking agreement with the Apollo Parking Lot allocating the 27 parking spaces, all construction

vehicles must park in the Apollo Parking Lot, the applicant will present additional renderings to the Architectural Commission that show the building from different perspectives on Worth Avenue, and potted plants will be added to the landscaping at the front of the building, and find in support thereof, that all of 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 ensures a recorded easement will be granted, if necessary, to underground utilities in the area. The motion was carried 3-2, with Council Members Araskog and Cooney dissenting.

A motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Special Exception and Site Plan No. ZON-23-072, as said applications meet the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finding that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of Section 134-329. The motion was carried 3-2, with Council Members Araskog and Cooney dissenting.

Anita Seltzer, 44 Cocoanut Row, expressed her disappointment that the Town Council approved an item contrary to the Town's Comprehensive Plan.

d. **ZON-23-118 (ARC-23-140) 2278 IBIS ISLE RD (COMBO) – VARIANCE (7:20:48)** The applicant, Angel Arroyo, has filed an application requesting Town Council review and approval for a Variance (1) to eliminate the required garage enclosure for two vehicles in the R-B district. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative architectural impact to the subject property. Motion carried, 5-2.] [The Architectural Review Commission approved this project with conditions. Motion carried, 5-2.]*

Council Members Cooney, Crampton, Council President Pro Tem Lindsay, and Council President Zeidman declared ex parte communication.

Kyle Fant, with Bartholemew + Partners, presented the architectural plans for the project. Dustin Mizell, with Environment Design Group, presented the landscape and hardscape plans for the project.

Council President Zeidman called for public comment.

Lawrence Kaplan, 2299 Ibis Isle Road, representing many surrounding neighbors, stated there was no hardship for the requested variance. He discussed his concern for safety with the limited visibility due to on-street parking.

Council Member Crampton supported the neighbors' concerns and did

not support the variance.

Council Member Cooney asked about the removal of the garage. Mr. Fant outlined the interior space gained with the garage's removal. Council Member Cooney also did not support the variance.

Angel Arroyo, 215 S. County Road, discussed why he was requesting the garage removal.

Council President Zeidman asked about building the garage at the rear of the property. Mr. Fant responded.

Council President Pro Tem Lindsay asked about removing the screened porch. Mr. Fant said they would lose the backyard if they removed the screen porch.

Mr. Kaplan stated that the Architectural Commission suggested adding a curb cut in the rear of the property so they could access the garage in the rear of the property.

A motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay that Variance No. ZON-23-118 be denied for the reason that the application does not meet the criteria set forth in Section 134-201 (a), items 1 through 7. The motion was carried unanimously, 4-0.

e. **ZON-24-009 (ARC-23-167) 350 SEABREEZE AVE (COMBO) - SPECIAL EXCEPTION w/ SITE PLAN REVIEW & VARIANCE (7:43:40)** The applicant, Judith Goodman (Contract Purchaser, Justin Besikof / Rep. Maura Ziska), has filed an application requesting Town Council review and approval for (1) variance to not provide garage parking and a Special Exception with Site Plan Review for the redevelopment of an R-B lot deficient in area and width requirements with a new single-family residence and sitewide landscape and hardscape improvements. The Architectural Commission shall perform a design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative architectural impact to the subject property. Motion carried, 7-0.] [The Architectural Review Commission approved this project with conditions. Motion carried, 6-1.]*

Council Member Cooney and Council President Zeidman declared ex parte communication.

Maura Ziska, the attorney for the applicant, outlined the zoning requests and provided an overview of the project. Patrick Segraves, with SKA Architect + Planner, presented the architectural rendering of the project.

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

Council Member Cooney thought the application, which did not include a garage, was consistent with the neighborhood.

A motion was made by Council Member Cooney and was seconded by Council President Pro Tem Lindsay that Variance No. ZON-24-009 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201

(A), items 1 through 7 have been met. The motion was carried unanimously, 4-0.

A motion was made by Council Member Cooney and was seconded by Council President Pro Tem Lindsay that Special Exception and Site Plan Review No. ZON-24-009 be approved as said applications meet the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finding that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329. The motion was carried unanimously, 4-0.

f. **ZON-23-084 (ARC-23-109) 600 TARPON WAY (COMBO) - SPECIAL EXCEPTION AND VARIANCES** The applicants, Frank and Annie Falk, have filed an application requesting Town Council review and approval for 7 variances, including (1-2) for building height plane reductions, (3-6) to locate mechanical equipment within the front yard, (7) to exceed maximum site wall height within the front yard, and a Special Exception for reduced vehicular gate setbacks on a dead-end street, for the construction of a new two-story single-family residence over 10,000 SF and sitewide landscape and hardscape improvements. The Architectural Commission shall perform the design review component of the application. *[This project shall be deferred to the March 13, 2024, Town Council meeting pending review by the Architectural Review Commission.]*

Please note: This item was deferred to March 13, 2024, meeting at the Approval of the Agenda, Item VI.

g. **ZON-23-105 (ARC-23-123) 1186 N OCEAN WAY (COMBO) - VARIANCES** The applicant, Martha Lee Johnson 2012 Exempt Trust (Stan Johnson), has filed an application requesting Architectural Commission review and approval for the design of a new two-story residence with sitewide landscape and hardscape improvements, requiring setback and separation distance variances for the location of the pool equipment and a variance to exceed allowable chimney height. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. *[This project shall be deferred to the March 13, 2024, Town Council meeting pending review by the Architectural Review Commission.]*

Please note: This item was deferred to March 13, 2024, meeting at the Approval of the Agenda, Item VI.

h. **ZON-23-113 (ARC-23-145) 123 CHILEAN AVE (COMBO) - SPECIAL EXCEPTION AND VARIANCES** The applicant, Robert & Perri Bishop, has filed an application requesting Town Council review and approval for Special Exception to develop a parcel comprised of portions of platted lots which is deficient in minimum required lot width and lot area in the R-B district, and (3) Variances including (1 and 2) to reduce the required east and west side-yard setbacks and (3) to exceed the maximum permitted cubic content ratio (CCR) permitted, in conjunction with a new two-story single-family residence and one-story accessory cabana

structure. The Architectural Commission shall perform design review of the application. *[This project shall be deferred to the March 13, 2024, Town Council meeting pending review by the Architectural Review Commission.]*

Please note: This item was deferred to March 13, 2024, meeting at the Approval of the Agenda, Item VI.

i. **ZON-23-092 (ARC-23-052) 300 COLONIAL LN (COMBO) - VARIANCE(S)** The applicants, Dragana & Richard Connaughton, have filed an application requesting Town Council review and approval for seven (7) variances including (1-2) to construct an accessory slat house structure in the south rear-yard and west street side-yard setback, (3) to exceed maximum angle of vision, (4) to exceed maximum lot coverage, (5-6) to construct a new- single family residence with reduced one-story and two-story east side-yard setbacks, and (7) to exceed the maximum number of pieces of air-conditioning equipment permitted in the east side- yard setback. The Architectural Commission shall perform design review of the application. *[This project shall be deferred to the March 13, 2024, Town Council meeting pending review by the Architectural Review Commission.]*

Please note: This item was deferred to March 13, 2024, meeting at the Approval of the Agenda, Item VI.

3. **New Business**

a. **ZON-23-076 (ARC-23-104) 1295 S OCEAN BLVD (COMBO) - SPECIAL EXCEPTION(S) AND VARIANCE (7:48:52)** The applicant, WEMIO LLC (Tom Waller, Chief Operating Officer), has filed an application requesting Town Council review and approval for two (2) special exceptions, (1) for the installation of a new tennis court and (2) for supplemental parking and one (1) variance for reduced tennis enclosure height. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative architectural impact to the subject property. Motion carried, 7-0.] [The Architectural Review Commission approved this project. Motion carried, 7-0.]*

Council Member Cooney declared ex parte communication.

Dustin Mizell, with Environment Design Group, presented the hardscape and landscape plans for the project.

Mr. Bergman provided staff comments.

Council Member Cooney asked to see a picture of the stabilized grass. Mr. Mizell showed the Town Council a photograph of the material.

A motion was made by Council Member Cooney and was seconded by Council Member Crampton that Variance No. ZON-23-076 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A),

items 1 through 7, have been met. The motion was carried unanimously, 4-0.

A motion was made by Council Member Cooney and was seconded by Council Member Crampton to approve Special Exception Use No. ZON-23-076, as said applications meet the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finding that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329. The motion was carried unanimously, 4-0.

b. **ZON-24-006 (ARC-23-161) 129 CHILEAN AVE (COMBO) – SPECIAL EXCEPTION W/ SITE PLAN REVIEW AND VARIANCE(S) (7:53:34)** The applicant, Ch1129 LLC (George Mykoniatis), has filed an application requesting Town Council review and approval of Special Exception with Site Plan review for development of an existing nonconforming parcel composed of portions of platted lots and (3) variances to (1-2) construct a new single-family residence within required east and west side-yard setbacks and (3) to forgo provision of required garage parking. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative architectural impact to the subject property. Motion carried, 7-0.] [The Architectural Review Commission approved this project. Motion carried, 7-0.]*

Council Member Cooney declared ex parte communication.

M. Timothy Hanlon, the applicant's attorney, outlined the zoning requests and provided an overview of the project. Kyle Fant, with Bartholomew + Partners, presented the architectural plans for the project.

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

A motion was made by Council Member Cooney and was seconded by Council Member Crampton that Variance No. ZON-24-006 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7 have been met. The motion was carried unanimously, 4-0.

A motion was made by Council Member Cooney and was seconded by Council Member Crampton to approve Special Exception and Site Plan Review No. ZON-24-006, as said applications meet the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finding that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329. The motion was carried unanimously, 4-0.

c. **ZON-24-007 (ARC-23-162) 223 SUNSET AVE (COMBO) - SPECIAL**

EXCEPTION AND VARIANCE (7:59:37) The applicant, 223 SUNSET HOLDINGS LLC, has filed an application requesting Town Council review and approval for a modification to a previously approved Special Exception for shared on-site parking associated with a change of use from office to residential and a Variance to reduce the overall landscape open space to accommodate a new accessible ramp in the rear of the property. The Architectural Commission shall perform design review of the application.

There were no ex-parte communications disclosed.

Maura Ziska, the attorney for the applicant, outlined the zoning requests and provided an overview of the project.

Mr. Murphy provided staff comments.

Council Member Cooney asked about the change of use. Ms. Ziska responded.

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

A motion was made by Council President Pro Tem Lindsay and was seconded by Council Member Crampton that Variance No. ZON-24-007 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7 have been met. The motion was carried unanimously, 4-0.

A motion was made by Council Member Cooney and was seconded by Council President Pro Tem Lindsay to approve Special Exception No. ZON-24-007, as said applications meet the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finding that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329. The motion was carried unanimously, 4-0.

d. **ZON-24-014 (ARC-24-004) 334 CHILEAN AVE (COMBO) – VARIANCES (8:07:59)** The applicant, Overflow Pad Too LLC (Bradley McPherson, Authorized Representative), has filed an application requesting Town Council review and approval for four (4) variances related to modifications to previously approved hardscape and landscape plans for construction of a new residence, including: (1–3) variances to exceed maximum site wall heights in the east, west and south yard areas and (4) a variance to provide a reduced pool heater equipment setback. The Architectural Commission shall perform design review of the application.

Council Member Cooney declared ex parte communication.

Dustin Mizell, with Environment Design Group, presented the landscape and hardscape plans for the project.

Mr. Bergman asked for confirmation that all the equipment would be behind the walls, to which Mr. Mizell provided confirmation.

Clerk's note: Council President Pro Tem Lindsay left at 6:39 p.m.

A motion was made by Council Member Cooney and was seconded by Council Member Crampton that Variances No. ZON-24-014 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7 have been met. The motion was carried unanimously, 3-0.

e. **ZON-24-016 281 ROYAL POINCIANA WAY - SPECIAL EXCEPTION AND VARIANCE (8:14:43)** The applicant, Field of Greens, has filed an application requesting Town Council review and approval of a Special Exception for a restaurant use and a Variance to not provide the required on-site parking for a change of use from retail to restaurant use.

Maura Ziska, the attorney for the applicant, outlined the zoning requests and provided an overview of the project.

Mr. Murphy provided staff comments.

Council Member Cooney expressed his concerns about the proposed location. He wondered if the building owner would create a shared parking agreement to assist with parking. Ms. Ziska stated she could ask the owner.

Council Member Cooney declared ex parte communication.

A motion was made by Council Member Cooney and was seconded by Council Member Crampton that Variance No. ZON-24-016 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7 have been met and conditioned on the applicant entering into a shared parking agreement with the owner. The motion was carried unanimously, 3-0.

A motion was made by Council Member Cooney and was seconded by Council Member Crampton to approve Special Exception No. ZON-24-016, as said applications meet the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finding that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329. The motion was carried unanimously, 3-0.

f. **ZON-24-020 (COA-24-001) 930 S OCEAN BOULEVARD (COMBO) - VARIANCE(S) (8:24:05)** The applicant, 930 S Ocean Trust (Maura Ziska, Trustee), has filed an application requesting Town Council review and approval for pool heaters variances including (1) the reduction of the west side-yard setback for a building addition (Section 134-843), (2) to exceed maximum separation of pool equipment from swimming pool Sec. 134-1728, (3) to exceed the maximum number of air-conditioning units in the south rear-yard setback Sec. 134-1728, and (4) for pool heaters with a 6' rear yard setback, in lieu of the 10' minimum setback required Sec. 134-1728. The Landmarks Preservation Commission shall perform design review of the application. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause a negative architectural impact to the subject property. Motion carried, 7-0.] [The Landmarks Preservation Commission*

approved this project. Motion carried, 7-0.]

Council Member Cooney declared ex parte communication.

Maura Ziska, the attorney for the applicant, outlined the zoning requests and provided an overview of the project.

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

A motion was made by Council Member Cooney and was seconded by Council Member Crampton that Variance No. ZON-24-020 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7 have been met. The motion was carried unanimously, 3-0.

g. **ZON-24-021 (COA-24-003) 800 S COUNTY ROAD (COMBO) - VARIANCE(S) (8:27:13)** The applicant, DesRuisseaux Land Trust (Maura Ziska, Trustee), has filed an application requesting Town Council review and approval for two (2) variances including (1) the reduction of the north side-yard setback for construction of bridge and (2) to exceed maximum lot coverage for construction of bridge. The Landmarks Preservation Commission shall perform a design review of the application. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause a negative architectural impact to the subject property. Motion carried, 6-0.] [The Landmarks Preservation Commission approved this project. Motion carried, 6-0.]*

There was no ex parte communication declared.

Maura Ziska, the attorney for the applicant, outlined the zoning requests and provided an overview of the project. Ann DesRuisseaux, the property owner, explained the reason for the proposed bridge.

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

A motion was made by Council Member Crampton and was seconded by Council Member Cooney that Variance No. ZON-24-021 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7 have been met. The motion was carried unanimously, 3-0.

h. **ZON-23-117 (COA-23-043) 235 BANYAN RD (COMBO) – VARIANCES** The applicant, Richard Kurtz, has filed an application requesting Town Council approval for three (3) variances in accordance with Section 134-201 for: 1. building height plane requirement found in Section 134-843(7) which would allow relief from a building height plane requirement of two feet of front setback for each one foot of building height per the R-A Zoning District., 2. exemption of the building height of approximately 32.13' NAVD proposed vs. 25' NAVD permitted per Section 134-841(b)(1), and 3. exemption of the number of guest houses permitted per property Section 134-841 (5). The Landmarks Preservation Commission shall

provide design review of the application. *[This project shall be deferred to the March 13, 2024, Town Council meeting, pending review by the Landmarks Preservation Commission.]*

Please note: This item was deferred to March 13, 2024, meeting at the Approval of the Agenda, Item VI.

B. **Time Extensions, Waivers, & Three Strike Matters**

1. Waiver of Town Code Section 24-199, For Construction Work Hour Extension at **140 N County Rd** (8:30:30)

Wayne Bergman, Director of the Planning, Zoning and Building Department, described the building permit extension request.

Jeff Wolff, with Marand Builders, stated that there would only be interior work and discussed the location for the construction parking.

Council Member Cooney expressed concern about the proposed night work. He asked what the expected duration was, to which Mr. Wolff said 30 weeks.

A motion was made by Council Member Crampton and seconded by Council Member Cooney to approve the construction work hours, with the revised request to limit work hours from 5 pm to midnight, Monday through Friday, standard Saturday Hours during the summer, and with the condition that if any complaints are received by the Director of Planning, Zoning, and Building, a stop work order will be issued. The motion was carried unanimously, 3-0.

2. Waiver of Town Code Section 18-237 For Building Permit Extension for **236 Phipps Plaza** (8:38:40)

Wayne Bergman, Director of the Planning, Zoning and Building Department, described the building permit extension request.

Scott Butler, BCC Residential, stated this project has been difficult due to a contractor change. There were four units in the building, with only one remaining to be completed.

A motion was made by Council Member Crampton and seconded by Council Member Cooney to approve the extension as requested. The motion was carried unanimously, 3-0.

3. Waiver of Town Code Section 18-237 For Building Permit Extension for **238 Phipps Plaza** (8:40:09)

Wayne Bergman, Director of the Planning, Zoning and Building Department, described the building permit extension request.

Scott Butler, BCC Residential, explained the purpose of the request.

A motion was made by Council Member Crampton and seconded by Council Member Cooney to approve the extension as requested. The motion was carried unanimously, 3-0.

4. Waiver of Town Code Section 18-237 For Building Permit Extension for **205 Via Tortuga** (8:41:19)

Wayne Bergman, Director of the Planning, Zoning and Building Department, described the building permit extension request.

Bruce Malasky, Malasky Homes, explained the purpose of the request. He expected to complete the job within 30 days.

Council Member Cooney asked if the asphalt and grass strip on the abandoned driveway would be removed. Mr. Malasky responded that they would be removed. Council Member Cooney asked about the painting of a stone wall. Mr. Malasky responded.

A motion was made by Council Member Crampton and seconded by Council Member Cooney to approve the extension as requested. The motion was carried unanimously, 3-0.

5. Waiver of Town Code Section 18-237 For Building Permit Extension for **212 Australian Avenue** (8:44:35)

   Wayne Bergman, Director of the Planning, Zoning and Building Department, described the building permit extension request.

   Scott Butler, BCC Residential, explained the purpose of the request.

   A motion was made by Council Member Crampton and seconded by Council President Zeidman to approve the extension as requested. The motion was carried unanimously, 3-0.

6. Waiver of Town Code Section 18-237 For Building Permit Extension for **1540 S OceanBlvd.** (8:46:30)

   Wayne Bergman, Director of the Planning, Zoning and Building Department, described the building permit extension request.

   Sean Ford, Seagate Capital Construction, explained the purpose of the request.

   A motion was made by Council Member Crampton and seconded by Council Member Cooney to approve the extension as requested. The motion was carried unanimously, 3-0.

7. Waiver of Town Code Section 18-237 For Building Permit Extension for **1118 N LakeWay** (8:48:41)

   Wayne Bergman, Director of the Planning, Zoning and Building Department, described the building permit extension request.

   Mike Eison, Eison Construction Company, Inc., explained the purpose of the request.

   A motion was made by Council Member Crampton and seconded by Council President Zeidman to approve the extension as requested. The motion was carried unanimously, 3-0.

XI. ANY OTHER MATTERS

There were no additional matters to discuss.

XII. ADJOURNMENT (8:50:44)

A motion was made by Council Member Cooney and seconded by Council Member Crampton to adjourn the meeting at 7:16 p.m. The meeting adjourned without the benefit of a roll call vote.

APPROVED:

_____
Margaret A. Zeidman, Town Council President

ATTEST:

_____
Kelly Churney, Acting Town Clerk
Date: _____

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Minutes

Agenda Title
Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of February 28, 2024

Presenter
Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- **Memorandum Dated March 5, 2024 from Wayne Bergman, Director of Planning, Zoning and Building**
- **Action Minutes of the Architectural Review Commission Meeting of February 28, 2024**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: Approval of the Architectural Commission Meeting Action Minutes of February 28, 2024

Date: March 5, 2024

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting on February 28, 2024.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve major items considered at the regularly scheduled meeting on February 28, 2024.

GENERAL INFORMATION

These action 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

SUMMARY OF THE ACTIONS TAKEN AT THE ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, FEBRUARY 28, 2024

Please be advised that in keeping with a 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 once it has concluded may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. **CALL TO ORDER**

II. **ROLL CALL**

III. **PLEDGE OF ALLEGIANCE**

IV. **APPROVAL OF MINUTES**
ACTION: APPROVED, AS PRESENTED

V. **APPROVAL OF THE AGENDA**
ACTION: APPROVED, AS AMENDED

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

VII. **COMMENTS FROM THE ARCHITECTURAL REVIEW COMMISSION MEMBERS**

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

IX. **PROJECT REVIEW**

A. CONSENT AGENDA

1. **ARC-24-014 340 SEAVIEW AVE.** The applicant, Town of Palm Beach, has filed an application requesting Architectural Commission approval for the installation of an operable aluminum trellis on an existing porch terrace.

   ACTION: PULLED FROM CONSENT

2. **ARC-24-023 234 BRAZILIAN AVE.** The applicant, Thomas C. Weller Jr., has filed an application requesting Architectural Commission review and approval for installation of a generator enclosure and landscape screening at a single-family residence.

   ACTION: WITHDRAWN BY STAFF

3. **ARC-23-135 225 WELLS RD.** The applicant, LLPB Trust (Andrea Lenczner, Trustee), has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with final hardscape, landscape and swimming pool.

ACTION: APPROVED, ON CONSENT (7-0)

4. **ARC-23-162 (ZON-24-007) 223 SUNSET AVE (COMBO)** The applicants, 223 SUNSET HOLDINGS LLC has filed an application requesting Architectural Commission review and approval for exterior façade alterations, including a new second-floor outdoor private residential terrace facing Sunset Avenue and a new accessibility ramp in the rear of the property, eliminating existing landscape open space requiring a variance. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ACTION: APPROVED, ON CONSENT (7-0)

Clerk's note: The following consent item was pulled from consent and heard immediately.

1. **ARC-24-014 340 SEAVIEW AVE.** The applicant, Town of Palm Beach, has filed an application requesting Architectural Commission approval for the installation of an operable aluminum trellis on an existing porch terrace.
ACTION: DEFERRED TO MARCH 27, 2024 (4-3 – JS, KK, TK)

B. MAJOR PROJECTS-OLD BUSINESS

1. **ARC-23-094 (ZON-23-072) 247-251 WORTH AVE (COMBO)** The applicant, Holbrook Real Estate LLC, has filed an application requesting Architectural Commission review and approval for a two-story addition to an existing one-story commercial building under the Special Allowances in accordance with the Worth Avenue Design Guidelines, including several variances from lot coverage, floor area square footage, commercial and residential use locations, parking requirements, landscape open space, and loading space requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ACTION: APPROVED, WITH THE FOLLOWING CONDITIONS: THE SECOND FLOOR ON THE FRONT ELEVATION SHALL BE PUSHED BACK TWO FEET, THE WINDOWS ON THE THIRD FLOOR, EAST AND WEST ELEVATIONS SHALL BE CHANGED TO A VERTICAL ORIENTATION, THE DOORS ON THE THIRD FLOOR, SOUTH ELEVATION SHALL BE A SINGLE OPENING, AND THE LANDSCAPING ON THE THIRD FLOOR SHALL BE ENHANCED. (5-2 – JC, EC)

2. **ARC-23-123 (ZON-23-105) 1186 N OCEAN WAY (COMBO)** The applicant, Martha Lee Johnson 2012 Exempt Trust (Stan Johnson), has filed an application requesting Architectural Commission review and approval for the design of a new two-story residence with sitewide landscape and hardscape improvements, requiring setback and separation distance variances

for the location of the pool equipment and a variance to exceed allowable chimney height. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ACTION: APPROVED, WITH THE FOLLOWING CONDITIONS: THE GARAGE ROOF PITCH WILL BE INCREASED, THE ROOF ON THE CONNECTION BETWEEN THE HOME AND THE GARAGE SHALL BE CHANGED TO A GABLE ROOF, THE CANTILEVER ON THE REAR ELEVATION SHALL BE REMOVED, THE ROOF MATERIAL SHALL BE BORAL CONCRETE, THE LANTERNS SHALL BE REDUCED IN SIZE AND WILL BE MOVED TO THE SIDES OF THE PIERS. (4-3 – RS, JC, EC)

3. **ARC-23-145 (ZON-23-113) 123 CHILEAN AVE (COMBO)** The applicant, Robert & Perri Bishop, has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence and one-story accessory cabana structure with final hardscape, landscape and swimming pool, requiring Special Exception approval to develop a nonconforming parcel and variances to reduce the required side setbacks and to exceed the maximum cubic content ratio (CCR) permitted. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.
ACTION: APPROVED, WITH THE FOLLOWING CONDITIONS: THE CENTER COLUMN ON THE PORCH ON THE WEST ELEVATION SHALL BE REMOVED, AND THE GABLE ON THE FRONT ELEVATION SHALL BE WIDENED TO ELIMINATE ONE OF THE COLUMNS; A SECOND MOTION WAS MADE THAT IMPLEMENTATION OF THE PROPOSED VARIANCES WILL NOT CAUSE A NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY. (5-2 – BS, JC on project) (7-0 on variance)

4. **ARC-23-052 (ZON-23-092) 300 COLONIAL LN (COMBO)** The applicants, Dragana & Richard Connaughton, have filed an application requesting Architectural Commission review and approval for construction of a new two- story single-family residence requiring (2) variances from east side yard setback and (1) variance from mechanical equipment regulations and construction of a detached accessory structure requiring (2) setback variances, (1) lot coverage variance and (1) angle of vision variance, together with final hardscape, landscape, and swimming pool. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.
ACTION: APPROVED, WITH THE FOLLOWING CONDITIONS: THE COLUMNS ON THE LOGGIA SHALL BE ENLARGED, THE GARAGE WILL BE SET BACK TWO FEET, AND THE APPROVAL INCLUDES THE ALTERNATE DRAWING OPTION 2, NORTH ELEVATION GARAGE RENDERING SHOWN AT THE MEETING. (7-0)

5. **ARC-24-007 (ZON-24-017) 222 WORTH AVE (COMBO)** The applicants, Louis Vuitton America, has filed an application requesting Architectural Commission review and approval for exterior façade alterations, including a new ground floor storefront system, awnings, and new signage. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

ACTION: DEFERRED TO MARCH 27, 2024 (7-0)

6. **ARC-23-144 216 TRADEWIND DR.** The applicant, 216 Tradewind Trust (Rep. Carl Sabatello), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with sitewide landscape and hardscape improvements.
ACTION: APPROVED, AS PRESENTED (7-0)

7. **ARC-23-142 318 SEASPRAY AVE.** The applicants, Robert and Elizabeth Russell, have filed an application requesting Architectural Commission review and approval for the design of a new two-story single-family residence with sitewide landscape and hardscape improvements.
ACTION: APPROVED, WITH A CHANGE IN THE MAHOGANY WINDOWS TO A SEAFOAM GREEN COLOR AND THE FOLLOWING ITEMS TO BE RESTUDIED AND TO RETURN TO THE MEETING ON MARCH 27, 2024: THE FRONT ENTRY DESIGN AND THE ROOF AND TRELLIS DESIGN ON THE FRONT ELEVATION. (7-0)

ARC-23-166 1150 N OCEAN WAY The applicant, 1150 N Ocean Way LLC (Michael Burns, Authorized Member), has filed an application requesting Architectural Commission review and approval for the design of a new two-story single-family residence with sitewide landscape and hardscape improvements.

ACTION: DEFERRED TO MARCH 27, 2024 (7-0)

8. **ARC-24-003 232 LA PUERTA WAY** The applicant, La Puerta Project LLC (Peter Burt), has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with final hardscape, landscape, and swimming pool.
ACTION: APPROVED, AS PRESENTED (7-0)

9. **ARC-24-010 243 SEASPRAY AVE.** The applicant, 243 Seaspray LLC (Larry Meyer, Manager), has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with final hardscape, landscape, and swimming pool.
ACTION: APPROVED, WITH THE FOLLOWING CONDITIONS: THE COCONUT PALM IN THE RIGHT OF WAY SHALL BE REPLACED, AND THE TRELLIS AND DECORATIVE ELEMENTS ON THE ENTRYWAY SHALL BE REMOVED. (7-0)

10. **ARC-23-075 389 S LAKE DR.** The applicant, Cooperative Apartments of Three Eighty Nine Corporation, has filed an application requesting Architectural Commission review and approval for the permanent removal of the decorative concrete brise soleil architectural feature of an existing six-story residential building and other exterior building modifications including window opening enhancements and the addition of a new decorate metal grilles and associated improvements. Applicant requests a second deferral to the March 27, 2024, meeting.
ACTION: DEFERRED TO MARCH 27, 2024 (7-0)

C. MAJOR PROJECTS-NEWBUSINESS

1. **ARC-24-008 (ZON-24-047) 264 DUNBAR RD (COMBO)** The applicant, 264 Dunbar LLC (Lee Fensterstock, Manager), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with final hardscape, landscape, and swimming pool, with a variance to exceed to equipment screening wall height. Town Council shall review the application as it pertains to zoning relief/approval.
ACTION: DEFERRED TO MARCH 27, 2024 (7-0)

2. **ARC-24-015 (ZON-24-025) 153 AUSTRALIAN AVE (COMBO)** The applicant, Rabbi Zalman Levitin, has filed an application requesting Architectural Commission review and approval for construction of a new, two-story single-family residence with final hardscape, landscape, and swimming pool, with a variance required to forgo required garage parking. Town Council shall review the application as it pertains to zoning relief/approval.
ACTION: DEFERRED TO MARCH 27, 2024; A SECOND MOTION WAS MADE THAT IMPLEMENTATION OF THE PROPOSED VARIANCES WILL NOT CAUSE A NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY. (7-0 on project) (6-1 - BS on variance)

3. **ARC-24-022 (ZON-24-034) 726 HI MOUNT RD (COMBO)** The applicant, Jaime Torres-Cruz with Fairfax and Sammons on behalf of owner Irimar Ocean Properties LLC, has filed an application requesting Architectural Commission review and approval for a one-story roofed approximately 400SF porch to be added to existing terrace extending into the south side yard setback, necessitating one (1) variance from the side setback requirements. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.
ACTION: APPROVED, WITH THE FOLLOWING CONDITIONS: THE LOUVERS SHALL CONTINUE ALL THE WAY AROUND, AND THE STEEL RAILINGS SHALL BE ELIMINATED; A SECOND MOTION WAS MADE THAT IMPLEMENTATION OF THE PROPOSED VARIANCES WILL NOT CAUSE A NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY. (4-2 – TK, KC on project) (4-2 – TK, KC on variance)

D. MINOR PROJECTS - OLD BUSINESS

1. **ARC-24-011 301 PLANTATION RD.** The applicant, 301 Plantation LLC, has filed an application requesting Architectural Commission review and approval for exterior modifications to the previously approved façade and roof of a single-family residence.
ACTION: APPROVED, AS PRESENTED, WITH OPTION 1 FOR THE FRENCH DOOR ON THE WEST ELEVATION, AS SHOWN IN THE MEETING (6-0).

2. **ARC-24-012 212 WORTH AVE**. The applicant, Mauro Brothers on behalf of 212 Worth Avenue LLC, has filed an application requesting Architectural Commission review and approval for a minor project for the replacement

of existing storefronts and windows with an aluminum product.
ACTION: DEFERRED TO MARCH 27, 2024 (6-0)

3. **ARC-24-013 230 BRAZILIAN AVE**. The applicants, Jon & Patricia Baker, have filed an application requesting Architectural Commission review and approval for landscape and hardscape modifications to an existing residence.
ACTION: APPROVED, WITH THE CONDITION THAT TRAVELERS' PALMS ARE INSTALLED IN A LAYERED AND STAGGERED FASHION TO PROVIDE PRIVACY. (7-0)

E. MINOR PROJECTS-NEWBUSINESS

1. **ARC-24-006 249 SEABREEZE AVE.** The applicant, Joseph & Elizabeth Berger, has filed an application requesting Architectural Commission review and approval for new vehicular and pedestrian gates and modifications to previously approved landscape and hardscape, including driveway reductions and change in perimeter site walls as well as modifications to the previously approved design of the front door and balcony railings.
ACTION: APPROVED, WITH THE CHANGE IN THE CURB CUT, THE NEW LANDSCAPING, NEW EXFILTRATION SYSTEM ONLY, WITH A RECOMMENDATION TO BUILD A NEW 7-FOOT WHITE MASONRY WALL AS IT IS MORE AESTHETICALLY PLEASING AND BETTER FOR DRAINAGE, AND THE CONDITION THAT THE FRONT DOOR AND THE BALCONY RAILING WILL RETURN TO THE COMMISSION FOR APPROVAL AT THE MARCH 27, 2024, MEETING. (5-1 – KK)

2. **ARC-24-021 (ZON-24-033) 224 SANDPIPER DR (COMBO)** The applicant, 224 Sandpiper LLC, has filed an application requesting Architectural Commission review and approval for the construction of an outdoor terrace and installation of a retractable awning with variances for open space and setbacks. Town Council shall review the application as it pertains to zoning relief/approval.
ACTION: APPROVED, AS PRESENTED WITH AWNING FABRIC OPTION 2 AS SHOWN; A SECOND MOTION WAS MADE THAT IMPLEMENTATION OF THE PROPOSED VARIANCES WILL NOT CAUSE A NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY. (5-0)

X. Unscheduled Items

A. Public
B. Staff
C. Commission

XI. NEXT MEETING DATE: Wednesday, March 27, 2024

XII. ADJOURNMENT

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Resolutions

Agenda Title
RESOLUTION NO. 017-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Bifurcating the Project Designation Manual or Design Review Matrix for the ARCOM and LPC as referenced in Chapter 18 of the Town Code of Ordinances; Providing an Effective Date.

Presenter
Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- **Memorandum dated February 29, 2024 from Wayne Bergman, Director of Planning, Zoning & Building**
- **Resolution No. 017-2024 - Bifurcation of LPC ARCOM Designation Manual**
- **Adopted LPC/ARCOM Designation Manual_7.13.22**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: Resolution 017-2024 – Revisions to Project Designation Manual & Matrix

Date: February 29, 2024

STAFF RECOMMENDATION

The primary goal with this update is to bifurcate the project designation manual aka "design matrix" into separate ARCOM and an LPC work flows to be more relevant and user-friendly for all in involved in the design review process. This will continue to be the goal through periodic reassessment as needed. Staff recommends that the Town Council approve the revised Project Designation Manual as presented.

GENERAL INFORMATION

In 2015, the Project Designation Manual was first adopted by Resolution by Town Council, pursuant to Resolution # 037-2015; later amended on August 12, 2020, May 12, 2021, and July 13, 2022, which summarizes the classification of projects to assist applicants in determining the type of architectural review required for their project.

Staff worked internally and presented to both design review commission in late 2023 to optimize these documents for everyone's use. Enclosed, please find a new version of the Matrix along with the most recently updated version (July 2022) of the Designation Manual and Guide.

The modifications proposed are slight. One specific line item identifies square footages for one-story accessory structures and their associated level of design review. The primary purpose of the modification is to bifurcate the document for LPC and ARCOM to provide applicants a clearer understanding of which Design Commission the project will correlate with.

Descriptions are provided as examples only and are not intended to be all-inclusive. The Director of the Planning, Zoning and Building Department, or his or her designee, may determine that the particular characteristics of a proposed project may warrant notice and/or further review by the Commission.

FUNDING/FISCAL IMPACT

No fiscal impact with the proposed resolution.

REQUESTED ACTION

Resolution No. 017-2024 is ready for your consideration and approval.

Attachments: Draft Resolution No. 017-2024 with Exhibit A
Currently Adopted LPC/ARCOM Designation Manual

RESOLUTION NO. 017-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, BIFURCATING THE PROJECT DESIGNATION MANUAL OR DESIGN REVIEW MATRIX FOR ARCOM AND LPC AS REFERENCED IN CHAPTER 18 OF THE TOWN CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance 011-2015, adopted on April 14, 2015, provided an amendment to Chapter 18, Buildings and building Regulations, Article III, Architectural Review; and

WHEREAS, that amendment contains references to an ARCOM Project Designation Manual in Section 18-175, Issuance of Permits; and

WHEREAS, such a manual is intended to provide users with a means to determine the type of review that is required for projects requiring ARCOM and LPC approval; and

WHEREAS, the Town Council has identified the need to provide updates to the various projects and information contained in the manual; and

WHEREAS, from time to time the manual or "review matrix" is updated to reflect current conditions, with the last update adopted per Resolution 079-2022 on July 13, 2022; and

WHEREAS, the Town Council meeting wherein this Resolution is adopted is held in accordance with chapter 2, Administration, Division 3, Town Council Rules of Procedure.

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

Section 1: This Resolution is hereby adopted to include the ARCOM and LPC project Designation Manual as Exhibit "A" attached and made a part hereto.

Section 2. This Resolution shall become effective immediately.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of March 2024.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Kelly Churney, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PROJECT DESIGNATION MANUAL MATRIX
Landmarks Preservation Commission

*Adopted 3/12/2024

LANDMARKS PRESERVATION COMMISSION (LPC)

Landmarks, Districts, and Historically Significant Buildings

PROJECT	COMMISSION REVIEW *Submit Development Review Application*	ADMINISTRATIVE CHAIR REVIEW *Submit Administrative Review Application* *Chair will Approve or remand to Commission*
NEW CONSTRUCTION	New Residential or Commercial Building *-or-* 2 Story/1 Story greater than 500 SF Accessory Structure	1 Story Accessory Structure (500SF or less)
DEMOLITION	Landmarked Structures	Non-Original Features *-or-* Non-Original / Not Visible Buildings or Additions
ADDITIONS	Additions Visible from R-o-W *-or-* Additions to 3rd Floor or Above	One Story Addition not visible from R-o-W *-or-* Second Floor Addition not visible from R-o-W
BUILDING ALTERATIONS	Major Façade Alterations impacting Architectural Style or Original Features	Removal, Replacement, or Addition of Architectural Features
SOLAR PANELS	Solar Panel Install	
PAINT		Change in Color
OUTDOOR SEATING		Commercial Furnishings
AWNINGS		New or Replacement
HURRICANE SHUTTERS		New or Replacement
FENCES, WALLS, and GATES	Use of PVC Products *-or-* Corrugated Sheet Piling	*In-Kind Replacement -or- New in Front Yard Setback, Interior to Lot -or- New on Side or Rear Property Lines with ***Neighbor Consent***
MECHANICAL EQUIPMENT *Condensing Units, Pool Equipment, Cooling Towers, and Generators over 100kW** *101kW+ Generators are required to be housed in a building. See New Construction or Additions	New Equipment Visible from R-o-W	New Equipment Outside of Setbacks *-or-* Replacement of Equipment in Existing Location *-or-* New Mechanical Equipment Located within Setbacks with ***Neighbor Consent*** *-or-* Replacement Equipment in Non-Conforming Location with ***Neighbor Consent***

LANDMARKS PRESERVATION COMMISSION (LPC)		
PROJECTS	**COMMISSION REVIEW** *Submit Development Review Application*	**ADMINISTRATIVE CHAIR REVIEW** *Submit Administrative Review Application* *LPC Chair will Approve or remand to Commission*
MODIFICATIONS to ACTIVE DEVELOPMENT APPROVALS		Maximum of (4) per year
SITE ALTERATIONS ***Hardscape*** *Driveways, Patios, Pools, etc.*	Substantial Alterations to Site Hardscape	Minor Alterations to Site Hardscape
SITE ALTERATIONS ***Landscape***	Substantial Alterations to Site Landscape	Minor Alterations to Site Landscape *-or-* Alterations On Side or Rear Property Lines with ***Neighbor Consent***
ARTIFICIAL TURF	Front Yard or Readily Visible from R-o-W	Side and Rear Yards
LANDSCAPE LIGHTING		With ToPB Exterior Lighting Affidavit
SPORTS COURTS	Multifamily, Commercial, or Single-Family Use	
SIGNAGE	Illuminated	Non-Illuminated
STATUARY	Visible from R-o-W *-or-* Over 6' in height	Not Visible from R-o-W
VARIANCE	All Variance Requests and Corresponding Projects	

ADMINISTRATIVE REVIEW applications will be subject to design review by the Chair of the Landmarks Commission and will require full compliance with Town of Palm Beach zoning. The Chair or his/her designee may remand the application to Commission Review at their discretion.

COMMISSION REVIEW applications require review by the Landmarks Preservation Commission. Please contact PZB Staff to schedule a pre-application meeting.

NEIGHBOR CONSENT is required for projects which may substantially impact neighboring properties. A completed Neighbor Consent Form provided by the Town shall be submitted with the Administrative Review application.

***Please note** that requests for in-kind replacements shall utilize the same or substantially similar product in size, design, and other visually related qualities as the existing feature. Documentation on the existing feature and replacement feature shall be provided. Alterations to multi-tenant buildings (condominiums, commercial, townhouses, etc.), require a signed approval letter from the building's governing body (HOA, Condo Association, etc.) as part of the application.

EXHIBIT "A"

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PROJECT DESIGNATION MANUAL MATRIX
Architectural Review Commission

*Adopted 3/12/2024

ARCHITECTURAL REVIEW COMMISSION (ARCOM)

PROJECT	COMMISSION REVIEW *Submit Development Review Application*		ADMINISTRATIVE REVIEW *Submit Administrative Review Application*	
	ARCOM MAJOR	**ARCOM MINOR**	**CHAIR'S DISCRETION** *Remands Application to Commission or Approves*	**STAFF REVIEW**
NEW CONSTRUCTION	New Residential *-or-* Commercial Building	2 Story Accessory Structures	1 Story Accessory Structures (500SF or less)	
DEMOLITION	Commercial Buildings			
ADDITIONS	Two Story Additions visible from R-o-W *-or-* Additions to 3rd Floor or Above	One Story Addition visible from R-o-W *-or-* Second Floor Addition visible from R-o-W	One Story Addition not visible from R-o-W *-or-* Second Floor Addition not visible from R-o-W	
BUILDING ALTERATIONS	Major Façade Alterations impacting Architectural Style	C-WA District Street Facing Fenestration Alterations	Removal, Replacement, or Addition of Architectural Feature with Alternate Design	*In-Kind Replacement of Architectural Features
SOLAR PANELS		Solar Panel Install		
PAINT			Commercial Building Change of Color	
OUTDOOR SEATING				Commercial Furnishings
AWNINGS				New or Replacement
HURRICANE SHUTTERS			New Permanent on Commercial	Replacement or Installation of New Removable
FENCES, WALLS and GATES		Use of PVC Products *-or-* Corrugated Sheet Piling	New within Front Yard Setback	*In-Kind Replacement *-or-* New, Interior to Lot, Not on Property Lines *-or-* New on Side or Rear Property Lines with ***Neighbor Consent***
MODIFICATIONS to ACTIVE DEVELOPMENT APPROVALS			Maximum of (4) per year	

ARCHITECTURAL REVIEW COMMISSION (ARCOM)

PROJECT	COMMISSION REVIEW *Submit Development Review Application*		ADMINISTRATIVE REVIEW *Submit Administrative Review Application*	
	ARCOM MAJOR	**ARCOM MINOR**	**CHAIR'S DISCRETION** *Remands Application to Commission or Approves*	**STAFF REVIEW**
MECHANICAL EQUIPMENT *Condensing Units, Pool Equipment, Cooling Towers, and Generators over 100kW** *101kW+ Generators are required to be housed in a building. See New Construction or Additions Row		New Equipment Visible from R-o-W		New Equipment Outside of Setbacks *-or-* Replacement of Equipment in Existing Location *-or-* New Mechanical Equipment Located within Setbacks with ***Neighbor Consent*** *-or-* Replacement Equipment in Non-Conforming Location with ***Neighbor Consent***
SITE ALTERATIONS ***Hardscape*** *Driveways, Patios, Pools, etc.*		Substantial Alterations to Site Hardscape	Minor Alterations to Site Hardscape	Interior to Lot, Not Readily Visible from R-o-W
SITE ALTERATIONS ***Landscape***		Substantial Alterations to Site Landscape	Alterations within Front Yard	Alterations On Side or Rear Property Lines with ***Neighbor Consent***
ARTIFICIAL TURF		Front Yard or Readily Visible from R-o-W		Side and Rear Yards
LANDSCAPE LIGHTING				With ToPB Exterior Lighting Affidavit
SPORTS COURTS	Multifamily or Commercial Use	Single Family Use		
SIGNAGE	Illuminated			Non- Illuminated
STATUARY		Visible from R-o-W		Not Visible from R-o-W
VARIANCE	All Variance Requests and Corresponding Projects			

ADMINISTRATIVE REVIEW applications are subject to Chair and/or Staff design review and will require full compliance with Town of Palm Beach zoning. The Chair or his/her designee may remand the application to Commission Review at their discretion.
COMMISSION REVIEW applications are determined as Major or Minor projects. Please contact PZB Staff to schedule a pre-application meeting.
NEIGHBOR CONSENT is required for projects which may substantially impact neighboring properties. A completed Neighbor Consent Form provided by the Town shall be submitted with the Administrative Review application.

***Please note** that requests for in-kind replacements shall utilize the same or substantially similar product in size, design, and other visually related qualities as the existing feature. Documentation on the existing feature and replacement feature shall be provided. Alterations to multi-tenant buildings (condominiums, commercial, townhouses, etc.), require a signed approval letter from the building's governing body (HOA, Condo Association, etc.) as part of the application.

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PROJECT DESIGNATION MANUAL MATRIX
Architectural Review Commission
Landmarks Preservation Commission

**Adopted 7/13/2022*

PROJECT	COMMISSION REVIEW		COMMISSION CHAIR REVIEW ⇦ ⇨	STAFF REVIEW	
	ARCOM MAJOR LPC: COA *or* HSB	**ARCOM MINOR** LPC: COA *or* HSB		STAFF APPROVAL	NEIGHBOR CONSENT
NEW CONSTRUCTION	New Residential *-or-* Commercial Building	Two Story Accessory Structure	One Story Accessory Structure	Freestanding Unenclosed Accessory Structure *(Pergolas, Trellises, Arbors, Follies, Canopies, etc.)*	
DEMOLITION	Landmark and Commercial Structures				
ADDITIONS	Two Story Addition visible from R-o-W *-or-* Additions to 3rd Floor or Above	One Story Addition visible from R-o-W *-or-* Two Story Addition not visible from R-o-W	One Story Addition not visible from R-o-W > 400 SF *-or-* Second Floor Addition not visible from R-o-W > 200 SF	One Story Addition not visible from R-o-W < 400 SF *-or-* Second Floor Addition not visible < 200 SF	

PROJECT	COMMISSION REVIEW		COMMISSION CHAIR REVIEW ⇦ ⇨	STAFF REVIEW	
	ARCOM MAJOR LPC: COA *or* HSB	**ARCOM MINOR** LPC: COA *or* HSB		STAFF APPROVAL	NEIGHBOR CONSENT
BUILDING ALTERATIONS (*Windows, Doors, Garage Doors, Roof, Siding, Gutters, Decorative Shutters, etc.)*	Major Façade Alterations impacting Architectural Style	C-WA District Street Facing Fenestration Alterations	Removal, Replacement, or Addition of Architectural Feature with Alternate Design *-and-* Installation of new "S" Tile	In-Kind Replacement of Architectural Features *including* "S" Tile Replacement	
SOLAR PANELS		Solar Panel Install			
PAINT			Change in Color Landmark & Commercial Buildings		
OUTDOOR SEATING				Furnishings Design Review	
AWNINGS				New Awnings or Recovering	
HURRICANE SHUTTERS			New Permanent Fixtures visible on Commercial	Replacement and Installation of Removable	

PROJECT	COMMISSION REVIEW		COMMISSION CHAIR REVIEW ⇦ ⇨	STAFF REVIEW	
	ARCOM MAJOR LPC: COA *or* HSB	**ARCOM MINOR** LPC: COA *or* HSB		**STAFF APPROVAL**	**NEIGHBOR CONSENT**
FENCES, WALLS, and GATES		New Visible from R-o-W *-or-* Use of PVC Products And Corrugated Sheet Piling		In-Kind Replacement *-or-* New, Interior to Lot, Not on Property Lines or Readily Visible	New on Side or Rear Property Lines ** Moves to Minor Project without Consent*
MECHANICAL EQUIPMENT *Condensing Units, Pool Equipment, Cooling Towers, Water Filtration, and Generators up to 100kW** *100kW+ Generators are required to be housed in a building. See New Construction or Additions Row		New Equipment Visible from R-o-W		New Equipment Outside of Setbacks and not Visible from R-o-W* *-or-* Replacement Equipment in Existing Location* **Meeting all FEMA, Screening, and Zoning Requirements*	New Mechanical Equipment Located within Setbacks* *-or-* Replacement Equipment in Non-Conforming Location meeting FEMA Requirements* ** Moves to Minor Project without Consent*
MODIFICATIONS to ACTIVE DEVELOPMENT APPROVALS			Maximum of (4) per year		

PROJECT	COMMISSION REVIEW		COMMISSION CHAIR REVIEW ⇦ ⇨	STAFF REVIEW	
	ARCOM MAJOR LPC: COA *or* HSB	**ARCOM MINOR** LPC: COA *or* HSB		STAFF APPROVAL	NEIGHBOR CONSENT
SITE ALTERATIONS ***Hardscape*** *Driveways, Patios, Pools, etc.*		Substantial Alterations to Site Hardscape	Minor Alterations to Site Hardscape	Interior to Lot, Not Readily Visible from R-o-W	
SITE ALTERATIONS ***Landscape***		Substantial Alterations to Site Landscape		Alterations within Front Yard	On Side or Rear Property Lines ** Moves to Minor Project without Consent*
ARTIFICIAL TURF		Front Yard or Readily Visible from R-o-W		Side and Rear Yards	
LANDSCAPE LIGHTING				With ToPB Exterior Lighting Affidavit	
SPORTS COURTS	Multifamily or Commercial Use	Single Family Use			
SIGNAGE	Illuminated			Non-Illuminated	

PROJECT	COMMISSION REVIEW		COMMISSION CHAIR REVIEW ⇦ ⇨	STAFF REVIEW	
	ARCOM MAJOR LPC: COA *or* HSB	**ARCOM MINOR** LPC: COA *or* HSB		STAFF APPROVAL	NEIGHBOR CONSENT
STATUARY		Visible from R-o-W *-or-* Over 6' in height		Not Visible from R-o-W	
VARIANCE	All Variance Requests and Corresponding Projects as Determined by Staff				

The Project Designation Manual Matrix is intended to aid homeowners, design professionals, and Town staff in determining the path and level of design review authority for the above-mentioned categories for site and construction improvements within the Town of Palm Beach.

- All applications submitted for **Staff Review** will be subject to staff design review and will require full compliance with the Town of Palm Beach Zoning Code of Ordinances. Any project which may substantially impact neighboring properties or require zoning exceptions may require design review by a Commission, subject to determination by the Director of Planning and Zoning. Projects under the **Neighbor Consent** column require a written waiver of objection to the project by the immediately adjacent/abutting neighbor. A completed Neighbor Consent Form provided by the Town shall be submitted with the staff review application. Projects where neighbor consent is not obtained shall proceed to the Architectural Commission as a Minor Project, or to the Landmarks Preservation Commission as a Certificate of Appropriates (COA) or Historically Significant Building (HSB).
- For items submitted for **Commission Chair Review**, the respective Chair will delegate the request to either Commission Review (ARCOM or LPC) or Staff Review depending on the architectural compatibility of the request and of its potential impacts. Should the Chair determine that Commission Review is required, projects will proceed to the Architectural Commission as a Minor Project, or to the Landmarks Preservation Commission as a Certificate of Appropriates (COA) or Historically Significant Building (HSB).
- Any project that requires a **Variance** will proceed to the Architectural Commission as a Major Project, or to the Landmarks Preservation Commission as a Certificate of Appropriates (COA) or Historically Significant Building (HSB).
- For projects that require **Commission Review**, please see the Town of Palm Beach Schedule of Meetings and Deadlines.

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Resolutions

Agenda Title
RESOLUTION NO. 018-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Locally Funded Agreement (LFA) Between the Florida Department of Transportation (FDOT) and the Town of Palm Beach for the Amount of $17,979, and Amendment One to the Maintenance of Memorandum Agreement for the Roadwork Construction Project along State Road-A1A from Lake Avenue to North of Ibis Way Project.

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

ATTACHMENTS:

- **Memorandum dated January 19,2024, from H. Paul Brazil, P..E., Director of Public Works**
- **Resolution No. 018-2024**
- **Locally Funded Agreement**
- **Three-Party Escrow Agreement**
- **Florida Department of Transportation Maintenance Memorandum of Agreement**

TOWN OF PALM BEACH
Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Approval of the Locally Funded Agreement (LFA), Amendment One to the Maintenance Memorandum of Agreement (MMOA), and the Three-Party Escrow Agreement with the Florida Department of Transportation (FDOT) and the Town of Palm Beach for the Road Construction and the Maintenance along the SR-A1A Road from South of Lake Avenue to North to Ibis Way

Resolution No. 018-2024

DATE: January 19, 2024

STAFF RECOMMENDATION

Town staff recommends Town Council approve Resolution No. 018-2024 and authorize the Town Manager to enter into the agreements with Florida Department of Transportation (FDOT) for the improvements on SR-A1A from Lake Avenue to north of Ibis Way.

GENERAL INFORMATION

FDOT is designing Project Number 447663-1-52-01 along SR-A1A which includes repaving the road, drainage improvements, adding a hybrid pedestrian signal at the Par 3 Golf Course, adding a pedestrian signal at Phipps Ocean Park, decorative street lighting, resolving substandard Americans with Disabilities Act (ADA) issues, and upgrading the pedestrian path from just south of Lake Avenue to north of Ibis Way.

The Town has requested FDOT paint the new hybrid pedestrian signal mast arm assembly at the Par 3 Golf Course the same color green as the nearby South Fire Station emergency signal mast arm. The Town will bear the cost to paint the mast arm assembly this specific color and, as such, shall enter into the Locally Funded Agreement (LFA) with FDOT to pay for this portion of the work when the project is constructed. The Town will pay $17,979 for painting of the hybrid pedestrian signal at the Par 3 Golf Course, which is based on FDOT's historical pricing.

Included in the LFA as Exhibit B is a Three-Party Escrow Agreement. This Agreement is made between the Town of Palm Beach, Florida Department of Transportation (FDOT), and the State of Florida Department of Financial Services, Division of Treasure, who is identified in the Agreement as "Escrow Agent." The Town of Palm Beach will make a payment of $17,979 per this agreement to fund the painting of the hybrid pedestrian signal with the Escrow Agent holding the money until construction is complete.

FDOT's Amendment One to the MMOA for lighting provides conditions for the Town to maintain the additional decorative lighting that will be added at the same locations of the new pedestrian signals located along the SR-A1A at the Par 3 Golf Course and at Phipps Ocean Park. The lighting being installed is FPL decorative street lighting which will be owned and maintained by FPL upon completion of construction. FDOT requires this amendment to MMOA with the Town. The Town is already in agreement with FPL to maintain these lights.

FUNDING/FISCAL IMPACT

The Town's contribution is $17,979 and will be funded through Pay-as-You-Go under the Pavement Management Program.

TOWN ATTORNEY REVIEW

The executed agreements were reviewed and approved by the Town Attorney for legal form and sufficiency.

Attachments

cc: Robert Miracle, Director of Finance
Jason Debrincat, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Dean Mealy, Procurement and Contracts Manager

RESOLUTION NO. 018-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE LOCALLY FUNDED AGREEMENT (LFA) BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE TOWN OF PALM BEACH FOR THE AMOUNT OF $17,979, AND AMENDMENT ONE TO THE MAINTENANCE OF MEMORANDUM AGREEMENT FOR THE ROADWORK CONSTRUCTION PROJECT ALONG STATE ROAD-A1A FROM LAKE AVENUE TO NORTH OF IBIS WAY PROJECT.

WHEREAS, the FDOT seeks partial funding from the Town of Palm Beach for the SR-A1A road resurfacing Project for Town-requested painting of the hybrid pedestrian signal at the Par 3 Golf course; and

WHEREAS, as indicated in the proposed agreements between the FDOT and the Town of Palm Beach, improvements are practical, expeditious, economical and in the Town's interest;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1**:** The Town Council of the Town of Palm Beach hereby authorizes funding in the amount of $17,979 for the painting of the hybrid pedestrian signal through a Locally Funded Agreement with the FDOT for the Construction Resurfacing Project along SR A1A from south of Lake Avenue to north of Ibis Way.

Section 2: The Town Manager is hereby authorized to execute this Locally Funded Agreement (LFA) on behalf of the Town of Palm Beach.

Section 3: The Town Manager is hereby authorized to execute and deliver to the FDOT the Amendment One to the Maintenance Memorandum of Agreement and any additional permits or maintenance documents necessary for the Florida Power and Light decorative lighting within the road right-of-way of State Road A1A from Lake Avenue north to Ibis Way.

Section 4: The Resolution shall take effect upon execution. A copy of this Resolution shall be filed in the office of the Town Clerk.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of March 2024.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie D. Lindsay, Town Council President Pro Teem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Kelly Churney, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCALLY FUNDED AGREEMENT

THIS Locally Funded Agreement ("Agreement"), 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 located at 360 S. County Road, Palm Beach, FL 33480, hereinafter called the TOWN, also referred to as the PARTICIPANT in Exhibit B (Three Party Escrow Agreement).

WITNESSETH

WHEREAS, the DEPARTMENT will undertake construction (resurfacing) work along SR-A1A from South of Lake Avenue to N of Ibis Way in Palm Beach County, Florida. (Financial Management (FM) Number 447663-1-52-01, Funded in Fiscal Year 2024/2025); and

WHEREAS, as part of the DEPARTMENT'S construction work, the TOWN has requested that the DEPARTMENT perform the following additional work: Painting of a mast arm assembly. (Financial Management (FM) Number 447663-1-52-04, Funded in Fiscal Year 2024/2025) as set forth in **Exhibit A** attached hereto and made a part hereof and hereinafter referred to as the Project; and

WHEREAS, the TOWN has agreed to provide the DEPARTMENT with the additional funding needed for the Project; and

WHEREAS, the improvements are in the interest of both the TOWN and the DEPARTMENT and it would be more practical, expeditious, and economical for the DEPARTMENT to perform such activities; and

WHEREAS, the TOWN by Resolution No. _____ adopted on _____ _____, 20_____, a copy of which is attached hereto and made a part hereof, authorizes the proper officials to enter into this Agreement.

NOW, THEREFORE, in consideration of the mutual benefits to be derived from joint participation on the Project, the parties agree to the following:

1. The recitals set forth above are true and correct and are deemed incorporated herein.

2. The DEPARTMENT shall be responsible for assuring that the Project complies with all applicable Federal, State, and Local laws, rules, regulations, guidelines, and standards.

3. The TOWN agrees to make all previous studies, maps, drawings, surveys and other data and information pertaining to the Project available to the DEPARTMENT at no extra cost.

4. The DEPARTMENT shall have the sole responsibility for resolving claims and requests for additional work for the Project. The DEPARTMENT will make reasonable efforts to obtain the TOWN'S input in its decisions.

5. The total cost for the Project and the DEPARTMENT'S resurfacing work along SR-A1A, is estimated to be FIVE MILLION FIVE HUNDRED TWENTY-EIGHT THOUSAND TWO HUNDRED SIXTY-SEVEN DOLLARS AND NO CENTS ($5,528,267.00) The TOWN'S payment for the Project is an estimated amount of SEVENTEEN THOUSAND NINE HUNDRED SEVENTY-NINE DOLLARS AND NO CENTS ($17,979.00), which sum shall be paid to the DEPARTMENT. In the event the actual cost of the Project is less than the TOWN'S payment, the difference shall be refunded to the TOWN. In the event the actual cost of the Project, without modifications, results in a sum greater than that paid by the TOWN, then any additional cost shall be the sole responsibility of the TOWN and shall be paid to the DEPARTMENT.

A. The TOWN agrees that it will, within thirty (30) days of execution of this Agreement, furnish the DEPARTMENT with a check in the amount of SEVENTEEN THOUSAND NINE HUNDRED SEVENTY-NINE DOLLARS AND NO CENTS ($17,979.00) towards the Project Costs.

In the event payment is not received by the DEPARTMENT within thirty (30) days of execution of this Agreement, the DEPARTMENT reserves the right to terminate this Agreement and remove the Project from the Department's Work Program and not construct the Project.

Remittance shall be made payable to the Department of Financial Services, Revenue Processing. Payment shall be clearly marked to indicate that it is to be applied to FM No. 447663-1-52-04. The DEPARTMENT shall utilize this amount towards the costs of Project No. 447663-1-52-04.

Payment shall be mailed to:
Florida Department of Transportation
Office of Comptroller
General Accounting Office, LFA Section
605 Suwannee Street, MS 42B
Tallahassee, Florida 32399

In lieu of mailing payment to the DEPARTMENT, the TOWN may also submit the payment for the Project via wire transfer.

Wire transfer/Payments are to be made to:

Wells Fargo Bank, N.A.
Account # 4834783896
ABA # 121000248
State of Florida Department of Financial Services
Bureau of Collateral Management
Re: DOT – K 11-78, Financial project # 447663-1-52-04

In order for FDOT to receive credit for the funds due to the DEPARTMENT, the reference line must contain "FDOT" and an abbreviated purpose, financial project number or LFA account number.

Once the wire transfer is complete, please contact Jessie Barousse at 850-414-4861. In addition to calling Ms. Barousse, the TOWN shall send an email notification to D4-LFA@dot.state.fl.us stating the day and time the wire transfer was sent.

B. The TOWN's share of the accepted bid for the Project (hereinafter referred to as "Accepted Bid") and the DEPARTMENT'S work plus allowances is hereinafter defined as the "Total Accepted Bid". Allowances are hereby defined as contingency, mobilization (MOB), and Maintenance of Traffic (MOT). If the TOWN'S share of the accepted bid for the Project plus allowances is in excess of the advance deposit amount, the TOWN will provide an additional deposit within fourteen (14) calendar days of notification from the DEPARTMENT or prior to posting of the accepted bid, whichever is earlier, so that the total deposit is equal to the bid amount plus allowances. The DEPARTMENT will notify the TOWN as soon as it becomes apparent the accepted bid amount plus allowances is in excess of the advance deposit amount; however, failure of the DEPARTMENT to so notify the TOWN shall not relieve the TOWN from its obligation to pay for its full participation. If the TOWN cannot provide the additional deposit within fourteen (14) calendar days, a letter must be submitted to and approved by the DEPARTMENT'S Project Manager indicating when the deposit will be made and the DEPARTMENT'S written consent to the payment of the additional deposit and said date. The TOWN understands the request and approval of the additional time could delay the Project, and additional costs may be incurred due to delay of the Project. In the event of non-payment, the DEPARTMENT reserves the right to terminate this Agreement and remove the Project and the DEPARTMENT'S roadway work from the DEPARTMENT'S Work Program.

C. If the TOWN'S payment for the accepted bid amount plus allowances is less than the advance deposit amount, the DEPARTMENT will refund the amount that the advance deposit exceeds the TOWN'S payment for the accepted bid amount plus allowances if such refund is requested by the TOWN in writing.

D. Should Project modifications occur that increase the TOWN'S payment for the Project, the TOWN will be notified by the DEPARTMENT. The TOWN agrees to provide, without delay, in advance of the additional work being performed, adequate funds to ensure that cash on deposit with the DEPARTMENT is sufficient to fully fund the Project. The DEPARTMENT shall notify the TOWN as soon as it becomes apparent the actual costs will overrun the award amount; however, failure of the DEPARTMENT to so notify the TOWN shall not relieve the TOWN from its obligation to pay for its full participation. Funds due from the TOWN, for the Project, not paid within forty (40) calendar days from the date of the invoice are subject to an interest charge at a rate established pursuant to *Section 55.03, F.S*.

E. The DEPARTMENT intends to have its final and complete accounting of all costs incurred in connection with the work performed hereunder within three hundred sixty (360) days of final payment to the Contractor. The DEPARTMENT considers the Project and the resurfacing work complete when the final payment has been made to the Contractor, not when the construction work is complete. All Project & construction cost records and accounts shall be subject to audit by a representative of the TOWN for a period of three (3) years after final close out of the Project and the resurfacing work. The TOWN will be notified of the final cost. Both parties agree that in the event the final accounting of total Project costs pursuant to the terms of this Agreement is less than the total deposits to date, a refund of the excess will be made by the DEPARTMENT to the TOWN. If the final accounting is not performed within three hundred sixty (360) days, the TOWN is not relieved from its obligation to pay.

F. In the event the final accounting of total Project costs indicate that the Project costs are greater than the total deposits to date, the TOWN will pay the additional amount within forty (40) calendar days from the date of the invoice from the DEPARTMENT. The TOWN agrees to pay interest at a rate as established pursuant to *Section 55.03, F.S.,* on any invoice not paid within forty (40) calendar days until the invoice is paid.

G. The payment of funds under this Agreement will be sent directly to the Department of Financial Services, Division of Treasury for deposit as provided in the Three Party Escrow Agreement between the TOWN, the DEPARTMENT and the State of Florida, Department of Financial Services, Division of Treasury a copy of which is attached hereto and made a part hereof as **Exhibit B.**

6. Upon completion of the Project, the TOWN shall be responsible for the maintenance of the Project. The TOWN will comply with the provisions set forth in Traffic Signal Maintenance and Compensation Agreement (TSMCA) dated July 1, 2023, which is attached hereto and made a part hereof as **Exhibit C**. The TOWN shall agree to maintain the Project in accordance with the terms of **Exhibit C**. The terms of this paragraph shall survive the termination of this Agreement.

7. In the event it becomes necessary for either party to institute suit for the enforcement of the provisions of this Agreement, each party shall be responsible to pay their own attorney fees and court costs. The jurisdictional venue with respect to any such litigation shall be in Broward County.

8. This Agreement and any interest herein shall not be assigned, transferred, or otherwise encumbered by the TOWN under any circumstances without the prior written consent of the DEPARTMENT. However, this Agreement shall run to the DEPARTMENT and its successors.

9. Except as otherwise set forth herein, this Agreement shall continue in effect and be binding to both the TOWN and the DEPARTMENT until the Project (FM# 447663-1-52-04) is completed as evidenced by the written acceptance of the DEPARTMENT.

10. The TOWN warrants that it has not employed or obtained any company or person, other than bona fide employees of the TOWN, to solicit or secure this Agreement, and it has not paid or agreed to pay any company, corporation, individual or firm, other than a bona fide employee employed by the TOWN. For breach or violation of this provision, the DEPARTMENT shall have the right to terminate the Agreement without liability.

11. The TOWN / Vendor/ Contractor:

    (A) shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the TOWN / Vendor/Contractor during the term of the contract; and

    (B) shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

12. This Agreement is governed by and construed in accordance with the laws of the State of Florida.

13. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein, and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written. It is further agreed that no modification, amendment, or alteration in the terms and conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

14. Any or all notices (except invoices) given or required under this Agreement shall be in writing and either personally delivered with receipt acknowledged or sent by certified mail, return receipt requested. All notices delivered shall be sent to the following addresses:

If to the DEPARTMENT:
Florida Department of Transportation - District Four
3400 West Commercial Blvd.
Fort Lauderdale, Florida 33309-3421
Attn: Leos A. Kennedy, Jr.
With a copy to: Vandana Nagole, P.E.
A second copy to: Office of the General Counsel

If to the TOWN:
Town of Palm Beach
951 Okeechobee Road
West Palm Beach, FL 33401
Attn: Ms. Patricia Strayer
Federal Employer ID No.: F-596-000-402

IN WITNESS WHEREOF, this Agreement is to be executed by the parties below for the purposes specified herein. Authorization has been given to enter into and execute this Agreement by Resolution No. _____, hereto attached.

TOWN OF PALM BEACH

BY: _____
NAME: _____
TITLE: _____

ATTEST:

_____
TOWN CLERK (SEAL)

APPROVED:

BY: _____
TOWN ATTORNEY

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
JOHN P. KRANE, P.E.
DIRECTOR OF TRANSPORTATION DEVELOPMENT

LEGAL REVIEW:

BY: _____
OFFICE OF THE GENERAL COUNSEL

APPROVED:

BY: _____
DISTRICT PROGRAM MANAGEMENT ADMINISTRATOR

EXHIBIT A
SCOPE OF SERVICES
FM. 447663-1-52-04

A pedestrian hybrid beacon along SR-A1A will be constructed to serve the pedestrian mid-block crossing at the Raymond Floyd Golf Course. This mid-block crossing is located at Station 186+40.00 (MP 21.766).

The galvanized mast arm assembly is to be painted in color green, which is funded by the TOWN.

Exhibit B
THREE PARTY ESCROW AGREEMENT

THIS AGREEMENT is made and entered into by and between the State of Florida, Department of Transportation ("FDOT"), Town of Palm Beach (“Participant”), and the State of Florida, Department of Financial Services, Division of Treasury (“Escrow Agent”), and shall become effective upon the Agreement’s execution by Escrow Agent.

WHEREAS, FDOT and Participant are engaged in the following project (“Project”):

Project Name: Painting of mast arm assembly
Project #: 447663-1-52-04
County: Palm Beach

WHEREAS, FDOT and Participant desire to establish an escrow account for the project.

NOW THEREFORE, in consideration of the premises and the covenants contained herein, the parties agree to the following:

1. An initial deposit will be made into an interest bearing escrow account established hereunder for the purposes of the Project. The escrow account will be opened with the Escrow Agent on behalf of FDOT upon Escrow Agent’s receipt and execution of this Agreement.

2. Other deposits to the escrow account may be made during the life of this Agreement.

3. Deposits will be delivered in accordance with instructions provided by the Escrow Agent to the FDOT for deposit into the escrow account. A wire transfer or ACH deposit is the preferred method of payment and should be used whenever possible.

4. FDOT's Comptroller or designee shall be the sole signatory on the escrow account with the Escrow Agent and shall have sole authority to authorize withdrawals from the account. Withdrawals will only be made to FDOT or the Participant in accordance with the instructions provided to the Escrow Agent by FDOT’s Comptroller or designee.

5. Moneys in the escrow account will be invested in accordance with section 17.61, Florida Statutes. The Escrow Agent will invest the moneys expeditiously. Income is only earned on the moneys while invested. There is no guaranteed rate of return. Investments in the escrow account will be assessed a fee in accordance with Section 17.61(4)(b), Florida Statutes. All income of the investments shall accrue to the escrow account.

6. Unless instructed otherwise by FDOT, all interest accumulated in the escrow account shall remain in the account for the purposes of the Project.

THIS IS AN EXHIBIT ONLY... NOT FOR EXECUTION!

7. The Escrow Agent agrees to provide written confirmation of receipt of funds to FDOT. FDOT agrees to provide a copy of such written confirmation to Participant upon request.

8. The Escrow Agent further agrees to provide quarterly reports to FDOT concerning the escrow account. FDOT agrees to provide a copy of such quarterly reports to Participant upon request.

9. The Escrow Agent shall not be liable for any error of judgment or for any act done or omitted by it in good faith, or for anything which it may in good faith do or refrain from doing in connection herewith.

10. Escrow Agent shall have no liability for any claim, cost, expense, damage or loss due to the acts or omissions of FDOT and Participant, nor from any separate agreements between FDOT and Participant and shall have no responsibility to monitor or enforce any responsibilities herein or in any separate agreements associated with this Agreement between FDOT and Participant.

11. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida.

12. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

13. This Agreement shall terminate upon disbursement by the Escrow Agent of all money held by it in the escrow account in accordance with the instructions given by FDOT's Comptroller or designee and notification from FDOT to Escrow Agent that the account is to be closed.

The remainder of this page is blank.

THIS IS AN EXHIBIT ONLY ... NOT FOR EXECUTION!

IN WITNESS WHEREOF, the parties have duly executed the Agreement on the date(s) below.

For FDOT (signature)

Name and Title

59-3024028
Federal Employer I.D. Number

Date

For PARTICIPANT (signature)

Name

Title

F-596-000-402-004
Federal Employer I.D. Number

Date

FDOT Legal Review:

For Escrow Agent (signature)

Name and Title

Date

THIS IS AN EXHIBIT ONLY ... NOT FOR EXECUTION!

EXHIBIT C

TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT WITH THE TOWN OF PALM BEACH

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TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

CONTRACT NO. ASW96
FINANCIAL PROJECT NO. 427802-3-88-02 and Various
F.E.I.D. NO. F596000402001

THIS TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT ("Agreement"), is entered into this 1st day of July, 2023, between the Florida Department of Transportation, an agency of the State of Florida, herein called the "Department". and Town of Palm Beach, Florida, herein called the ("Maintaining Agency").

WITNESSETH:

A. The Department is authorized under Section 335.055, Florida Statutes, to enter into this Agreement.

B. The Maintaining Agency is authorized under Town Council Resolution No. 008-2022 (Meeting Date: 02-08-2022) to enter into this Agreement and has authorized its undersigned representative to enter into and execute this Agreement on behalf of the Maintaining Agency.

NOW, THEREFORE, in consideration of the mutual covenants contained in the Agreement, the sufficiency of which is acknowledged, the parties mutually agree and covenant as follows:

1. The Maintaining Agency shall be responsible for the "Project," defined as the maintenance and continuous operation of the following, located on the State Highway System:
   a. Traffic signals ("TS")
   b. Interconnected and monitored traffic signals ("IMTS") - defined as signals that are interconnected with telecommunications and are monitored at a central location
   c. Traffic signal systems - defined as central computer; traffic monitoring cameras ("TrMC"; must fulfill District purpose and need and be accessible from Department's Video Aggregation System); arterial dynamic message signs ("ADMS"); communications devices; interconnect / network; vehicle, bicycle & pedestrian detection devices [including passive pedestrian detection ("PPD") and accessible pedestrian detection]; traffic signal hardware and software; preemption devices; probe data detection system ("PDDS"); and uninterruptible power supplies ("UPS")
   d. Control devices - defined as intersection control beacons ("ICB"), traffic warning beacons ("TWB"; including LED highlighted signs), illuminated street name signs ("ISNS"), and pedestrian flashing beacons ("PFB"; i.e., school zone flashing beacons, pedestrian crossing beacons, and Rectangular Rapid Flashing Beacons)
   e. Emergency/fire department signals ("FDS")
   f. Speed activated warning displays ("SAWD"); including curve warning feedback signs).
   g. Blank out signs ("BOS", including Lane Control Signs)
   h. Pedestrian hybrid beacons ("PHB")
   i. Connected Automated Vehicle Devices ("CAVD": i.e.. roadside units and roadside equipment), and
   j. In-roadway warning lights ("IRWL") system (specific to mid-block crossing and unsignalized intersection applications. as defined in the FDOT Traffic Engineering Manual)

   All traffic signals and control devices mentioned in the above paragraph 1.a-j are referred to in this Agreement as "Traffic Signals and Devices". The Maintaining Agency shall be responsible for the payment of electricity and electrical charges incurred in connection with operations of such Traffic Signals and Devices upon final acceptance by the Department of the installation of each signal or device

2. The Department agrees to pay the Maintaining Agency an annual compensation amount based on the Department's fiscal year. The compensation amount consists of the cost of the maintenance and continuous operation of the Traffic Signals and Devices as identified in Exhibit A, which is attached and incorporated into this Agreement. Compensation will also be made for costs incurred for the repair and/or replacement of damaged Traffic Signals and Devices as identified in Exhibit C, attached and incorporated into this Agreement. Payments by the Department will be made in accordance with Exhibit B. In the case of construction contracts, the Maintaining Agency shall be responsible for the payment of electricity and electrical charges incurred in connection with the operation of the Traffic Signals and Devices and shall undertake the maintenance and continuous operation of these Traffic Signals and Devices upon final acceptance of the installation by the Department. Prior to any final acceptance of the installation by the Department, the Maintaining Agency will have the opportunity to inspect and request modifications or corrections to the installation(s) and the Department agrees to undertake those modifications or corrections prior to final acceptance so long as the modifications or corrections comply with the Agreement, signal plans, and specifications previously approved by both the Department and Maintaining Agency. Repair or replacement and other responsibilities of the installation contractor and the Department, during construction, are contained in the Department's Standard Specifications for Road and Bridge Construction.

3. If Traffic Signals and Devices are damaged and the Maintaining Agency or its contractors did not cause the damages, then the Department shall reimburse the Maintaining Agency for the actual costs incurred by the Maintaining Agency for repairs and/or replacement of Traffic Signals and Devices, once the following occurs:

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a. The Department has approved a properly completed invoice for reimbursement that was provided to the Department outlining the details of the requested reimbursements; and
b. Evidence of the costs incurred were included as an attachment to the invoice.

Exhibit C sets forth additional conditions that apply when the Maintaining Agency seeks to obtain reimbursement for costs incurred for repair and/or replacement and associated contract documentation of damaged Traffic Signals and Devices. Exhibit C also serves as a form invoice that can be used by the Maintaining Agency. The Maintaining Agency shall obtain written approval from the Department regarding the appropriate method of repair and/or replacement of damaged Traffic Signals and Devices prior to performing the emergency and/or permanent repair and/or replacement work. If there is an immediate risk to public safety due to damaged Traffic Signals and Devices and the Maintaining Agency is unable to immediately obtain the Department's written approval regarding the method of repair and/or replacement, then the Maintaining Agency shall immediately repair and/or replace the Traffic Signals and Devices. The Maintaining Agency shall notify the Department within thirty (30) calendar days of becoming aware of any damage to Traffic Signals and Devices caused by third parties or Force Majeure event. The Department shall be responsible for pursuing reimbursement from individuals and/or the third parties who cause damages and are liable for replacement and/or repair costs to Traffic Signals and Devices. If the Maintaining Agency or its contractors causes damages to the Traffic Signals and Devices, then the Maintaining Agency shall repair and/or replace the Traffic Signals and Devices, and the Maintaining Agency shall be fully responsible for the cost of repair and/or replacement to the extent the damages were caused by the Maintaining Agency. Governor declared emergencies (i.e., hurricanes) are handled outside the framework of this Agreement through a combination of Federal and State Emergency Management mechanisms. An emergency contract may be used after a Governor's declaration of emergency has been signed to cover for reimbursement for storm recovery efforts.

4. The Maintaining Agency shall maintain and operate the Traffic Signals and Devices in a manner that will ensure safe and efficient movement of highway traffic and that is consistent with maintenance practices prescribed by the International Municipal Signal Association (IMSA) and operational requirements of the Manual on Uniform Traffic Control Devices (MUTCD), as amended.

5. The Maintaining Agency's maintenance responsibilities include, but are not limited to, locates, preventive maintenance (periodic inspection, service, and routine repairs), restoration of services, and emergency maintenance (troubleshooting in the event of equipment malfunction, failure, or damage). Restoration of services may include temporary poles and/or signals, stop signs or other methods to maintain traffic. The Maintaining Agency shall record its maintenance activities in a traffic signal maintenance log, as they occur, and include this as part of the annual report, highlighting the time it took to restore the normal service and number of times such events occurred.

6. Neither the Maintaining Agency nor the Department shall be liable to the other for any failure to perform under this Agreement to the extent such performance is prevented by a Force Majeure Event and provided that the party claiming the excuse from performance has (a) promptly notified the other party of the occurrence and its estimated duration, (b) promptly remedied or mitigated the effect of the occurrence to the extent possible, and (c) resumed performance as soon as possible. These events shall be documented with detailed damage inspection report forms completed and submitted to the Department within twelve (12) weeks of the end of the Force Majeure event.

   A "Force Majeure Event" means the occurrence of:
   (a) an act of war, hostilities, invasion, act of foreign enemies, riot, terrorism or civil disorder;
   (b) act of God (such as, but not limited to, fires, explosions, earthquakes, drought, hurricanes, storms, lightning, tornados, tidal waves, floods, extreme weather or environmental conditions, and other natural calamities);
   (c) or another event beyond the control of the non-performing party and which could not have been avoided or overcome by the exercise of due diligence.

7. The Department intends to conduct a structural inspection of the mast arm structures every sixty (60) months. The inspection report will serve as ninety (90) days notification to the Maintaining Agency that deficiencies exist that require preventive maintenance. Preventive maintenance of the mast arm structures includes, but is not limited to, spot painting, cleaning, all wiring repair and replacement, graffiti removal, all signal related issues (including lighting, signs and connections), tightening of nuts, replacing missing or deficient bolts, replacement of missing cap covers or equivalent, replacement of missing or deficient access hole cover plates, repairing improper grounding, and repainting any painted mast arms installed after April 30, 2015. If the preventive maintenance is not carried out after the expiration of the 90-day notice given to the Maintaining Agency, the Department shall withhold 8.33% up to a maximum of 25% of the total annual compensation amount under this Agreement for the affected signal locations each month.

8. Any and all work performed by the Maintaining Agency must conform to the current Department Standard Specifications for Road and Bridge Construction as applicable. Mast arms that the Department determines to be at the end of their useful life cycle will be replaced by the Department so long as documented preventive maintenance was satisfactorily performed by the Maintaining Agency. In the case of a total paint failure, as determined by the Department, on a mast arm installed prior to April 30, 2015, the Department may repaint or replace with a galvanized mast arm. The aforementioned requirement does not apply to any mast arm that was installed under a separate mast arm paint finish agreement; in such case, the terms of that agreement shall govern.

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9. The Maintaining Agency may remove any component of the installed equipment for repair or testing; however, it shall only make permanent modifications or equipment replacements and only if the equipment provided is capable of performing at minimum the same functions as the equipment being replaced. The Department shall not make any modifications or equipment replacements without prior written notice to and consultation with the Maintaining Agency.

10. The Maintaining Agency shall implement and maintain the timing and phasing of the traffic signals in accordance with the Department's timing and phasing plans, specifications, special provisions, Department re-timing projects, and the Department's Traffic Engineering Manual. The Maintaining Agency shall obtain prior written approval from the Department for any modification in phasing of signals and flash times (where applicable). Signal Systems timings (cycle length, split, offsets) are considered operational changes and may be changed by the Maintaining Agency to accommodate changing needs of traffic. The Maintaining Agency may make changes in the signal timing provided these changes are made under the direction of a qualified Professional Engineer registered in the State of Florida. The Maintaining Agency shall make available a copy of the timings to the Department upon request. The Department reserves the right to examine equipment, timing and phasing at any time and, after consultation with the Maintaining Agency, may specify modifications. If the Department specifies modification in timing or phasing, implementation of such modifications will be coordinated with, or made by, the Maintaining Agency. All signal timing and phasing records shall be retained by the Maintaining Agency for at least three (3) years, and will be made available to the Department upon request.

11. The Maintaining Agency shall note in the maintenance log any changes in timings and phasings, and keep a copy of the timings and phasings, and any approval documentation in a file. A copy of the log shall be provided to the Department upon request. Maintaining Agencies may provide this information electronically.

12. The Maintaining Agency and the Department shall update Exhibit A on an annual basis through an amendment of this Agreement. The Maintaining Agency designates Mike Roach as its authorized representative(s), who is delegated the authority to execute all amendments to Exhibit A of this Agreement on behalf of the Maintaining Agency. Exhibit A will contain all Traffic Signals and Devices on the State Highway System which are within the jurisdiction of the Maintaining Agency and are operated and maintained by the Maintaining Agency. No changes or modifications may be made to Exhibit A during the Department's fiscal year for compensation. New Traffic Signals and Devices added by the Department during its fiscal year must be maintained and operated by the Maintaining Agency upon the Department's final acceptance. The Maintaining Agency and the Department shall amend Exhibit A preceding the Department's new fiscal year, which will include all new Traffic Signals and Devices added to the State Highway System during the Department's current fiscal year and delete those removed during the same period. The Maintaining Agency will begin receiving compensation for new Traffic Signals and Devices that were added to Exhibit A by amendment of this Agreement in the Department's fiscal year occurring after the Traffic Signals and Devices are installed and final acceptance of such installation is given by the Department. In the event that no change has been made to the current year's Exhibit A, a certification from the Maintaining Agency shall be provided to the Department certifying that no change has been made to Exhibit A in the Department's current fiscal year. The annual compensation will be a lump sum payment ***(minus any retainage or forfeiture)*** as set forth in Exhibit B. Future payments will be based on the information provided in Exhibit A, in accordance with the provisions as set forth in Exhibit B, attached to and incorporated in this Agreement.

13. Payment will be made in accordance with Section 215.422, Florida Statutes.

14. There shall be no reimbursement for travel expenses under this Agreement.

15. Bills for fees or other compensation for services or expenses shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof.

16. The Maintaining Agency should be aware of the following time frames. Inspection and approval of goods or services shall take no longer than twenty (20) working days. The Department has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved.

17. If a payment is not available within forty (40) days, a separate interest penalty at a rate as established pursuant to Section 55.03(1), Florida Statutes, will be due and payable, in addition to the invoice amount, to the Maintaining Agency. Interest penalties of less than one (1) dollar will not be enforced unless the Maintaining Agency requests payment. Invoices returned to a Maintaining Agency because of Maintaining Agency preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.

18. A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for contractors or vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516.

19. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for five (5) years after final payment is made. Copies of these documents and records shall be furnished to the Department upon request. Records of costs incurred include the Maintaining

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Agency's general accounting records and the Project records, together with supporting documents and records, of the contractor and all subcontractors performing work on the Project, and all other records of the Contractor and subcontractors considered necessary by the Department for a proper audit of costs.

20. If, after Project completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset such amount from payments due for work or services done under any agreement which it has with the Maintaining Agency owing such amount if, upon demand, payment of the amount is not made within 60 days to the Department. Offsetting any amount pursuant to this paragraph shall not be considered a breach of contract by the Department.

21. The Maintaining Agency must submit the final invoice on the Project to the Department within 120 days after termination of the Agreement. Invoices submitted after the 120-day time period may not be paid.

22. In the event this contract is for services in excess of $25,000.00 and a term for a period of more than one (1) year, the provisions of Section 339.135(6)(a), F.S., are hereby incorporated:

> "The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the Comptroller of the Department that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of $25,000.00 and which have a term for a period of more than 1 year."

23. The Department's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. If the Department's funding for this Project is in multiple fiscal years, funds approval from the Department's Comptroller must be received each fiscal year prior to costs being incurred. See Exhibit B for funding levels by fiscal year. Project costs utilizing these fiscal year funds are not eligible for reimbursement if incurred prior to funds approval being received. The Department will notify the Maintaining Agency, in writing, when funds are available.

24. In accordance with Section 287.134, Florida Statutes, an entity or affiliate who has been placed on the Discriminatory Vendor List may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

25. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

26. An entity or affiliate who has had its Certificate of Qualification suspended, revoked, denied or have further been determined by the Department to be a non-responsible contractor may not submit a bid or perform work for the construction or repair of a public building or public work on a contract with the Maintaining Agency.

27. The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation will be cause for unilateral cancellation of this Agreement.

28. No funds received pursuant to this Agreement may be expended for lobbying the Legislature, the judicial branch or a state agency.

29. The Maintaining Agency shall comply and require its contractors and subcontractors to comply with all terms and conditions of this Agreement and all federal, state, and local laws and regulations applicable to this Project.

30. The Maintaining Agency may be subject to inspections of Traffic Signals and Devices by the Department. Such findings will be shared with the Maintaining Agency and will be the basis of all decisions regarding payment reduction, reworking, Agreement termination, or renewal. If at any time the Maintaining Agency has not performed the maintenance responsibility on the locations specified in the Exhibit A, the Department has the option of (a) notifying the Maintaining Agency of the deficiency with a

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requirement that it be corrected within a specified time, otherwise the Department shall deduct payment, suspend funds, or terminate funds for any deficient maintenance of Traffic Signals and Devices that has not been corrected at the end of such time, or (b) take whatever action is deemed appropriate by the Department. Any deduction in payment, suspension of funds, or termination of funds does not relieve any obligation of the Maintaining Agency under the terms and conditions of this Agreement.

31. The Department shall monitor the performance of the Maintaining Agency in the fulfillment of its responsibilities under the Agreement. The Maintaining Agency shall submit an annual Report prior to July 15 of each year detailing the following:

    a. All detection device malfunctions: Detection devices include, without limitation, all vehicle presence detectors and all pedestrian/bicycle detectors. Traffic devices supported by detection devices ("TDSDD") include, without limitation, traffic signals, PHBs, and warning devices. Repairs to all vehicle presence detectors shall be made within ninety (90) days with a goal of thirty (30) days if feasible. Repairs to all pedestrian/bicycle detectors shall be made within seventy-two (72) hours of discovery. If repair to vehicle presence detection device progresses beyond thirty (30) days, by the 31st day, the Maintaining Agency shall have a plan available to reestablish detection prior to day 30. The Maintaining Agency shall ensure that 90% of all TDSDD are operating without detection failures. Discovery and repair dates for each malfunctioning detection device shall be logged in the annual report. If the repairs cannot be performed within the stipulated times, the Maintaining Agency shall document the reason(s) why in the annual report. If more than 10% of the TDSDD are experiencing detection failure(s) by the end of the stipulated times, unless a longer period is approved by the Department due to extraordinary circumstances. each of these TDSDD may only be compensated at 90% of the unit compensation rate stated in Exhibit B for each day (i.e., the annual unit compensation rate is reduced by 1/3650 daily) that more than 10% of the TDSDD are experiencing detection failure(s).

    b. Traffic signal and pedestrian hybrid beacon ("PHB") preventive maintenance inspections: Traffic signals and PHBs shall receive a comprehensive preventive maintenance inspection on at least 50% of all traffic signals and PHBs annually, alternating the remaining 50% the following year. Preventive maintenance inspection shall include verification that all detection is working, the traffic signal or PHB is cycling properly, the ventilation system is functioning, and filters are clean. Basic traffic cabinet maintenance shall also verify power feed voltages, verify that the vehicle and pedestrian indications are functioning properly, test the effective functioning of pedestrian push buttons, and check hinges and door locks. At least one (1) conflict monitor test shall be performed on 50% of traffic signals and PHBs annually, alternating the remaining 50% the following year. Each test is to be documented and included in the annual report to the Department. The inspection report shall note the location, date of inspection, and any actions taken . If 50% of the traffic signals and PHBs do not receive at least one (1) comprehensive preventive maintenance inspection during a twelve (12) month period, there shall be a 20% retainage of the annual compensation amount for the affected traffic signal and PHB locations until the preventive maintenance inspection is made. If the requirements of this paragraph 31.b are not performed within the state's next fiscal year, the 20% retainage of the annual compensation amount for the affected traffic signal and PHB locations will be forfeited.

    c. For any traffic signals that are interconnected with telecommunications and their real-time operation is electronically monitored via software by personnel at a central location and are therefore receiving the higher compensation amount as described in Exhibit B, the name(s) and title(s) of those monitoring those intersections, and the location of the central monitoring facility(ies), are to be documented and contained in the annual report submitted to the Department. The Maintaining Agency shall be responsible for maintaining current licenses and support agreements for all computer applications necessary for IMTS including, but not limited to, central computer systems, TrMC applications, detection software, and data collection programs, unless other arrangements are made between the Department and the Maintaining Agency for specific applications or systems.

32. The Maintaining Agency may enter into agreements with other parties pertaining to Traffic Signals and Devices including, but not limited to, agreements relating to costs and expenses incurred in connection with the operation of Traffic Signals and Devices on the State Highway System, provided that such Agreements are consistent with the mutual covenants contained in this Agreement. The Maintaining Agency shall furnish a copy of such agreements to the Department.

33. This Agreement may not be assigned or transferred by the Maintaining Agency in whole or in part without prior written consent of the Department.

34. The Maintaining Agency shall allow public access to all documents, papers, letters, or other material subject to provisions of Chapter 119, Florida Statutes, and made or received by the Maintaining Agency in conjunction with this Agreement. Failure by the Maintaining Agency to grant such public access will be grounds for immediate unilateral cancellation of this Agreement.

35. At no additional cost to the Department, the Maintaining Agency shall provide the Department with, at minimum, read-only access to all traffic signal data available from the firmware of the traffic signal controllers and other devices covered under this Agreement. The Maintaining Agency shall include the Department as a party to all traffic signal firmware/software related agreements that the Maintaining Agency enters into with other parties.

36. This Agreement is governed by and construed in accordance with the laws of the State of Florida. The invalidity or unenforceability of any portion of this Agreement does not affect the remaining provisions and portions hereof. Any failure to

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enforce or election on the part of the Department to not enforce any provision of this Agreement does not constitute a waiver of any rights of the Department to enforce its remedies hereunder or at law or in equity.

37. In no event shall the making by the Department of any payment to the Maintaining Agency constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist on the part of the Maintaining Agency and the making of such payment by the Department, while any such breach or default shall exist, shall in no way impair or prejudice any right or remedy available to the Department with respect to such breach or default.

38. The term of this Agreement is twenty (20) years from the date of execution of the Agreement; provided that either party may cancel this Agreement prior to the expiration of the term of this Agreement. A minimum notice period of two (2) years plus the remaining months of the Department's fiscal year shall be provided to the other party in writing. Should the Maintaining Agency provide its written notice of cancellation to the Department, the notice shall be endorsed by the elected body (County Commission, City Council, or local agency governing body) under which the Agency operates.

39. Any Project funds made available by the Department which are determined by the Department to have been expended in violation of this Agreement or any other applicable law or regulation shall be promptly refunded in full to the Department. Acceptance by the Department of any documentation or certifications, mandatory or otherwise permitted, that the Maintaining Agency files shall not constitute a waiver of the Department's rights and Department has the right to verify all information at a later date by audit or investigation. Within thirty (30) days of the termination of this Agreement, the Maintaining Agency shall refund to the Department any balance of unobligated funds which were advanced or paid to the Maintaining Agency. In the event the Maintaining Agency fails to perform or honor the requirements and provisions this Agreement, the Maintaining Agency shall return funds in accordance with this paragraph within thirty (30) days of termination of the Agreement.

40. Upon execution, this Agreement cancels and supersedes any and all prior Traffic Signal Maintenance Agreement(s) between the parties, except any specific separate Agreements covering painted mast arm maintenance or any other aspect related to the painting of mast arms.

41. The Department reserves the right to remove select critical corridors or critical intersections from the Maintaining Agency's obligation under this Agreement. The remaining intersections and corridors would continue to be covered under this Agreement. The Department will provide a minimum of one year notice prior to take-over of maintenance of critical corridors or critical intersections.

42. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute the same Agreement. A facsimile or electronic transmission of this Agreement with a signature on behalf of a party will be legal and binding on such party.

43. The Department agrees that the Maintaining Agency must comply with State law regarding appropriations and budgets. This Agreement shall not be interpreted to conflict with State law applicable to the Maintaining Agency.

44. The Maintaining Agency shall:
    a. utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Maintaining Agency during the term of the Agreement; and
    b. expressly require any contractors and subcontractors performing work or providing services pursuant to the Agreement to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Agreement term.

45. Unless authorized by law and agreed to in writing by the Department, the Department will not be liable to pay attorney fees, interest, or cost of collection.

46. The Parties agree to comply with s.20.055(5), Florida Statutes, and to incorporate in all subcontracts the obligation to comply with s.20.055(5), Florida Statutes.

47. Exhibits A, B, and C are attached and incorporated into this Agreement.

48. This Agreement contains all the terms and conditions agreed upon by the parties.

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TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

IN WITNESS WHEREOF, the parties have caused these presents to be executed, the day and year first above written.

Town of Palm Beach, Florida
(Maintaining Agency)

By _____
(Authorized Signature)

Print/Type Name: Kirk Blouin

Title: Town Manager

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

DocuSigned by:
By Paul Lampley
9EDDE694B8FD497...
(Authorized Signature)

Print/Type Name: Paul Lampley

Title: Director of Operations

DocuSigned by:
Legal Review: Francine Steelman 6/22/2023 | 4:48 PM ED
43DE6BB3D3BF464...

Attorney: _____ Date: 6/6/23

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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

EXHIBIT A

Reimbursement for Maintenance and Operation FY 2023-2024

Intersection Location	Traffic Signals (TS)	Traffic Signal - Interconnected & Monitored (IMTS)	Intersection Control Beacon (ICB)	Pedestrian Flashing Beacon (PFB)	Emergency Fire Dept. Signal (FDS)	Speed Activated Warning Display (SAWD)	Illumincated Street Name Signs (ISNS)	Blank Out Sign (BOS)	Traffic Warning Beacon (TWB)	Probe Data Detection System (PDDS)	Uninterruptible Power Supplies (UPS)	Connected Automated Vehicle Devices (CAVD)	Pedestrian Hybrid Beacon (PHB)	Arterial Dynamic Message Sign (ADMS)	Passive Pedestrian Detection (PPD)	Traffic Monitoring Camera (TrMC)	In-Roadway warning Lights (IRWL)	Compensation Amount (using Unit Rates from Exhibit B)
Royal Poinciana Way & N County Road		$ 5,558																$ 5,558
N Breakers Row & N County Road		$ 5,558																$ 5,558
Pine Walk & S County Road		$ 5,558																$ 5,558
Via Bethesda & S County Road				$ 758														$ 758
Barton Avenue & S County Road		$ 5,558																$ 5,558
Royal Palm Way & S County Road		$ 5,558																$ 5,558
Central Fire Station & S County Road					$ 1,323													$ 1,323
Worth Avenue & S County Road		$ 5,558																$ 5,558
Peruvian Avenue & S County Road		$ 5,558																$ 5,558
Hammon Avenue & S County Road		$ 5,558																$ 5,558
Via Vizcaya & County Road									$ 381									$ 381
South Fire Station & South Ocean Boulevard					$ 1,323													$ 1,323
Par 3 Golf Course & South Ocean Boulevard									$ 381									$ 381
Royal Palm Way & Cocoanut Row		$ 5,558																$ 5,558
Royal Poinciana Way & Cocoanut Row		$ 5,558																$ 5,558
North of S County Road & Seaspray Avenue				$ 758														$ 758
North of S County Road & Royal Palm Way				$ 758														$ 758
																	Total Lump Sum Amount*	$ 61,262

*Amount paid shall be the Total Lump Sum (***minus any retainage or forfeiture***).

I certify that the above Traffic Signals and Devices will be maintained and operated in accordance with the requirements of the Traffic Signal Maintenance and Compensation Agreement. For satisfactory completion of all services detailed in this Agreement for this time period, the Department will pay the Maintaining Agency a Total Lump Sum (minus any retainage or forfeiture) of $ 61,262.00.

6/5/23
Maintaining Agency Date

DocuSigned by:
Jonathan Overton 06/21/2023 | 2:49 PM EDT
D1128312655D45A...
District Traffic Operations Engineer Date

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03/12/24 TCMS backup

EXHIBIT B
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

1.0 PURPOSE

This exhibit defines the method and limits of compensation to be made to the Maintaining Agency for the services described in this Agreement and in Exhibit A and method by which payments will be made.

2.0 COMPENSATION FOR MAINTENANCE AND OPERATION

For the satisfactory completion of all services related to maintenance and operation detailed in this Agreement and Exhibit A of this Agreement, the Department will pay the Maintaining Agency the Total Lump Sum (***minus any retainage or forfeiture***) in Exhibit A. The Maintaining Agency will receive one lump sum payment (***minus any retainage or forfeiture***) at the end of each fiscal year for satisfactory completion of service.

Total Lump Sum (***minus any retainage or forfeiture***) Amount for each fiscal year is calculated by adding all the individual Traffic Signal and Device unit amounts.
Pedestrian Flashing Beacon: includes school zone beacons, pedestrian crossing beacons, and rectangular rapid flashing beacons (RRFB). Systems shall be paid at a unit rate per controller regardless of the number of individual devices or poles.

Connected and Automated Vehicles Devices (CAVD): include roadside units and roadside equipment.

	Unit Compensation Rates per Unit on the State Highway System																
FY	Traffic Signals (TS) *Intersec-tion*	Traffic Signal - Interconnected & monitored (IMTS) *Intersection*	Intersection Control Beacon (ICB) *Intersection*	Pedestrian Flashing Beacon (PFB) *System*	Emergency Fire Dept. Signal (FDS) *System*	Speed Activated Warning Display (SAWD) *System*	Illuminated Street Name Signs (ISNS) *Intersection*	Blank Out Sign (BOS) *Device*	Traffic Warning Beacon (TWB) *System*	Probe Data Detection System (PDDS) *Device*	Uninterruptible Power Supply (UPS) *Device*	Connected Automated Vehicle Devices (CAVD) *Device*	Pedestrian Hybrid Beacon (PHB) *System*	Arterial Dynamic Message Sign (ADMS) *Device*	Passive Pedestrian Detection (PPD) *System*	Traffic Monitoring Camera (TrMC) *Device*	In-Roadway Warning Lights (IRWL) *System*
2021 -22	$ 3,573	$ 5,134	$ 896	$ 717	$ 1,252	$ 360		$ 360	$ 360	$ 115	$ 115	$ 514					
22-23	$3,670	$5,273	$921	$737	$1,286	$370		$370	$370	$119	$119	$527					
23-24	$ 3,910	$ 5,558	$ 947	$ 758	$ 1,323	$ 381	$ 391	$ 419	$ 381	$ 123	$ 123	$ 542	$ 2,645	$ 2,027	$ 1,644	$ 688	$ 658
2024 -25	Based on the Consumer Price Index (CPI), the compensation amounts will be revised.																
2025 -26	Based on the CPI, the compensation amounts will be revised.																

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03/12/24 TCM Backup

Based on the Consumer Price Index (CPI), the Unit Rate for the following fiscal year will be adjusted accordingly, unless otherwise specified in an amendment to this Agreement. However, if CPI is negative, there shall be no reduction from the previous year's compensation.

3.0 COMPENSATION FOR REPAIR AND/OR REPLACEMENT OF DAMAGED TRAFFIC SIGNALS AND DEVICES

For the satisfactory completion of all services related to repair and/or replacement of damaged Traffic Signals and Devices detailed in this Agreement, the Department will pay the Maintaining Agency a Lump Sum amount of the actual costs incurred for the replacement and/or repair of the damaged Traffic Signals and Devices as set forth in the invoice submitted to the Department. The invoice for the costs incurred for the replacement and/or repair of damaged Traffic Signals and Devices shall contain the information required in Exhibit C and any other additional information requested by the Department to justify the costs incurred. The reimbursement amount is subject to approval by the Department.

4.0 PAYMENT PROCESSING

For regular maintenance costs, the Maintaining Agency shall invoice the Department in a format acceptable to the District Traffic Operations Engineer, on an annual basis for the reimbursement costs incurred by the Maintaining Agency for the previous year prior to 5:00 p.m. on July 15th of each year. For example, the Maintaining Agency shall submit its invoice for the fiscal year beginning July 1, 2022 through June 30, 2023 no later than July 15, 2023.

For costs incurred for repair and/or replacement of damaged Traffic Signals and Devices, applicable reimbursements will be processed after the Department receives a properly completed and supported invoice from the Maintaining Agency. The Maintaining Agency shall submit invoices for repair and/or replacement costs due to damaged Traffic Signals and Devices within 60 days of the work completed date for which the Maintaining Agency is invoicing.

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EXHIBIT C
Reimbursement for Replacement and/or Repair of Damaged Traffic Signals and Devices

Subject to the terms and conditions of the Agreement, the Department will reimburse the Maintaining Agency a Lump Sum amount for costs incurred for the replacement and/or repair and associated contract documentation of Traffic Signals and Devices damaged as a result of third parties or as a result of other causes that were not caused by the Maintaining Agency or its contractors. Agreement paragraph 3 provides administrative procedures on how third party and Force Majeure events are handled for reimbursement. Force Majeure events shall be documented with detailed damage inspection report forms within twelve (12) weeks following the end of the Force Majeure event. Costs related to Governor declared emergencies are not reimbursable under this agreement.

The Department follows the Traffic Signal Maintenance and Compensation Agreement Manual (Topic No. 750-010-022) for submitting damage claims. In submitting this Exhibit C to the Department, the Maintaining Agency is required to adhere to Chapter 2 of the Traffic Signal Maintenance and Compensation Agreement Manual, dated March 31, 2023, available at: Traffic Signal Maintenance and Compensation Agreement Manual.

The Maintaining Agency is not required to provide a police report in situations where damage is caused to Traffic Signals and Devices by a Force Majeure Event or as a result of other causes beyond the control of the Maintaining Agency that do not necessarily prevent performance, which includes but is not limited to: storms, winds, lightning, flooding and other natural and weather related causes. The Maintaining Agency must provide a police report in all situations where a traffic accident, theft, or vandalism causes damage to Traffic Signals and Devices to the extent the Maintaining Agency has the ability and opportunity to obtain a police report.

Applicable reimbursements will be processed after the Department receives a properly completed and supported invoice from the Maintaining Agency. The following information shall be provided by the Maintaining Agency to be eligible for the reimbursement payment:

Date and Time of Accident/Incident:	
Location of Accident/Incident:	
Provide Police Report (if applicable) and the Following Information: 1. Attach pictures of damaged traffic signals and devices, as well as completed work. 2. Attach invoices or receipt of equipment purchased to replace damaged components. 3. Attach detailed documentation of labor costs associated with replacing and/or repairing damaged components, including dates of performance and completion of the work.	
Contract No.: ASW96 Project No.: 427802-3-88-02	
Total Lump Sum Reimbursement Amount	**$**

The Maintaining Agency hereby certifies that it has replaced and repaired all the Traffic Signals and Devices at the location or signalized intersection referenced above. Henceforth, this document is the Maintaining Agency's request for reimbursement to the Department for the services of restoring the Traffic Signals and Devices to their original operating condition.

The Parties agree to the Total Lump Sum Reimbursement Amount set forth above.

Maintaining Agency Date

District Traffic Operations Engineer Date

DocuSign Envelope ID: 732F839F-584F-4A0A-894F-8376CCE146D6

RESOLUTION NO. 008-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE A TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION

WHEREAS, Florida Department of Transportation, has requested the execution of a Traffic Signal Maintenance and Compensation Agreement with the Town of Palm Beach (TOWN); and

WHEREAS, the parties mutually recognize the need to execute the Agreement setting forth the responsibilities of each party.

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 the Traffic Signal Maintenance and Compensation Agreement between Florida Department of Transportation, and the Town of Palm Beach.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 8th day of February 2022.

Danielle H. Moore, Mayor

SEAL OF THE TOWN OF PALM BEACH FLORIDA INCORPORATED APRIL 17, 1911

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

DocuSign Envelope ID: 732F839F-584F-4A0A-894F-8376CCE146D6

To: Stephen.Anderson@dot.state.fl.us

FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

ASW96

6/22/2023

CONTRACT INFORMATION

Contract:	ASW96
Contract Type:	AK - PROJ PARTICIPATION (PROJ PART)
Method of Procurement:	G - GOVERMENTAL AGENCY (287.057,F.S.)
Vendor Name:	TOWN OF PALM BEACH
Vendor ID:	F596000402001
Beginning Date of This Agreement:	06/21/2023
Ending Date of This Agreement:	06/30/2033
Contract Total/Budgetary Ceiling:	
Description:	TSMCA Agreement

FUNDS APPROVAL INFORMATION

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER ON 6/22/2023

Action:	Task Work Order
Reviewed or Approved:	*REVIEWED
Organization Code:	55044040462
Expansion Option:	A9
Object Code:	131512
Amount:	$61,262.00
Financial Project:	42780238802
Work Activity (FCT):	342
CFDA:	
Fiscal Year:	2024
Budget Entity:	55150200
Category/Category Year:	088866/24
Amendment ID:	W001
Sequence:	00
User Assigned ID:	LOA1
Enc Line (6s)/Status:	/04

Total Amount: $61,262.00

***Reviewed Funds Approval and encumbrance processing is contingent upon Annual Legislative appropriation.**

THREE PARTY ESCROW AGREEMENT

THIS AGREEMENT is made and entered into by and between the State of Florida, Department of Transportation ("FDOT"), Town of Palm Beach (“Participant”), and the State of Florida, Department of Financial Services, Division of Treasury (“Escrow Agent”), and shall become effective upon the Agreement’s execution by Escrow Agent.

WHEREAS, FDOT and Participant are engaged in the following project (“Project”):

Project Name: Painting of mast arm assembly
Project #: 447663-1-52-04
County: Palm Beach

WHEREAS, FDOT and Participant desire to establish an escrow account for the project.

NOW THEREFORE, in consideration of the premises and the covenants contained herein, the parties agree to the following:

1. An initial deposit will be made into an interest bearing escrow account established hereunder for the purposes of the Project. The escrow account will be opened with the Escrow Agent on behalf of FDOT upon Escrow Agent’s receipt and execution of this Agreement.

2. Other deposits to the escrow account may be made during the life of this Agreement.

3. Deposits will be delivered in accordance with instructions provided by the Escrow Agent to the FDOT for deposit into the escrow account. A wire transfer or ACH deposit is the preferred method of payment and should be used whenever possible.

4. FDOT's Comptroller or designee shall be the sole signatory on the escrow account with the Escrow Agent and shall have sole authority to authorize withdrawals from the account. Withdrawals will only be made to FDOT or the Participant in accordance with the instructions provided to the Escrow Agent by FDOT’s Comptroller or designee.

5. Moneys in the escrow account will be invested in accordance with section 17.61, Florida Statutes. The Escrow Agent will invest the moneys expeditiously. Income is only earned on the moneys while invested. There is no guaranteed rate of return. Investments in the escrow account will be assessed a fee in accordance with Section 17.61(4)(b), Florida Statutes. All income of the investments shall accrue to the escrow account.

6. Unless instructed otherwise by FDOT, all interest accumulated in the escrow account shall remain in the account for the purposes of the Project.

7. The Escrow Agent agrees to provide written confirmation of receipt of funds to FDOT. FDOT agrees to provide a copy of such written confirmation to Participant upon request.

8. The Escrow Agent further agrees to provide quarterly reports to FDOT concerning the escrow account. FDOT agrees to provide a copy of such quarterly reports to Participant upon request.

9. The Escrow Agent shall not be liable for any error of judgment or for any act done or omitted by it in good faith, or for anything which it may in good faith do or refrain from doing in connection herewith.

10. Escrow Agent shall have no liability for any claim, cost, expense, damage or loss due to the acts or omissions of FDOT and Participant, nor from any separate agreements between FDOT and Participant and shall have no responsibility to monitor or enforce any responsibilities herein or in any separate agreements associated with this Agreement between FDOT and Participant.

11. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida.

12. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

13. This Agreement shall terminate upon disbursement by the Escrow Agent of all money held by it in the escrow account in accordance with the instructions given by FDOT's Comptroller or designee and notification from FDOT to Escrow Agent that the account is to be closed.

The remainder of this page is blank.

IN WITNESS WHEREOF, the parties have duly executed the Agreement on the date(s) below.

For FDOT (signature)

Name and Title

59-3024028
Federal Employer I.D. Number

Date

For PARTICIPANT (signature)

Name

Title

F-596-000-402-004
Federal Employer I.D. Number

Date

FDOT Legal Review:

For Escrow Agent (signature)

Name and Title

Date

SECTION No.: 93060000
S.R. No.: SR-A1A
FM No.: 447663-1-52-01
COUNTY: PALM BEACH

AMENDMENT NUMBER ONE (1)
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT FOUR (4)
MAINTENANCE MEMORANDUM OF AGREEMENT (MMOA)

THIS AMENDMENT Number One (1) to the Original Maintenance Memorandum of Agreement (MMOA), FM# 446175-1-52-01 dated 08/14/2023, made and entered into this _____ by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION** hereinafter called the **DEPARTMENT** and the **Town of Palm Beach,** a municipal corporation existing under the Laws of Florida, hereinafter called the **AGENCY.**

WITNESSETH

WHEREAS, the parties entered into the Maintenance Memorandum of Agreement dated, 08/14/2023, for the purpose of requiring the **AGENCY** to maintain all existing and new decorative or non-standard lights; and

WHEREAS, the **AGENCY** intends to install additional new decorative or non-standard lights along a portion of SR A1A/ South Ocean Blvd under FM # 447663-1-52-01 within the **DEPARTMENT'S** right-of-way; and

WHEREAS, it is the intent of the **AGENCY** and the **DEPARTMENT** that the **AGENCY** shall maintain: all decorative and non-standard lights, hereinafter referred as "**IMPROVEMENTS**" within the project limits along SR A1A/ South Ocean Blvd from Mile Post (M.P.) 20.307 to M.P. 20.348 and from M.P. 20.594 to M.P. 22.381 and,

WHEREAS the installation of the **IMPROVEMENTS** pursuant to this Amendment extends the **AGENCY's** maintenance limits, as described in **Exhibit A,** of the Original Agreement dated 08/14/2023; and

WHEREAS, the **AGENCY** by Resolution No._____dated_____, attached hereto and by this reference made a part hereof, desires to enter into this MMOA Amendment and authorized its officers to do so.

NOW THEREFORE, for and in consideration of mutual benefits that flow each to the other, the parties covenant and agree as follows:

1. **Exhibit "A"** of the Maintenance Memorandum of Agreement dated 08/14/2023 , shall be amended to include the additional areas: SR A1A/ South Ocean Blvd from 20.307 to M.P. 20.348 and from M.P. 20.594 to M.P. 22.381, as set forth in Exhibit A attached and incorporated into this Amendment.

2. The **DEPARTMENT** shall construct the **IMPROVEMENTS** along A1A/ South Ocean Blvd from M.P. 20.307 to M.P. 20.348 and from M.P. 20.594 to M.P. 22.381 as set forth in **Exhibit A** in accordance with the plans attached as **Exhibit B**.

3. The **AGENCY** shall agree to maintain the additional **IMPROVEMENTS** in the

AGREEMENT described above.

4. Except as modified by this Amendment, all terms and conditions of this original **AGREEMENT** and all Amendments thereto shall remain in full force and effect.

5. **LIST OF EXHIBITS**

   Exhibit A – Project location, description and aerial image
   Exhibit B – Project plans

SECTION No.: 93060000
S.R. No.: SR-A1A
FM No.: 447663-1-52-01
COUNTY: PALM BEACH

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first above written.

TOWN OF PALM BEACH

By: _____ Date: _____
Chairperson/Mayor/Manager

Attest: _____ (SEAL)
City Clerk

Legal Approval

_____ _____
Attorney Date

SECTION No.: 93060000
S.R. No.: SR-A1A
FM No.: 447663-1-52-01
COUNTY: PALM BEACH

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first above written.

DEPARTMENT:

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

Sign: _____
Director of Operations

Print Name: Paul A. Lampley

Date:_____

Approval as to Form:

Sign: _____
District General Counsel

Print Name: _____

Date: _____

SECTION No.: 93060000
S.R. No.: SR-A1A
FM No.: 447663-1-52-01
COUNTY: PALM BEACH

EXHIBIT A

PROJECT LOCATION, DESCRIPTION AND AERIAL IMAGE

I. Location of additional IMPROVEMENTS:

The additional **IMPROVEMENTS** associated with this Agreement are within the **DEPARTMENT's** right-of-way, within limits of the Town of Palm Beach, Florida, along State Road A1A / South Ocean Blvd from Mile Post (M.P.) M.P. 20.307 to M.P. 20.348 and from M.P. 20.594 to M.P. 22.381.

II. Description of Work:

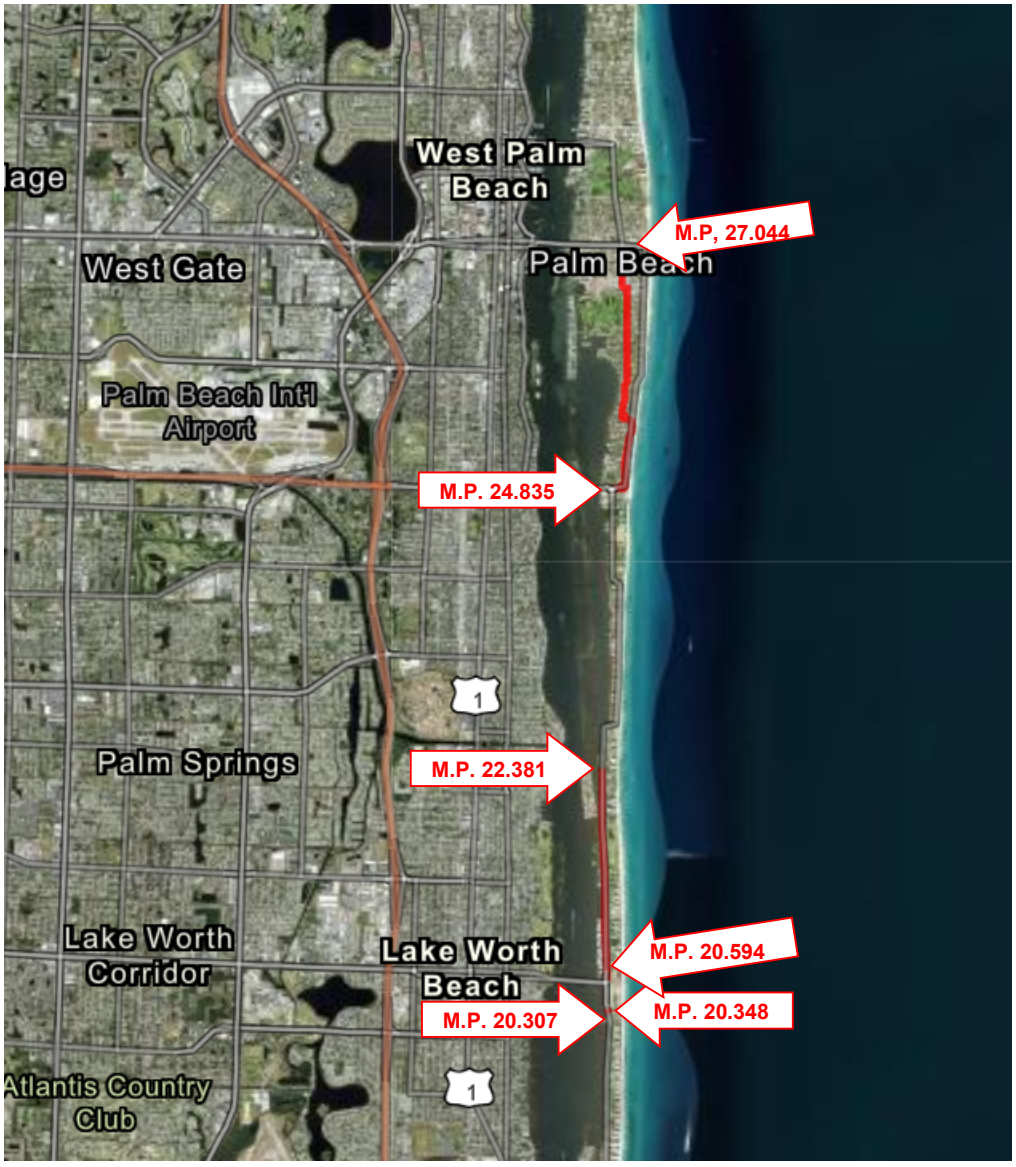
The proposed project consists of new installation of decorative and non-standard lights.



SECTION No.: 93060000
S.R. No.: SR-A1A
FM No.: 447663-1-52-01
COUNTY: PALM BEACH

III. Entire limits of IMPROVEMENTS

The entire limits of the **IMPROVEMENTS** that shall be maintain by the **AGENCY** are within the **DEPARTMENT's** right-of-way, within limits of the Town of Palm Beach, Florida, along State Road A1A from 20.307 to M.P. 20.348, from M.P. 20.594 to M.P. 22.381 and from M.P. 24.835 to M.P. 27.044.



SECTION No.: 93060000
S.R. No.: SR-A1A
FM No.: 447663-1-52-01
COUNTY: PALM BEACH

EXHIBIT B

Lighting Plans prepared by Fernando Amado-Mateus P.E., Trace Consultants, INC., dated December 22, 2022, as approved by the **DEPARTMENT.**

Construction Plans (attached)

Sheets included:

PDF Page Number (#)	Plan Sheet (#)	Sheet Description
8	L-1	KEY SHEET
9	L-2	GENERAL NOTES
10	L-3	LIGHTING DATA TABLE
11-13	L-4 THRU L-6	LIGHTING PLAN
14-16	L-7 THRU L-9	LIGHTING POLE DETAILS
17	L-10	LOAD CENTER DETAILS

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03/12/24 TCM Backup

INDEX OF LIGHTING PLANS

SHEET NO.	SHEET DESCRIPTION
L-1	KEY SHEET
L-2	GENERAL NOTES
L-3	LIGHTING DATA TABLE
L-4 - L-6	LIGHTING PLAN
L-7 - L-9	LIGHT POLE DETAILS
L-10	LOAD CENTER DETAILS

STATE OF FLORIDA

DEPARTMENT OF TRANSPORTATION

LIGHTING PLANS

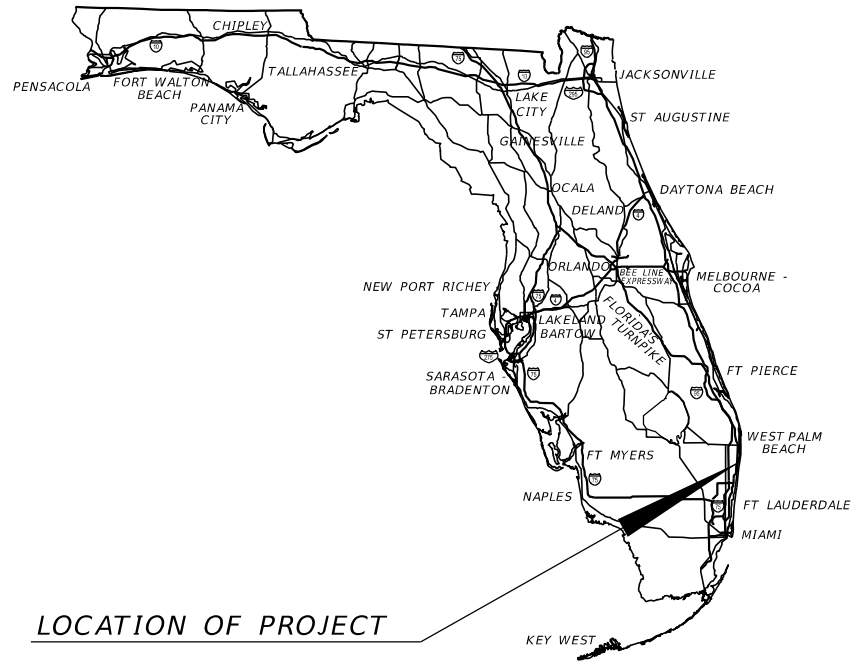
FINANCIAL PROJECT ID 447663-1-52-01

PALM BEACH COUNTY (93060)

STATE ROAD NO. SR A1A

FROM SOUTH OF LAKE AVE TO N OF IBIS WAY

PROJECT LOCATION URL:	https://tinyurl.com/mat4v9cb
PROJECT LIMITS:	BEGIN MP 20.307 - END MP 22.381
EXCEPTIONS:	NONE
BRIDGE LIMITS:	NONE
RAILROAD CROSSING:	NONE



LOCATION OF PROJECT

FERNANDO AMADO MATEUS
LICENSE
No 76201
STATE OF FLORIDA
PROFESSIONAL ENGINEER

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY

ON THE DATE ADJACENT TO THE SEAL

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

THE ABOVED NAMED PROFESSIONAL IS RESPONSIBLE FOR THE FOLLOWING SHEETS IN ACCORDANCE WITH RULE 61G15-23.004, F.A.C.

LIGHTING PLANS
ENGINEER OF RECORD:

FERNANDO AMADO MATEUS, P.E.
P.E. LICENSE NUMBER 76201
TRACE CONSULTANTS, INC.
8900 SW 117 AVENUE, SUITE 105B
MIAMI, FLORIDA 33186
PHONE: 786-808-0119
CONTRACT NO.: CAH06
VENDOR NO.: F455418595

FDOT PROJECT MANAGER:

VANDANA NAGOLE, P.E.

CONSTRUCTION CONTRACT NO.	FISCAL YEAR	SHEET NO.
E0000	25	L-1

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03/12/24 TCM Backup

GENERAL NOTES

1. CONTACT THE MAINTAINING AGENCY FOR ALL STREET LIGHTING INSPECTIONS. PROVIDE A TWO (2) WEEK NOTICE IN ADVANCE TO SCHEDULE INSPECTIONS. CONTACT INFORMATION BELOW:

   1.1 CITY OF LAKE WORTH BEACH PUBLIC WORKS
   1749 3RD AVENUE SOUTH
   LAKE WORTH BEACH, FL 33460

   CONTACT:
   MELISSA STURDIVANT
   PUBLIC WORKS OFFICE MANAGER
   (561) 586-1720

   1.2 TOWN OF PALM BEACH PUBLICK WORKS
   951 OKEECHOBEE RD. SUITE A
   WEST PALM BEACH, FL 33401

   CONTACT:
   H. PAUL BRAZIL, P.E.
   DIRECTOR OF PUBLIC WORKS
   (561) 838-5440

   1.3 PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS-TRAFFIC
   2300 NORTH JOG ROAD, 3RD FLOOR
   WEST PALM BEACH, FL 33411

   CONTACT:
   MOTASEM AL-TURK, P.E., Ph.D.
   DIRECTOR OF ENGINEERING AND PUBLIC WORKS-TRAFFIC
   (561) 684-4030

2. DELIVER ALL SALVAGEABLE LIGHTING EQUIPMENT TO EACH MAINTAINING AGENCY WHERE LIGHTING WORK TAKES PLACE. LIGHTING EQUIPMENT CONSIDERED SALVAGEABLE ARE SALVAGEABLE ALUMINUM POLES, LUMINAIRES, AND CABLE DISTRIBUTION SYSTEMS.

PAY ITEM NOTES:

715-5-32 COST INCLUDES FURNISHING AND INSTALLING THE FOLLOWING LUMINAIRES: AUTOBAHN ATB SERIES, MODEL ATB2 (264 W, 4000 CCT, R4 DISTRIBUTION,WIRED FOR 120 V, 3-PIN NEMA PHOTOCONTROL RECEPTACLE, SHORTING CAP & PHOTOCELL)

LEGEND

	SYMBOLS	DESCRIPTION
(WORK BY FDOT CONTRACTOR)		ORNAMENTAL LIGHT POLE AND LED LUMINAIRE DESIGNED FOR 10,173 LUMENS, TYPE III DISTRIBUTION, 7 PIN PHOTOCONTROL RECEPTACLE WITH SHORTING CAP, WIRED FOR 240 VOLT OPERATION. NO PHOTOCELL REQUIRED. SINGLE ARM POLE. PHOTOMETRIC DISTRIBUTION CURVE USED FOR DESIGN: MSR_108W_48LED_G2_LE3WS.ies
		LUMINAIRE RETROFIT FOR EXISTING ORNAMENTAL POLE DESIGNED FOR 10,173 LUMENS, TYPE III DISTRIBUTION, 7 PIN PHOTOCONTROL RECEPTACLE WITH SHORTING CAP, AND WIRED FOR 120 VOLT OPERATION. NO PHOTOCELL REQUIRED. SINGLE ARM POLE. PHOTOMETRIC DISTRIBUTION CURVE USED FOR DESIGN: MSR_108W_48LED_G2_LE3WS.ies
		LUMINAIRE RETROFIT FOR TRAFFIC SIGNAL POLE DESIGNED FOR 33,907 LUMENS, TYPE IV DISTRIBUTION, 3 PIN NEMA PHOTOCONTROL RECEPTACLE WITH SHORTING CAP, AND WIRED FOR 120 VOLT OPERATION. PHOTOCELL REQUIRED. SINGLE ARM POLE. PHOTOMETRIC DISTRIBUTION CURVE USED FOR DESIGN: ATB2_P604_R4_4K.ies
(WORK BY TOWN OF LAKE WORTH BEACH)		LUMINAIRE RETROFIT FOR UTILITY CONCRETE POLE DESIGNED FOR 22,612 LUMENS, TYPE III DISTRIBUTION, 7 PIN PHOTOCONTROL RECEPTACLE WITH SHORTING CAP, AND WIRED FOR 480 VOLT OPERATION. NO PHOTOCELL REQUIRED. SINGLE ARM POLE. PHOTOMETRIC DISTRIBUTION CURVE USED FOR DESIGN: ATB2_P602_R4_4K_RFD325843.ies (WORK BY TOWN OF LAKE WORTH BEACH)
(WORK BY FPL)		ORNAMENTAL LIGHT POLE AND LED LUMINAIRE DESIGNED FOR 22,612 LUMENS, TYPE III DISTRIBUTION. CONCRETE POLE IS OCTOGONAL-SHAPED, SINGLE ARM POLE WITH PENDANT ARM, WITH BLACK FINISH FOR POLE AND LUMINAIRE HOUSING. PHOTOMETRIC DISTRIBUTION CURVE USED FOR DESIGN: ESL3 P45S_40K_XXXXXX_TG3.ies
		LUMINAIRE RETROFIT FOR EXISTING ORNAMENTAL POLE DESIGNED FOR 22,612 LUMENS, TYPE III DISTRIBUTION. SINGLE ARM POLE WITH PENDANT ARM, WITH BLACK FINISH FOR LUMINAIRE HOUSING. PHOTOMETRIC DISTRIBUTION CURVE USED FOR DESIGN: ESL3 P45S_40K_XXXXXX_TG3.ies
		EXISTING LIGHT POLE TO REMAIN (ANY TYPE)
		EXIST. LOAD CENTER TO REMAIN
		EXISTING PULL BOX
		PROPOSED PULL BOX AND APRON
		EXISTING CONDUIT
		2" HIGH DENSITY POLYETHYLENE (HDPE) CONDUIT (DIRECTIONAL BORE) WITH THREE RHW-2/XLP CONDUCTORS INSIDE THE CONDUIT: ONE WITH RED INSULATION, ONE WITH WHITE INSULATION, AND ONE GROUND WITH GREEN INSULATION.
		2" HIGH DENSITY POLYETHYLENE (HDPE) CONDUIT (OPEN TRENCH) WITH THREE RHW-2/XLP CONDUCTORS INSIDE THE CONDUIT: ONE WITH BLACK INSULATION, ONE WITH WHITE INSULATION, AND ONE GROUND WITH GREEN INSULATION.

WORK BY FPL

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			GENERAL NOTES	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	FERNANDO AMADO-MATEUS, P.E. LICENSE NUMBER: 76201 TRACE CONSULTANTS, INC. 8900 SW 117 AVENUE, SUITE 105B MIAMI, FLORIDA 33186	ROAD NO.	COUNTY	FINANCIAL PROJECT ID		L-2
					SR A1A	PALM BEACH	447663-1-52-01		

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LIGHTING DATA TABLE

	POLE NO.	CIRCUIT*	STATION	POLE OFFSET	MOUNTING HEIGHT	POLE TYPE	ARM CONFIGURATION	ARM LENGTH	WATTAGE	LOCATION	FOUNDATION	PAY ITEM
SR A1A & SR 802/LAKE AVENUE	LPLWB-01	B-1	121+45* / BL SURVEY SR A1A	49' LT*	20*	EXIST. ORNAMENTAL CONC.POLE / RETROFIT	PENDANT	3'(*)	97	BACK OF SWK	CYLINDRICAL	715-11-216
	LPLWB-02	A-1	121+47* / BL SURVEY SR A1A	49' RT*	20*	EXIST. ORNAMENTAL CONC.POLE / RETROFIT	PENDANT	3'(*)	97	BACK OF SWK	CYLINDRICAL	715-11-216
	LPLWB-03	A-1	121+86* / BL SURVEY SR A1A	49' RT	20	LIGHT POLE COMPLETE, ORNAMENTAL CONC.	PENDANT	3'	97	BEHIND SWK	SPREAD FOOTER	715-511-320
	LPTS-01	TS	122+51* / BL SURVEY SR A1A	52' LT*	40*	EXIST. TRAFFIC SIGNAL POLE / RETROFIT	BRACKET MOUNT	10'(*)	264	EXIST. SIGNAL ARM	CYLINDRICAL	715-11-211
	LPLWB-04	B-2	122+69* / BL SURVEY SR A1A	128' LT	20	LIGHT POLE COMPLETE, ORNAMENTAL CONC.	PENDANT	3'	97	BEHIND SWK	CYLINDRICAL	715-511-320
	LPLWB-05	B-2	122+73* / BL SURVEY SR A1A	177' LT*	20*	EXIST. ORNAMENTAL CONC. POLE / RETROFIT	PENDANT	3'(*)	97	BEHIND SWK	CYLINDRICAL	715-11-216
	LPTS-02	TS	123+57* / BL SURVEY SR A1A	63' RT*	40*	EXIST. TRAFFIC SIGNAL POLE / RETROFIT	BRACKET MOUNT	10'(*)	264	EXIST. SIGNAL ARM	CYLINDRICAL	715-11-211
	LPLWB-06	A-2	123+70* / BL SURVEY SR A1A	154' LT*	20*	EXIST. ORNAMENTAL CONC. POLE / RETROFIT	PENDANT	3'(*)	97	BEHIND OF SWK	CYLINDRICAL	715-11-216
	LPTS-03	TS	123+78* / BL SURVEY SR A1A	74' LT*	40*	EXIST. TRAFFIC SIGNAL POLE / RETROFIT	BRACKET MOUNT	10'(*)	264	EXIST. SIGNAL ARM	CYLINDRICAL	715-11-211
	LPTPB-01	EXIST	124+86* / BL SURVEY SR A1A	49' LT*	40*	EXIST. UTILITY POLE CONC. POLE/ RETROFIT	BRACKET MOUNT	12'(*)	186	BACK OF SWK	DIRECT BURIAL	N/A
SR A1A & PG3	LPPG3-01	EXIST	185+32* / BL SURVEY A1A	37' LT*	37*	EXIST. ORNAMENTAL CONC. POLE / RETROFIT (FPL)	PENDANT	6'(*)	153	BEHIND SWK	DIRECT BURIAL	N/A
	LPPG3-02	EXIST	186+13* / BL SURVEY A1A	35' LT*	37'	PROP. ORNAMENTAL CONC. POLE (FPL)	PENDANT	6'	153	BEHIND SWK	DIRECT BURIAL	N/A
	LPPG3-03	EXIST	187+02* / BL SURVEY A1A	35' LT*	37*	EXIST. ORNAMENTAL CONC. POLE / RETROFIT (FPL)	PENDANT	6'(*)	153	BEHIND SWK	DIRECT BURIAL	N/A
	LPPG3-04	EXIST	187+79* / BL SURVEY A1A	35' LT*	37*	PROP. ORNAMENTAL CONC. POLE (FPL)	PENDANT	6'	153	BEHIND SWK	DIRECT BURIAL	N/A
SR A1A & PP	LPPHI-01	EXIST	215+92 / BL SURVEY A1A	38' LT	37'	EXIST. ORNAMENTAL CONC. POLE / RETROFIT (FPL)	PENDANT	6'	153	BEHIND SWK	DIRECT BURIAL	N/A
	LPPHI-02	EXIST	216+88 / BL SURVEY A1A	32' LT	37'	PROP. ORNAMENTAL CONC. POLE (FPL)	PENDANT	6'	153	BEHIND SWK	DIRECT BURIAL	N/A

* EXISTING STATIONS, OFFSETS AND MOUNTING HEIGHTS TO REMAIN – PROVIDED FOR REFERENCE ONLY.

TS: EXISTING CIRCUIT CONNECTED TO TRAFFIC SIGNAL SYSTEM, TO REMAIN

LIGHTING WORK BY UTILITY COMPANY

WORK BY FP&L

WORK BY LAKE WORTH BEACH UTILITY COMPANY

WORK BY FPL

3 NEW POLES
3 RETROFITS

CONVENTIONAL LIGHTING DESIGN CRITERIA

EXISTING SIGNALIZED INTERSECTION

Average Initial Intensity (H.F.C.)	1.5 Std/1.0 Min.
Vertical Illuminance Ratio (V.F.C)	1.5 Std/1.0 Min.
Uniformity Ratio Avg./Min.	4:1 or less
Uniformity Ratio Max./Min.	10:1 or less
Wind Speed 160 MPH	

MIDBLOCK CROSSING

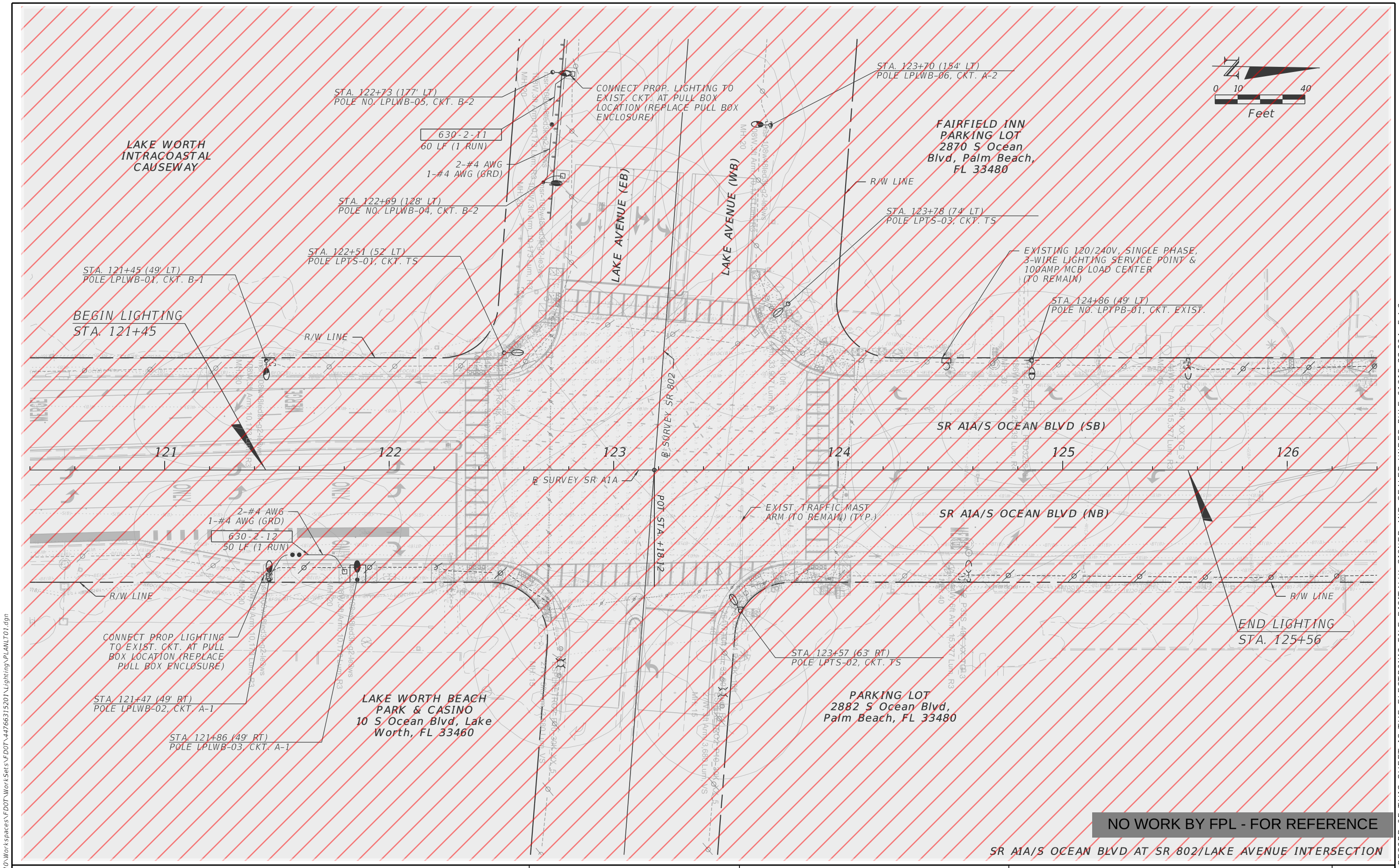
Average Initial Intensity (H.F.C.)	N/A
Vertical Illuminance Ratio (V.F.C)	1.5 Std
Uniformity Ratio Avg./Min.	N/A
Uniformity Ratio Max./Min.	N/A
Wind Speed 160 MPH	

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			LIGHTING DATA TABLE	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	FERNANDO AMADO-MATEUS, P.E. LICENSE NUMBER: 76201 TRACE CONSULTANTS, INC. 8900 SW 117 AVENUE, SUITE 105B MIAMI, FLORIDA 33186	ROAD NO.	COUNTY	FINANCIAL PROJECT ID		L-3
					SR A1A	PALM BEACH	447663-1-52-01		

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03/12/24 TCM Backup



NO WORK BY FPL - FOR REFERENCE

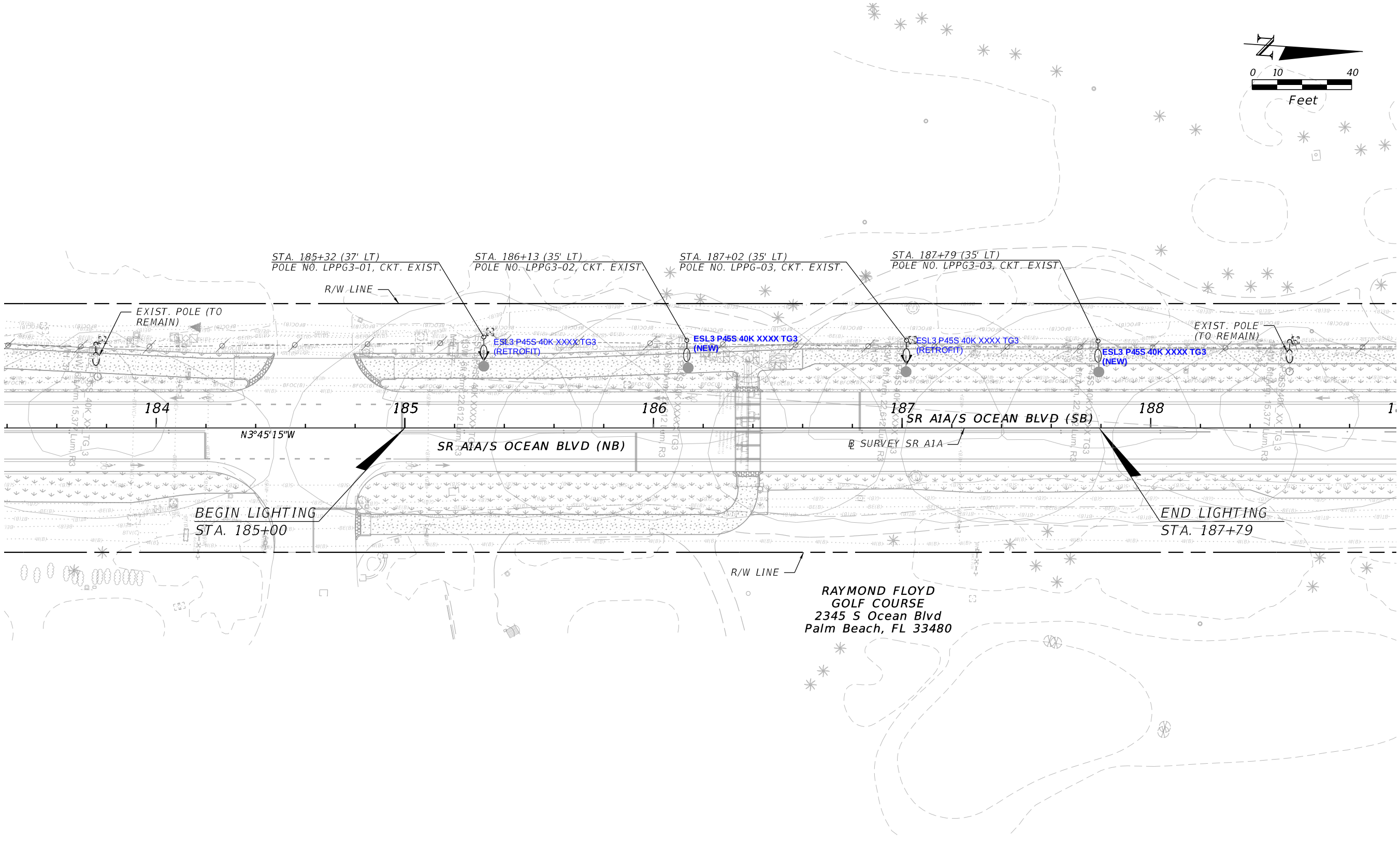
SR A1A/S OCEAN BLVD AT SR 802/LAKE AVENUE INTERSECTION

REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION				SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	FERNANDO AMADO-MATEUS, P.E. LICENSE NUMBER: 76201 TRACE CONSULTANTS, INC. 8900 SW 117 AVENUE, SUITE 105B MIAMI, FLORIDA 33186	ROAD NO.	COUNTY	FINANCIAL PROJECT ID	LIGHTING PLAN	L-4
					SR A1A	PALM BEACH	447663-1-52-01		

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03/12/24 TCM Backup



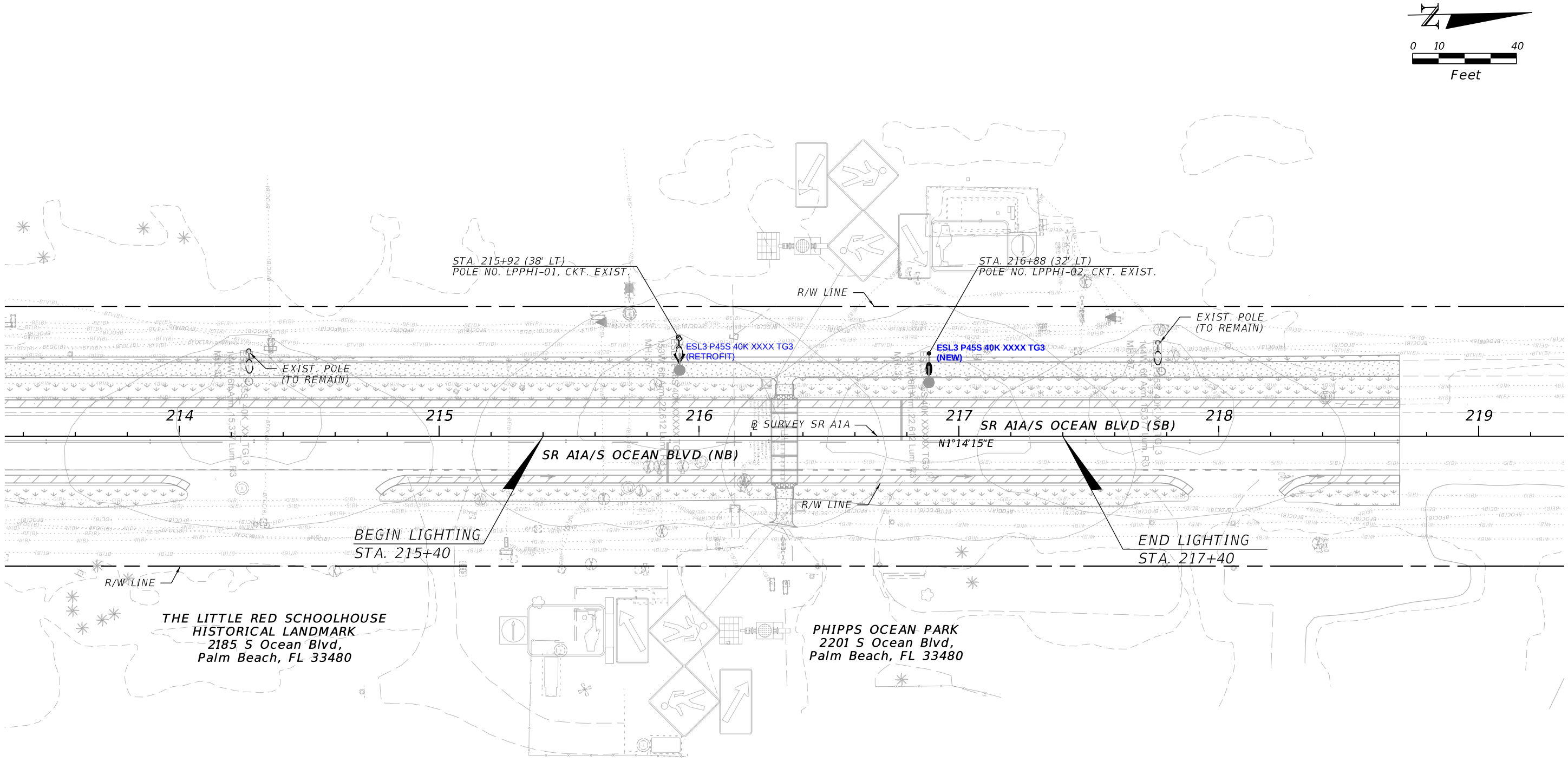
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SR A1A/S OCEAN BLVD AT RAYMOND FLOYD GOLF COURSE (PG-3) MID-BLOCK CROSSING

REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION				SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	FERNANDO AMADO-MATEUS, P.E. LICENSE NUMBER: 76201 TRACE CONSULTANTS, INC. 8900 SW 117 AVENUE, SUITE 105B MIAMI, FLORIDA 33186	ROAD NO.	COUNTY	FINANCIAL PROJECT ID	LIGHTING PLAN	L-5
					SR A1A	PALM BEACH	447663-1-52-01		

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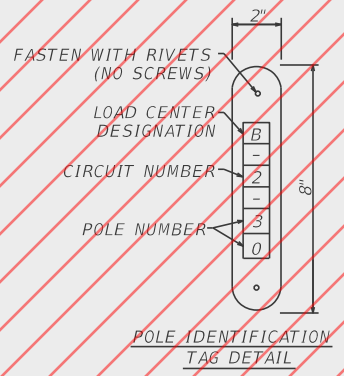
WORK BY FPL

SR A1A/S OCEAN BLVD AT PHIPPS PARK MID-BLOCK CROSSING

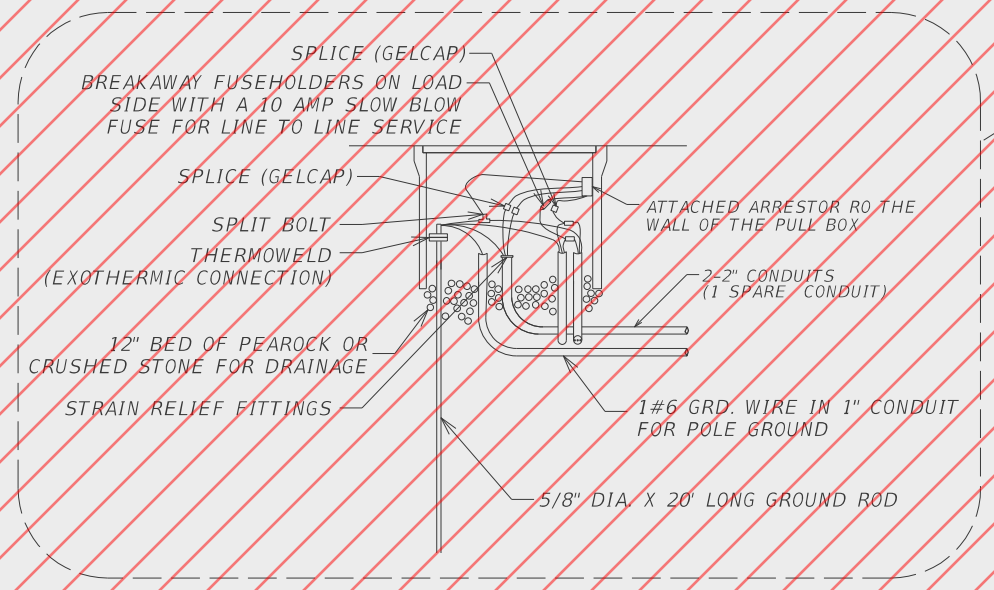
REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION				SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	FERNANDO AMADO-MATEUS, P.E. LICENSE NUMBER: 76201 TRACE CONSULTANTS, INC. 8900 SW 117 AVENUE, SUITE 105B MIAMI, FLORIDA 33186	ROAD NO.	COUNTY	FINANCIAL PROJECT ID	LIGHTING PLAN	L-6
					SR A1A	PALM BEACH	447663-1-52-01		

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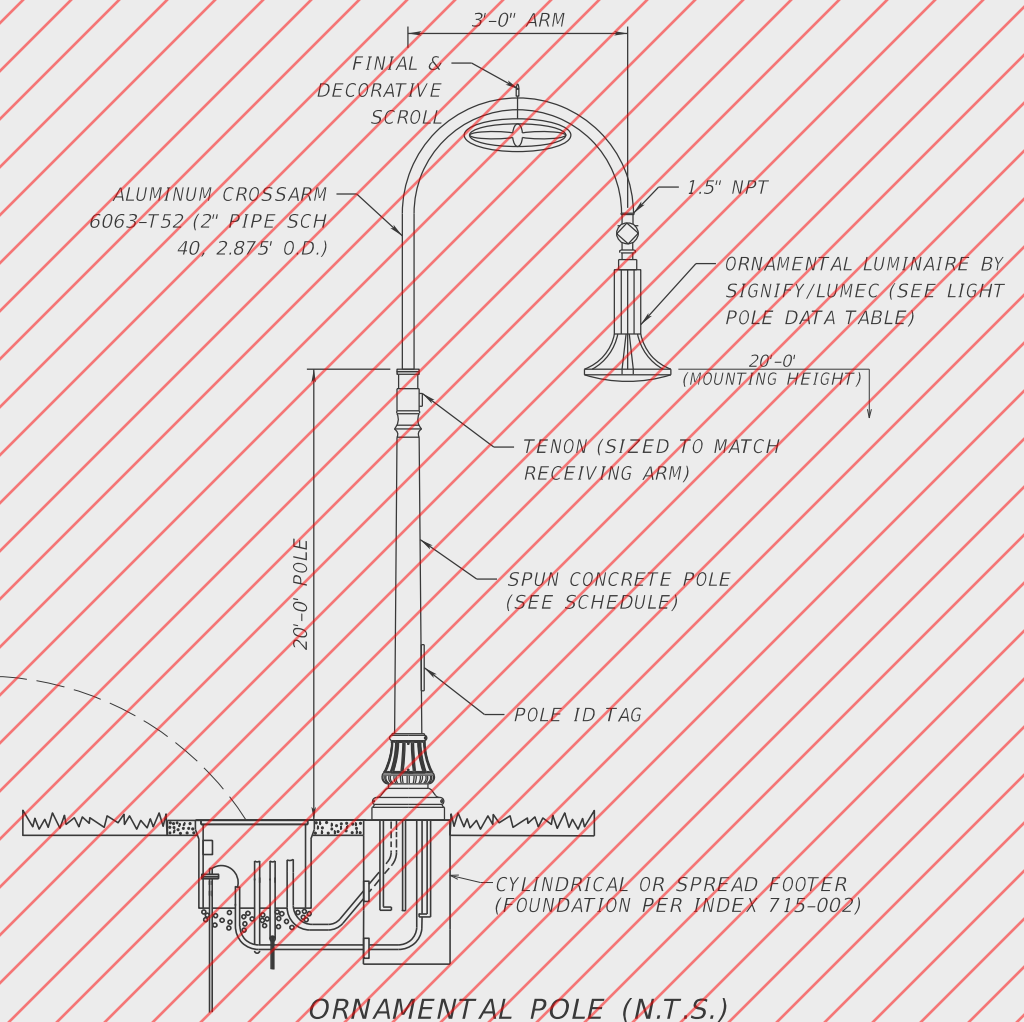
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POLE IDENTIFICATION TAG DETAIL



DETAIL 'A' - PULL BOX WIRING



ORNAMENTAL POLE (N.T.S.)
BID ITEM 715-511-320

ORNAMENTAL POLE SCHEDULE

ELEMENT	MANUFACTURER	REFERENCE NO.	DIMENSIONS	COLOR
ALUMINUM CROSS-ARM - ROADWAY LIGHTING	ARTEC MANUFACTURING	LAKE WORTH ARM (VX-WPB-ASSE-GN4TX)	3'x3' ARM	GN4TX GREEN
SPUN CONCRETE POLE (FLUTED)	AMERON	VEF06.1 SPL W/TENON ASSEMBLY	20'-0' HT	PINE GREEN

SHOP DRAWINGS

PROVIDE SIGNED AND SEALED STRUCTURAL PLANS AND CALCULATIONS FOR THE ENTIRE DECORATIVE LIGHTING SYSTEM, INCLUDING CONNECTIONS DESIGN (LUMINAIRE-TO-ARM, ARM-TO-UPRIGHT, AND UPRIGHT-TO-FOUNDATION CONNECTIONS). PROVIDE PLANS AND CALCULATIONS SIGNED AND SEALED BY A FLORIDA-LICENSED PROFESSIONAL ENGINEER WHICH DEMONSTRATE THAT THE DECORATIVE LIGHT FIXTURES HAVE BEEN DESIGNED IN ACCORDANCE WITH THE LATEST VERSION OF AASHTO LRFDLTS AS MODIFIED BY THE PROVISIONS OF THE FDOT STRUCTURES MANUAL VOLUME 3.

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ORNAMENTAL POLE DETAILS (1 OF 2)

REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION				SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	FERNANDO AMADO-MATEUS, P.E. LICENSE NUMBER: 76201 TRACE CONSULTANTS, INC. 8900 SW 117 AVENUE, SUITE 105B MIAMI, FLORIDA 33186	ROAD NO.	COUNTY	FINANCIAL PROJECT ID	LIGHT POLE DETAILS	L-7
					SR A1A	PALM BEACH	447663-1-52-01		

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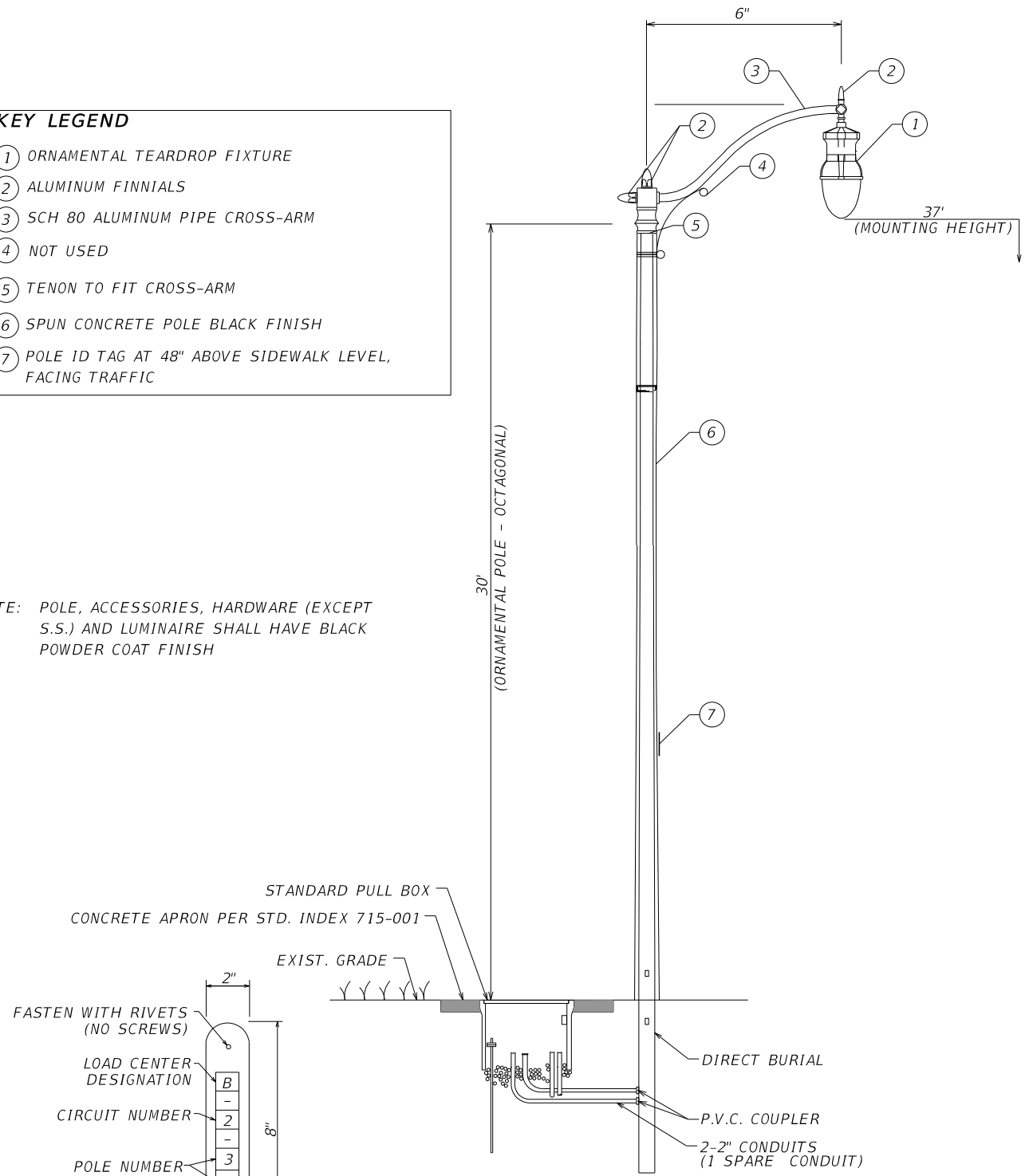
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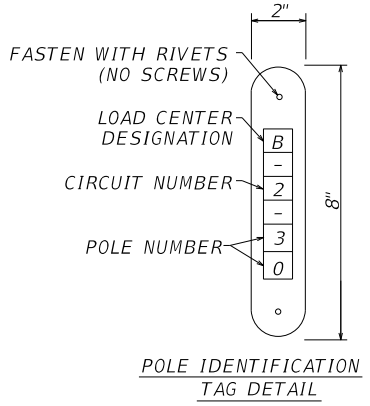
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KEY LEGEND

1. ORNAMENTAL TEARDROP FIXTURE
2. ALUMINUM FINNIALS
3. SCH 80 ALUMINUM PIPE CROSS-ARM
4. NOT USED
5. TENON TO FIT CROSS-ARM
6. SPUN CONCRETE POLE BLACK FINISH
7. POLE ID TAG AT 48" ABOVE SIDEWALK LEVEL, FACING TRAFFIC

NOTE: POLE, ACCESSORIES, HARDWARE (EXCEPT S.S.) AND LUMINAIRE SHALL HAVE BLACK POWDER COAT FINISH





POLE IDENTIFICATION TAG DETAIL

ORNAMENTAL POLE INSTALLATION DETAIL

* POLES BY FPL

WORK BY FPL

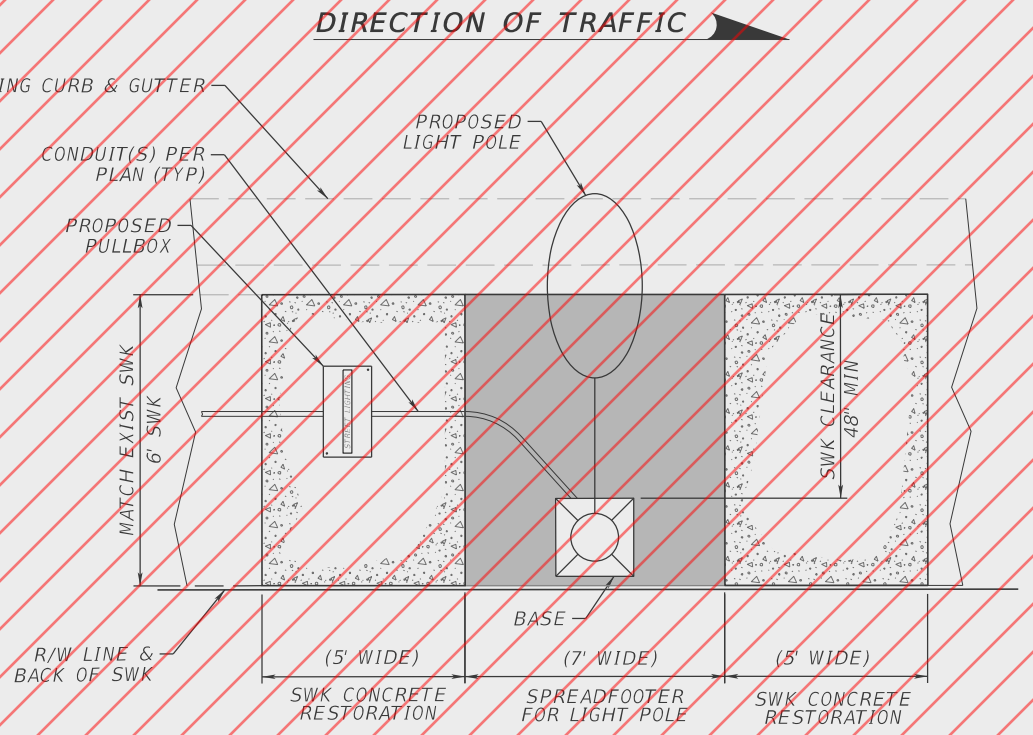
ORNAMENTAL POLE DETAILS (2 OF 2)

REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			LIGHT POLE DETAILS	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	FERNANDO AMADO-MATEUS, P.E. LICENSE NUMBER: 76201 TRACE CONSULTANTS, INC. 8900 SW 117 AVENUE, SUITE 105B MIAMI, FLORIDA 33186	ROAD NO.	COUNTY	FINANCIAL PROJECT ID		L-8
					SR A1A	PALM BEACH	447663-1-52-01		

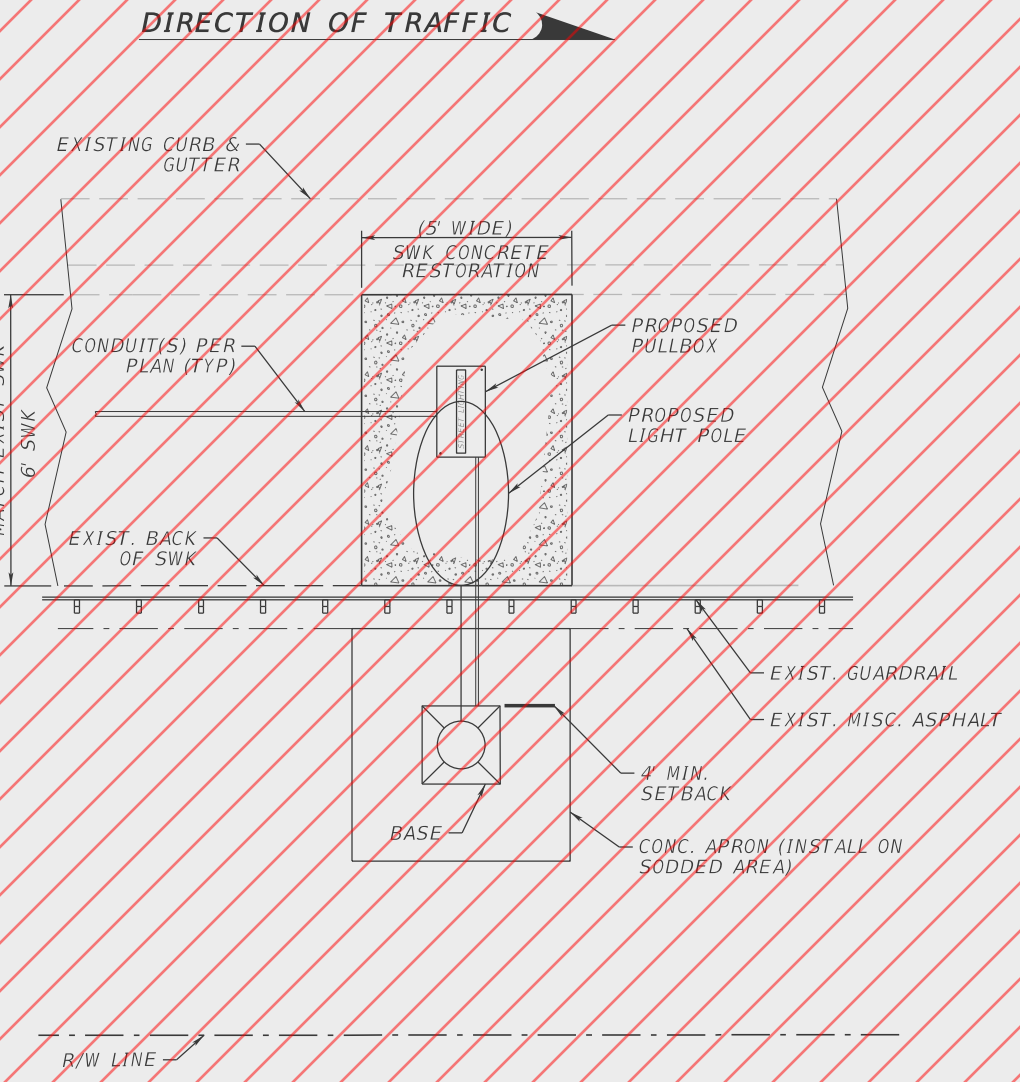
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DETAIL 'A' - POLE LP-LWB03



DETAIL 'B' - POLE LP-LWB04

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LIGHT POLE AND SITE RESTORATION DETAILS

REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			LIGHT POLE DETAILS	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	FERNANDO AMADO-MATEUS, P.E. LICENSE NUMBER: 76201 TRACE CONSULTANTS, INC. 8900 SW 117 AVENUE, SUITE 105B MIAMI, FLORIDA 33186	ROAD NO.	COUNTY	FINANCIAL PROJECT ID		L-9
					SR A1A	PALM BEACH	447663-1-52-01		

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03/12/24 TCM Backup

SERVICE POINT DATA TABLE

SERVICE	ENCLOSURE SIZE & SERVICE COND.	ARTERIAL	ROADWAY	FROM	TO	LOCATION	CIRCUIT	CONDUCTORS	BREAKER SIZE	EXISTING CONNECTED LOAD ©	PROPOSED CONNECTED LOAD (C)	MAINTAINING AGENCY
EXIST. CITY OF LAKE WORTH SERVICE POINT (TO REMAIN)	100 A MCB, 120/240V, SINGLE PHASE, 3 WIRE SERVICE FEEDER, 2-60 AMP CONTACTORS SIZE.	SR-A1A	86050	Southbound of SR 802	Northbound of SR 802	SR A1A / N OCEAN BLVD NORTHWEST CORNER AT 50 FT LT OF STA. 124+85.00 C/ L SR A1A.	A-I	3-#4	2-30 AMPS	14.8	8.5	CITY OF LAKE WORTH BEACH
							A-II	3-#4	2-30 AMPS	12.5	7.3	
							B-I	3-#4	2-30 AMPS	11.4	6.7	
							B-II	3-#4	2-30 AMPS	12.5	7.7	

NOTE: NO NET INCREASE IN DEMAND LOAD FOR ANY EXISTING CIRCUIT. EXISTING CIRCUITS, CONDUCTORS, BREAKERS AND SERVICE FEEDERS

EXISTING "CITY OF LAKE WORTH SERVICE POINT"
100A MCB IN NEMA 3R ENCLOSURE, 120/240 VOLTS, 1Φ, 3W SERVICE
(PER STATE PRJ. FM #228858-1-52-01/FY 2004 AS-BUILTS)

NO.	CIRCUIT NO.	SERVING	VA	AMPS	CIRCUIT BREAKER	WIRE/CONDUIT
1	A-I	STREET LIGHTING	4,080	8.5	30A	#4
2	A-II	STREET LIGHTING	3,504	7.3	30A	#4
3	B-I	STREET LIGHTING	3,216	6.7	30A	#4
4	B-II	STREET LIGHTING	3,696	7.7	30A	#4

(EXISTING SERVICE CONDUCTORS TO REMAIN)

CONTINUOUS LOAD = 14,496 VA
25% CONT. LOAD = 3,624 VA
TOTAL = 18,120 VA
DEMAND LOAD = 38 A

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REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			LOAD CENTER DETAILS	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	FERNANDO AMADO-MATEUS, P.E. LICENSE NUMBER: 76201 TRACE CONSULTANTS, INC. 8900 SW 117 AVENUE, SUITE 105B MIAMI, FLORIDA 33186	ROAD NO.	COUNTY	FINANCIAL PROJECT ID		L-10
					SR A1A	PALM BEACH	447663-1-52-01		

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TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Resolutions

Agenda Title
RESOLUTION NO. 024-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to CPZ Architects Inc. for Town of Palm Beach Police Station Renovation of the Bathrooms, Locker Rooms and Aging Sanitary Sewer and Domestic Water Piping in the Amount of $179,906 and Establishing a Project Budget of 198,000 for Design Services.

Presenter
Dean Mealy, II Procurement and Contract Manager

ATTACHMENTS:

- **Memorandum dated February 26, 2024 from Dean Mealy, II Procurement and Contract Manager**
- **Resolution No. 024-2024**
- **Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA Deputy Town Manager, Finance and Administration

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

RE: Resolution approving a purchase order to CPZ Architects Inc. for Town of Palm Beach Police Station Renovation of bathrooms, locker rooms and aging sanitary sewer and domestic water piping systems in the amount of $179,906 and establishing a project budget of $198,000 for design services

DATE: February 26, 2024

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 024-2024, approving a purchase order to CPZ Architects Inc. (CPZ) for Town of Palm Beach Police Station Renovation of bathrooms, locker rooms and aging sanitary sewer and domestic water piping systems in the amount of $179,906 and establishing a project budget of $198,000 for design services.

SUMMARY EXPLANATION/BACKGROUND

The Police Department requires renovation of 18,678 square feet that was identified during the Facilities Assessment. The spaces identified are the locker rooms, restrooms and aging sanitary sewer and domestic water piping systems. Original floor plan options were prepared in 2018. Since that time, the exiting facilities have continued to deteriorate.

Public Works selected CPZ Architects, Inc., one of three approved architects to provide consulting services related to the preparation of as-built in-house from existing building drawing provided by the Town. Confirm as-built project site and building conditions. Prepare As-built drawings based on field measurements. As-built drawings will be prepared in REVIT for this project.

The Schematic Design phase portion of this project we will provide the following:

- Meetings with Town to review (2) Proposed floor plan options prepared back in 2018 with Town and Police Department
- Revision to plan based on comments from meeting.
- Review meetings with Town to review revisions.
- Revision to plan based on comments from meeting.
- Total of (2) Meetings and (2) Plans Revisions

- Planning and Zoning Code Research
- Prepare existing site plan based on existing site plan drawing received from the Town for addition required by Architectural Review Commission
- Prepare (2) schematic design options of rear façade elevations.
- Elevations revision based on comments by Town and Police Department
- Prepare 100% schematic design package.
- Prepare submission to Architectural Review Board
- Existing or previously approved site plan
- Color Photos of Existing Property
- Proposed site plan with dimension and clouding the changes.
- Existing and proposed elevations with dimensions
- Proposed Finish Board (Color, Patterns, Materials, etc.)
- Survey
- Presentation of above submission to Architectural Review Board
- Select finishes for Restrooms.
- Prepare finish board for Town and Police Department for review.
- (2) Meetings with Town and Police Department to review finishes
- Coordination with Surveyor

CPZ will be tasked with construction documents, permitting, bid evaluation, and additional meetings as required.

FUNDING/FISCAL IMPACT

Funding for this award will be from the Capital Improvement Program.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 024-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER TO CPZ ARCHITECTS INC. FOR TOWN OF PALM BEACH POLICE STATION RENOVATION OF BATHROOMS, LOCKER ROOMS, AND AGING SANITARY SEWER AND DOMESTIC WATER PIPING IN THE AMOUNT OF $179,906 AND ESTABLISHING A PROJECT BUDGET OF $198,000 FOR DESIGN SERVICES

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 No. 024-2024, approving a purchase order to CPZ Architects Inc. for Town of Palm Beach Police Station Renovation of bathrooms, locker rooms and aging sanitary sewer and domestic water piping systems in the amount of $179,906 and establishing a project budget of $198,000 for design services.

Section 2. The Town Manager is hereby authorized to execute the Contract and 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 12th day of March 2024.

_____
Danielle H. Moore, Mayor

_____
Margaret A. Zeidman, Town Council President

_____
Bobbie D. Lindsay, Council President Pro Tem

ATTEST:

_____
Julie Araskog, Town Council Member

_____
Edward A. Cooney, Town Council Member

_____
Kelly Churney, Acting Town Clerk

_____
Lewis S.W. Crampton, Town Council Member

January 12, 2024

Town of Palm beach, Department of Public Works
Attn: Mr. Dennis Polski, P.E.
951 Okeechobee Rd., Suite "A"
West palm Beach, Florida 33401

Re: Town of Palm Beach Police Station Renovation

Dear Mr. Polski:

As requested, we are pleased to offer the following fee proposal to provide Architectural Services for the above referenced project.

PROJECT DESCRIPTION

Renovation of existing 18,678 square feet Town of Palm Beach Police Department.
Scope includes the following:

- Locker Room and Restroom Renovation and Addition (See attached schematic plans completed back in 2018).
- See attached scope of work in spread sheet from Nelson Report.
- Paint Entire Building
    - Includes Steps, Ramps and Stairs.

SCOPE OF SERVICES

TASK 1 AS-BUILT DOCUMENTATION

1. As-Built documentation. CPZ will prepare as-built in-house from existing building drawing provided by the Town. Confirm as-built project site and building conditions. Prepare As-built drawings based on field measurements. As-built drawings will be prepared in REVIT for this project.
    a. Prepare As-Built First Floor Plan.
    b. Prepare As-Built Second Floor Plan.
    c. Prepare Partial As Built First and Second Floor Reflected Ceiling Plan
        i. Only in areas where restroom and locker room areas will be renovated.
    d. Prepare As-Built Building Sections in areas where new restroom addition will be located.
    e. Prepare As-Built Elevations (4 Sides)
    f. Sanitary and Domestic Plumbing As-Built Documentation
        i. See subconsultants proposal for scope
        ii. Architectural Coordination with Consultant

TASK 2 SCHEMATIC DESIGN

1. The Schematic Design phase portion of this project we will provide the following:
    a. (1) Meetings with Town to review (2) Proposed floor plan options prepared back in 2018 with Town and Police Department
        i. (1) Revision to plan based on comments from meeting
        ii. (1) Review meetings with Town to review revisions
        iii. (1) Revision to plan based on comments from meeting
        iv. Total of (2) Meetings and (2) Plans Revisions
    b. Planning and Zoning Code Research
    c. Prepare existing site plan based on existing site plan drawing received from the Town for addition required by Architectural Review Commission
    d. Prepare (2) schematic design options of rear façade elevations.
    e. (1) Elevations revision based on comments by Town and Police Department
    f. Prepare 100% schematic design package.
    g. Prepare submission to Architectural Review Board
        i. Existing or previously approved site plan
        ii. Color Photos of Existing Property
        iii. Proposed site plan with dimension and clouding the changes
        iv. Existing and proposed elevations with dimensions
        v. Proposed Finish Board (Color, Patterns, Materials, etc.)
        vi. Survey
        vii. Presentation of above submission to Architectural Review Board
    b. Select finishes for Restrooms.
    c. Prepare finish board for Town and Police Department for review.
    d. (2) Meetings with Town and Police Department to review finishes
    e. Coordination with Surveyor

TASK 3 CONSTRUCTION DOCUMENTS

1. Architectural
    a. Select finishes for Restrooms.
    b. Prepare finish board for Town and Police Department for review.
    c. Prepare 50% and 100% Construction Documents
        i. Prepare Life Safety Plan and Building Code Research
        ii. Construction Documents consists of the following sheets:
            1. Cover Sheet & Location Plan
            2. Building Code Information & General Notes
            3. Demolition Plans
            4. Life Safety Plan
            5. Phasing Plans
            6. First and Second Floor Plans
                a. First and Second Floor Enlarged Plans
            7. Dimensioned Enlarged Plans

8. Reflected Ceiling Plan
9. Building Elevations
    a. Paint Specifications
10. Wall Types
11. Wall Sections and Details
12. Door Schedule
13. Finish Schedule
14. Details
15. Finish Repair Details for various areas for sanitary and domestic plumbing line replacement

d. Prepare Technical Specifications
e. Coordination with Structural Engineer
f. Coordination with Cost Estimator
g. Coordination with Paint Specifier
h. Coordination with MEP Engineer
i. Coordination with MEP Engineer for various areas throughout building for plumbing piping(Sanitary & Domestic) replacement

2. Structural Engineering (see attached sub-consultant proposal(s))
    a. Prepare 50% and 100% Construction Documents
3. MEP Engineering (see attached sub-consultant proposal(s))
    a. Prepare 50% and 100% Construction Documents
4. Cost Estimating (see attached sub-consultant proposal(s))
    a. 50% Construction Document details cost estimate.
    b. 100% Construction Document details cost estimate.

TASK 4 PERMITTING

1. Assist in the permitting process by responding to Building Department comment reviews. Permit processing, tracking and all submittals shall be by others.
2. Provide all Signed and Sealed drawings as required and respond to drawings as required for all permit comments. If required, we will meet with plan reviewers to resolve any questions.

TASK 5 BIDDING

1. Attending one pre-bid meeting.
2. Review and respond to RFI's
3. Bid evaluation/leveling and recommendation to award.

TASK 6 ADDITIONAL MEETINGS

1. Attending meetings with Town Commission.
2. A total of (2) additional meetings.
3. Any additional meetings requested by city.

PROJECT SCHEDULE

We are estimating the project design schedule to be as follows. During the Construction Document Phase, our office will coordinate with all the review and permitting agencies to determine time required for reviews and approvals. Based on this information the schedule and time frames maybe adjusted to reflect those review periods.

Task 1 As-Built Documentation	3 Weeks
Task 2 Schematic Design	6 Weeks
Task 3 Construction Drawings	14 Weeks
Task 4 & 5 Permitting & Bidding	16 Weeks

DELIVERABLES

- As-Builts
- Schematic Design
- Construction Documents

COMPENSATION

1. Compensation for architectural services shall be on a stipulated basis and in accordance with CPZ Architects, Inc. continuing services contract, as follows:

Phase	CPZ	MUE	OCI	Brown & Phillips	CMS - Estimator	Sub-Total
Basic Services						
Task 2 Schematic Design	$ 19,270.00	Included	$ 8,000.00			$ 27,270.00
Task 3 Construction Documents	$ 39,320.00	$ 9,400.00	$ 12,160.00			$ 60,880.00
Task 5 Bidding	$ 4,380.00	$ 640.00	$ 1,500.00			$ 6,520.00
Task 4 Permitting	$ 4,270.00	Included	$ 1,500.00			$ 5,770.00
Additional Service						
Task 1 Architectural As-Built Documentation	$ 16,900.00			$ 10,817.50		$ 27,717.50
Task 1 Plumbing As-Built Documentation			$ 5,790.00			$ 5,790.00
Task 2 Architectural Review Board	$ 10,500.00					$ 10,500.00
Task 3 Detailed Cost Estimating						$ -
Task 6 Additional Meetings	$ 4,600.00					$ 4,600.00
50% Construction Documents Detatiled Cost Estimating					$ 8,724.37	$ 8,724.37
100% Construction Documents Detatiled Cost Estimating					$ 5,634.11	$ 5,634.11
						$ -
Consultant Sub-Totals	**$ 99,240.00**	**$ 10,040.00**	**$ 28,950.00**	**$ 10,817.50**	**$ 14,358.48**	**$ 163,405.98**
Reimbursable Allowance	$ 7,500.00					$ 7,500.00
Total	**$ 106,740.00**					**$ 170,905.98**
					Total Cost of Project	**$ 170,905.98**

2. Reimbursable Expenses
    a. Reproductions and Prints
    b. Courier Service / Permit Expediting
    c. Fees paid to municipalities.
3. Additional Services not included in the estimate above:
    a. Environmental Services
4. Compensation for architectural services shall be on an **hourly basis at the rates listed below,** and in accordance with the General Conditions:

a.	Principal Architect	$265
b.	Architect	$235
c.	Senior Project Manager	$195
d.	Project Manager	$175
e.	Architectural Associate 1	$140
f.	Architectural Associate 2	$125
g.	Architectural Associate 3	$100
h.	Administrative Support	$ 90

Consultants (Civil, Landscape, Structural, Mechanical, Electrical Engineers, etc.) to be reimbursed at cost billed to Architect.

EXCLUSIONS / ASSUMPTIONS

The following items are excluded from this proposal or assumed:

1. Presentation to Community Organizations.
2. Renderings
3. Design Development
4. Solar Lighting
5. Full DRC/Site Plan Approval process.
6. Water & sewer As-Builts
7. Surveying
8. Civil & Landscape Engineering

We thank you for the opportunity to offer you these services. If this proposal meets with your approval, please sign this letter and return to my attention. If you have any questions, please contact me at 954-792-8525.

Respectfully,
CPZ ARCHITECTS, INC.

Chris P. Zimmerman, AIA
President

Accepted on January 12, ***2024.***

By: Dennis Polski, PE

Title: Project Engineer

Dennis V. Polski

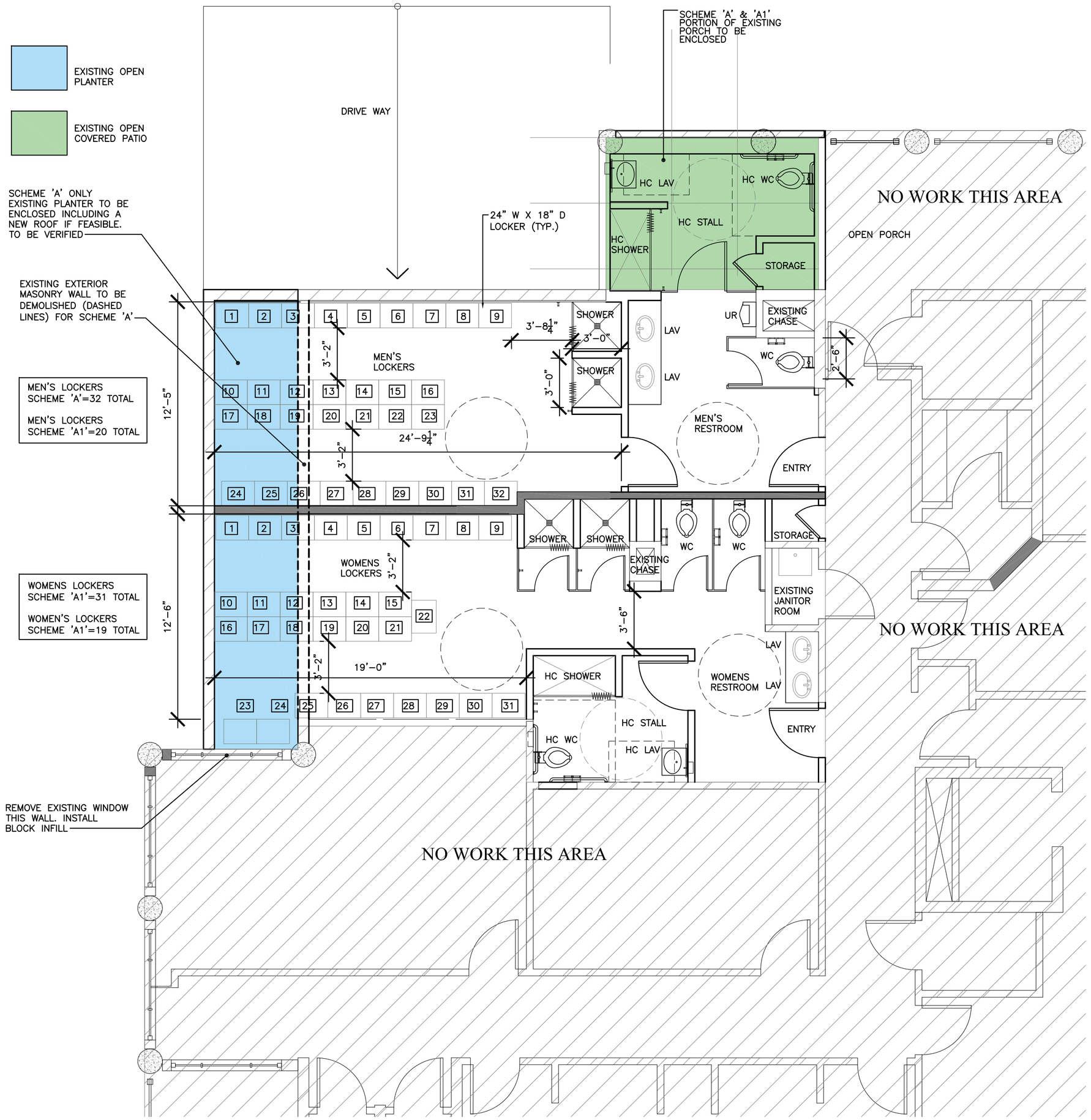
#	Building Name	Category	Group	System	Specs	Plans	Contractor	TPB	Repair Status	SRVS	# ID	Description of Issue	Recommendation	Fully Burdened Cost	Location(s) of issue	Repair YR	2022	2023	2024
2	Police Department	Immediate Repair Need	Structure	Stairs-Concrete-Exterior				TPB		A	#114	Mildew is present on the exterior concrete stairs and walkway and the caulking between treads is failing.	Pressure wash mildew, replace caulking, and then repaint stairs.	$2,723	Throughout	2022	$2,723		
2	Police Department	Immediate Repair Need	Exterior Walls	Aluminum Railing				TPB		A	#116	The railing on the east side of the generator room has come loose and is no longer safe.	Secure railing to building.	$1,090	Throughout	2022	$1,090		
2	Police Department	Immediate Repair Need	Exterior Railing	Aluminum Railing				TPB		A	#117	Paint on exterior, aluminum railing is faded and beginning to peel.	Repaint aluminum railing around the building to prevent	$6,548	Exterior	2022	$6,548		
2	Police Department	Immediate Repair Need	Exterior Doors	Metal Doors				TPB		A	#131	Moderate corrosion is present at the bottom of the exterior doors around the building.	Repair corrosion on exterior metal doors.	$9,741	Throughout Exterior	2022	$9,741		
2	Police Department	Immediate Repair Need	Exterior Walls	Concrete Masonry Unit	X		General Contractor			A-S	#122	Moderate spalling and cracking noted on exterior façade.	Repair exterior façade.	$15,618	Throughout Exterior	2022	$15,618		
2	Police Department	Recommended in 1-5 Years	Domestic Water Distribution	Domestic Water Piping		X	Plumbing Contractor			M	#163	Domestic water piping has exceeded its useful life.	Plan to replace system within five years.	$117,930	Throughout	2023-24		$18,432	$108,837
2	Police Department	Recommended in 1-5 Years	Sanitary Sewer	Sanitary Waste Piping		X	Plumbing Contractor			M	#165	Sanitary waste piping has exceeded its useful life.	Plan to replace system within five years.	$230,083	Throughout	2023-24		$35,962	$212,344
2	Police Department	Immediate Repair Need	Exterior Walls	Cast In Place Concrete Beam	X		General Contractor			S	#115	Moderate spalling exists at the concrete header to the basement garage entrance.	Repair concrete header at basement garage entrance to	$12,188	Parking Ramp Entrance	2022	$12,188		
													Sub-total	**$395,919**			**$47,906**	**$54,394**	**$321,181**

Annual Escalation	**4.2%**

* 30-year average inflation rate, excluding deflation in recession years 2008-2010, for nonresidential buildings is 4.2%. Inflation rates were at record highs in 2021 and may continue for the next couple of years.

Source: https://edzarenski.com/2022/02/11/construction-inflation-2022/

03/12/24 TCM Backup



FIRST FLOOR PROPOSED LOCKER ROOMS PLAN 'A' W/ PLANTER & 'A1' W/OUT PLANTER AREA

SCALE: 1/4" = 1'-0"

NO. REVISION DATE

CONSULTANT:

PALM BEACH POLICE DEPARTMENT
RESTROOMS & LOCKER RENOVATIONS
345 SOUTH COUNTY ROAD
PALM BEACH, FL

CPZ ARCHITECTS, INC.
4316 WEST BROWARD BOULEVARD
PLANTATION, FLORIDA 33317
PHONE: (954) 792-8525 FAX: (954) 337-0359
AA #26006065 WWW.CPZARCHITECTS.COM

NOT FOR CONSTRUCTION

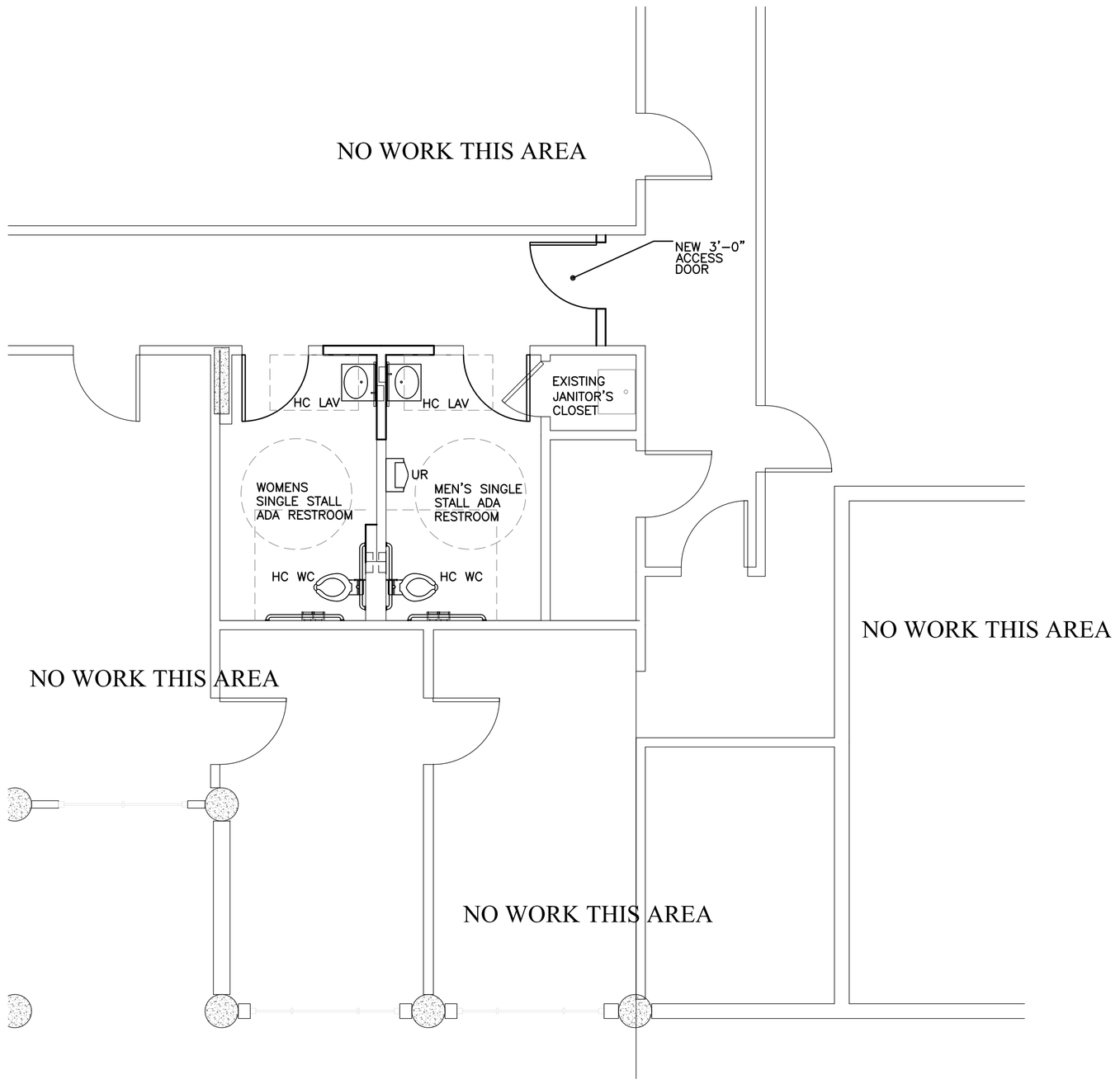
DRAWING TITLE:
FIRST FLOOR
LOCKER ROOM PLAN
LEGENDS, & DETAILS

DRAWN	ZL/CP
CHECKED	CP/CPZ
DATE	07.25.17
SCALE	AS NOTED
PROJECT NO.	1714
SHEET:	A-1

CHRIS P. ZIMMERMAN, A.I.A.
REGISTERED ARCHITECT NO. 10,995
STATE OF FLORIDA

DATE:

03/12/24 TCM Backup



FIRST FLOOR PROPOSED RESTROOMS PLAN 'A'

SCALE: 1/4" = 1'-0"

NO.	REVISION	DATE

CONSULTANT:

PALM BEACH POLICE DEPARTMENT
RESTROOMS & LOCKER RENOVATIONS
345 SOUTH COUNTY ROAD
PALM BEACH, FL

CPZ ARCHITECTS, INC.
416 WEST BROWARD BOULEVARD
FORT LAUDERDALE, FLORIDA 33311
PHONE (954) 527-1422 FAX (954) 337-6859
AA #26000685 WWW.CPZARCHITECTS.COM

CPZ

DRAWING TITLE:
FIRST FLOOR
RESTROOMS PLAN
LEGENDS, & DETAILS

DRAWN	ZL/CP
CHECKED	CP/CPZ
DATE	07.25.17
SCALE	AS NOTED
PROJECT NO.	1714

SHEET:

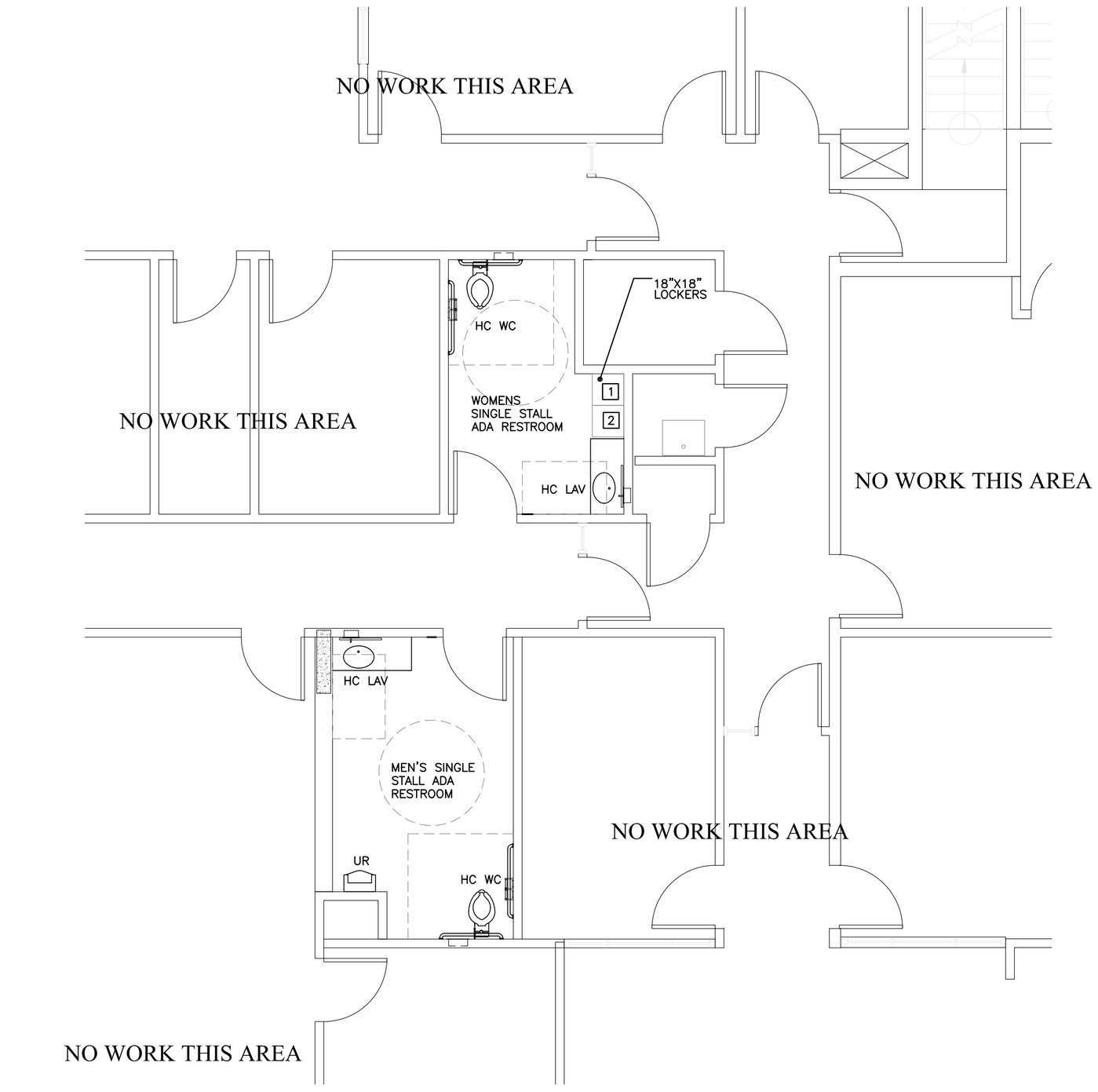
A-1.1

NOT FOR CONSTRUCTION

CHRIS P. ZIMMERMAN, A.I.A.
REGISTERED ARCHITECT NO. 10,995
STATE OF FLORIDA

DATE:

03/12/24 TCM Backup



SECOND FLOOR PROPOSED RESTROOMS PLAN 'A'

SCALE: 1/4" = 1'-0"

NO.	REVISION	DATE

CONSULTANT:

PALM BEACH POLICE DEPARTMENT
RESTROOMS & LOCKER RENOVATIONS

345 SOUTH COUNTY ROAD
PALM BEACH, FL

CPZ ARCHITECTS, INC.
431 6 WEST BROWARD BOULEVARD
PLANTATION, FLORIDA 33317
PHONE (954) 370-9552 FAX (954) 337-0859
AA 26000685 WWW.CPZARCHITECTS.COM

CPZ

DRAWING TITLE:
FIRST FLOOR
RESTROOMS PLAN
LEGENDS, & DETAILS

DRAWN	ZL/CP
CHECKED	CP/CPZ
DATE	07.25.17
SCALE	AS NOTED
PROJECT NO.	1714

SHEET:

A-1.2

NOT FOR CONSTRUCTION

CHRIS P. ZIMMERMAN, A.I.A.
REGISTERED ARCHITECT NO. 10,995
STATE OF FLORIDA

DATE:

23 October 2023

Mr. Jayson A. Hall, Senior Project Manager
CPZ Architects, Inc.
4316 West Broward Boulevard
Plantation, Florida 33317

Ref: Tower of Palm Beach – Police Department Renovation Project

Dear Jayson:

OCI Associates, Inc., is pleased to submit the following proposal for Professional Engineering services. Following is our understanding of the scope of work and our fee proposal. Should you find our fee proposal acceptable, please sign and return one copy for initiation of professional service contracts as required.

Project Description:

Our proposal has been solely based on the information contained within the Identified Repairs Master List as well as an initial site walk on the 12th of September 2023. The project we understand will be an interior renovation of the first floor and second floor public restrooms, the officer locker rooms, and replacement of the existing domestic water and sanitary piping for the building.

First Floor: Proposed Locker Rooms – Scope of Work

- Renovation of 552 sq.ft. Men's Restroom & Locker Area. Includes 103 sq.ft. expansion of the building.
- Renovation of 525 sq.ft. Women's Restroom & Locker Area.

First Floor: Proposed Public Restrooms – Scope of Work

- Renovated 82 sq.ft. Women's Public Restroom to ADA Compliance.
- Renovated 84 sq.ft. Men's Public Restroom to ADA Compliance.
- New security access door to be added in replacement of existing.

Second Floor Proposed Public Restrooms – Scope of Work

- Renovated 118 sq.ft. Men's Public Restroom to ADA Compliance.
- Renovated 89 sq.ft. Women's Public Restroom to ADA Compliance.

- Replacement of existing Domestic water & Sanitary water piping.

Scope of Work:

Provide professional Mechanical, Electrical, Plumbing and Fire Protection Design Engineering Services. Our scope of work will include the following items:

Pre-Design Services

OCI's MEP/FP scope will also include pre-design services to assist in developing MEP/FP concepts and standards in preparation for the start of architectural designs. OCI will participate in the Project Pre-Design Services by participating in meetings, design items such as equipment room sizes, recommendations of equipment types, sizes, system narratives and system evaluations, as necessary. This will also include the field Investigation of existing conditions and document as related to this scope of work.

Mechanical Engineering

- Provide HVAC Design Engineering to rework existing ductwork to support new restroom and locker areas.
- Provide HVAC Design Engineering and specification for exposed HVAC piping within the garage area.
- Provide HVAC Design Engineering for garage ventilation and air purity detection system.

Electrical Engineering

- Provide electrical engineering for power distribution and circuiting to support the architectural renovations of the first-floor public restrooms, first floor locker rooms, and second floor common restrooms.
- Provide electrical engineering for new interior lighting and exit signs in renovation areas listed above and associated circuiting and controls.
- Provide low voltage design to support renovation of telecom / data, and security device locations of renovation areas.

Plumbing Engineering

- Provide design for domestic water and sanitary sewer to support the interior renovation of the new restroom and locker room layouts.

Fire Protection Design

- Provide Fire Protection Design to Relocate/Adjust or Add New Sprinkler Heads to Support New Ceiling Layouts of renovated areas.

Scope of Services:

Our Scope of Work and Services will include the following:

- Design Team Meetings
- MEP/FP Specifications and Construction Documents (Revit (BIM) or AutoCAD).
- Design Documents, Reviews and Responses for:
    - Design Development
    - Construction Documents
    - Bidding and Negotiation
    - Responses to any Building Department Reviews.

Compensation for Services:

Our fee for this design effort will be $23,160.00, plus customary reimbursable expenses. Our billing breakdown will be as follows:

• Design Development	$ 8,000.00
• Construction Documents	$12,160.00
• Bidding	$ 1,500.00
• Permitting	$ 1,500.00

Line-Item Additional Service Item:

Plumbing Design As-Built Development

Provide as-built drawings based on limited field investigations to quantify replacement of domestic water and sanitary piping throughout building. Our fee for this effort will be $5,790.00

Reimbursable Expenses:

Printing/Reproduction and Methods of Shipping/Delivery Services are to be billed at direct cost. We estimate expense will not exceed $500 and will be billed at direct cost.

Additional Expenses:

Services required beyond basic scope shall be negotiated on an as needed basis at which time a proposal for additional services will be provided.

Thank you very much for extending this opportunity to us. Should you have any questions or require further clarification, please do not hesitate to call.

Accepted by:

OCI Associates, Inc.
Principal
OCI Associates, Inc

Accepted by:

CPZ Architects, Inc.

_____
Signature

_____
Date

MUEngineers, Inc.
3440 NE 12th Avenue
Oakland Park, FL 33334
Phone: (954) 324-4730
CA#: 29348
www.MUEngineers.com

Proposal

September 21, 2023

CPZ Architects, Inc.
4316 West Broward Boulevard
Plantation, FL 33317
Attention: Mr. Jayson Hall

Via E-Mail: jayson@cpzarchitects.com

Reference	Project Name:	Police Department Restroom & Locker Room Renovations
	Project Address:	345 South County Road, Palm Beach, FL
	MUE PN:	MUE23083001

Dear Jayson,

We are pleased to propose the following agreement for providing structural engineering services on this project. This proposal will remain open for acceptance for 30 days from the date above.

MUEngineer's project scope of work (SOW)

Our scope and involvement in this project will be limited to the following structural consulting services:

- Perform one initial site visit to observe the existing building structure at the location of the to be enclosed outside porch area.
- Structural design related to the enclosure of the existing exterior porch area to be utilized as an ADA restroom.
- Structural design and detailing for new pipe openings on the 1st floor elevated slab (slab above the parking garage for the restroom remodel)
- Repair details for existing concrete beam at the garage entrance located on the East side of the parking structures. The existing beam has honey combing at the bottom, some rusted rebar near the south side of the beam, and some cracks on the east face and at the bottom.
- Repair details for honeycombing in the existing concrete wall located on the south side of the garage ramp.

Special Conditions

- MUEngineers will be provided with a complete set of architectural and structural record documents of the original building construction in pdf, rvt or dwg file format.

Engineering Compensation

The fee for these services will be broken down as follows:

- Structural Design and Permit Documents (PDs) — Fixed fee of $9,400.00 (Total)

• Permit Phase Assistance (limited to response to structural related permit comments, revising structural construction documents as per the permit comments and issuing Construction Documents (CDs))	Fixed fee of $640.00
• Technical specifications related to the structural design of the building structure	Not included in our fee and scope
• Structural design of any site, civil, and land scape structures such as but not limited to e.g., privacy walls, retaining walls, generator supports and enclosures, dumpster enclosures, etc. located more than 5'-0" off the building envelope	Not included in our fee and scope
• Time related to value engineering tasks	Not included in our fee and scope
• Time related to private peer reviews and peer reviews demanded by any authorities such as the local building department.	Not included in our fee and scope
• Bidding Assistance (responding to bidders RFIs and attending up to one bidding phase conference call)	Fixed fee of $640.00
• Construction Administration Services (CA)	Not include at this time but will be included in the scope as an additional service as negotiated at a later date.
• Project engineer site visits and attending meetings during construction.	On an as needed and hourly rate basis per our standard rate schedule with a minimum charge of $640.00 per scheduled site visit and site meeting
• Reimbursable expenses for printing and shipping of 2 permit sets per official building department permit review, printing and shipping of 2 signed and sealed sets of construction documents and printing and shipping of 2 sets of official building department permit revisions.	Fixed fee of $250.00 (only applies if printed documents are requested and / or required)
• Special Inspections and additional site visits during construction	Not included in our scope and fee; Available as additional service or separate contract with ownership.

Any revisions to the scope of work, additional services, any changes to a portion of the structure for which the structural design has been completed more than 25% or additional services will be done at the prevailing hourly rates for the personnel involved.

Hourly rate schedule

Principal	$250.00 per hour
Project Manager	$180.00 per hour
Project Engineer/Structural Designer	$160.00 per hour
Inspector	$120.00 per hour
BIM/CAD Technician	$115.00 per hour
Administrative	$90.00 per hour

Specifications, documents, and deliverables

- Two sets of signed and sealed structural permit sets.

Not included in our fee or scope

- Cost estimating
- Additional Reimbursable Expenses (See exhibit A for additional information)
- Design of items not related to the main building structure or indicated above such as:
  - Design of specialty-engineered structural building components and miscellaneous items not related to the main building structure such as concrete tilt wall panels, decorative and architectural precast concrete components, heavy timber framing and connections, wood trusses, light gauge steel framing, steel joists and girders, windows and doors and their attachments, trellises, canopies, screen framing, fabric structures, any type of stair framing and stair structures (other than conventional cast in place concrete stairs or wood framed stairs, ladders, railings, RTU curbs and stands, cooling tower support framing, trellises, elevated wood decks, etc., mechanical equipment support framing and hangers, etc.
- Design related construction means and methods, construction sequencing, construction loading conditions, sheathing, shoring, scaffolding, formwork, temporary bracing, etc.
- Material testing, if necessary, to determine material strengths, mechanical and chemical components, and composition of existing structural components

This proposal is based on the following assumptions.

- A Geotechnical Engineer will be retained by others and MUE will coordinate its foundation design with the Geotechnical Engineer's written report. Client understands, agrees, and accepts that MUE may use the Geotechnical Engineer's written report and is entitled to rely upon its accuracy and completeness. Client recognizes and understands that the Geotechnical Engineer is responsible for the accuracy and completeness of the Geotechnical Engineer's written report.
- The General Contractor or Construction Manager is solely responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with this work, including meeting all current OSHA regulations. MUEngineers, Inc. is not responsible for the means and methods of construction or for related safety precautions and programs.

Additional Provisions

In the event that the Client requests termination of the work prior to completion, we reserve the right to complete such analysis and records as necessary to place our files in order and, where considered by us necessary to protect our professional reputation, to complete a report on the work performed to date. A

termination charge to cover the cost thereof in an amount not to exceed 30 percent of all charges incurred up to the date of the stoppage of work may, at the discretion of MUEngineers, Inc., be applicable.

All work prepared by MUEngineers, Inc. is the property of the corporation and may only be used for its intended use. Said work may not be used at any other location for any other use without MUEngineers' written authorization.

This Letter of Agreement and Exhibit A constitute the entire agreement between the parties. Please examine these documents, sign, and return one copy along with the applicable retainer.

We are looking forward to working with you on this project.

Sincerely,

Ricardo Madriz, P.E., LEED AP
VP of Engineering

THE PARTIES ACKNOWLEDGE THAT THEY HAVE READ THIS AGREEMENT, UNDERSTAND IT AND AGREE TO BE BOUND BY ITS TERMS, AND THE PERSON SIGNING ON BEHALF OF EACH HAS BEEN AUTHORIZED TO DO SO. IF THE PERSON SIGNING BELOW AS CUSTOMER IS ENTERING INTO THIS AGREEMENT ON BEHALF OF A COMPANY OR OTHER LEGAL ENTITY, SUCH PERSON REPRESENTS THAT HE OR SHE HAS THE AUTHORITY TO BIND SUCH ENTITY AND ITS AFFILIATES TO THESE TERMS AND CONDITION

Customer Name:		**MUEngineers, Inc.**	
Authorize Signature:		Authorized Signature:	
Print Full Name		Print Full Name:	Ricardo Madriz
Job Title:		Job Title:	VP of Engineering
Signature Date		Signature Date:	September 21, 2023

NOTE: PLEASE RETURN A SIGNED COPY OF THE ACCEPTED PROPOSAL TO MUENGINEERS AS YOUR APPROVAL AND AUTHORIZATION TO COMMENCE WITH THESE DESIGN SERVICES

EXHIBIT A – TERMS AND CONDITIONS

This is an exhibit attached to and made part of the Letter of Agreement dated September 21, 2023 between CPZ Architects, Inc. and MUEngineers, Inc. MUEngineers, Inc. (SE) shall perform the services outlined in this Agreement for the stated fee arrangement.

Fee

The total fee, except stated as fixed fee or lump sum, shall be understood to be an estimate, based upon Scope of Services, and shall not be exceeded by more than ten percent without written approval of the Client. Where the fee arrangement is to be on an hourly basis, the rates shall be those that prevail at the time services are rendered.

Billings/Payments

Invoices for services and reimbursable expenses and are due when rendered. Invoices shall be considered past due if not paid within 14 days after the invoice date and MUE may, without waiving any claim or right against Client, and without liability whatsoever to the Client, terminate the performance of the service. Retainers shall be credited on the final invoice. A service charge will be charged at guaranteed interest rate of 1.5% (or the legal rate) per month on the unpaid balance. In the event any portion of an account remains unpaid 90 days after billing, the Client shall pay cost of collection, including reasonable attorneys' fees.

Additional Reimbursable Expenses

Additional reimbursable expenses incurred directly or indirectly in connection with the project such as, but not limited to, printing and shipping expenses for additional sets of structural documents as / if requested, travel expenses [including travel time], overnight deliveries, etc.

Access to Site

Unless otherwise stated, MUE will have access to the site for activities necessary for the performance of the services. MUE will take precautions to minimize damage due to these activities but has not included in the fee the cost of restoration of any resulting damage.

Hidden Conditions and Hazardous Materials

A structural condition is hidden if it is concealed by an existing finish or if it cannot be investigated by reasonable visual observation. If MUE has reason to believe that a structurally deficient condition may exist, MUE shall notify the Client who shall authorize and pay for all costs associated with the investigation of such a condition and, if necessary, all costs necessary to correct said condition. If (1) the Client fails to authorize such investigation or correction after due notification, or (2) MUE has no reason to believe that such a condition exists, the Client is responsible for all risks associated with this condition, and MUE shall not be responsible for the existing condition nor any resulting damages to persons or property. SE shall have no responsibility for the discovery, presence, handling, removal, disposal, or exposure of persons to hazardous materials of any form.

Indemnifications

MUE shall indemnify and hold harmless the Client and its personnel against any and all claims, damages, losses, and expenses to the extent they are caused by the negligent acts or omissions of MUE or its employees in the performance of its services under this agreement, subject to the Risk Allocation provisions. The Client shall indemnify and hold harmless MUE and all of its personnel from and against any and all claims, damages, losses and expenses arising out of or resulting from the performance of the services, provided that any such claims, damage, loss or expense is caused in whole or in part by the negligent act or omission and/or strict liability of the Client, anyone directly or indirectly employed by the Client (except MUE) or anyone for whose acts any of them may be liable. This indemnification shall include any claim, damage, or loss due to the presence of hazardous materials.

Risk Allocation

In recognition of the relative risks and benefits of the Project to both the Client and the Consultant, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of the Consultant and Consultant's officers, directors, partners, employees, shareholders, owners and subconsultants for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, including attorneys' fees and costs and expert-witness fees and costs, so that the total aggregate liability of the Consultant and Consultants officers, directors, partners, employees, shareholders, owners and subconsultants shall not exceed $100,000.00, or the Consultant's total fee for services rendered on this Project, whichever is greater. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law

Termination of Services

This Agreement may be terminated upon 10 days written notice by either party should the other fail to perform their obligations hereunder. In the event of termination, the Client shall pay MUE for all services rendered to the date of termination, all reimbursable expenses, and reasonable termination expenses.

Ownership Documents

All documents produced by MUE under this Agreement shall remain the property of MUE and may not be used by the Client for any other endeavor without the written consent of MUE.

Dispute Resolution

Any claim or dispute between the Client and MUE shall be submitted to mediation, subject to the parties agreeing to a mediator. This agreement shall be governed by the laws of the principal place of business of MUEngineers, Inc.
It is intended by the parties to this Agreement that the Consultant’s services in connection with the project shall not subject the Consultant’s individual employees, officers, or directors to any personal legal exposure for the risks associated with this project. The Owner agrees that as the Owner’s sole and exclusive remedy, any claim, demand, or suit shall be directed and/or asserted only against the Consultant, a Florida corporation, and not against any of the Consultant’s employees, officers, or directors.

PURSUANT TO SECTION 558.0035 FLORIDA STATUTES, THE CONSULTANT'S CORPORATION IS THE RESPONSIBLE PARTY FOR THE PROFESSIONAL SERVICES IT AGREES TO PROVIDE UNDER THIS AGREEMENT. NO INDIVIDUAL PROFESSIONAL EMPLOYEE, AGENT, DIRECTOR, OFFICER, OR PRINCIPAL MAY BE INDIVIDUALLY LIABLE FOR NEGLIGENCE ARISING OUT OF THIS CONTRACT.

Initial:
03/12/24 TCM Backup

BROWN & PHILLIPS, Inc.
PROFESSIONAL SURVEYING SERVICES

October 20, 2023

Mr. Jayson Hall
CPZ Architects, Inc.
4316 West Broward Boulevard
Plantation, FL 33317

Re: Town of Palm Beach Police Department at 345 South County Road in Palm Beach (PCN 50434323050280351) Boundary and Topographic Survey

Dear Jayson:

Thank you for the opportunity to provide you with the following services for the subject site. This proposal is based on documentation and information provided by your office. The scope of services is as follows:

SCOPE OF SERVICES

I. HORIZONTAL PROJECT NETWORK CONTROL

The survey will be oriented to Palm Beach County horizontal control (NAD 83/11 Adjustment). We will obtain the sectional and geodetic control information from the Palm Beach County Survey Department.

II. VERTICAL PROJECT NETWORK CONTROL

A level run will be performed onsite using the existing Palm Beach County benchmarks (NAVD 1988). At least two benchmarks will be set onsite.

III. BOUNDARY TIES AND MONUMENTATION

We will search for and tie in any existing boundary corners. These will be added to the drawing and will aid in controlling the survey. We will set a monument at all corners of the boundary, where missing, as required by law. We will then prepare a boundary survey in accordance with the Standards of Practice in Rule 5J-17.050 – 0.53, Florida Administrative Code, pursuant to Chapter 472.027 of the Florida Statutes. We will review any title work supplied by you.

IV. TIE IN IMPROVEMENTS AND CROSS SECTIONS

A complete topographic survey will be done at the site, tying in all above ground features. This will include but not be limited to buildings, pavement, walks, utilities, trees, landscaping, and drainage structures. We will obtain elevations on the site on an approximate 25' grid. We will locate sufficient points to give an accurate representation of the lay of the land. Approximate limits of the topographic survey are shown outlined in red on Attachment 'B'. The survey will include off-street parking and drive isles.

1860 Old Okeechobee Road • Suite 509 • West Palm Beach, Florida 33409
(561) 615-3988 • Fax (561) 615-3991

V. AS-BUILT

We will attempt to get as-built information on all the pipes leading out of any storm or sanitary sewer structures found. We will show invert elevations, pipe sizes and materials for all pipes located including outfall pipes.

VI. CLOSURE

A drawing will be produced which will show all the features located. We propose to provide CPZ Architects, Inc. with hard copies, a digitally signed PDF file, and an AutoCAD file in the version requested. We will perform the scope of services for a **lump sum fee of $10,817.50** (see Attachment 'A' for an hourly breakdown). Any additional work will be done on an hourly basis as approved by you. Please do not hesitate to call me with any questions you might have regarding this proposal. We look forward to working with you on this project.

Brown & Phillips, Inc.

John E. Phillips III, P.L.S.
Principal

Attachment

JEP/mb

This Proposal accepted this ____ day of _____, 2023

By: _____
CPZ Architects, Inc.

Print Name: _____

Title: _____

BROWN & PHILLIPS, Inc.
PROFESSIONAL SURVEYING SERVICES

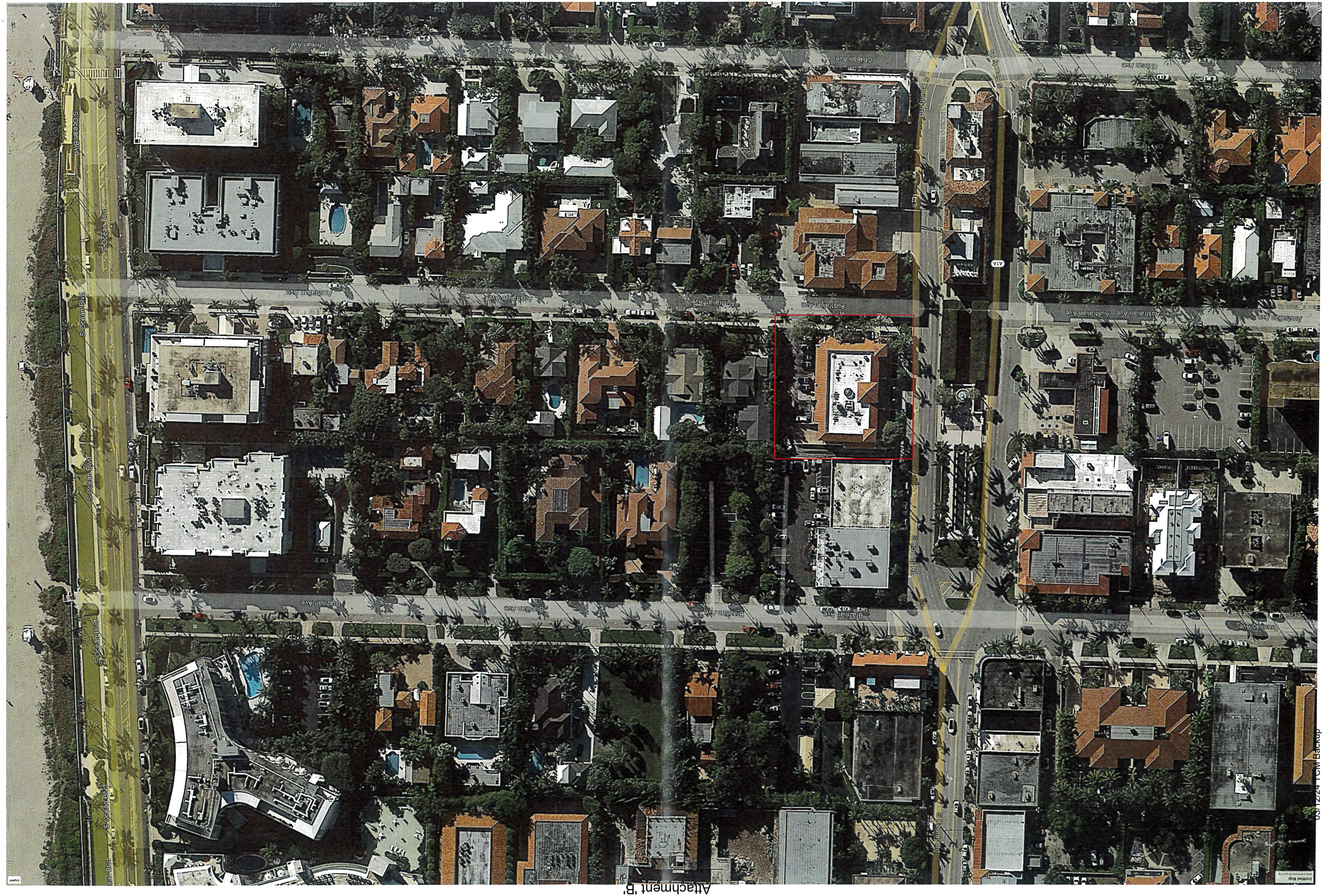
ATTACHMENT 'A'

Town of Palm Beach Police Department at
345 South County Road in Palm Beach
(PCN 50434323050280351)

Type of Survey: Boundary & Topographic
Size: ±0.54 acres
Date: October 20, 2023

TASK	SURVEY CREW	CADD TECH	SURVEY TECH	PLS	COMMENTS
Meetings and Coordination				1	
Horizontal Project Network Control	2		12	2	Review title package. Set control points, work up boundary
Vertical Project Network Control	5		1		Establish onsite benchmarks
Section/Boundary Ties	6		2	2	Find and locate existing monumentation
Boundary Monumentation	1			0.5	Set missing property corners
Tie In Improvements, Cross Sections and As-builts	22		2		All above ground features, 25' cross sections & spot elevations, obtain asbuilt data
Drawing		16	5	3	Prepare boundary & topographic survey
Total Hours:	36	16	22	8.5	
Rate/Hour	$150.00	$105.00	$110.00	$155.00	
Subtotal:	$5,400.00	$1,680.00	$2,420.00	$1,317.50	
Total Labor Cost:					$10,817.50

TOTAL PRICE **$10,817.50**



Attachment "B"

03/12/24 TCM Backup

Revised Proposal

CMS-Construction Management Services, Inc.
11555 Heron Bay Blvd., Suite 204
Coral Springs, FL 33076

Contact: Ana DeJesus / Wayne Birch
Phone: (954) 481-1611
Email: adejesus@cms-construction-services.com

Town of Palm Beach Police Dept. Renovation

Proposal Date: **12/21/23**

Proposal Valid Through: **06/21/24**

Customer	
Company:	**CPZ Architects, Inc.**
Project Address:	345 South County Road Palm Beach, FL 33480

Customer Contact	
Contact:	Jayson A. Hall/Chris Zimmerman
Title:	Senior Project Manager
Phone:	954-792-8525 Ext. 103
Email:	jayson@cpzarchitects.com

CMS, Inc. is pleased to provide Professional Cost Estimating Services in response to your request.

The estimate will conform to CSI Master Format Construction Cost Estimating and use local line-item construction costs. We will provide the services necessary to prepare cost estimates for the following items, which includes relevant coordination and revision meetings.

Scope of Basic Services:

CMS will provide the 50% CD & 100% CD cost estimates referencing plans and scope of work provided by CPZ Architects, Inc.

50% CD Cost Estimate			
Title	***Hours***	***Rate***	***Total***
Project Manager	05	$ 127.05	$ 635.25
Chief Estimator	64	$ 120.84	$ 7,733.76
Administrative Assistant	04	$ 88.84	$ 355.36
Total	**73**		$ **8,724.37**

100% CD Cost Estimate			
Title	***Hours***	***Rate***	***Total***
Project Manager	03	$ 127.05	$ 381.15
Chief Estimator	42	$ 120.84	$ 5,075.28
Administrative Assistant	02	$ 88.84	$ 177.68
Total	**47**		$ **5,634.11**

SUMMARY OF FEES

50% CD Cost Estimate	$8,724.37
100% CD Cost Estimate	$5,634.11
TOTAL	**$14,358.48**

Payment Terms

Payment terms are ***NET30*** unless otherwise agreed or bound by sub-contractor or other superseding agreements.

Thank you and we look forward to working with you. Should you agree to the above, please sign in the space provided below and return a copy to our office for processing.

CMS –
Construction Management Services Inc.

By: _____
Signature - Wayne Birch

Principal
Title

12/21/23
Signature Date

CPZ Architects, Inc.

By: _____
Signature – Chris Zimmerman, AIA

President
Title

Signature Date

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Resolutions

Agenda Title
RESOLUTION NO. 026-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2024-12, Automated External Defibrillators (AED) and Related Training Material for the Fire Department in an Amount Not-to-Exceed $150,000 to Life Safety Solutions.

Presenter
Dean Mealy, II Procurement and Contract Manager

ATTACHMENTS:

- **Memorandum dated February 26, 2024 from Dean Mealy, II Procurement and Contract Manager**
- **Resolution No. 026-2024**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA Deputy Town Manager, Finance and Administration

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

RE: Resolution approving the Award of ITB No. 2024-12, Automated External Defibrillators (AED) and related training material for the Fire Department in an amount not-to-exceed $150,000 to Life Safety Solutions

DATE: February 26, 2024

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 026-2024, approving the Award of ITB No. 2024-12, Automated External Defibrillators (AED) and related training material for the Fire Department in an amount not-to-exceed $150,000.

SUMMARY EXPLANATION/BACKGROUND

At the December Town Council Meeting the Police and Fire Foundation made a donation for the purchase of Automated External Defibrillators (AED) for residents.

Procurement and Contract Management in conjunction with the Fire Department, ended up rebidding the original quantities that had been identified.

ITB No. 2024-12 was the second bid and attracted fourteen (14) firms to participate. The unit price dropped to $725 per unit. The quantity bid on was 130 units. In addition to the units, the Fire Department will have to purchase training materials which will be secured from Life Safety Solutions. The Town has had a long-standing relationship with Life Safety Solutions, which has been rated very good.

FUNDING/FISCAL IMPACT

Funding for this award will be from the Police and Fire Foundation Donation.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 026-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE AWARD OF ITB NO. 2024-12, AUTOMATED EXTERNAL DEFIBRILLATORS (AED) AND RELATED TRAINING MATERIAL FOR THE FIRE DEPARTMENT IN AN AMOUNT NOT-TO-EXCEED $150,000 TO LIFE SAFETY SOLUTIONS.

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 No. 026-2024, approving the Award of ITB No. 2024-12, Automated External Defibrillators (AED) and related training material for the Fire Department in an amount not-to-exceed $150,000 to Life Safety Solutions.

Section 2. The Town Manager is hereby authorized to execute the Contract and 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 12th day of March, 2024.

_____
Danielle H. Moore, Mayor

_____
Margaret A. Zeidman, Town Council President

_____
Bobbie D. Lindsay, Council President Pro Tem

ATTEST:

_____
Julie Araskog, Town Council Member

_____
Edward A. Cooney, Town Council Member

_____
Kelly Churney, Acting Town Clerk

_____
Lewis S.W. Crampton, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Resolutions

Agenda Title
RESOLUTION NO. 029-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn and Associates, Inc. for Professional Engineering Services for the Sand Transfer Plant in the amount of $99,300 and Establishing a Project Budget of $114,195.

Presenter
Dean Mealy, II Procurement and Contract Manager

ATTACHMENTS:

- **Memorandum dated February 26, 2024 from Dean Mealy, II Procurement and Contract Manager**
- **Resolution No. 029-2024**
- **Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA Deputy Town Manager, Finance and Administration

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

RE: Resolution approving a purchase order to Kimley-Horn and Associates, Inc. for Professional Engineering Services for the Sand Transfer Plant in the amount of $99,300 and establishing a project budget of $114,195

DATE: February 26, 2024

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 029-2024, approving a purchase order to Kimley-Horn and Associates, Inc. (KHA) for Professional Engineering Services for the Sand Transfer Plant in the amount of $99,300 and establishing a project budget of $114,195.

SUMMARY EXPLANATION/BACKGROUND

The Town is interested in making improvements to the Sand Transfer Plant to increase operational reliability. Items that will be addressed have been identified during a recent site visit with Town staff. The improvements are anticipated to require a local Building permit. The improvements may also require a permit from an environmental permitting agency.

The following are improvements that are included:

- Replace crane system
- Rehabilitate steel crane support
- Install pipe manifold and valves to interconnect the 2 inlet crossing discharge pipes
- Unclog the inlet crossing discharge pipe
- Video the sand transfer pump suction line embedded in the building structure

KHA will prepare general civil, mechanical, and structural plans and technical specifications. The site plans will be developed using the existing record drawings and field measurements. Record drawings of the existing sand transfer discharge main that crosses the Palm Beach Inlet will be included in the technical specifications for reference. If it is determined that a survey is required during the permit approval process, it will be provided as an additional service.

KHA will submit plans and specifications for review at the 90% completion stage, meet with the Town to review their comments, and accommodate one round of reasonable requests for revisions by the Town after each review. KHA will provide an opinion of probable construction cost at the 90% design stage and update this document with the final design submittal.

FUNDING/FISCAL IMPACT

Funding for this award will be from the Coastal Fund.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 029-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER TO KIMLEY-HORN AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE SAND TRANSFER PLANT IN THE AMOUNT OF $99,300 AND ESTABLISHING A PROJECT BUDGET OF $114,195

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 No. 029-2024, approving a purchase order to Kimley-Horn and Associates, Inc. for Professional Engineering Services for the Sand Transfer Plant in the amount of $99,300 and establishing a project budget of $114,195.

Section 2. The Town Manager is hereby authorized to execute the Contract and 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 12th day of March, 2024.

_____
Danielle H. Moore, Mayor

_____
Margaret A. Zeidman, Town Council President

_____
Bobbie D. Lindsay, Council President Pro Tem

ATTEST:

_____
Julie Araskog, Town Council Member

_____
Edward A. Cooney, Town Council Member

_____
Kelly Churney, Acting Town Clerk

_____
Lewis S.W. Crampton, Town Council Member

February 9, 2024

Mr. Dean Mealy
Town of Palm Beach
951 Old Okeechobee Road
Suite A
West Palm Beach, FL 33401

RE: ***Sand Transfer Plant Improvements***

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 improvements to the Sand Transfer Plant in the Town of Palm Beach. Our project understanding, scope of services, and fee follows.

Project Understanding

It is understood that the Town is interested making improvements to the Sand Transfer Plant in order to increase operational reliability. Items that will be addressed have been identified during a recent site visit with Town staff. The improvements are anticipated to require a local Building permit. The improvements may also require a permit from an environmental permitting agency. Below are the improvements included for the station:

- Replace crane system
- Rehabilitate steel crane support
- Install pipe manifold and valves to interconnect the 2 inlet crossing discharge pipes
- Unclog the inlet crossing discharge pipe
- Video the sand transfer pump suction line embedded in the building structure

Scope of Services

Task 1 – Site Visits and Summary of Findings

We will attend a kickoff meeting with the Town to discuss the project goals. Kimley-Horn will visit the site 2 times to support the design services. During the first site visit, we will evaluate the severity of the corrosion on the steel crane support beams. We will measure section loss on the existing steel crane support beams and compare the field findings to the original beam dimensions to evaluate the condition of the support beams.

It is assumed that the corrosion is more surface oriented, and significant section loss is not anticipated. Kimley-Horn will prepare and submit to the Town a summary of findings documenting the severity of the corrosion and measured section loss. If replacement or repair of the steel support beams is warranted based on measured section loss, Kimley-Horn can provide these engineering services as an additional service.

Task 2 – Structural Design Phase Services

The design approach described in this task assumes that there is no significant section loss in the existing steel crane support beams as found during the site visit described in Task 1. Kimley-Horn will develop construction documents necessary to rehabilitate the existing steel crane support. Crane support rehabilitation is anticipated to include the in-place cleaning and coating of the steel crane support beams and the replacement of bolted on members. Kimley-Horn will analyze the existing crane support system to verify the steel members and connections are sized to support loads associated with the replacement crane system. We will perform design services to prepare construction plans and specifications for the crane support rehabilitation suitable for construction and submittal to the local Building Department containing the following information:

1. Structural Details 1
2. Structural Details 2
3. Technical Specifications

Task 3 – Civil and Mechanical Design Phase Services

Kimley-Horn will perform design services to prepare construction plans and specifications for the Sand Transfer Plant improvements suitable for construction and submittal to applicable permitting agencies and the local Building Department containing the following information:

1. Cover Sheet
2. General Notes
3. Aerial Site Plan
4. Demolition Floor Plan
5. Proposed Floor Plan
6. Crane Support Plan & Section
7. HDPE Pipe Access Vault Plan & Section
8. Photo Details
9. Construction Details 1
10. Construction Details 2
11. Technical Specifications

Kimley-Horn will prepare general civil, mechanical, and structural plans and technical specifications. The site plans will be developed using the existing record drawings and field measurements. Record drawings of the existing sand transfer discharge main that crosses the Palm Beach Inlet will be included in the technical specifications for reference. If it is determined that a survey is required during the permit approval process, we can provide this as an additional service.

We will submit plans and specifications for review at the 90% completion stage, meet with the Town to review their comments, and accommodate one round of reasonable requests for revisions by the Town after each review. We will provide an opinion of probable construction cost at the 90% design stage and update this document with the final design submittal.

Task 4 – Permitting Coordination

An assessment of the project revealed that project activities may require a Coastal Construction Control Line (CCCL) permit, Joint Coastal Permit (JCP), or Field Permit for some or all proposed project activities. As such, Kimley-Horn will conduct coordination with the Florida Department of Environmental

Protection (FDEP) to review the proposed activities and intended limits of work and determine the level of permitting that may be required for approval of these activities, if needed.

Following FDEP coordination, a brief memorandum will be prepared summarizing the results of the coordination as well as the required permitting efforts, if applicable. Any additional permitting efforts beyond those described under this task will be considered additional services.

Task 5 – Bid Phase Services

Kimley-Horn will attend the pre-bid meeting, review the bid proposal from the apparent low bidder, and prepare a bid tabulation and memorandum to the Town containing our findings after our review of the bids. We will also assist the Town with responding to questions received from prospective bidders, if required. We will provide up to 5 signed and sealed copies of the construction documents for the Town to distribute to the selected contractor for permitting. We will provide an "Issued for Construction" set of construction documents incorporating any revisions that occurred during the bid advertisement.

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:

- Structural design services to repair or replace the existing steel crane support beams as a result of Task 1
- Permitting assistance for any applicable environmental permits found to be needed as a result of Task 4
- Building Permit coordination and responses to RAIs from the Building Department will be included if a Construction Phase Services proposal is requested
- Surveying and Mapping, Construction Layout
- Record Drawing data collection and development
- Field Engineering
- Off-site improvements
- Construction Phase Services

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.

- Access to the site
- Available record drawings and data

Schedule

We will provide our services as expeditiously as practical to meet a mutually agreed upon schedule. It is understood these improvements are desired to be constructed in the summer of 2024.

Fee and Billing

Kimley-Horn will perform the services described in this Scope of Services on a lump sum basis for the amount of $99,300.00 in accordance with our Contract with the Town. Fees will be invoiced monthly based on a percentage of services performed as of the invoice date.

Task 1 – Site Visits and Summary of Findings	$7,800
Task 2 – Structural Design Phase Services	$27,450
Task 3 – Civil and Mechanical Design Phase Services	$56,400
Task 4 – Permitting Coordination	$2,050
Task 5 – Bid Phase Services	$5,600
Total	$99,300

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: Jason Lee, P.E.
Vice President

Attachment

K:\WPB_Civil\General\Calle\Marketing\Proposals\Palm Beach\Sand Transfer Plant Improvements\2024.02.09_Sand Transfer Plant Improvements.docx

ESTIMATE FOR ENGINEERING SERVICES

PROJECT:	Sand Transfer Plant Improvements	SHEET 1 of 1	
CLIENT:	Town of Palm Beach	FILE NO.	
ESTIMATOR:	DAC	DATE:	02/09/24
		ALLOCA	0.0000

DESCRIPTION: See Scope of Services	DIRECT LABOR (MAN-HOURS)											
	Principal Engineer	Chief Engineer	Senior Engineer	Senior Prof. Eng.	Reg. Prof. Engineer	Eng. Int.	Technician	Admin/Clerical	Senior Designer	SUB	EXP	LINE TOTAL
Site Visits & Summary of Findings												
Kick Off Meeting					3.0	3.0						$890
Site Visit (2)		4.0	4.0		4.0	10.0						$4,076
Analyze & Report findings to Town		2.0	5.0			8.0					$37	$2,834
Structural Design Phase Services												
Structural Analysis		2.0	12.0			40.0						$8,634
Structural Details 1		2.0	14.0			24.0						$6,987
Structural Details 2		2.0	14.0			24.0						$6,987
Structural Specifications		2.0	8.0			18.0					$34	$4,843
Civil and Mechanical Design Phase Services												
Equipment Selection (crane & valves)		2.0			10.0	18.0						$4,608
Construction Plans												
Cover Sheet						3.0						$396
Aerial Site Plan		2.0			6.0	10.0						$2,894
Demolition Floor Plan		2.0			10.0	20.0						$4,872
Proposed Floor Plan	2.0	2.0			14.0	20.0						$6,146
Crane Support Plan & Section	2.0	2.0			8.0	14.0						$4,366
HDPE Pipe Access Vault Plan & Section	2.0	2.0			10.0	14.0						$4,695
Photo Details	2.0	2.0			8.0	12.0						$4,102
Construction Details 1		2.0			10.0	14.0						$4,081
Construction Details 2		2.0			10.0	14.0						$4,081
Technical Specifications		4.0			14.0	18.0						$5,855
OPC		2.0			8.0	14.0						$3,751
90% Review Meetings and Submittal		2.0			4.0	8.0						$2,301
Respond to Review Meeting Comments/Produce Bid Set Plans		2.0			6.0	10.0						$2,894
Project Management and Coordination					8.0						$40	$1,358
Permitting Coordination												
Coordination with Permitting Agencies		1.0			4.0	8.0					$43	$2,050
Bid Phase Services												
Attend pre-bid meeting, attend field visits, prepare minutes		1.0			3.0	4.0						$1,315
Respond to Contractor RFIs		1.0			4.0	8.0						$2,007
Review bids and prepare summary memorandum		1.0			2.0	4.0						$1,151
Prepare conformed documents					2.0	6.0					$6	$1,127
TOTAL HOURS	**8.0**	**46.0**	**57.0**	**0.0**	**148.0**	**346.0**	**0.0**	**0.0**	**0.0**	**0**	**$159.29**	**$99,300**
LABOR ($/HOUR)	**$307.28**	**$293.55**	**$231.09**	**$200.85**	**$164.80**	**$131.84**	**$149.71**	**$92.80**	**$162.15**	**1.00**	**1.0**	
ALLOCATION	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**0.00**	**0.00**	
TOTALS	**$2,458**	**$13,503**	**$13,172**	**$0**	**$24,390**	**$45,617**	**$0**	**$0**	**$0**	**$0**	**$159**	**$99,300**

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Resolutions

Agenda Title
RESOLUTION NO. 030-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Duval Ford for the Purchase of Two (2) Ford Bronco Sports for the Fire Department in an Amount of $63,184 and Establishing a Project Budget of $70,000.

Presenter
Dean Mealy, II Procurement and Contract Manager

ATTACHMENTS:

- **Memorandum dated February 26, 2024 from Dean Mealy, II Procurement and Contract Manager**
- **Resolution No. 030-2024**
- **Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA Deputy Town Manager, Finance and Administration

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

RE: Resolution approving a purchase order to Duval Ford for the purchase of two (2) Ford Bronco Sport for the Fire Department in an amount of $63,184 and establishing a project budget of $70,000

DATE: February 26, 2024

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 030-2024, approving a purchase order to Duval Ford for the purchase of two (2) Ford Bronco Sport for the Fire Department in an amount of $63,184 and establishing a project budget of $70,000.

SUMMARY EXPLANATION/BACKGROUND

The Fire Department has identified a need for two additional support vehicles for operations. The request was reviewed and approved by the Town Manager's Office.

The two vehicles are awarded on the Florida Sherriff's Contract FSA 23-vel-31/FSA 23-veh21.

Although this award in under the Town Manager's Award Authority, funds are being moved from the Building Department's Enterprise Fund to support the purchase which Town Council review and approval.

FUNDING/FISCAL IMPACT

Funding for this award will be from the Building Enterprise Fund. This will require a future Budget Amendment that will be brought to Town Council later this fiscal year.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 030-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER TO DUVAL FORD FOR THE PURCHASE OF TWO (2) FORD BRONCO SPORTS FOR THE FIRE DEPARTMENT IN AN AMOUNT OF $63,184 AND ESTABLISHING A PROJECT BUDGET OF $70,000

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 No. 030-2024, approving a purchase order to Duval Ford for the purchase of two (2) Ford Bronco Sports for the Fire Department in an amount of $63,184 and establishing a project budget of $70,000.

Section 2. The Town Manager is hereby authorized to execute the Contract and 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 12th day of March, 2024.

_____	_____
Danielle H. Moore, Mayor	Margaret A. Zeidman, Town Council President
	_____
	Bobbie D. Lindsay, Council President Pro Tem
	_____
ATTEST:	Julie Araskog, Town Council Member
	_____
	Edward A. Cooney, Town Council Member
_____	_____
Kelly Churney, Acting Town Clerk	Lewis S.W. Crampton, Town Council Member

DUVAL Ford

Town of Palm Beach

Prepared for:		Contract Holder	1/30/2024
Town of Palm Beach Carlos Santana csantana@townofpalmbeach.com		Duval Ford Jared Davis (Work) 904-388-2144 (Fax) 904-387-6816 jared.davis@duvalmotor.com 405 Lane Avenue North Jacksonville, FL 32258	

PLEASE CONFIRM RECEIPT OF QUOTE VIA EMAIL

$90 | Parts Q

We appreciate your interest and the opportunity to quote. Pricing references the FLORIDA SHERIFFS ASSOCIATION LIGHT VEHICLE CONTRACT FSA 23-VEL-31 / FSA 23-VEH21. If you have any questions regarding this quote please call! Note, Vehicle will be ordered white exterior unless specified on purchase order. Shipping and Invoicing instructions are required on agency purchase order.

Labor Hours.

	Code	Equipment	UNIT PRICE	EXTENDED
1	R9B SOUTH	Item 235: Ford Bronco Sport Big Bend	$ 29,702.00	$ 29,702.00
1	YZ	Oxford White	$ -	$ -
1	QH	Ebony cloth	$ -	$ -
1	996/448	1.5L EcoBoost/8-spd automatic	$ -	$ -
1	NSO: LEATHER	Non-scheduled option: Add leather to front and rear seats	$ 1,890.00	$ 1,890.00
0	NOTE:			
UNIT COST				$ 31,592.00

TOTAL QUANTITY	2	*TOTAL PURCHASE*	$ 63,184.00

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Resolutions

Agenda Title
RESOLUTION NO. 033-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Proposed Beautification Design Plans for the Park Avenue Pocket Parks and Accept a Donation to Construct the Beautification Project. The Donation Amount is to be Determined at the Time of the Final Bid.

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

ATTACHMENTS:

- **Memorandum dated February 28, 2024, from H. Paul Brazil, P..E., Director of Public Works**
- **Resolution No. 033-2024**
- **Conceptual Design Budget Allowance**
- **South Park Landscape Plan**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Approval for the Town to Approve Design Plans and Accept a Donation to Beautify the Park Avenue Pocket Parks
Resolution No. 033-2024

DATE: February 28, 2024

STAFF RECOMMENDATION

Town staff recommends that the Town Council approve Resolution No. 033-2024 to approve design plans and accept a private donation for construction for beautification of the Park Avenue Pocket Parks.

GENERAL INFORMATION

A private donor has worked with a designer to prepare plans, specifications, and opinion of cost for beautification of the two (2) Town-owned Park Avenue Pocket Parks located at 240 and 247 Park Avenue. The design plans include landscape and hardscape elements; including sidewalk, benches, a fountain, and site walls. The donor is seeking approval from Town Council for the proposed design. The proposed donation is being offered to the Town of Palm Beach to construct the parks' beautification within their existing footprints.

If approved, Public Works staff will coordinate and administer bidding and construction phase services with the awarded contractor for this donation project. The opinion of probable cost is $461,000. The final value of the donation will be based on receiving a final bid cost. The donation will be received prior to executing the construction contract.

FUNDING/FISCAL IMPACT

The Parks renovations are being funded through private donation.

Attachments

cc: Jason Debrincat, P.E., Assistant Director
Patricia Strayer, P.E., Town Engineer
Wayne Bergman, MCP, LEED-AP Director of Planning, Zoning & Building
Dean Mealy, Procurement and Contracts Manager

RESOLUTION NO. 033-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PROPOSED BEAUTIFICATION DESIGN PLANS FOR THE PARK AVENUE POCKET PARKS AND ACCEPT A DONATION TO CONSTRUCT THE BEAUTIFICATION PROJECT. THE DONATION AMOUNT IS TO BE DETERMINED AT THE TIME OF THE FINAL BID.

WHEREAS, the Town Council of the Town of Palm Beach shall provide review and approval of the proposed beautification design plans for the Town-owned parks at 240 and 247 Park Avenue; and

WHEREAS, the Town Council shall accept the donation for the construction of the two parks;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1**:** the Town Council of the Town of Palm Beach hereby approves Resolution 033-2024, approving the proposed beautification design plans for the Town-owned parks at 240 and 247 Park Avenue and moves the project forward for bidding and construction to be completed by the Public Works department.

Section 2: The Town Council of the Town of Palm Beach accepts the donation for the construction of the beautification project for the two parks. The donation amount is to be determined at the time of the final bid.

Section 3: The Resolution shall take effect upon execution. A copy of this Resolution shall be filed in the office of the Town Clerk.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of March 2024.

_____
Danielle H. Moore, Mayor

_____
Margaret A. Zeidman, Town Council President

_____
Bobbie D. Lindsay, Town Council President Pro Teem

ATTEST:

_____
Julie Araskog, Town Council Member

_____
Edward A. Cooney, Town Council Member

_____
Kelly Churney, Acting Town Clerk

_____
Lewis S.W. Crampton, Town Council Member

NIEVERA WILLIAMS DESIGN

Park Avenue Pocket Parks

Palm Beach, Florida 33480

02/29/24

Opinion of Probable Cost - Conceptual Design Budget Allowance

No.	Item	Unit	Qty	Unit Cost	Total Cost	Description
1	**Hardscape/Site**					
2	Site Screening and Protection	LS	1	$10,000	$10,000	
3	Tabby Concrete Walkways	LS	1	$125,000	$125,000	
4	Retaining Walls	LS	1	$30,000	$30,000	
5	Retaining Wall Railings	LS	1	$20,000	$20,000	
6	Retaining Wall Columns	EA	12	$5,000	$60,000	
7	Benches	EA	6	$2,500	$15,000	
8	Fountain	LS	1	$65,000	$65,000	
9	**Hardscape/Site Sub-Total**				**$315,000**	
10	**Landscape**					
11	Tree Relocations	LS	1	$8,000	$8,000	
12	Grading & Soil Amendments	LS	1	$10,000	$10,000	
13	Trees & Palms	LS	1	$25,000	$25,000	
14	Shrubs & Ground Cover	LS	1	$64,000	$64,000	
15	Sod	LS	1	$9,000	$9,000	
16	Irrigation Modifications	LS	1	$30,000	$30,000	
17	**Landscape Sub-Total**				**$146,000**	
18	**Construction Budget Total**	LS			**$461,000**	Contingency not included

Note:

The opinion of probable construction costs provided for herein are made on the basis of experience and represent our best judgment as Landscape Architects familiar with the construction industry. The firm cannot and does not guarantee that proposals, bids or the construction cost will not vary from our opinions of probable costs. If the Owner wishes greater assurances as to the construction cost, we recommend the employment of an independent cost estimator.

03/19/24 11:04 AM Backup



0 1 2 4 8 12 FEET
SCALE: 3/16" = 1'-0"

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MARIO F. NIEVERA

State of Florida
Landscape Architect
Registration No.
6666856

SOUTH PARK LANDSCAPE PLAN

PARK AVE POCKET PARKS

240 - 247 PARK AVENUE, PALM BEACH, FLORIDA

SCALE: 3/16" = 1'-0"

06 NOVEMBER 2023

NIEVERA WILLIAMS
DESIGN

625 N. Flagler Drive
Suite 502
West Palm Beach, FL 33401
P: 561-659-2820
F: 561-659-2113

NIEVERAWILLIAMS.COM

LP1

400

03/12/24 11:04 AM Backup



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0 1 2 4 8 12 FEET
SCALE: 3/16" = 1'-0"

MARIO F. NIEVERA

State of Florida
Landscape Architect
Registration No.
6666856

NORTH PARK LANDSCAPE PLAN

PARK AVE POCKET PARKS

240 - 247 PARK AVENUE, PALM BEACH, FLORIDA

SCALE: 3/16" = 1'-0"

06 NOVEMBER 2023

NIEVERA WILLIAMS
DESIGN

625 N. Flagler Drive
Suite 502
West Palm Beach, FL 33401
P: 561-659-2820
F: 561-659-2113

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LP2

03/12/24 TCM Backup

PARK AVE

SIDEWALK

(6) BUTTERFLY BUSH
3 GAL.
(33) SILVER SAW PALMETTO
4' HT.
(7) MEXICAN SALVIA
3 GAL.
(2) GREEN BUTTONWOOD
16' HT.
(30) ASIAN SNOW
3 GAL.
(90) GREEN ISLAND FICUS
3 GAL.
(40) COCOPLUM
3' HT.
(46) YELLOW THRYALLIS
3 GAL.
(6) BUTTERFLY BUSH
3 GAL.
(2) FOXTAIL PALM
16' CT.
3' HT. SITE WALL W/
ALUMINUM RAIL INSERT

(1) SEAGRAPE
18' HT.
(30) MUHLY GRASS
3 GAL.
(6) BLUE PORTERWEED
3 GAL.
(4) SABAL PALMS
14'-16' CT.
(6) FIREBUSH
3 GAL.
BENCH TO MATCH
EXISTING
(1) CLUSIA ROSEA
18' HT.
(3) WILD COFFEE
6' HT. FTB
(16) WALTERS VIBURNUM
3 GAL.
(8) BEAUTYBERRY
7 GAL.
(6) KING'S MANTLE
3 GAL.
(6) COONTIE
3 GAL.
RELOCATED BENCH
(28) GREEN COCOPLUM
4' HT. FTB
(8) FIREBUSH
3 GAL.
PROPOSED TRANSFORMER
PROPOSED
COMMUNICATION
PEDESTALS
PROPOSED TRANSFORMER
(7) SMALL LEAF CLUSIA
6' HT. FTB

ASPHALT
DRIVE

BENCH

10' U.E.

10' U.E.

(9) BLUE CLERODENDRUM
3 GAL.
(5) KING'S MANTLE
3 GAL.
(9) BLUE CLERODENDRUM
3 GAL.
(7) MEXICAN SALVIA
3 GAL.

LAWN

FOUNTAIN

(36) ILEX
3 GAL.
(18) WALTERS VIBURNUM
3 GAL.
(7) PANAMA ROSE
3 GAL.
(13) GREEN BUTTONWOOD
8' HT. FTB
(1) RELOCATED COCONUT PALM
(7) PANAMA ROSE
3 GAL.
(2) COCONUT PALMS
14' GW.

ALLEY

EXISTING DOG FOUNTAIN
TO REMAIN
(18) MUHLY GRASS
3 GAL.
(6) BLUE PORTERWEED
3 GAL.
(6) FIREBUSH
3 GAL.
RELOCATED BENCH
(3) WILD COFFEE
6' HT. FTB
(16) WALTERS VIBURNUM
3 GAL.
(8) BEAUTYBERRY
7 GAL.
(1) GUMBO LIMBO
18' HT.
(6) KING'S MANTLE
3 GAL.
(6) COONTIE
3 GAL.
RELOCATED BENCH
(28) GREEN COCOPLUM
4' HT. FTB
(12) FIREBUSH
3 GAL.
(4) SABAL PALMS
14'-16' CT.
(16) MILKWEED
3 GAL.
(3) RELOCATED COCONUT PALMS
(30) COONTIE
3 GAL.
(3) WILD COFFEE
6' HT. FTB
(4) GREEN BUTTONWOOD
8' HT. FTB

HOTEL

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0 1 2 4 8 12 FEET
SCALE: 3/16" = 1'-0"

MARIO F. NIEVERA

State of Florida
Landscape Architect
Registration No.
6666856

SOUTH PARK LANDSCAPE PLAN

PARK AVE POCKET PARKS

240 - 247 PARK AVENUE, PALM BEACH, FLORIDA

06 NOVEMBER 2023

SCALE: 3/16" = 1'-0"

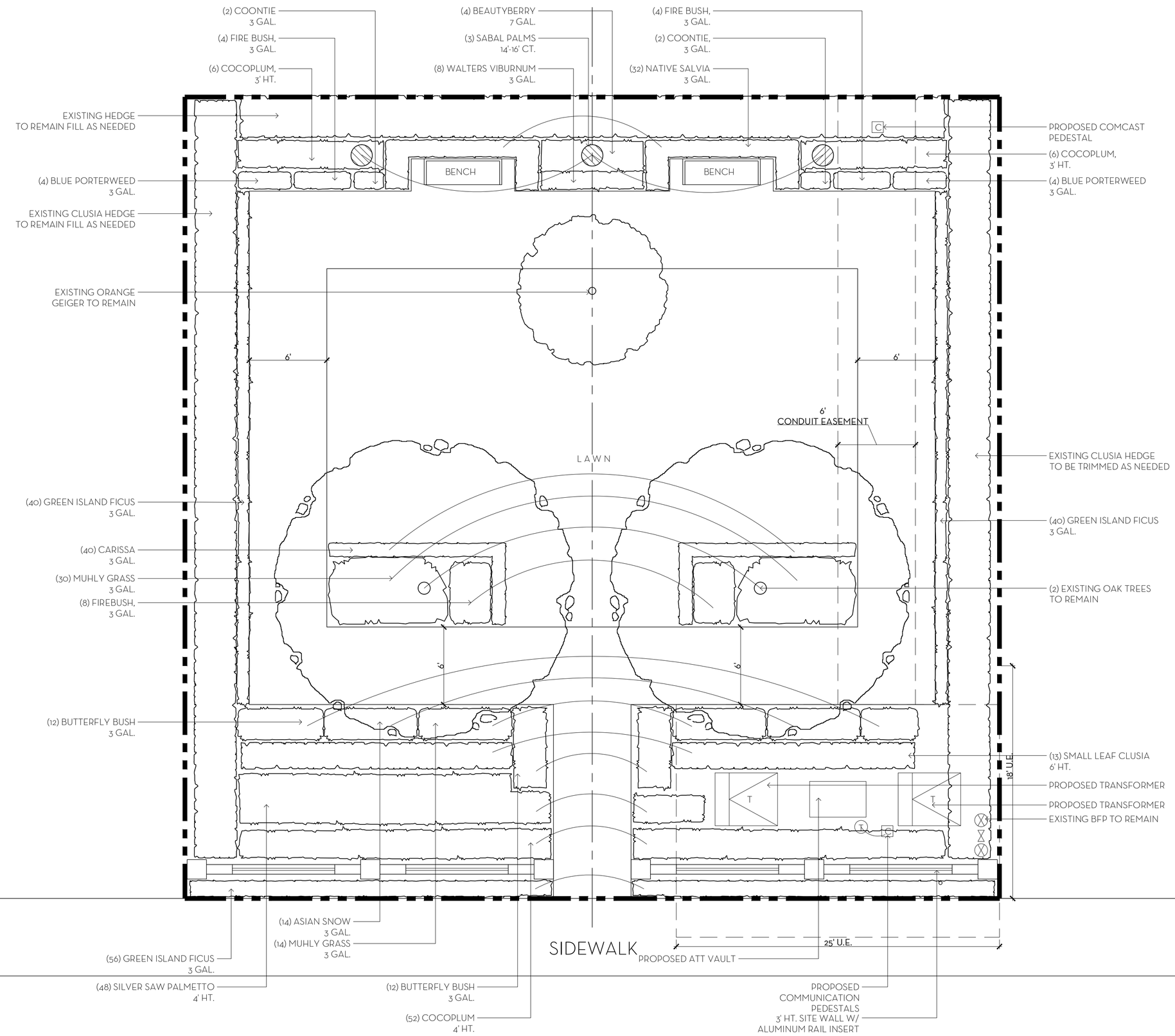
NIEVERA WILLIAMS
DESIGN

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NIEVERAWILLIAMS.COM

LP1

03/12/24 TCM Backup



MARIO F. NIEVERA

State of Florida
Landscape Architect
Registration No.
6666856

SCALE: 3/16" = 1'-0"

NORTH PARK LANDSCAPE PLAN

PARK AVE POCKET PARKS

240 - 247 PARK AVENUE, PALM BEACH, FLORIDA

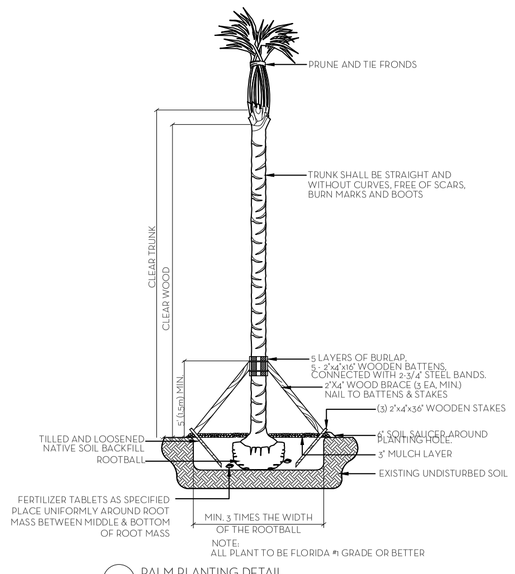
06 NOVEMBER 2023

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DESIGN

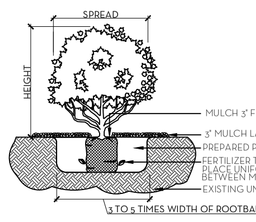
625 N. Flagler Drive
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LP2

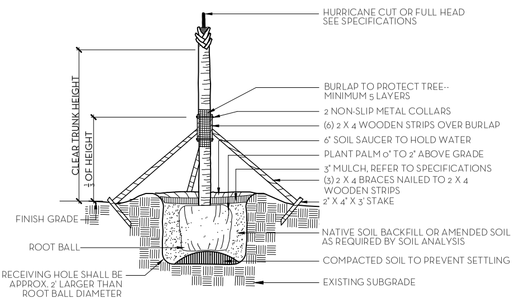


PALM PLANTING DETAIL
N.T.S.



SHRUB & GROUNDCOVER PLANTING DETAIL
N.T.S.

NOTE: BUD SHALL BE PERPENDICULAR TO GROUND PLANE. TRUNK SHALL BE STRAIGHT AND WITHOUT CURVES. NO SCARRED OR BLACKENED TRUNKS.

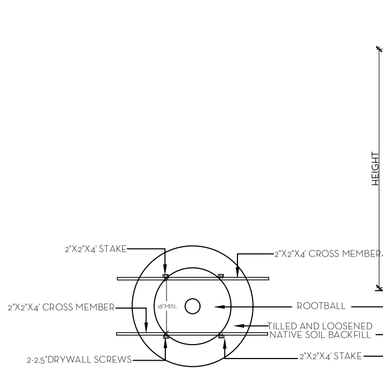


NOTES: STAKING & GUYING REQUIRED FOR PALMS, IF NECESSARY, OR AS DIRECTED BY THE LANDSCAPE ARCHITECT. ALL PLANT TO BE FLORIDA #1 OR BETTER

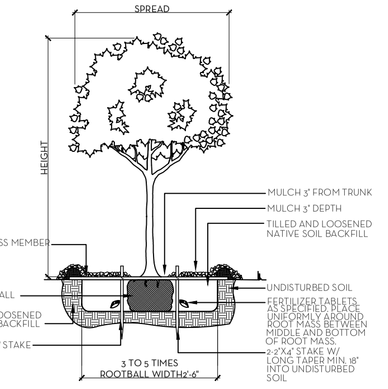
PALM TREE PLANTING AND STAKING DETAIL
N.T.S.

FERTILIZATION
SHRUBS AND TREES
ALL TREES AND SHRUBS SHALL BE FERTILIZED WITH "AGRIFORM" 20-5-5 PLANTING TABLETS AT TIME OF INSTALLATION AND PRIOR TO COMPLETION OF PIT BACKFILLING. TABLETS SHALL BE PLACED UNIFORMLY AROUND THE ROOT MASS OF A DEPTH THAT IS BETWEEN THE MIDDLE AND BOTTOM OF THE ROOT MASS.
APPLICATION RATE:
1 GALLON CAN: 1 - 21 GRAM TABLET
3 GALLON CAN: 2 - 21 GRAM TABLETS
5 GALLON CAN: 3 - 21 GRAM TABLETS
7 GALLON CAN: 4 - 21 GRAM TABLETS
TREES: 5 - 21 GRAM TABLETS EACH 1/2" OF CALIPER
PALMS: 7 - 21 GRAM TABLETS
GROUNDCOVER AREAS
ALL GROUNDCOVER AREAS SHALL RECEIVE FERTILIZATION WITH "OZMOCOTE" TIME RELEASE FERTILIZER AS PER MANUFACTURERS SPECIFICATIONS.

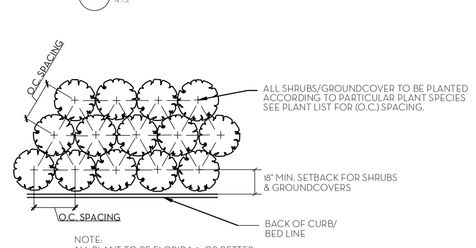
NOTES:
1. ALL WOOD SHALL BE SPRUCE OR PINE-NOT PRESSURE TREATED.
2. CROSS TIES SHALL NOT CROSS OVER WOODY ROOTS.
3. REMOVE ALL STRING &/OR WIRE WRAPPED AROUND TRUNK.
4. REMOVE ALL STRAPS, ROPES, WIRE, &/OR STRINGS USED TO LIFT THE ROOTBALL.
5. REMOVE BURLAP, TWINE, & WIRE BASKET FROM TOP 1/3 OF ROOTBALL.
6. TOP OF ROOTBALL TO BE SET 2" BELOW FINISH SURROUNDING FINISH GRADE.



TREE PLANTING DETAIL
N.T.S.

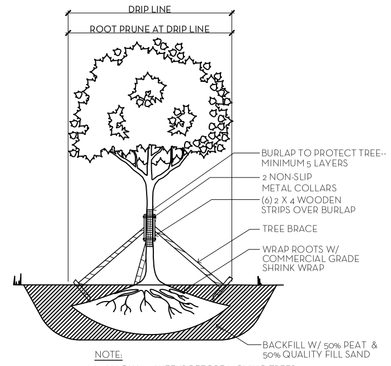


NOTE: ALL PLANT TO BE FLORIDA #1 GRADE OR BETTER



NOTE: ALL PLANT TO BE FLORIDA #1 OR BETTER

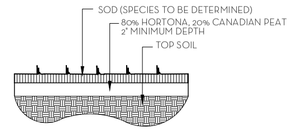
PLANT SPACING DETAIL
N.T.S.



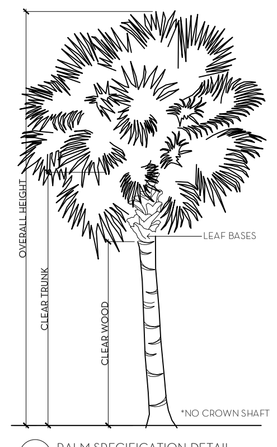
NOTE:
1. ALLOW 4-6 WEEKS BEFORE MOVING TREES.
2. PROVIDE DRIP IRRIGATION.
3. ALL PLANT MATERIAL TO BE FLORIDA #1 GRADE OR BETTER

TREE ROOT PRUNING DETAIL
N.T.S.

SOD NOTES:
1. ROUGH GRADE PROVIDED BY CONTRACTOR 4"-5" BELOW GRADE
2. RAKE AND REMOVE ALL CONSTRUCTION DEBRIS
3. PRIOR TO LAYING SOD ADD 80% HORTANA AND 20% CANADIAN PEAT, 2" MIN.
4. AFTER LAYING SOD APPLY NECESSARY PESTICIDES AND FUNGICIDES.
5. IRRIGATE REGULARLY, REFER TO IRRIGATION DRAWINGS



SOD PLANTING DETAIL
N.T.S.



PALM SPECIFICATION DETAIL
N.T.S.

NIEVERA WILLIAMS DESIGN

PARK AVENUE PARKS

1/31/24

Landscape Material Schedule

Item No.	Common Name	Botanical Name	Quantity	Specification	Native	Covered Area
1	TREES					
2	Green Buttonwood	Conocarpus erectus	2	16' HT	✔	
3	Gumbo Limbo	Bursera simaruba	1	18' HT	✔	
4	Seagrape	Coccoloba uvifera	1	18' HT	✔	
5	Clusia Rosea	Clusia rosea	1	18' HT		
6			5		80%	
7	PALMS					
8	Coconut Palms	Cocos nucifera	2	14' GW.		
9	Sabal Palms	Sabal Palmetto	8	14'-16' CT.	✔	
10	Foxtail Palms	Wodyetia bifurcata	2	16' CT.		
11			12			
12	SHRUB / VINE					
13	Silver Saw Palmetto	Serenoa repens 'Cinerea'	33	4' HT.	✔	
14	Cocoplum	Chrysobalanus icaco	40	3' HT.	✔	
15	Green Cocoplum	Chrysobalanus icaco	56	4' HT.	✔	
16	Wild Coffee	Psychotria nervosa	9	6' HT.	✔	
17	Beautyberry	Callicarpa americana	16	7 GAL.	✔	
18	Green Buttonwood	Conocarpus erectus	17	8' HT.	✔	
19	Small Leaf Clusia	Clusia guttifera	7	6' HT.		
20			178		90%	
21	GROUND COVER					
22	Muhly Grass	Muhlenbergia capillaris	48	3 GAL.	✔	192
23	Blue Porterweed	Stachytarpheta jamaicensis	12	3 GAL	✔	24
24	Fire Bush	Hamelia patens	31	3 GAL	✔	124
25	Walters Viburnum	Viburnum obovatum	50	3 GAL		200
26	King's Mantle	Thunbergia erecta	23	3 GAL		46
27	Coontie	Zamia integrifolia	48	3 GAL	✔	96
28	Milkweed	Asclepias tuberosa	16	3 GAL	✔	32
29	Butterfly Bush	Clerodendrum ugandense	6	3 GAL		12
30	Mexican Salvia	Salvia leucantha	14	3 GAL		28
31	Green Island Ficus	Ficus microcarpa 'Green Island'	90	3 GAL		180
32	Asian Snow	Wrightia antidysenterica	30	3 GAL		60
33	Yellow Thryallis	Galphimia glauca	46	3 GAL		92
34	Panama Rose	Rondeletia leucophylla	14	3 GAL		28
35	Ilex	Ilex cassine	36	3 GAL	✔	72
36	Blue Clerodendrum	Clerodendrum ugandense	18	3 GAL		36
37			482		44%	
38	SOD					
39	St. Augustine 'Palmetto'		VIF			

Landscape Material Schedule

Item No.	Common Name	Botanical Name	Quantity	Specification	Native	Covered Area
1	EXISTING TO REMAIN / RELOCATE					
2	Existing Live Oak	Quercus virginiana	2	To Remain	✔	
3	Existing Orange Geiger	Cordia sebestena	1	To Remain		
4			3			
5	TREES					
6			0		0%	
7	PALMS					
8	Sabal Palms	Sabal Palmetto	3	14'-16' CT.	✔	
9			3			
10	SHRUB / VINE					
11	Silver Saw Palmetto	Serenoa repens 'Cinerea'	48	4' HT.	✔	
12	Cocoplum	Chrysobalanus icaco	12	3' HT.	✔	
13	Cocoplum	Chrysobalanus icaco	52	4' HT.	✔	
14	Beautyberry	Callicarpa americana	4	7 GAL.	✔	
15	Small Leaf Clusia	Clusia guttifera	13	6' HT.		
16			129		90%	
17	GROUND COVER					
18	Muhly Grass	Muhlenbergia capillaris	44	3 GAL.	✔	176
19	Blue Porterweed	Stachytarpheta jamaicensis	8	3 GAL	✔	16
20	Fire Bush	Hamelia patens	16	3 GAL	✔	64
21	Walters Viburnum	Viburnum obovatum	8	3 GAL		32
22	Carissa	Carissa macrocarpa	40	3 GAL		80
23	Coontie	Zamia integrifolia	4	3 GAL	✔	8
24	Butterfly Bush	Clerodendrum ugandense	12	3 GAL		24
25	Nature Salvia	Salvia azurea	32	3 GAL		64
26	Green Island Ficus	Ficus microcarpa 'Green Island'	136	3 GAL		272
27	Asian Snow	Wrightia antidysenterica	14	3 GAL		28
28			314		35%	
29	SOD					
30	St. Augustine 'Palmetto'		VIF			

Town of Palm Beach
Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

Line #	Landscape Legend		
1	Property Address:	240-247 Park Avenue	
2	Lot Area (sq. ft.):	9,666	
3		REQUIRED	PROPOSED
4	Landscape Open Space (LOS) (Sq Ft and %)	N/A	N/A
5	LOS to be altered (Sq FT and %)	N/A	N/A
6	Perimeter LOS (Sq Ft and %)	N/A	N/A
7	Front Yard LOS (Sq Ft and %)	N/A	N/A
8	Native Trees %	30% (number of trees)	80%
9	Native Shrubs & Vines %	30% (number of shrubs & vines)	82%
10	Native Groundcover %	30% (groundcover area)	46%

To determine qualifying native vegetation use either:
the Institute for Regional Conservation Natives for Your Neighborhood FL Statewide Plant List
OR
the Florida Native Plant Society Native Plants for Your Area List

Note: Modificaiton of >50% of existing landscape/greenscape are subject to minimum native plant requirements and must submit a landscape and irrigation plan for review.

This table shall be included on the landscape species index sheet as prepared by a licensed landscape architect and landscape openspace data shall be incorporated on to corresponding zoning legend.

See Ord. 003-2023 *REV BF 20230727*

MARIO F. NIEVERA
State of Florida
Landscape Architect
Registration No.
6666856

PLANT LIST AND DETAILS

PARK AVE POCKET PARKS

240 - 247 PARK AVENUE, PALM BEACH, FLORIDA

06 NOVEMBER 2023

NIEVERA WILLIAMS
DESIGN

625 N. Flagler Drive
Suite 502
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NIEVERAWILLIAMS.COM

LP3

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Consent - Other

Agenda Title
Request to Consider Ordinance Nos. 001-2024; 002-2024; 003-2024; 004-2024; 005-2024; 006-2024 and 009-2024, at the March 13, 2024, Public Hearing Prior to 5:00 PM

Presenter
Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- **Memorandum Dated: March 1, 2024, From Wayne Bergman, Planning, Zoning, & Building Director, Re: Wells Fargo**
- **Memorandum Dated: March 1, 2024, From Wayne Bergman, Planning, Zoning, & Building Director, Re: Four Arts**

TOWN OF PALM BEACH
Information for Town Council Meeting on: March 12, 2024

To: Mayor and Town Council Members, Serving as the Local Planning Agency & Town Council

Via: Kirk W. Blouin, Town Manager

From: Wayne Bergman, MCP, LEED-AP, Director PZ&B WB

Re: Comprehensive Plan and Zoning Map and Text Amendments for a new Planned Unit Development at 239-255 South County Road

Date: March 1, 2024

STAFF RECOMMENDATION

Staff recommends the Town Council, acting as the Local Planning Agency, conduct the public hearings for Ordinance No. 001-2024 through Ordinance No. 004-2024 at the Town Council meeting prior to 5:00 p.m. The Ordinance will be heard at the first reading on March 13, 2024.

GENERAL INFORMATION

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

TOWN ATTORNEY REVIEW

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

Attachment: Proposed Ordinance No. 001-2024 through Ordinance No. 004-2024

cc: James Murphy, Assistant Planning Director
Jennifer Hofmeister-Drew, Planner III, AICP

ORDINANCE NO. 001-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA; AMENDING THE ADOPTED 2017 TOWN OF PALM BEACH'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FOR PARCELS OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT A, FROM "COMMERCIAL" AND "SINGLE FAMILY" TO "APPROVED PUD"; PROVIDING FOR INCLUSION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, known as the Community Planning Act (the "Act"); and

WHEREAS, on August 9, 2017, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan based on the Town's Evaluation and Appraisal of the Comprehensive Plan with the adoption of Ordinance No. 9-2017; and

WHEREAS, pursuant to Town Code Section 86-51, in accordance with Section 163.3174, Florida Statutes, the Town Council of the Town of Palm Beach is hereby designated and established as the Local Planning Agency for the incorporated territory of the Town of Palm Beach; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, a small-scale development amendment may be adopted pursuant to this section if the proposed amendment involves a use of 50 acres or fewer and if the proposed text changes to the Goals, Objectives and Policies relate directly to and are adopted simultaneously with the small-scale future land use map amendment; and

WHEREAS, on January 29, 2024, the Town of Palm Beach received a privately initiated development review application to amend the Town of Palm Beach Comprehensive Plan Future Land Use Map and Future Land Use Element Goals, Objectives and Policies that relate directly to the small-scale future land use map amendment; and

WHEREAS, on March 5, 2024, the Town of Palm Beach Planning and Zoning Commission reviewed the proposed text amendments ("Amendments") to the Future Land Use Element of the Comprehensive Plan and recommended to the Town Council that the Amendments be approved; and

WHEREAS, on March 13, 2024, pursuant to Section 163.3174(4)(a), Florida Statutes, the Town Council acting as the Local Planning Agency conducted a public hearing wherein it considered the recommendations of the Planning, Zoning and Building Department and the Planning and Zoning Commission regarding the Amendments to the Future Land Use Element of the Town of Palm Beach Comprehensive Plan; and

WHEREAS, the Town Council has determined that the proposed Amendments to the Comprehensive Plan Future Land Use Element promote the public health, safety and welfare and are consistent with the requirements in Florida Statutes, and all elements of the adopted Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3184(11), the Town Council has affirmatively voted to transmit the Amendments to the Florida Department of Commerce and appropriate reviewing agencies for their respective review(s).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals.

The above recitals are incorporated as fully set forth herein.

Section 2. Amendment of the Comprehensive Plan.

The Town of Palm Beach Future Land Use Map of the Comprehensive Plan, set from in Ordinance No. 9-2017 of the Town of Palm Beach, is hereby amended from Single Family Residential and Commercial to Approved PUD as described on Exhibit "A" and displayed on Exhibit "B" attached hereto and incorporated herein by reference.

Section 3. Transmittal.

The Town Clerk is hereby directed to transmit the required copies of the Amendments to the Town's Comprehensive Plan to the Florida Department of Commerce and all other parties as required by Section 163.3184(3)(c)2, Florida Statutes.

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 Comprehensive Plan of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect 31 days subsequent to its enactment on second and final reading, 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 *(date)* day of *(Month)*, *(year)*, and for second and final reading this *(date)* day of *(Month)*, *(year)*.

_____	_____
Danielle H. Moore, Mayor	Margaret A. Zeidman, Town Council President
	_____
	Bobbie Lindsay, Council President Pro Tem
	_____
	Julie Araskog, Town Council Member
	_____
ATTEST:	Edward A. Cooney, Town Council Member
_____	_____
Kelly Churney, Acting Town Clerk	Lewis S.W. Crampton, Town Council Member

LEGAL DESCRIPTION:

COMMENCING at the Southwest corner of Lot 22, Block B, Royal Park Addition to Palm Beach, Palm Beach County, Florida, as recorded in Plat Book 4, Page 1, Palm Beach County Public Records; thence run Easterly along the South line of said Lot 22 and the South lines of Lots 23, 24, 25, 59 and 26 of said Block B, a distance of 600 feet to the southwest corner of Lot 27 of said Block B; thence continue Easterly along the South line of said Lot 27 a distance of 116.93 feet to the southwest corner of property as described in Warranty Deed from First National Bank to Bryan L. Ramsing and Wiley R. Reynolds, Jr., dated march 27, 1953 and recorded in Deed Book 1013, Page 359, Palm Beach County Public Records; thence Northerly and parallel to the West line of said Lot 27 a distance of 103.09 feet; thence Easterly and parallel to the North line of said Lot 27 a distance of 202.89 feet (per prior deed; 202.67 actual measurement) to the West boundary line of Ocean Boulevard; thence Southerly along said West boundary line of Ocean Boulevard a distance of 3.02 feet; thence Easterly and parallel to the North line of said Lot 27 a distance of 10.02 feet to the Easternmost line of said Lot 27, Block B as shown on said Plat of Royal Park Addition; thence Northerly along said Easternmost line of Lot 27, said Easternmost line also being the East line of the North 50 feet of said Lot 27, as described as Parcel IV on Warranty Deed from John Nuveen, Jr. and Grace Bennet Nuveen to First National Bank in Palm Beach dated June 2, 1951 and recorded in Deed Book 949, Page 340, Palm Beach County Records, for a distance of 50 feet more or less to the Northeast corner of said Lot 27; thence Westerly along the North line of said Lot 27 for a distance of 10.02 feet; thence Southerly and parallel with the said Easternmost line of Lot 27 for a distance of 3.01 feet to the Southeast corner of Parcel I, as described in Warranty Deed from First National Bank in Palm Beach to Claire A. Stiles, dated February 22, 1952 and recorded in Deed Book 972, Page 392, the description of said Parcel I was later corrected and recorded in Official Record Book 29, Page 407, Palm Beach County Public Records; thence Westerly, parallel with and 3.0 feet South of, measured at right angles to the North line of said Lot 27, and along the South line of said Parcel I, a distance of 166.24 feet (per prior deed; 165.83 by actual measurement) to the point of intersection with the arc of a nontangent curve, concave to the Northeast, having a radius of 20.03 feet and a central angle of 40° 54' 21", and its chord bears Northwesterly when measured counter clockwise 120° 28' 59" from the preceding course; thence Northwesterly along the arc of said curve for a distance of 14.30 feet to a point of reversed curvature; thence along the arc of a curve concaved to the Southwest, having a radius of 40.84 feet and a central angle of 74° 57' 31" for a distance of 53.43 feet to the point of tangency; thence continue Westerly (per prior description; actual bearing North 85° 00' 50" West), tangent to the last described curve a distance of 35.1 feet; thence Northerly, measuring an angle of 95° 00' 40" from the preceding course to the North a distance of 24.30 feet to a point in the North line of Parcel III as described in said Warranty Deed from John Nuveen, Jr. and Grace Bennet Nuveen to First National Bank in Palm Beach, dated June 2, 1951, and recorded in Deed Book 949, Page 340, Palm Beach County Records; thence Westerly along the North line of said Parcel III and at right angles to the preceding course for a distance of 90.42 feet to a point in the East boundary line of "The East Plaza" as recorded in Plat Book 16, Page 78, Palm Beach County Public Records, a part of said East boundary line also being the East line of Parcel I as described in said Warranty Deed from John Nuveen, Jr. and Grace Bennet Nuveen to First National Bank in Palm Beach, dated June 2, 1951 and recorded in Deed Book 949, Page 340, Palm Beach County Public Records; thence Northerly along said East boundary line for a distance of 117.86 feet; thence measuring an angle

of 172° 10' 20" clockwise from the preceding course to the North and run for a distance of 100.94 feet to a point in the South line of Seaview Avenue as shown on said Plat of "The East Plaza"; thence turn an angle of 97° 49' 40" measured clockwise from the preceding course to the West and run along the South line of said Seaview Avenue for a distance of 20 feet to the Northwest corner of the Private Road shown as part of Lot 8 on the said Plat of "The East Plaza"; thence turn an angle of 82° 10' 20" measured clockwise from the preceding course to the South and run along the West line of said Private Road for a distance of 100.00 feet; thence turn an angle of 82° 10' 20" measured counter clockwise from the preceding course to the West and run along the South line of the marked "NOT INCLUDED" and the South lines of Lots 7, 6, 5 and 4 of said plat of "The East Plaza" a distance of 393.62 feet to the Southeast corner of Lot 3 of the said plat of "The East Plaza'"; thence continue Westerly along the South line of said Lot 3 a distance of 58.94 feet to the Northwest corner of that part of Lot 11 of the said plat of "The East Plaza" lying North of the area shown as "Private Road"; thence run Southerly along the West line of said Lot 11 for a distance of 14.36 feet to point in the North line of said "Private Road"; said point also lying in the Easterly boundary of Parcel I as described in Deed from Bessemer Properties, Incorporated to the First National Bank in Palm Beach dated May 13, 1947 and recorded in Deed Book 818, Page 324, Palm Beach County Public Records; thence Westerly along the North line of said "Private Road" for a distance of 10.74 feet to its intersection with the circumference of a circle, concave to the Southwest at this point and having a radius of 30 feet, said circle being part of said herein referred to "Private Road"; thence Northwesterly along the arc of said circle, a distance of 31.52 feet to the Southeast corner of a strip of land as described in Quit Claim Deed from Elizabeth S. Fetterolf and Morton H. Fetterolf to First National Bank in Palm Beach, dated May 21, 1951 and recorded in Deed Book 945, Page 460, Palm Beach County Public Records; thence Northerly along the East line of said strip and parallel to and 1.5 feet Easterly of as measured at right angles to Westerly line of Lot 2 of said Plat of "The East Plaza" for a distance of 99.98 feet to the South line of said Seaview Avenue; thence Westerly along the South line of said Seaview Avenue a distance of 104.76 feet (more or less) to the Northwest corner of Lot 1 of said Plat of "The East Plaza"; thence Southerly along the West lines of Lots 1 and 2 of said Plat of "The East Plaza" and the West lines of Lots 1, 2 and 3 of the revised Plat of Columbus Colonade as recorded in Plat Book 10, Page 7, Palm Beach County Public Records, a distance of 291.65 feet to the Southwest corner of Lot 3 of said Columbus Colonade and the Northwest corner of Lot 22, Block B of said Plat of Royal Park Addition; thence run Southerly along the West line of said Lot 22, a distance of 150.00 feet to the POINT OF BEGINNING. Containing in all, 250,976 square feet or 5.76 acres, more or less.



NOTES

1. SINGLE FAMILY:
   AREA: 74,981 SQFT
   1.72 AC
   1.87 PALM BEACH AC

2. COMMERCIAL:
   AREA: 176,488 SQFT
   4.05 AC
   4.41 PALM BEACH AC

EXISTING FUTURE LAND USE DESIGNATION

1" = 50'-0"

03/12/24 TCM Backup

EXHIBIT B



NOTES

1. PROPOSED APPROVED PUD:
   AREA: 251,469 SQFT
   5.77 AC
   6.29 PALM BEACH AC

0 25 50 100'

PROPOSED FUTURE LAND USE DESIGNATION

1" = 50'-0"

413

ORDINANCE NO. 002-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE AMENDED OFFICIAL ZONING MAP OF THE TOWN OF PALM BEACH UPDATED JULY 26, 2022; REZONING PARCELS OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT A, FROM "R-B LOW DENSITY RESIDENTIAL" DISTRICT, "C-TS TOWN-SERVING COMMERCIAL" DISTRICT, AND "C-B COMMERCIAL" DISTRICT TO "PUD-D"; PROVIDING FOR INCLUSION ON THE ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Code Section 134-261, the Town Council of the Town of Palm Beach may from time to time on its own motion or on petition, signed by the fee simple property owner of the property involved or authorized designee, agent or representative of the owner by power of attorney filed with the director of the planning, zoning and building department or designee, amend, supplement, change, modify or repeal the regulations, restrictions or district boundaries; and

WHEREAS, on January 29, 2024, the Town of Palm Beach received a privately initiated development review application to amend the Amended Official Zoning Map of the Town of Palm Beach Updated July 26, 2022 to rezone the subject property legally and as particularly described in Exhibit A from "R-B Low Density Residential" District, "C-TS Town Serving Commercial" District and "C-B Commercial District" to "PUD-D"; and

WHEREAS, on March 5, 2024, the Town of Palm Beach Planning and Zoning Commission reviewed the rezoning of the Subject properties and recommended to the Town Council that the rezoning be approved; and

WHEREAS, on March 13, 2024, the Town Council conducted a public hearing wherein it considered the recommendations of the Planning, Zoning and Building Department and the Planning and Zoning Commission regarding the recommended rezoning of the Subject properties.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals.

The above recitals are incorporated as fully set forth herein.

Section 2. Amendment of the Amended Official Zoning Map of the Town of Palm Beach Updated July 26, 2022

The Town Council directs the Zoning Map be amended to "PUD-D" as described on Exhibit "A" and displayed on Exhibit "B" attached hereto and incorporated herein by reference.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5. Effective Date.

This Ordinance shall take effect 31 days subsequent to its enactment on second and final reading, as provided by law.

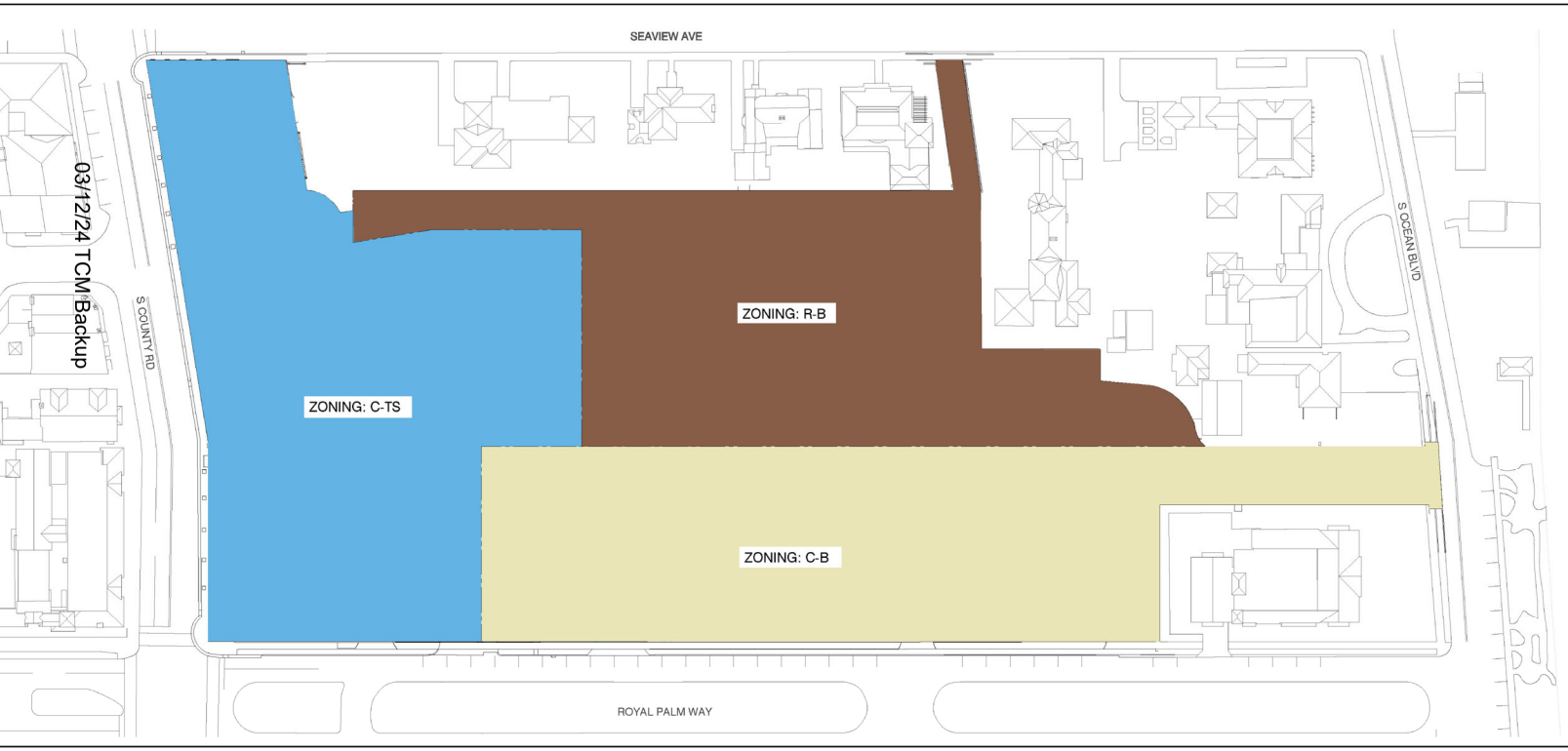
PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this *(date)* day of *(Month)*, *(year)*, and for second and final reading this *(date)* day of *(Month)*, *(year)*.

_____	_____
Danielle H. Moore, Mayor	Margaret A. Zeidman, Town Council President
	_____
	Bobbie Lindsay, Council President Pro Tem
	_____
	Julie Araskog, Town Council Member
	_____
ATTEST:	Edward A. Cooney, Town Council Member
_____	_____
Kelly Churney, Acting Town Clerk	Lewis S.W. Crampton, Town Council Member

LEGAL DESCRIPTION:

COMMENCING at the Southwest corner of Lot 22, Block B, Royal Park Addition to Palm Beach, Palm Beach County, Florida, as recorded in Plat Book 4, Page 1, Palm Beach County Public Records; thence run Easterly along the South line of said Lot 22 and the South lines of Lots 23, 24, 25, 59 and 26 of said Block B, a distance of 600 feet to the southwest corner of Lot 27 of said Block B; thence continue Easterly along the South line of said Lot 27 a distance of 116.93 feet to the southwest corner of property as described in Warranty Deed from First National Bank to Bryan L. Ramsing and Wiley R. Reynolds, Jr., dated march 27, 1953 and recorded in Deed Book 1013, Page 359, Palm Beach County Public Records; thence Northerly and parallel to the West line of said Lot 27 a distance of 103.09 feet; thence Easterly and parallel to the North line of said Lot 27 a distance of 202.89 feet (per prior deed; 202.67 actual measurement) to the West boundary line of Ocean Boulevard; thence Southerly along said West boundary line of Ocean Boulevard a distance of 3.02 feet; thence Easterly and parallel to the North line of said Lot 27 a distance of 10.02 feet to the Easternmost line of said Lot 27, Block B as shown on said Plat of Royal Park Addition; thence Northerly along said Easternmost line of Lot 27, said Easternmost line also being the East line of the North 50 feet of said Lot 27, as described as Parcel IV on Warranty Deed from John Nuveen, Jr. and Grace Bennet Nuveen to First National Bank in Palm Beach dated June 2, 1951 and recorded in Deed Book 949, Page 340, Palm Beach County Records, for a distance of 50 feet more or less to the Northeast corner of said Lot 27; thence Westerly along the North line of said Lot 27 for a distance of 10.02 feet; thence Southerly and parallel with the said Easternmost line of Lot 27 for a distance of 3.01 feet to the Southeast corner of Parcel I, as described in Warranty Deed from First National Bank in Palm Beach to Claire A. Stiles, dated February 22, 1952 and recorded in Deed Book 972, Page 392, the description of said Parcel I was later corrected and recorded in Official Record Book 29, Page 407, Palm Beach County Public Records; thence Westerly, parallel with and 3.0 feet South of, measured at right angles to the North line of said Lot 27, and along the South line of said Parcel I, a distance of 166.24 feet (per prior deed; 165.83 by actual measurement) to the point of intersection with the arc of a nontangent curve, concave to the Northeast, having a radius of 20.03 feet and a central angle of 40° 54' 21", and its chord bears Northwesterly when measured counter clockwise 120° 28' 59" from the preceding course; thence Northwesterly along the arc of said curve for a distance of 14.30 feet to a point of reversed curvature; thence along the arc of a curve concaved to the Southwest, having a radius of 40.84 feet and a central angle of 74° 57' 31" for a distance of 53.43 feet to the point of tangency; thence continue Westerly (per prior description; actual bearing North 85° 00' 50" West), tangent to the last described curve a distance of 35.1 feet; thence Northerly, measuring an angle of 95° 00' 40" from the preceding course to the North a distance of 24.30 feet to a point in the North line of Parcel III as described in said Warranty Deed from John Nuveen, Jr. and Grace Bennet Nuveen to First National Bank in Palm Beach, dated June 2, 1951, and recorded in Deed Book 949, Page 340, Palm Beach County Records; thence Westerly along the North line of said Parcel III and at right angles to the preceding course for a distance of 90.42 feet to a point in the East boundary line of "The East Plaza" as recorded in Plat Book 16, Page 78, Palm Beach County Public Records, a part of said East boundary line also being the East line of Parcel I as described in said Warranty Deed from John Nuveen, Jr. and Grace Bennet Nuveen to First National Bank in Palm Beach, dated June 2, 1951 and recorded in Deed Book 949, Page 340, Palm Beach County Public Records; thence Northerly along said East boundary line for a distance of 117.86 feet; thence measuring an angle

of 172° 10' 20" clockwise from the preceding course to the North and run for a distance of 100.94 feet to a point in the South line of Seaview Avenue as shown on said Plat of "The East Plaza"; thence turn an angle of 97° 49' 40" measured clockwise from the preceding course to the West and run along the South line of said Seaview Avenue for a distance of 20 feet to the Northwest corner of the Private Road shown as part of Lot 8 on the said Plat of "The East Plaza"; thence turn an angle of 82° 10' 20" measured clockwise from the preceding course to the South and run along the West line of said Private Road for a distance of 100.00 feet; thence turn an angle of 82° 10' 20" measured counter clockwise from the preceding course to the West and run along the South line of the marked "NOT INCLUDED" and the South lines of Lots 7, 6, 5 and 4 of said plat of "The East Plaza" a distance of 393.62 feet to the Southeast corner of Lot 3 of the said plat of "The East Plaza'"; thence continue Westerly along the South line of said Lot 3 a distance of 58.94 feet to the Northwest corner of that part of Lot 11 of the said plat of "The East Plaza" lying North of the area shown as "Private Road"; thence run Southerly along the West line of said Lot 11 for a distance of 14.36 feet to point in the North line of said "Private Road"; said point also lying in the Easterly boundary of Parcel I as described in Deed from Bessemer Properties, Incorporated to the First National Bank in Palm Beach dated May 13, 1947 and recorded in Deed Book 818, Page 324, Palm Beach County Public Records; thence Westerly along the North line of said "Private Road" for a distance of 10.74 feet to its intersection with the circumference of a circle, concave to the Southwest at this point and having a radius of 30 feet, said circle being part of said herein referred to "Private Road"; thence Northwesterly along the arc of said circle, a distance of 31.52 feet to the Southeast corner of a strip of land as described in Quit Claim Deed from Elizabeth S. Fetterolf and Morton H. Fetterolf to First National Bank in Palm Beach, dated May 21, 1951 and recorded in Deed Book 945, Page 460, Palm Beach County Public Records; thence Northerly along the East line of said strip and parallel to and 1.5 feet Easterly of as measured at right angles to Westerly line of Lot 2 of said Plat of "The East Plaza" for a distance of 99.98 feet to the South line of said Seaview Avenue; thence Westerly along the South line of said Seaview Avenue a distance of 104.76 feet (more or less) to the Northwest corner of Lot 1 of said Plat of "The East Plaza"; thence Southerly along the West lines of Lots 1 and 2 of said Plat of "The East Plaza" and the West lines of Lots 1, 2 and 3 of the revised Plat of Columbus Colonade as recorded in Plat Book 10, Page 7, Palm Beach County Public Records, a distance of 291.65 feet to the Southwest corner of Lot 3 of said Columbus Colonade and the Northwest corner of Lot 22, Block B of said Plat of Royal Park Addition; thence run Southerly along the West line of said Lot 22, a distance of 150.00 feet to the POINT OF BEGINNING. Containing in all, 250,976 square feet or 5.76 acres, more or less.



NOTES

ZONING: R-B:
AREA: 74,981 SQFT
1.72 AC
1.87 PALM BEACH AC

ZONING: C-B:
AREA: 85,719 SQFT
1.97 AC
2.14 PALM BEACH AC

ZONING: C-TS
AREA: 90,769 SQFT
2.08 AC
2.27 PALM BEACH AC

EXISTING TOWN OF PALM BEACH ZONING

1" = 50'-0"

03/12/24 TCM Backup

EXHIBIT B



NOTES

1. PUD-D:
AREA: 251,469 SQFT
5.77 AC
6.29 PALM BEACH AC

0 25 50 100'

PROPOSED TOWN OF PALM BEACH ZONING

1" = 50'-0"

419

ORDINANCE NO. 003-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ADOPTED 2017 TOWN OF PALM BEACH'S COMPREHENSIVE PLAN, PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AMENDING THE GOALS, OBJECTIVES, AND POLICIES OF THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT WITHIN THE COMPREHENSIVE PLAN; AMENDING THE TOWN OF PALM BEACH COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT POLICY 2.2.1 TO INCORPORATE MIXED-USE PUDS AS SET FORTH IN POLICY 11.1.5 AS AN APPROPRIATE USE IN THE SINGLE FAMILY FUTURE LAND USE DESIGNATION; AMENDING THE TOWN OF PALM BEACH COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT POLICY 2.3.3 A. TO INCORPORATE MIXED-USE PUDS AS SET FORTH IN POLICY 11.1.5 AS AN APPROPRIATE USE IN THE COMMERCIAL FUTURE LAND USE DESIGNATION; AMENDING THE TOWN OF PALM BEACH COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO CREATE A NEW POLICY 11.1.5 TO ESTABLISH A TYPE OF PLANNED UNIT DEVELOPMENT IN THE TOWN OF PALM BEACH FOR MIXED-USE DEVELOPMENT WITHIN THE SINGLE FAMILY AND COMMERCIAL LAND USE CATEGORIES ALLOWING FOR A MIX OF RESIDENTIAL USES NOT EXCEEDING THE MAXIMUM ALLOWABLE DENSITY WITHIN THE LAND USE CATEGORIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, known as the Community Planning Act (the "Act");

WHEREAS, on August 9, 2017, the Town of Palm Beach amended its Comprehensive Plan based on the Town's Evaluation and Appraisal of the Comprehensive Plan with the adoption of Ordinance No. 9-2017; and

WHEREAS, pursuant to Town Code Section 86-51, in accordance with Section 163.3174, Florida Statutes, the Town Council of the Town of Palm Beach is hereby designated and

established as the Local Planning Agency for the incorporated territory of the Town of Palm Beach; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, a small-scale development amendment may be adopted under the provisions of this subsection if the proposed amendment involves the use of 50 acres or few and if the proposed text changes to the Goals, Objectives and Policies relate directly to, and are adopted simultaneously with the small-scale future land use map amendment; and

WHEREAS, on January 29, 2024, the Town of Palm Beach received a privately initiated development review application to amend the Town of Palm Beach Comprehensive Plan Future Land Use Map and Future Land Use Element Goals, Objectives and Policies that relate directly to the small-scale future land use map amendment; and

WHEREAS, on March 5, 2024, the Town of Palm Beach Planning and Zoning Commission reviewed the proposed text amendments ("Amendments") to the Future Land Use Element of the Comprehensive Plan and recommended to the Town Council that the Amendments be approved; and

WHEREAS, on March 13, 2024, pursuant to Section 163.3174(4)(a), Florida Statutes, the Town Council acting as the Local Planning Agency conducted a public hearing wherein it considered the recommendations of the Planning, Zoning and Building Department and the Planning and Zoning Commission regarding the Amendments to the Future Land Use Element of the Town of Palm Beach Comprehensive Plan; and

WHEREAS, the Town Council has determined that the proposed Amendments to the Comprehensive Plan Future Land Use Element promote the public health, safety and welfare and are consistent with the requirements in Florida Statutes, and all elements of the adopted Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3184(11), the Town Council has affirmatively voted to transmit the Amendments to the Florida Department of Commerce and appropriate reviewing agencies for their respective review(s).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals.

The above recitals are incorporated as fully set forth herein.

Section 2. Amendment of the Comprehensive Plan.

The Town of Palm Beach Comprehensive Plan, set forth in Ordinance No. 9-2017 of the Town of Palm Beach, is hereby amended to amend Future Land Use Element Policy 2.2.1 and 2.3.3 and create a new Policy 11.1.5, as follows and as set forth in Exhibit "A", a copy of which is attached hereto and incorporated herein:

Section 1. POLICY 2.2

Development orders shall be issued by the Town only for new residential development or redevelopment that is consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following policies.

2.2.1 Single-Family Residential – Intended to accommodate and preserve estates and single- family residential development at a maximum density

of four dwelling units per gross Palm Beach acre (40,000 square feet) and a maximum height of two stories.

Appropriate uses include single-family dwellings, residential PUD's as set forth in Policies 11.1.1 and 11.1.4, **mixed use PUDs as set forth in POLICY 11.1.5**, cluster development, public uses and facilities, public and private schools, private group uses, group homes and foster care facilities, and essential services.

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2.3.3 Commercial – Intended to create, preserve, and enhance areas of attractive, small-scale, retail, personal and professional/business services, and mixed commercial/ residential use, developed either as a unit or in individual parcels, providing primarily for the frequently recurring needs of Town persons with limited provision for more intensive commercial uses that are proven to be compatible with the Future Land Use Plan and the character of the Town.

a. Appropriate uses include a wide range of commercial retail, service, professional and business uses for residents and visitors; hotels/motels up to 26 rooms per gross Palm Beach acre (40,000 square feet); timesharing uses up to 9 units per gross Palm Beach acre (40,000 square feet); offices; public uses and facilities; public and private schools; private group uses; **mixed-use PUDs as set forth in Policy 11.1.5**, and residential uses located above the ground floor.

b. Except for uses located in the Worth Avenue zoning district (C-WA), one residential unit may be located above the ground floor, or up to a maximum density of six dwelling units per gross Palm Beach acre, whichever is greater. In the Worth Avenue zoning district the maximum allowable density shall be 10 dwelling units per gross Palm Beach acre provided the Worth Avenue Design Guidelines are met.

c. Maximum lot coverage for non-residential uses shall be 75%.

d. In limited circumstances, the maximum building height shall be three stories.

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11.1.5 Mixed-Use PUDs located within the Single Family and Commercial Future Land Use Categories allowing for a mix of residential uses not to exceed the maximum allowable density within the Future Land Use Categories.

Section 3. Transmittal.

The Town Clerk is hereby directed to transmit the required copies of the Amendments to the Town's Comprehensive Plan to the Florida Department of Commerce and all other parties as required by Section 163.3184(3)(c)2, Florida Statutes.

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 Comprehensive Plan of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect 31 days subsequent to its enactment on second and final reading, 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 *(date)* day of *(Month)*, *(year)*, and for second and final reading this *(date)* day of *(Month)*, *(year)*.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, Acting Town Clerk

Lewis S.W. Crampton, Town Council

FUTURE LAND USE ELEMENT
GOALS, OBJECTIVES AND POLICIES

GOAL 1

TO MAINTAIN THE TOWN'S UNIQUE IDENTITY AND ITS HIGH QUALITY OF LIFE THROUGH THE EFFICIENT DISTRIBUTION OF COMPATIBLE LAND USES.

OBJECTIVE 1

Future growth and development within the Town shall be managed to maintain and enhance the Town's unique physical and historic character with emphasis on its visual qualities, and compatibility and harmony among its diverse land uses. The measurement of this objective shall be the extent to which the following policies are implemented.

POLICY 1.1

Continue enforcement of the Town's Charter and Code of Ordinances containing specific and detailed provisions which are required to implement the adopted Comprehensive Plan, and which, at a minimum:

a. Regulate the subdivision of land;
b. Regulate the use of land and water consistent with this Element, ensure the compatibility of adjacent land uses, and provide for open space;
c. Protect lands designated for Conservation;
d. Regulate signage;
e. Regulate areas subject to seasonal or periodic flooding and provide for drainage and stormwater management;
f. Ensure safe and convenient on-site traffic flow and vehicle parking needs; and,
g. Provide that no development order or permit shall be issued which results in a reduction of services for the affected public facilities below the level of service standards adopted in this Comprehensive Plan; and
h. Reasonably ensure that newly planted trees are located in a manner that will require no more than minimal trimming in order to avoid contact with power lines.

POLICY 1.2

Conduct a staff review of each proposed new development or redevelopment project for the purpose of determining compliance with the Town's Code of Ordinances.

OBJECTIVE 2

Maintain the character of the Town as a predominantly residential community having only the type and amount of businesses and other support services necessary to meet the needs of Town residents.

POLICY 2.1

The listing of appropriate land uses in each of the individual land use categories identifies those uses generally expected to be appropriate.

2.1.1 Where essential services are indicated as an appropriate use, essential services shall include public utility facilities related to water supply, telephone (excluding wireless telecommunication facilities), cable television, gas, electrical distribution systems and town-owned services such as sanitary sewer, stormwater drainage, and solid waste collection and disposal systems, including any necessary appurtenant structures serving the Town.

POLICY 2.2

Development orders shall be issued by the Town only for new residential development or redevelopment that is consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following policies.

2.2.1 Single-Family Residential – Intended to accommodate and preserve estates and single- family residential development at a maximum density of four dwelling units per gross Palm Beach acre (40,000 square feet) and a maximum height of two stories.

Appropriate uses include single-family dwellings, residential PUD's as set forth in Policies 11.1.1 and 11.1.4, **mixed-use PUDs as set forth in Policy 11.1.5,** cluster development, public uses and facilities, public and private schools, private group uses, group homes and foster care facilities, and essential services.

2.2.2 Multi-Family Moderate Density – Intended to accommodate and preserve residential development at a maximum density of six dwelling units per gross Palm Beach acre (40,000 square feet) and a maximum height of two stories.

Appropriate uses include single-family, two-family, townhouses and multi-family dwellings; residential PUD's as set forth in Policy 11.1.2; mixed-use PUD's as set forth in Policy 11.1.3; public uses and facilities; public and private schools;

private group uses; group homes and foster care facilities; and essential services.

2.2.3 Multi-Family High Density – Intended to accommodate residential development at a - maximum density of 13 dwelling units per gross Palm Beach acre (40,000 square feet) and, under limited circumstances, a maximum height of five stories.

Appropriate uses include single-family, two-family, townhouses and multi-family dwellings; residential PUD's as set forth in Policy 11.1.2; mixed-use PUD's as set forth in Policy 11.1.3; hotel and motel uses up to 26 rooms per gross Palm Beach acre (40,000 square feet) and associated accessory commercial uses (hotel and motel rooms are considered to be equivalent to 0.5 dwelling units); timesharing uses up to nine units per gross Palm Beach acre (40,000 square feet); public uses and facilities; public and private schools; private group uses; group homes and foster care facilities; and essential services.

POLICY 2.3

Development orders shall be issued by the Town only for new non-residential development or redevelopment that is consistent with the Future Land Use Map and descriptions and intensities of land use as set forth in the following policies.

2.3.1 The following definitions shall pertain to the application of the non-residential land use designations and associated policies:

a. "Town-serving" shall mean establishments principally oriented to serving the needs of Town persons and not substantially relying on the patronage of persons not defined as Town persons. Commercial establishments (other than those in the "Commercial – Office, Professional & Institutional" (C-OPI) zoning district, which are not required to meet town-serving requirements) of 3,000 square-feet or less of gross leasable area in the C-PC, C-TS and C-B zoning districts, and 4,000 square-feet or less of gross leasable area in the C-WA zoning district are assumed to meet the intent of the first part of this definition.

b. "Town persons" shall mean all full-time and seasonal residents of the Town as well as visitors staying at accommodations in, or employees working in establishments located within, the Town.

2.3.2 Conservation – Intended to preserve and protect unique natural areas and submerged land from development and the negative impacts of public use. No development or redevelopment is permitted on or over land designated in this category, with the exception of docks, essential services or parks owned and operated by the Town.

2.3.3 Commercial – Intended to create, preserve, and enhance areas of attractive, small-scale, retail, personal and professional/business services, and mixed commercial/

residential use, developed either as a unit or in individual parcels, providing primarily for the frequently recurring needs of Town persons with limited provision for more intensive commercial uses that are proven to be compatible with the Future Land Use Plan and the character of the Town.

a. Appropriate uses include a wide range of commercial retail, service, professional and business uses for residents and visitors; hotels/motels up to 26 rooms per gross Palm Beach acre (40,000 square feet); timesharing uses up to 9 units per gross Palm Beach acre (40,000 square feet); offices; public uses and facilities; public and private schools; private group uses; **mixed-use PUDs as set forth in Policy 11.1.5,** and residential uses located above the ground floor.

b. Except for uses located in the Worth Avenue zoning district (C-WA), one residential unit may be located above the ground floor, or up to a maximum density of six dwelling units per gross Palm Beach acre, whichever is greater. In the Worth Avenue zoning district the maximum allowable density shall be 10 dwelling units per gross Palm Beach acre provided the Worth Avenue Design Guidelines are met.

c. Maximum lot coverage for non-residential uses shall be 75%.

d. In limited circumstances, the maximum building height shall be three stories.

2.3.4 Public – Intended to recognize existing locations of, and provide sites for, public uses, structures and facilities.

a. Appropriate uses include public schools, low intensity public buildings and facilities such as fire and police stations, Town Hall, etc., of a scale and intensity necessary to primarily serve the needs of Town persons. Only public uses owned, operated, franchised, or supervised by a governmental agency are given this designation.

b. The designation of a property for Public use on the Future Land Use Plan Map recognizes the current use of the property; and, further, that such properties may also be appropriate for residential or commercial development with uses identified under the Single-Family Residential and Commercial land use categories.

c. Maximum lot coverage shall be 40%.

d. In limited circumstances, the maximum building height shall be three stories.

2.3.5 Public Recreation – Intended to provide for low intensity public recreational uses or activities, natural resource and scenic resources of a scale and intensity necessary to primarily serve the needs of Town persons. Only public facilities owned, operated, franchised, or supervised by a public governmental entity are given this designation.

2.3.6 Private Group Use – Intended to provide for low intensity uses such as private clubs, golf and country clubs, public and private schools, houses of worship, museums, and non- commercial recreation-type or cultural uses at a scale and intensity intended to primarily serve the needs of Town persons.

a. The designation of a property for Private Group Use on the Future Land Use Plan Map recognizes the current use of the property; and, further, that such properties may also be appropriate for residential or commercial development with uses identified under the Single-Family Residential, Multi-family Moderate Density, and Commercial future land use categories.

b. Maximum lot coverage shall be 40%.

c. In limited circumstances (Commercial Worth Avenue (C-WA) zoning district), the maximum building height shall be three stories.

2.3.7 Approved PUD – Intended to recognize existing or previously approved PUD's and provide for new PUD's within the density limits of the land use category in which they are located prior to approval of the PUD. PUD densities shall not exceed 13 dwelling units per gross Palm Beach acre.

POLICY 2.4

To prevent critical and dangerous overuse of its streets, parking resources, public services and facilities, and damage to its historic character, and to overall property values of the community, the Town will take all technical and administrative measures legally available, to minimize the change or transition of existing low-density areas or structures to more intensive use patterns, and thereby lower the pattern of density, where possible, and to minimize tourism inflow.

POLICY 2.5

Continue to enforce the provisions of the Town's Zoning Ordinance which are directed toward the encouragement of Town-serving commercial uses and the discouragement of those uses which are likely to attract patronage on a regional level.

POLICY 2.6

The Town shall provide the amount, location, and type of on-street parking and street furniture, signage, beautification measures and traffic control that is sufficient to assure efficient functioning of the Town's business centers at Town-serving levels, and shall require off-street parking as necessary.

OBJECTIVE 3

Development orders or permits for new development or redevelopment shall be issued for construction in the floodplain or coastal high hazard area only if they meet the building elevations identified in the Flood Insurance Rate Maps (FIRM).

POLICY 3.1

Prior to the issuance of a development order or permit, the Town shall make and record the following determinations:

a. The proposed building elevations meet or exceed elevations identified on the Flood Insurance Rate Maps (except when sufficient justification of extenuating circumstances may be shown).

OBJECTIVE 4

No new development shall be permitted on or over submerged lands or lands predominantly characterized by Tidal Swamp (TM) soils as identified in the Soil Survey of Palm Beach County.

POLICY 4.1

Areas identified as predominantly characterized by Tidal Swamp (TM) soils or identified as submerged lands shall be designated on the Town's Future Land Use Map for Conservation, and the Town's land development regulations shall prohibit urban development on such lands.

OBJECTIVE 5

Development orders and permits for new development or redevelopment, or building permits for developments that have been issued development orders prior to the adoption of the Comprehensive Plan, shall be issued only if public facilities and services necessary to meet the Town's adopted level of service standards are available concurrent with the impacts of the development.

POLICY 5.1

A concurrency analysis shall be conducted prior to the approval of any application for a development order, and no final development order shall be issued unless:

a. Existing facilities and services meet the Town’s adopted level of service standards as set forth in the Capital Improvements Element, or
b. The final development order is conditioned on such facilities and services being available at the time the impact of development will occur, consistent with the

Town's Concurrency Management System and implemented policies of the Capital Improvements Element.

POLICY 5.2

In order to ensure the availability of public facilities and services necessary to support development concurrent with its impacts, prior to the issuance of a development order or permit, the Town shall make and record the following determinations:

a. Flooding will not occur during a one-year storm for systems served by pumping stations or during a three-year storm for systems with gravity outfalls, and the minor flooding associated with a five-year storm shall be carried off within sixty minutes.

b. Negative impacts of stormwater discharge upon water quality in Lake Worth are ameliorated by the retention of the first two inches of rainfall prior to discharge into the Town system; or, the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater; or,

c. For all commercial, or residential development or redevelopment where:

i. The proposed value of the improvement exceeds 25% of the market value of the property;

ii. A new swimming pool is constructed;

iii. There is redevelopment of more than 20% of landscaped open space, 20% of the impervious area of the site including buildings, patios, etc. or a combination thereof which exceeds 20%;

iv. New driveways or parking areas are constructed;

v. The proposed work includes replacement or reconstruction of parking areas other than parking areas designed for less than three residential units; or

vi. Other development ~~as~~ may be deemed appropriate by the Town Engineer.

d. There is adequate potable water supply capacity to continue providing the level of service standard established by the City of West Palm Beach, the Town's water provider. The City's current Potable Water Level of Service (LOS) is 272 gallons/per person/day (gpd);

e. There are adequate recreation facilities to maintain a standard of 6 acres/1000 population;

f. The traffic generation of the project will not reduce the level of service on roadways in the

Town to a category lower than that established in this Plan;

g. There is adequate sanitary sewer capacity to continue providing the level of service standard established by the City of West Palm Beach, the Town's water provider. The City's current LOS is as follows:

Wastewater Collection

Development Type	**Avg. Daily Water Flow, gallons per day (gpd)**
Single Family	350 gpd/DU
Multifamily	250 gpd/DU
Commercial	0.20 gpd/SF
Industrial	0.15 gpd/Sf
Hotel	100 gpd/room

DU=dwelling unit gpd=gallons per day
SF=Square feet AC=acre

Pumping Station

Peaking Factor	**Avg. Daily Flow Million Gallons per Day (MGD)**
3.5	0.01 to 0.05
3.0	0.05 to 0.25
2.5	0.25 to 2.0
2.0	>2.0

Peaking factors for other facilities shall be determined using historical flow record.

h. There is adequate capacity to continue collecting and disposing of least 2.55 pounds of solid waste per person per day;

i. The project will not increase the time necessary to evacuate the Town, in the event of a hurricane, to greater than twelve hours; or,

j. The development order or permit is specifically conditioned on the availability of the necessary facilities and services for each of the above and that said facilities are authorized when the project is authorized.

POLICY 5.3

Prior to the issuance of a development order or permit, the Town shall make and record a determination that the project provides open space, on-site traffic flow and parking commensurate with the requirements of the Town's land development regulations.

OBJECTIVE 6

Efforts shall continue to be made to control blighting influences or other negative impacts to the Town, and redevelopment will be encouraged in areas experiencing deterioration, when appropriate.

POLICY 6.1

The Town's Code of Ordinance proactively allows potential problems to be cited and requires property owners of cited property to take remedial action.

OBJECTIVE 7

The number of uses incompatible with the range and location of land uses, identified in the Town's Future Land Use Plan Map, shall be reduced by attrition; and, no new uses shall be permitted that are inconsistent with the community's character and the Town's Future Land Use Plan Map.

POLICY 7.1

The Town shall amend its land development regulations, when necessary to be compatible and consistent with the range and location of land uses identified on the Town's Future Land Use Plan.

POLICY 7.2

The Town shall prohibit replacement or expansion of uses found to be incompatible or inconsistent with the range and location of land uses identified on the Town's Future Land Use Map and Official Zoning Map.

POLICY 7.3

The Town shall continue to allow designated landmark structures, single-family dwellings, two-family, townhouse, multi-family, commercial, and public structures or public/private group uses which are unintentionally damaged or destroyed, such as by fire or other casualty, act of terrorism, war or act of God or nature to be rebuilt at the same density and/or intensity, on the same footprint and to the same size and configuration as those nonconforming buildings or structures being replaced provided FDEP standards are met when building east of the CCCL. Actual construction to replace, restore or reconstruct the nonconforming building or structure shall commence within the time frame outlined in the land development regulations.

OBJECTIVE 8

The Town shall protect its natural resources. The measurement of this objective is the extent to which natural resources are preserved and the degree to which the following policies are implemented.

POLICY 8.1

The Town shall protect the quality of its air from degradation by continuing to prohibit industrial uses within the Town.

POLICY 8.2

The Town shall protect designated native vegetation areas and their associated wildlife by prohibiting removal of vegetative species listed as threatened or endangered by State or Federal agencies on publicly owned property and new private development; and, by prohibiting planting of pestilent exotics and requiring removal of pestilent exotic species from sites of new construction or development.

POLICY 8.3

The Town shall stipulate that no development or construction which destroys wetland vegetation, including seagrass beds, shall be permitted in the Town unless loss is 100% mitigated.

POLICY 8.4

The Town shall require that all new development and redevelopment on the Atlantic shore restore dunes, where restoration potential exists and is necessary, as determined by the Town and FDEP.

POLICY 8.5

The Town will require soil erosion control techniques be used during construction.

POLICY 8.6

No development or redevelopment shall occur on or over submerged land other than docks, essential services or parks owned and operated by the Town.

OBJECTIVE 9

The Town shall protect its inheritance of structures and neighborhoods having historic or architectural merit. The measurement of this objective is the extent to which historic or architectural structures or neighborhoods are preserved, and the degree to which the following

policies are implemented.

POLICY 9.1

Continue to protect the Town's historically significant properties and aesthetic character through the active participation of the Architectural and Historic Landmarks Preservation Commissions in the development review and approval process, as authorized by the Town's Code of Ordinances.

POLICY 9.2

The Town shall enforce its archaeological requirements as authorized by the Town's Code of Ordinances.

OBJECTIVE 10

The Town will coordinate and comply with any resource planning and management plan prepared pursuant to Chapter 380 FS, as amended.

POLICY 10.1

Coordinate with State, regional, county and local agencies to ensure mutual cooperation in the development of all appropriate resource planning and management plans prepared pursuant to Chapter 380, F.S. as amended. The Town will continue to monitor all other local governments' activities when notice is provided. The Town will continue to provide notice as required to other local governments and agencies on upcoming large development projects. The Town will continue to work closely with the Treasure Coast Regional Planning Council, Palm Beach County and School Board and the State of Florida on regional issues. The Town will continue to maintain mutual aid agreements with other local governments with reference to fire service, police and disaster preparedness.

POLICY 10.2

Continue to coordinate with other governments in securing full resources by the State and other agencies for programs of their design, creation and/or benefit, and continue to ensure the protection of local self-determination in matters which are not demonstrated to be of actual regional significance.

OBJECTIVE 11

Provide for Planned Unit Developments, and other innovative regulations and techniques that will assist the Town in maintaining its high standards, quality of life, and appropriate mix and location

of land use types and structures; and, in ensuring that new development is compatible with existing surrounding properties.

POLICY 11.1

The following types of Planned Unit Developments shall be allowed in the Town:

11.1.1 Single-family PUD's located within the Single Family Residential Land Use Category not exceeding four dwelling units per gross Palm Beach acre.

11.1.2 Mixed residential development located within the Multi-Family Moderate or Multi-Family High Density Land Use Categories, not exceeding the maximum density allowable within the Land Use Category.

11.1.3 Mixed-use development within the Multi-Family Moderate Density or Multi-Family High Density Land Use Categories, allowing for a mix of residential uses not exceeding the maximum allowable density within the Land Use Category and nonresidential development not exceeding 20% of the gross floor area of the PUD.

The following equivalencies shall be used in determining the intensity of the nonresidential components:

Land Use Type	**Unit of Measurement**	**Equivalence to One Dwelling Unit of Gross Density**
Hotels, motels or similar transient facilities	Number of bedrooms	Two bedrooms
Principal Commercial Uses	Total floor area	750 square feet
Accessory Commercial Uses	Total floor area	1,500 square feet
Other Nonresidential Uses	Total floor area	1,000 square feet

11.1.4 In order to encourage preservation of historic residential structures, such single-family structures may be permitted to be converted through a historic preservation PUD to contain multiple residential units, within the confines of the existing structure, provided the density does not exceed four dwelling units per gross Palm Beach acre.

11.1.5 Mixed-Use PUDs located within the Single Family and Commercial Land Use Categories allowing for a mix of residential uses not exceeding the maximum allowable density within the Future Land Use Categories.

OBJECTIVE 12

The Town shall coordinate its coastal area population with the Regional Hurricane Evacuation Plan. The measurement of this objective will be the degree to which the Town coordinates with the appropriate Evacuation Plan, and the extent to which the following policy is implemented.

POLICY 12.1

The Town will review, and revise if necessary, its coastal area densities to ensure that they do not result in hurricane evacuation or shelter capacity deficiencies.

POLICY 12.4

The Town shall expand the Town's education and notification process to emphasize the unpredictability of the power of an approaching storm and the need to evacuate early upon an evacuation warning.

OBJECTIVE 13

Public access shall be maintained to all recreational facilities, including recreational and commercial working waterfronts as defined in F.S. 342.07, under the jurisdiction of the Town of Palm Beach.

POLICY 13.1

The Town of Palm Beach shall establish priorities for siting appropriate water dependent and water related land uses consistent with F.S. 342.07, while at the same time protecting shoreline and conservation areas from degradation.

POLICY 13.2

The Town of Palm Beach shall continue to implement corrective measures on all access points identified by the Town as inadequate.

POLICY 13.3

The Town will, on an annual basis, inspect public access points at public facilities located within the Town of Palm Beach, but not under the Town's jurisdiction, to identify any impediments to access. It will notify respective governing agencies of impediments within three months of their identification.

POLICY 13~~14~~.4

In evaluating applications for marinas or marina siting all of the following shall be addressed: land use compatibility; availability of upland support services; existing protective status or ownership; hurricane contingency planning; protection of water quality; water depth; environmental disruptions and mitigation actions; availability for public use; and, economic need and feasibility. The criteria shall be reviewed by the Planning Department on an annual basis and updated as necessary.

OBJECTIVES AND POLICIES NOT APPLICABLE

No objectives or policies pertaining to the discouragement of the proliferation of urban sprawl are necessary or applicable in the Town of Palm Beach because it is virtually fully developed, and the only areas for potential development are located on "in-fill" parcels.

No objectives or policies encouraging the availability of suitable land for utility facilities are necessary or applicable. The City of West Palm Beach provides the potable water supply to the Town from its facility on the mainland. Wastewater treatment is provided by the East Central Regional Sewage Treatment Plant, also located on the mainland. Solid waste disposal sites are all located on the mainland with the North County Regional Resource Recovery plant, also located on the mainland, to come on line in the near future.

No policies are necessary or applicable to the protection of potable water wellfields since there are now no such facilities in the Town, nor are any expected in the future.

ORDINANCE NO. 004-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134, ZONING, ARTICLE VI, DIVISION 4. R-B LOW DENSITY RESIDENTIAL DISTRICT; DIVISION 8. C-TS TOWN-SERVING COMMERCIAL DISTRICT; DIVISION 12. C-B COMMERCIAL DISTRICT; AMENDING SECTION 134-616, DISTRICTS WHERE PERMITTED, TO CREATE A "PUD-D" DISTRICT AS A DISTRICT WHERE PLANNED UNIT DEVELOPMENTS ARE PERMITTED; AMENDING SECTION 134-617, COMPLIANCE, TO CREATE A PUD-D DISTRICT AS A DISTRICT THAT WHEN DEVELOPED AS A PERMITTED USE MUST CONFORM TO THE REGULATIONS IN THIS SUBDIVISION; AMENDING SECTION 134-618, MINIMUM AREA, TO CREATE A PUD-D DISTRICT AS A DISTRICT WHOSE MINIMUM AREA REQUIREMENT SHALL BE AT LEAST SIX (6) CONTIGUOUS ACRES; AMENDING SECTION 134-620, RESIDENTIAL DENSITY, TO CREATE A PUD-D DISTRICT THAT WHEN DEVELOPED AS A PERMITTED USE MUST CONFORM TO A DENSITY OF FOUR UNITS PER ACRES FOR THE PORTION OF THE PROPERTY WITH A SINGLE FAMILY FUTURE LAND USE DESIGNATION AND SIX UNITS PER ACRE FOR THE PORTION OF THE PROPERTY WITH A COMMERCIAL FUTURE LAND USE DESIGNATION; CREATING SECTION 134-625, PERMITTED LAND USES IN THE PUD-D DISTRICT; AMENDING RESERVED SECTIONS 134-626 – 134-650; AMENDING SECTION 134-651, ESTABLISHMENT OF SPECIAL EXCEPTION PLANNED UNIT DEVELOPMENTS, TO CREATE A PUD-5 MIXED USE DEVELOPMENT SPECIAL EXCEPTION PLANNED UNIT DEVELOPMENT DISTRICT; AMENDING SECTION 134-652, DISTRICTS WHERE PERMITTED, TO CREATE A PUD-5 MIXED USE DEVELOPMENT PLANNED UNIT DEVELOPMENT DISTRICT THAT MAY BE PERMITTED BY SPECIAL EXCEPTION ONLY IN THE PARCEL OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT A; AMENDING SECTION 134-653, MINIMUM AREA, TO CREATE A PUD-5 MIXED USE DISTRICT AS A DISTRICT WHOSE MINIMUM AREA REQUIREMENT SHALL BE AT LEAST SIX (6) CONTIGUOUS ACRES; AMEND SECTION 134-654, RESIDENTIAL DENSITY, TO CREATE A PUD-5 MIXED USE DISTRICT THAT WHEN DEVELOPED AS A PERMITTED USE MUST CONFORM TO THE RESIDENTIAL DENSITIES OF FOUR UNITS PER ACRE FOR THE PORTION OF THE PROPERTY ZONED R-B AND SIX UNITS PER ACRE FOR THE PORTION OF THE PROPERTY ZONED C-TS AND C-B; AMENDING SECTION 134-656, PERMITTED LAND USE, TO CREATE A PUD-5 DISTRICT AND OUTLINES THE PERMITTED USES IN THE PUD-5 DISTRICT; AMENDING ARTICLE VI, DIVISIONS 4, SECTION 134-890,

SPECIAL EXCEPTION USES TO ESTABLISH PUD-D AS A SPECIAL EXCEPTION USE IN THE R-B LOW DENSITY RESIDENTIAL ZONING DISTRICT; AMENDING ARTICLE VI, DIVISIONS 8, SECTION 134-1109, SPECIAL EXCEPTION USES TO ESTABLISH PUD-D AS A SPECIAL EXCEPTION USE IN THE C-TS TOWN SERVING COMMERCIAL ZONING DISTRICT; AMENDING ARTICLE VI, DIVISIONS 12, SECTION 134-1304, SPECIAL EXCEPTION USES TO ESTABLISH PUD-5 AS A SPECIAL EXCEPTION USE IN THE C-B COMMERCIAL ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Code Section 134-261, the Town Council of the Town of Palm Beach may from time to time on its own motion or on petition, signed by the fee simple property owner of the property involved or authorized designee, agent or representative of the owner by power of attorney filed with the director of the planning, zoning and building department or designee, amend, supplement, change, modify or repeal the regulations, restrictions or district boundaries; and

WHEREAS, on January 29, 2024, the Town of Palm Beach received a privately initiated development review application to amend Chapter 134, the Town of Palm Beach Zoning Code, of the Town's Code of Ordinances to create a new PUD-D Zoning District (the "Amendment") as a district where planning unit developments are permitted and to create the corresponding PUD-5, mixed-use development as a special exception planned unit development district subject to applicable requirements of district; and

WHEREAS, on March 5, 2024, the Town of Palm Beach Planning and Zoning Commission reviewed the proposed text amendments to the Code of Ordinances and recommended to the Town Council that the Amendment be approved; and

WHEREAS, on March 13, 2024, the Town Council conducted a public hearing wherein it considered the recommendations of the Planning, Zoning and Building Department and the Planning and Zoning Commission regarding the text amendment to the Code of Ordinances; and

WHEREAS, the Town Council has determined that creation of a new PUD-D Zoning District would be consistent with the adopted Town of Palm Beach Comprehensive Plan as amended on November 9, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals.

The above recitals are incorporated as fully set forth herein.

Section 2. Amendment of the Zoning Code of the Town of Palm Beach Code of Ordinances.

The Town Council directs that the Town of Palm Beach Code of Ordinances be amended at Chapter 134, to create a new PUD-D Zoning District as described on Exhibit "A" and displayed on Exhibit "B" attached hereto and incorporated herein by reference.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect 31 days subsequent to its enactment on second and final reading, 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 *(date)* day of *(Month)*, *(year)*, and for second and final reading this *(date)* day of *(Month)*, *(year)*.

_____	_____
Danielle H. Moore, Mayor	Margaret A. Zeidman, Town Council President
	_____
	Bobbie Lindsay, Council President Pro Tem
	_____
	Julie Araskog, Town Council Member
	_____
ATTEST:	Edward A. Cooney, Town Council Member
_____	_____
Kelly Churney, Acting Town Clerk	Lewis S.W. Crampton, Town Council Member

DIVISION 4. R-B LOW DENSITY RESIDENTIAL DISTRICT

Sec. 134-886. Purpose.

The purpose of the R-B low density residential district is to provide for low density single-family residential use, as that term is defined in section 134-2, of moderately spacious character together with publicly operated recreational facilities and accessory uses as may be necessary or are normally compatible with residential surroundings. This district is located to protect and preserve existing development of this character and contains vacant land considered appropriate for such development in the future.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93)

Sec. 134-887. Permitted uses.

The permitted uses in the R-B low density residential district are as follows:

(1) Single-family dwellings.

(2) Essential services.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 2-05, § 10, 5-10-05; Ord. No. 10-2012, § 3, 9-11-12; Ord. No. 16-2012, § 3, 12-12-12)

Sec. 134-888. Accessory uses.

The accessory uses in the R-B low density residential district are as follows:

(1) Private nurseries and greenhouses.

(2) Private garages.

(3) Private swimming pools and/or cabanas.

(4) Charitable events specifically approved by the town manager.

(5) Off-street parking at private social, swimming, golf, tennis and yacht clubs, for construction related personal employee vehicular off-street parking for projects within the town's municipal limits provided such parking is located a minimum of 75 feet from a single-family home and is separated from a street by a landscape island.

(6) Other accessory uses, customarily incident to permitted or approved special exception uses, not involving the conduct of business except such uses as may be associated with the town's operation of its municipal dock, golf course and tennis court facilities.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 1-94, § 2(b)(1), (2), 2-7-94; Ord. No. 1-01, § 2, 2-19-01; Ord. No. 2-05, § 11, 5-10-05; Ord. No. 26-10, § 18, 12-15-10; Ord. No. 04-2018 , § 14, 4-11-18)

Sec. 134-889. Prohibited uses.

The specific prohibited uses of buildings or land in the R-B low density residential district are as follows:

(1) With the exception of construction related employee parking of personal vehicles for projects within the municipal limits of the town. No person shall use any portion of any building or accessory building or any land in this district for the purpose of carrying on or practicing any profession, occupation or calling or for any commercial or quasi-commercial use or purpose, including but not limited to corporate meetings, banquets or entertainments, film-making or movie producing, magazine feature photography and the like, and such uses are declared to be a violation of this chapter.

(2) The use of any portion of any building or accessory building or any land in this district for the accessory use as a museum or frequent or continuing display to the public is prohibited.

(3) Executive/employee/group, vacation/retreats are prohibited in this zoning district.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 1-94, § 2(b)(1), (2), 2-7-94; Ord. No. 04-2018 , § 15, 4-11-18)

Sec. 134-890. Special exception uses.

The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the R-B low density residential district are as follows:

(1) Planned unit development, PUD(1) and PUD (5) (see article V of this chapter for standards).

(2) Public structures, including essential services west of Lake Trail.

(3) Essential services related to town-owned municipal buildings and structures.

(4) Beach houses intended for the use of family and guests.

(5) Public and private academic schools.

(6) Private social, swimming, golf, tennis and yacht clubs, and houses of worship in existence prior to January 1, 1996.

(7) Churches and synagogues and other houses of worship.

(8) Required off-street parking in accordance with subsection 134-2177(3) and supplemental parking, allowed only in a manner consistent with the zoning of the district in which it is located.

(9) Nonprofit cultural centers.

(10) Municipally owned or operated parking areas.

(11) Museums occupying buildings of unique value as historical landmarks, as determined by the landmarks preservation commission and the town council, and for which it is demonstrated that no permitted use is economically viable.

(12) Group home with up to six occupants.

(13) Foster care facility with up to six occupants.

(14) Pedestrian access tunnel to the beach as an accessory use provided that the applicant owns the land on both sides of the roadway, provides unity of title, and provides prior written approval from all governmental.

(15) Municipally owned and operated parks and recreation centers.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 1-96, § 5, 2-5-96; Ord. No. 1-99, § 9, 4-5-99; Ord. No. 16-2012, § 11, 12-12-12; Ord. No. 04-2018 , § 16, 4-11-18; Ord. No. 02-2019 , § 5, 3-19-19)

Sec. 134-891. Accessory structures.

(a) *Accessory structures in R-B district.* Accessory structures in the R-B low density residential district shall comply in all respects with the lot, yard and bulk requirements of this chapter applicable to the principal structure unless stated otherwise.

(b) *Unattached accessory structures in R-B district.* Accessory structures without kitchen facilities may be erected in accordance with the following requirements:

(1) The lot size includes all lots, the maximum story height is two stories, and the maximum building height is 25 feet.

Lot Size (square feet)	Maximum Story Height	Maximum Building Height
Up to 20,000	1	15 feet overall
20,000 [and more]	2	25 feet overall, provided unity of title deed restriction is furnished prohibiting any

		division of the lot which would leave less than 20,000 square feet

(2) All enclosed or partially enclosed accessory buildings shall comply with all open yard requirements contained in this chapter for the principal structure for the zoning district in which the buildings are located, except as otherwise provided in this section. The term "enclosed or partially enclosed" means either all or a portion of the building floor area is protected from the weather by permanent construction.

(3) Unenclosed accessory structures shall comply with all open yard requirements contained in this chapter for the principal structure, except that one-story unenclosed accessory structures that do not exceed 15 feet in overall height shall have a minimum ten foot side and rear setback with the exception of garden walls and fences, which are regulated by division 5 of article VIII of this chapter.

(4) For corner or through lots the street side yard or rear street yard setback shall be the same for unenclosed and enclosed accessory structures as for the principal structure, with the exception of a one-story garage in a street side yard based on section 134-1576 of this chapter and garden walls and fences, which are regulated by division 5 of article VIII of this chapter.

(5) In the R-B district, nothing contained in this section shall prohibit the construction of an enclosed accessory building containing bedrooms with bath facilities to be used in connection with and as a part of the main residence within the building lines as provided in this chapter. Such enclosed accessory building shall be used only for the occupancy of nonpaying guests of the owners of the main residence or bona fide members of the family or servants, and no kitchen or cooking facilities shall be constructed or used therein except by submission of a written agreement with the town stating that such accessory structure will be used only by family members or household staff and approval of the planning, zoning and building director or his designee.

(6) Accessory structures in the R-B district used for auto storage; lot coverage computations. In determining the percentage of coverage of a lot by buildings, enclosed accessory structures, the height of which do not exceed plus eight feet above zero datum for the lot, and for which they are designed and used exclusively for the purpose of auto storage, shall be counted, for the purpose of computing maximum lot coverage of buildings, at 50 percent of its roof area, provided that the structure shall be substantially screened through the use of earth berms, ground cover and other means of landscaping, and further provided that the roof thereof shall be landscaped.

(7) Dish antennas. A dish antenna shall be an accessory structure and shall be constructed, erected or placed in compliance with all of the provisions of this chapter applicable to accessory structures. Dish antennas shall not exceed two meters in diameter. Only one dish antenna that exceeds one meter in diameter shall be permitted on a building lot. Such dish antenna which exceeds one meter in diameter shall not be attached to a building; shall not be closer than ten feet to any side or rear property line; shall not exceed eight feet in height above the average grade; and, shall not be located in a required front yard, street side yard or rear street yard setback. There shall be no limit on dish antennas one meter or less in diameter and said antenna(s) may be attached or unattached to a building. If said dish antenna(s) is unattached, said antenna(s) shall not exceed eight feet in height above the average grade, be located no closer than ten feet to any side or rear lot line; and, shall not be located in a required front yard, street side yard or rear street yard setback. All attached and unattached dish antennas in this residential zoning district shall be screened from public view, and private and public streets and ways; be neutral in color; and, to the maximum extent possible, compatible with the surrounding neighborhood appearance and character. In addition, no form of lettering, advertising or identification shall be allowed on any such antenna or its framework (other than the manufacturer's small

identification plate). Note: One meter in the metric system of measurement equals 39.37 inches or 3.28 feet.

(8) One dock, as defined in section 134-2 and as regulated in sections 62-74, 62-57 and 134-1697, shall be unenclosed accessory structures as defined in this section.

(Ord. No. 2-74, § 5.51, 3-26-74; Ord. No. 3-76, § 3, 3-23-76; Ord. No. 5-78, § 11, 3-31-78; Ord. No. 7-79, § 11, 3-30-79; Ord. No. 4-80, § 4, 3-31-80; Ord. No. 7-82, § 4(i), (k), 3-31-82; Ord. No. 1-84, § 3(h), 3-1-84; Ord. No. 1-85, § 3(e), 2-11-85; Ord. No. 1-86, § 3(d), 2-10-86; Ord. No. 1-87, § 3(e), 2-9-87; Ord. No. 1-90, § 3(g), 2-5-90; Ord. No. 1-92, § 3(e), 2-3-92; Ord. No. 1-93, § 3(g), 2-8-93; Ord. No. 1-94, § 3(c), 2-7-94; Ord. No. 1-95, § 1(b), 1-23-95; Ord. No. 1-97, § 5, 2-17-97; Ord. No. 1-98, § 9, 2-9-98; Ord. No. 1-99, § 10, 4-5-99; Ord. No. 1-02, § 5, 3-12-02; Ord. No. 2-05, § 7, 5-10-05; Ord. No. 17-2019 , § 3, 6-12-19; Ord. No. 16-2021 , § 4, 8-11-21)

Sec. 134-892. Conversion of accessory structure to dwelling unit; termination of use of accessory structure separated from principal structure.

In the R-B low density residential district, no accessory structure shall be used as or converted to a dwelling unit. Further, if any accessory structure and use is subdivided from the principal structure and use to which it is accessory or, alternately, if the principal structure is demolished or removed, the use of such accessory structure shall be terminated until a new principal structure and use is established on the lot on which the accessory structure and use is located.

(Ord. No. 2-74, § 5.50(a), 3-26-74; Ord. No. 1-88, § 2, 2-8-88; Ord. No. 1-89, § 3(c), 2-6-89; Ord. No. 1-94, § 3(b), 2-7-94)

Sec. 134-893. Lot, yard and area requirements—Generally.

(a) In order to protect the unique, residential character of Seaview Avenue, Seaspray Avenue and Seabreeze Avenue (Sea Streets), partial or complete demolition and reconstruction of a single-family dwelling and/or accessory buildings on a lot 75 feet or less in width are exempt from the lot, yard, and area requirements as set forth in this section if redeveloped substantially on the same footprint as existed prior to demolition provided the following conditions are met:

(1) The proposed single-family dwelling and/or accessory buildings are of an architectural style consistent with the architecture of the single-family dwellings within the R-B zoning district on both sides of the subject street, between the intersecting streets in both directions, where the dwelling is situated, as determined by the architectural commission.

(2) The proposed single-family dwelling and/or accessory building(s) shall meet the requirements in subsection (c) of this section.

(3) If the existing footprint of the single-family dwelling and/or accessory building(s) lay within five feet of a side or rear lot line, the replacement footprint must be shifted such that an absolute minimum five foot side and rear lot line setback is created, and further the redeveloped home must be situated at least ten feet apart from any structure on a neighboring lot.

(4) The height and overall height from the point of measurement of the proposed single-family dwelling and/or accessory buildings are no higher than the dwelling and/or accessory buildings being demolished.

(5) Any square footage added to the proposed single-family dwelling and/or accessory buildings shall meet all lot, yard and bulk zoning requirements in the Code.

(6) If using the provisions of this subsection (a) above, no variances can be requested for any new additions which add additional square footage or cubic content than existed prior to demolition of a single-family dwelling and/or accessory buildings.

(b) *Schedule of regulations.* In the R-B low density residential district, the schedule of lot, yard and area requirements is as given in this section:

(1) *Lot area.* The minimum lot area is 10,000 square feet. For lots of 20,000 or more square feet in the R-B district, except for those lots between Dunbar Road and Reef Road which are adjacent to the waters of Lake Worth, the following shall apply:

a. When the width of a lot in the R-B district is equal to or greater than the minimum required for a lot in the R-A district, development of the lot shall be subject to the minimum side yard setback and angle of vision provisions of the R-A district.

b. When the width of the lot is equal to or greater than the minimum required for a lot in the R-AA district, development of the lot shall be subject to the angle of vision provisions of the R-AA district, and lots of 150 feet or more in width shall have the following side yard setbacks: Lots of 150-154 feet in width are required to have a 17.5 foot setback; lots of 155—159 feet in width are required to have a 20-foot setback; and for lots of 160 feet or more in width the setback shall be 22 feet plus two feet for each additional ten feet in width in excess of 169 feet, to a maximum side yard setback of 30 feet.

c. When the depth of a lot in the R-B district is equal to or greater than the minimum required for a lot in the R-A district, development of the lot shall be subject to the minimum front and rear yard setbacks and building height plane provisions of the R-A district.

d. When the depth of the lot is equal to or greater than the minimum required for a lot in the R-AA district, development of the lot shall be subject to the minimum front and rear yard setbacks and building height plane provisions of the R-AA district.

e. When the area of a lot in the R-B district is equal to or greater than 20,000 square feet, development of the lot shall be subject to the maximum coverage and minimum open space provisions of the R-A district, except that the maximum allowable lot coverage for single-story development shall be 30 percent.

f. When the area of the lot is equal to or greater than 60,000 square feet, development of the lot shall be subject to the maximum coverage and minimum open space provisions of the R-AA district, except the minimum allowable lot coverage for single-story development shall be 30 percent.

g. The provisions in subsections (1)a. through f. above do not apply to lots 20,000 square feet or greater in area between Dunbar Road and Reef Road which are adjacent to the waters of Lake Worth.

(2) *Lot width.* The minimum lot width is 100 feet.

(3) *Lot depth.* The minimum lot depth is 100 feet.

(4) *Density.* The maximum density is four dwelling units per acre.

(5) *Front yard.*

a. The minimum front yard setback for the first story is 25 feet, however the front yard setback may be reduced to a minimum of 20 feet, or portion thereof, provided the required rear yard setback for the first story is increased by the amount of reduction in the front yard.

b. The minimum front yard setback for the second story is 30 feet, however the front yard setback may be reduced to a minimum of 25 feet, or portion thereof, provided the required rear yard setback for the first and second story is increased by the amount of reduction in the front yard.

(6) *Angle of vision.*

a. The building angle of vision (front setback) for one-story buildings is 100 degrees.

b. The building angle of vision (front setback) for two-story buildings is 100 degrees.

c. Building angle of vision is not applicable to lots fronting on cul-de-sacs.

d. No portion of any individual building shall extend beyond a line drawn from the front property line 50 degrees either side of a line drawn perpendicular or radial to the front yard property line. For lots exceeding the minimum required width, the base angle of vision (50 degrees on either side of the line) shall be increased by two degrees for each ten feet of increased lot width over the minimum up to a maximum additional width of 40 feet in the R-B district.

e. In the case of corner lots or through lots with frontage on the following primary north-south roadways, the building angle of vision shall be applied only to the frontage along the designated primary north-south roadway: North Ocean Boulevard; South Ocean Boulevard; North County Road; South County Road; and North Lake Way.

f. In the case of other corner or through lots, the building angle of vision shall be applied only to the front yard as determined by the orientation of the building.

g. For exceptions to these regulations, see section 134-895.

h. For the purposes of determining application of the building angle of vision, an accessory structure shall be considered part of the principal structure when it is separated from the principal structure by a distance of less than 25 feet. When an accessory structure is separated by a distance of 25 feet or more from the principal structure, it shall be treated as separate structure and individually subject to the building angle of vision.

(7) *Side yard.*

a. The minimum side yard setback for the first story shall be 12½ feet.

b. The minimum side yard setback for the second story shall be 15 feet.

(8) *Rear height plane setback.* 25 feet.

(9) *Rear yard.*

a. The minimum rear yard setback for the first story is ten feet except as provided for in subsection (5)a.

b. The minimum rear yard setback for the second story is 15 feet except as provided for in subsection (5)b.

(10) *Height and overall height.*

a. For one-story buildings, the maximum building height is 14 feet.

b. For two-story buildings, the maximum building height is 22 feet.

c. Maximum overall height of a building in the R-B district shall be the maximum allowable building height plus three feet for a flat roof and eight feet for all other roof styles. When a parapet is used above the maximum building height, as defined in section 134-2, the building overall height

will be calculated based on the flat roof style identified above. Parapet walls extending above the maximum allowable building height shall have appropriate architectural treatment.

(11) *Lot coverage.*

a. The maximum lot coverage for one-story buildings is 40 percent.

b. The maximum lot coverage for two-story buildings is 30 percent.

(12) *Landscape open space.*

a. The minimum landscaped open space is 45 percent, of which 50 percent of that percentage is required to be perimeter landscaping within ten feet of the property line. The perimeter landscaped open space requirement shall not apply to lots 20,000 square feet or more in area.

b. Additionally, not less than 40 percent of the required front yard must be landscaped open space in the R-B district.

(13) *Cubic content ratio.*

a. The maximum cubic content ratio shall be as follows:

1. For lots of less than 10,000 square feet, the maximum allowable CCR shall be calculated as follows: 4.00 + [(10,000 - the lot size) ÷ 10,000].

2. For lots between 10,000 and 60,000 square feet which are not identified in subsection 4 of this section, the maximum allowable CCR shall be calculated as follows: 3.50 + [(60,000 - the lot size)÷ 50,000) × 0.5].

3. For lots of greater than 60,000 square feet which are not identified in subsection 4 of this section, the maximum allowable CCR shall be 3.50.

4. For lots of 20,000 square feet or greater which are adjacent to the waters of Lake Worth from Dunbar Road to Reef Road, the maximum allowable CCR shall be 4.50. For purposes of determining whether a lot is adjacent to the waters of Lake Worth, the traversing of all or a portion of the lot by Lake Trail shall not be considered when determining that adjacency.

(5) Exceptions. One architectural tower feature involving no habitable space, as otherwise permitted under subsection l34-896(b), shall not be counted in calculating the cubic content of the structure. Unenclosed loggias, pergolas, porches, terraces and covered patios located on the first floor shall be excluded from the calculation of total cubic content up to 5% of allowable cubic content. Portions of unenclosed structures in excess of the 5% maximum, as well as those located above the first floor, shall be included in the calculation of total cubic content. Such appurtenances so erected may not in the future be enclosed or converted to permanent additions to the structure if such conversion would increase the cubic content of the structure beyond that allowed by the applicable cubic content ratio.

b. For purposes of calculating the cubic content ratio, lot size shall be rounded to the nearest 100 square feet. For purposes of computing the resultant cubic content, the cubic content ratio shall be rounded to two decimal places. A table illustrating the cubic content ratio and associated cubic content for varying lots sizes resulting from the application of the above formulas is provided as attachment A to this chapter. This table also provides approximations of the likely floor areas achievable at varying average building heights.

(c) *Existing building lots.* A single-family structure may be constructed on any existing nonconforming lot at the time of adoption of the ordinance from which this section derives in the R-B zoning district if the lot is less

than the minimum area and/or dimension required for building lots in this district; provided, however, that a special exception with site plan review would be required for an unplatted lot and site plan review would be required for a platted lot. A special exception and/or site plan review to develop or redevelop on a lot that is deficient in lot area or dimension cannot be considered by the town council until the architectural commission has completed review of the project.

In addition, all new construction must comply with all other provisions of the schedule of lot, yard and bulk requirements in subsection (a) of this section and provided, further, that the owner of such lot shall not own any adjacent vacant land which would create a conforming lot if the vacant land were combined with the lot deficient in area.

(Ord. No. 2-74, schedule A, §§ 5.11, 5.15(c), 3-26-74; Ord. No. 7-79, §§ 2, 6, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(e), (f), 3-31-81; Ord. No. 7-82, § 3(e), 3-31-82; Ord. No. 2-83, §§ 3(a), (b), 2-23-83; Ord. No. 1-84, §§ 2(a)—(e), 3-1-84; Ord. No. 1-85, § 2(b)—(f), 2-11-85; Ord. No. 1-86, § 2(a), 2-10-86; Ord. No. 1-88, § 1, 2-8-88; Ord. No. 1-89, § 2(b)—(d), 2-6-89; Ord. No. 1-90, § 2(a)—(e), 2-5-90; Ord. No. 1-92, § 2(a)1, 2, 2-3-92; Ord. No. 1-93, § 3(a), 2-8-93; Ord. No. 9-93, § 2(b), 6-8-93; Ord. No. 1-94, § 2(a), 2-7-94; Ord. No. 10-95, § 1(a), 1-23-95; Ord. No. 1-96, §§ 8, 11, 2-5-96; Ord. No. 1-97, § 1, 2-17-97; Ord. No. 1-98, §§ 2—4, 6, 2-9-98; Ord. No. 2-98, §§ 1, 2, 2-27-98; Ord. No. 1-99, §§ 12—16, 4-5-99; Ord. No. 1-01, §§ 1, 3, 4, 2-19-01; Ord. No. 1-02, § 7, 3-12-02; Ord. No. 1-02, § 14, 3-12-02; Ord. No. 1-03, §§ 16, 20, 3-11-03; Ord. No. 1-05, § 4, 3-8-05; Ord. No. 5-09, § 37, 4-15-09; Ord. No. 12-09, §§ 1, 2, 6-10-09; Ord. No. 16-09, § 2, 11-12-09; Ord. No. 4-10, § 3, 2-10-10; Ord. No. 3-2012, § 2, 4-11-12; Ord. No. 4-2016 , §§ 3, 4, 4-13-16; Ord. No. 16-2016 , § 1, 12-14-16; Ord. No. 15-2017 , § 4, 7-12-2017; Ord. No. 04-2018 , § 17, 4-11-18)

Sec. 134-894. Same—Existing single-family dwelling development.

(a) A single-family dwelling located in the R-B low density residential district, which dwelling is nonconforming with any of the schedule of lot, yard and bulk regulations for this district, may be enlarged with a first story and/or second story addition, provided:

(1) The addition complies with the current schedule of lot, yard and bulk regulations for this district; and

(2) The addition does not cause the dwelling to have more cubic content than allowed a new such dwelling under the current schedule of lot, yard and bulk regulations for this district.

(b) This section shall not apply to a dwelling that is demolished by more than 50 percent, as determined by cubic footage, in preparation for any proposed addition, exterior renovation, or exterior reconstruction.

(c) It is the intent of this section to allow a partial exemption to sections 134-416 and 134-417.

(Ord. No. 2-74, § 5.17, 3-26-74; Ord. No. 3-77, § 3, 3-29-77; Ord. No. 7-82, § 4(a), 3-31-82; Ord. No. 1-86, § 3(b), 2-10-86; Ord. No. 1-87, § 3(b), 2-9-87; Ord. No. 1-90, § 3(a), 2-5-90; Ord. No. 1-92, § 3(a), 2-3-92; Ord. No. 1-93, § 3(b), 2-8-93; Ord. No. 1-04, § 5, 3-9-04)

Sec. 134-895. Same—Exceptions to yard regulations.

In the R-B low density residential district, exceptions to the yard regulations in section 134-1548 are as follows:

(1) Chimneys, cornices, eaves, bay windows and balconies may extend 24 inches from the main and/or accessory building into the yard area. Chimneys and bay windows shall not exceed ten feet in the horizonal, measured parallel to the building wall, and the total linear dimension for such projection shall not exceed 25 percent of the total dimension along the building wall from which such chimney and/or bay window may project.

(2) A first floor unenclosed front entry ramps, landings, open terraces, and/or steps may extend six feet into the required front street side and street rear yard setbacks. In addition, unenclosed first floor entry ramps, landings and associated steps not exceeding the minimum required for access may extend four feet into a required side or rear yard setback

(3) First floor main entrance covered ramps porches, open terraces, and/or steps may extend six feet into the required front yard setback. In addition, entry ramps, landings and associated steps not exceeding the minimum required for access may extend four feet into a required setback.

(4) In this district an awning and/or open trellises located in a side or rear yard which meet applicable minimum yard requirements may be erected, provided the area of the principal structure and all awnings and open trellises combined does not exceed allowable lot coverage by more than three percent. Said awnings and/or trellises so erected shall not count in the cubic content ratio calculations and shall not be converted to permanent additions to the principal structure if such conversion would increase lot coverage of the principal structure above the allowed percentage.

(5) One open, one story pergola may extend five feet into a setback provided said structure does not exceed a height of nine feet.

(6) One arbor shall be allowed in a required setback on a property provided said arbor does not exceed a height of eight feet nor cover more than 15 square feet in area.

(Ord. No. 2-74, § 5.31, 3-26-74; Ord. No. 1-89, § 3(a), 2-6-89; Ord. No. 6-93, § 3(c), 2-9-93; Ord. No. 1-96, § 14, 2-5-96; Ord. No. 3-02, § 1, 7-9-02; Ord. No. 04-2018 , § 18, 4-11-18; Ord. No. 19-2021 , § 2, 9-13-21)

Sec. 134-896. Special exceptions to height limitations.

(a) The permitted exceptions to height limitations in sections 134-1606 and 134-1607 in the R-B low density district are skylights not exceeding three feet above the roof, air conditioning equipment not exceeding four feet above the minimum building requirement for elevated stands on a roof, radio and television antennas for reception purposes only. Flagpoles and chimneys may be erected to a height not to exceed 40 percent above the building height limit for this district. Flagpoles in excess of this height may be permitted by special exception on properties of greater than five acres provided the flagpole is not in excess of 70 feet in height and is setback at least 120 feet from any lot line. However, such structures located upon the roof shall not cover in the aggregate a roof area greater than ten percent of the ground floor area of such building or structure. Radio and television antennas, air conditioning equipment, or similar equipment to operate and maintain a building which are permitted on the roof shall be sight screened insofar as possible. Solar [material] shall be permitted on the roof provided said material is approved by the Architectural Commission or Landmark Preservation Commission.

(b) In the R-B zoning district, one architectural tower feature may be constructed as an integral part of a single-family dwelling provided that it does not exceed the allowable overall building height by five feet and is setback an additional five feet on the front, rear, side, and street side and street rear yards; and, such tower has no usable floor area. The area of such tower shall not exceed two percent of the gross floor area of the dwelling. It is the intention of this section to allow only one tower as an architectural feature on a house and not to allow habitable space in upper areas of a tower on a house in the R-B zoning district. It is also the intent that this subsection not apply to entry facades or parapets.

(Ord. No. 2-74, § 5.22(a), 3-26-74; Ord. No. 3-76, § 3, 3-23-76; Ord. No. 7-79, § 9, 3-30-79; Ord. No. 4-80, § 4, 3-31-80; Ord. No. 7-82, § 4(c), 3-31-82; Ord. No. 2-83, § 4(c), 2-23-83; Ord. No. 1-84, § 3(a), 3-1-84; Ord. No. 1-85, § 3(a), 2-11-85; Ord. No. 1-90, § 3(b)—(d), 2-5-90; Ord. No. 1-96, §§ 12, 13, 2-5-96; Ord. No. 1-98, § 7, 2-9-98; Ord. No. 1-99, § 17, 4-5-99; Ord. No. 7-09, §§ 3, 6, 5-13-09; Ord. No. 16-09, § 9, 11-12-09; Ord. No. 04-2018 , § 20, 4-11-18)

Editor's note(s)—Section 6 of Ord. No. 7-09, adopted May 13, 2009, states the following: "Section 6. The newly adopted provisions contained herein relating to flag poles and flags shall not be applicable retrospectively to flags or flag poles permitted prior to the adoption of Ordinance No. 7-09 or, in the event not granted by permit, which have been in continuous existence for a period of three years or more prior to the adoption of this ordinance."

Sec. 134-897. Special exceptions to height regulations.

(a) In the R-B low density residential district, in order to encourage meritorious architectural design, variety in the setback of structures, increased open space and landscaped open space, reduced lot coverage, and reduced cubic content ratio, the town council may at its discretion, upon review of an application and public hearing thereon, allow for the increase of the maximum building height requirements in sections 134-1606 and 134-1607 in the R-B zoning district, provided the special exception meets the standards of sections 134-227 through 134-233 and the goals, standards, and guidelines set forth in this section. The town council shall find that:

(1) The proposed increase in height for a contemplated special exception structure is in the public interest.

(2) The structure is compatible with the site, adjacent properties and the neighborhood after consideration of:

a. The general form of the land before and after development or redevelopment;

b. The spatial relationships of the structures and open spaces to nearby land uses, including positioning of the building, transition in height and number of stories, garage placement, landscaping, and other site improvements;

c. The appearance, including building bulk, proportion, scale, massing, materials, colors, and architectural details, of buildings and open spaces as they contribute to the surrounding area; and

d. The protection of neighboring owners and uses by ensuring that reasonable provision has been made for such matters as surface water drainage, sound and sight buffers, the preservation of views, light and air, and those aspects of design, not adequately covered by other regulations, which may have substantial effects on neighboring land uses.

(b) The maximum allowable overall height under this section shall be 35 feet for a two-story structure with a pitched roof and 30 feet for a two-story structure with a flat roof, provided the following standards are met:

(1) A maximum of 50 percent of the second story may be requested for a special exception to permitted overall height requirements. In addition, a minimum of 50 percent of the first floor shall be retained as one story, with the height not to exceed 20 feet overall for pitched roofs and 17 feet overall for flat roofs. (Note: It is not the intent of this section to discourage other portions of the second story to be built at 30 feet for pitched roofs and 27 for flat roofs or less, which would permit three or more roof levels.)

(2) The minimum rear yard setback for all parts of the second-story portion of construction shall be 15 feet. The minimum rear yard setback for first-story portions shall be ten feet.

(3) The minimum side yard setback for all parts of the second-story portion of construction shall be 17.5 feet. The minimum side yard setback for first-story portions shall be 12.5 feet.

(4) The minimum front yard, street side yard, and street rear yard setbacks shall be 35 feet for the second-story portion over 30 feet overall height for pitched roofs and over 27 feet overall height for flat roofs.

(5) Lot coverage for lots in excess of 15,000 square feet in area shall be limited to a maximum 22.5 percent.

(6) Garages shall be designed so that the opening will not face a street or shall be sight-screened by landscaping.

(7) The maximum permitted cubic content ratio (CCR) shall be one percent less than the permitted FAR for the R-B zoning district.

(8) All other R-B zoning district regulations shall apply.

(Ord. No. 2-74, § 5.48(II), 3-26-74; Ord. No. 3-76, § 3, 3-23-76; Ord. No. 5-78, § 11, 3-31-78; Ord. No. 7-82, § 4(g), 3-31-82; Ord. No. 2-83, § 4(d), 2-23-83; Ord. No. 1-84, § 3(e), 3-1-84; Ord. No. 1-85, § 3(d), 2-11-85; Ord. No. 1-91, § 3(e), 4-23-91; Ord. No. 1-92, § 3(d), 2-3-92; Ord. No. 1-97, § 4, 2-17-97; Ord. No. 1-99, § 2, 4-5-99)

Sec. 134-898. Lot grade topography and drainage.

In the R-B, low density residential district, the natural grade and topography of a lot shall not be altered to raise and the grade the lot to meet base flood elevation requirements except as provided for in section 134-1600. The grade shall not be raised on a vacant or occupied piece of property unless a building permit is issued which addresses the paving and drainage requirements of the town.

(Ord. No. 2-74, § 5.18, 3-26-74; Ord. No. 7-82, § 4(b), 3-31-82; Ord. No. 1-92, § 3(b), 2-3-92; Ord. No. 1-94, § 3(a), 2-7-94; Ord. No. 26-10, § 35, 12-15-10; Ord. No. 19-2021 , § 3, 9-13-21)

Sec. 134-899. Supplementary district regulations.

The supplementary district regulations which may be applicable to the R-B low density residential district are contained in article VIII of this chapter.

Sec. 134-900. Off-street parking and loading.

The off-street parking or loading requirements which may be applicable in the R-B low density residential district are contained in article IX of this chapter.

Sec. 134-901. Signs.

The sign regulations which may be applicable in the R-B low density residential district are contained in article XI of this chapter.

Sec. 134-902. Air conditioning and generator equipment.

Air conditioners and air handlers, cooling towers, generators, swimming pool filters, pumps and heaters are regulated in section 134-1728 and 134-1729.

(Ord. No. 1-99, § 11, 4-5-99)

Secs. 134-903—134-940. Reserved.

DIVISION 12. C-B COMMERCIAL DISTRICT[1]

Sec. 134-1301. Purpose.

The purpose of the C-B commercial district is to create an environment especially suited to a group of professional and administrative offices compatible in appearance with single-family housing.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93)

Sec. 134-1302. Permitted uses.

(a) Enumeration; maximum gross leasable area. The permitted uses in the C-B commercial district require a site plan and review as required in article III of this chapter.

(b) The permitted uses in the C-B commercial district are as follows:

(1) Business and professional offices/services and executive office suites, excluding veterinarians.

(2) Banks and financial institutions.

(3) Churches, synagogues or other houses of worship.

(4) Storage facility related to a permitted or special exception use in the district provided said use meets all additional conditions in section 134-1760 of this chapter.

(5) Essential services.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 1-04, § 26, 3-9-04; Ord. No. 2-2011, § 8, 7-13-11; Ord. No. 7-2014, § 9, 5-14-14; Ord. No. 8-2017 , § 4, 4-12-17; Ord. No. 12-2021 , § 9, 6-9-21)

[1]Cross reference(s)—Businesses, ch. 22.

Sec. 134-1303. Accessory uses.

(a) The accessory uses in the C-B commercial district require a site plan and review as provided in article III of this chapter.

(b) The accessory uses in the C-B commercial district are as follows:

(1) Off-street parking and loading.

(2) Signs.

(3) Accessory uses customarily incident to the permitted or approved special exception uses.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 5-09, § 14, 4-15-09; Ord. No. 16-2021 , § 11, 8-11-21)

Sec. 134-1304. Special exception uses.

(a) The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the C-B commercial district are as follows:

(1) Public or private parking lots or storage garages.

(2) Auto rental lot.

(3) Supplemental parking.

(4) Public or private academic schools.

(5) Hotels at a maximum of 26 units per acre.

(6) Timesharing uses at a maximum of nine units per acre.

(7) Roof-deck automobile parking.

(8) Permitted uses, or uses not specifically enumerated under permitted uses in section 134-1302 but having traffic, patronage and intensity of use characteristics similar to those uses cited therein, which are greater than 3,000 square feet gross leasable area.

(9) Nonprofit cultural centers.

(10) Outdoor cafe seating for only hotels, condo-hotels, dining rooms, provided that all requirements and conditions in sections 134-2104 through 134-2108 are met.

(11) Condo-hotels at a maximum of 17 units per acre, in accordance with section 134-2110.

(12) Essential services related to town-owned municipal buildings and structures.

(13) Dining rooms when not more than 15 percent of the gross floor area of a building; no exterior or external advertising to be permitted.

(14) Planned unit development, PUD (5) (see article V of this chapter for standards).

(b) An owner or tenant of a property, located within the C-B district, which property has received approval of a special exception after March 31, 1980, shall be required to obtain approval by the town council under the provisions of section 134-229 prior to being granted a new business tax receipt. This subsection shall not apply to renewal of an existing business tax receipt.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 1-03, § 6, 3-11-03; Ord. No. 5-09, §§ 15, 22, 4-15-09; Ord. No. 2-2011, § 9, 7-13-11; Ord. No. 3-2012, § 7, 4-11-12; Ord. No. 02-2019 , § 13, 3-19-19; Ord. No. 17-2019 , § 11, 6-12-19; Ord. No. 12-2021 , § 10, 6-9-21; Ord. No. 16-2021 , § 14, 8-11-21)

Sec. 134-1305. Reserved.

Ord. No. 16-2021 , § 13, adopted August 11, 2021, repealed § 134-134-1305, which pertained to stands, seated dining areas and open counters for eating and drinking and derived from Ord. No. 5-09, § 16, 4-15-09.

Sec. 134-1306. Accessory structures.

(a) *Generally.* Enclosed accessory structures in the C-B commercial district shall comply with front and side yard requirements for the principal structure to which they are accessory and shall be not closer to any rear property line than ten feet.

(b) *Dish antennas.* A dish antenna shall be an accessory structure and shall be constructed, erected or placed in compliance with all of the provisions of this chapter applicable to accessory structures. Dish antennas shall not exceed three meters in diameter. Only one dish antenna that exceeds one meter in diameter shall be permitted on each building. Such dish antenna which exceeds one meter in diameter shall not be attached to a building; shall not be closer than ten feet to any side or rear property line; shall not exceed 12 feet in height above the average grade; and, shall not be located in a required front yard, street side yard or rear street yard setback. Each residential unit or commercial tenant space shall not be limited as to the number of dish antennas of one meter or less in diameter and said antenna(s) may be attached or unattached to a building. If said dish antenna(s) is unattached, said antenna(s) shall not exceed 12 feet in height above the average grade; shall be located no closer than ten feet to any side or rear lot line; and, shall not be located in a required front yard, street side yard or rear street yard setback. All attached and unattached dish antennas in this commercial zoning district shall be screened from public view, and private and public streets and ways; be neutral in color; and, to the maximum extent possible, compatible with the surrounding neighborhood appearance and character. In addition, no form of lettering, advertising or identification shall be allowed on any such antenna or its framework (other than the manufacturer's small identification plate). Note: One meter in the metric system of measurement equals 39.37 inches or 3.28 feet.

(Ord. No. 2-74, § 5.51, 3-26-74; Ord. No. 3-76, § 3, 3-23-76; Ord. No. 5-78, § 11, 3-31-78; Ord. No. 7-79, § 11, 3-30-79; Ord. No. 4-80, § 4, 3-31-80; Ord. No. 7-82, § 4(i), (k), 3-31-82; Ord. No. 1-84, § 3(h), 3-1-84; Ord. No. 1-85, § 3(e), 2-11-85; Ord. No. 1-86, § 3(d), 2-10-86; Ord. No. 1-87, § 3(e), 2-9-87; Ord. No. 1-90, § 3(g), 2-5-90; Ord. No. 1-92, § 3(e), 2-3-92; Ord. No. 1-93, § 3(g), 2-8-93; Ord. No. 1-94, § 3(c), 2-7-94; Ord. No. 1-95, § 1(b), 1-23-95; Ord. No. 1-97, § 5, 2-17-97; Ord. No. 1-99, § 10, 4-5-99; Ord. No. 5-09, § 16, 4-15-09)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1307. Commercial uses; site plan approval for new buildings, new building additions or changes in permitted uses over certain floor area.

All applications for new buildings or for new building additions or for changes in a permitted use in section 134-1302 which involve more than 2,000 square feet of building floor area of buildings in the C-B commercial district shall require a site plan approval in accordance with article III of this chapter. No certificate of occupancy shall be issued for any building, unless all facilities included in the site plan have been provided in accordance therewith. The maximum dimension of any structure or group of attached structures shall not exceed 150 feet.

(Ord. No. 2-74, § 6.55, 3-26-74; Ord. No. 5-78, § 12, 3-31-78; Ord. No. 7-79, § 14, 3-30-79; Ord. No. 4-80, § 6, 3-31-80; Ord. No. 7-82, § 5(d), 3-31-82; Ord. No. 1-85, § 4(h), 2-11-85; Ord. No. 5-09, § 16, 4-15-09)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1308. Lot, yard and area requirements—Generally.

In the C-B commercial district, the schedule of lot, yard and area requirements is as given in this section:

(1) *Lot area.* The minimum lot area is 15,000 square feet.

(2) *Lot width.* The minimum lot width is 100 feet.

(3) *Lot depth.* The minimum lot depth is 150 feet.

(4) *Density.*

a. The maximum density for hotels within C-B commercial district shall be 26 dwelling units per acre.

b. See article III of this chapter for site plan review requirements.

(5) *Front yard.*

a. For one-story buildings, the minimum front yard setback is ten feet.

b. For two-story buildings, the minimum front yard setback is ten feet.

c. The minimum front yard setback is 25 feet when applied to hotel uses and timesharing uses permitted as a special exception in a C-B district.

d. For buildings in excess of 15 feet in height, increase all minimum yard requirements one foot for each two feet of building height, or portion thereof, exceeding 15 feet.

(6) *Side yard.*

a. For one-story buildings, the minimum side yard setback is ten feet.

b. For two-story buildings, the minimum side yard setback is ten feet.

c. For buildings in excess of 15 feet in height, increase all minimum yard requirements one foot for each two feet of building height, or portion thereof, exceeding 15 feet. Side yards shall be as calculated or five feet, whichever is greater.

(7) *Rear yard.*

a. For one-story buildings, the minimum rear yard setback is 15 feet.

b. For two-story buildings, the minimum rear yard setback is 15 feet.

c. For buildings in excess of 15 feet in height, increase all minimum yard requirements one foot for each two feet of building height, or portion thereof, exceeding 15 feet.

(8) *Height and overall height.*

a. For one-story buildings, the maximum building height is 15 feet.

b. For two-story buildings, the maximum building height is 25 feet.

c. Maximum overall height of a building shall be the maximum allowable building height, as defined in section 134-2, plus five feet for a flat roof and ten feet for all other roof styles. When a parapet is used above the maximum building height, as defined in section 134-2, the building overall height will be calculated based on the flat roof style identified above. Parapet walls extending above the maximum allowable building height shall have appropriate architectural treatment.

(9) *Lot coverage.*

a. For one-story buildings, the maximum lot coverage is 60 percent.

b. For two-story buildings, the maximum lot coverage is 30 percent.

c. The maximum lot coverage for two-story buildings is 50 percent when applied to hotel uses and timesharing uses permitted as a special exception in a C-B district.

(10) *Length.*

a. For one-story buildings, the maximum building length is 150 feet.

b. For two-story buildings, the maximum building length is 150 feet.

c. Sub-basements are exempt from the maximum building length, requirement. Individual building elements extending above ground from a single sub-basement shall each, be considered as a separate building for the purpose of calculating building length.

(11) *Landscaped open space.*

a. For one-story buildings, the minimum landscaped open space is 20 percent.

b. For two-story buildings, the minimum landscaped open space is 30 percent.

c. Additionally, not less than 35 percent of the required front yard must be landscaped open space in the C-B district.

(Ord. No. 2-74, schedule A, 3-26-74; Ord. No. 7-79, §§ 2, 6, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(e), (f), 3-31-81; Ord. No. 7-82, § 3(e), 3-31-82; Ord. No. 2-83, §§ 3(a), (b), 2-23-83; Ord. No. 1-84, §§ 2(a)—(e), 3-1-84; Ord. No. 1-85, § 2(b)—(f), 2-11-85; Ord. No. 1-86, § 2(a), 2-10-86; Ord. No. 1-88, § 1, 2-8-88; Ord. No. 1-89, § 2(b)—(d), 2-6-89; Ord. No. 1-90, § 2(a)—(e), 2-5-90; Ord. No. 1-92, § 2(a)1, 2, 2-3-92; Ord. No. 9-93, § 2(b), 6-8-93; Ord. No. 1-94, § 2(a), 2-7-94; Ord. No. 1-96, § 8, 2-5-96; Ord. No. 1-97, § 1, 2-17-97; Ord. No. 1-98, §§ 2—4, 2-9-98; Ord. No. 2-98, §§ 1, 2, 2-27-98; Ord. No. 5-09, § 16, 4-15-09; Ord. No. 16-2016 , § 5, 12-14-16; Ord. No. 04-2018 , § 21, 4-11-18)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1309. Same—Exceptions.

(a) In the C-B commercial district, cornices, solid canopies, or architectural features may extend 48 inches over the sidewalk or required yard area, provided they shall have nine feet of vertical clearance between any solid construction and the sidewalk or yard.

(b) Marquees or canvas-covered fireproof canopies, no wider than entranceways, may be constructed over main entrances to hotels, theaters and places of public assembly and may extend to the face of the curb, provided that no support shall be nearer than 18 inches to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance between any solid construction and the sidewalk.

(c) No projections shall be allowed in the required rear yard except open-type fire escapes, and these must be provided with a counter-balanced bottom section to provide for nine feet of clearance when up.

(d) Awnings may be suspended over sidewalks or ways, provided that they shall not project nearer than 18 inches to the face of the street curbline or more than eight feet from the exterior wall of the building, and the installation shall have at least seven feet six inches of vertical clearance between any solid construction and the sidewalk or way. Cloth front and side drops shall measure not less than six feet six inches from their lowest point to the sidewalk or way.

(e) One open, one story pergola may extend five feet into a setback provided said structure does not exceed a height of nine feet; the supporting beams do not obstruct a sidewalk or walkway.

(f) One arbor shall be allowed in a required setback on a property provided said arbor does not exceed a height of eight feet nor cover more than 15 square feet in area; and, does not block a sidewalk or walkway.

(g) First floor ramps, landings, open terraces, and/or steps may extend six feet into the required front street side and street rear yard setbacks. In addition, unenclosed entry ramps, landings and associated steps not exceeding the minimum required for access may extend four feet into a required side or rear yard setback.

(Ord. No. 2-74, § 5.33(a)—(d), 3-26-74; Ord. No. 4-80, § 4, 3-31-80; Ord. No. 1-91, § 3(c), 4-23-91; Ord. No. 3-02, § 3, 7-9-02; Ord. No. 5-09, § 16, 4-15-09; Ord. No. 19-2021 , § 4, 9-13-21)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1310. Commercial buildings.

In addition to the site plan review required by article III of this chapter, the town council shall consider the following guidelines and development requirements in connection with such review of commercial buildings in the C-B commercial zoning district:

(1) *Maximum dimension.* The maximum dimension of any structure or group of attached structures shall not exceed 150 feet.

(2) *Distance between buildings.* The side of any building shall be no closer to the side, front, or rear of any other building than 20 feet.

(Ord. No. 2-74, § 6.55(a), 3-26-74; Ord. No. 5-78, § 12, 3-31-78; Ord. No. 7-79, § 14, 3-30-79; Ord. No. 4-80, § 6, 3-31-80; Ord. No. 7-82, § 5(d), 3-31-82; Ord. No. 1-85, § 4(h), 2-11-85; Ord. No. 5-09, § 16, 4-15-09)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1311. Supplementary district regulations.

The supplementary district regulations which may be applicable to the C-B commercial district are contained in article VIII of this chapter.

(Ord. No. 5-09, § 16, 4-15-09)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1312. Off-street parking and loading.

The off-street parking or loading requirements which may be applicable in the C-B commercial district are contained in article IX of this chapter.

(Ord. No. 5-09, § 16, 4-15-09)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1313. Signs.

The sign regulations which may be applicable in the C-B commercial district are contained in article XI of this chapter.

(Ord. No. 5-09, § 16, 4-15-09)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1314. Air conditioning and generator equipment.

Air conditioners and air handlers, cooling towers, generators, swimming pool filters, pumps and heaters are regulated in section 134-1728 and 134-1729.

(Ord. No. 1-99, § 11, 4-5-99; Ord. No. 5-09, § 16, 4-15-09)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1315. Architectural tower features.

In the commercial zoning districts, a maximum of two towers as architectural features may be constructed as integral parts of the building provided that no tower(s) exceeds the allowable overall height by more than five feet; such tower(s) is set back an additional five feet on the front, rear, side, and street side and street rear yards; and, such tower(s) has no habitable floor area. The area of such tower(s) shall in combination not exceed two percent of the gross floor area of the building. This section does not apply to entry facades or parapets.

(Ord. No. 1-00, § 2, 2-22-00; Ord. No. 5-09, § 16, 4-15-09)

Editor's note(s)—See note at section 134-1305.

Sec. 134-1316. Lot grade topography and drainage.

In the C-B commercial district, the natural grade and topography of a lot shall not be altered to raise and the grade the lot to meet base flood elevation requirements except as provided for in section 134-1600. The grade shall not be raised on a vacant or occupied piece of property unless a building permit is issued which addresses the paving and drainage requirements of the town.

(Ord. No. 19-2021 , § 5, 9-13-21)

Secs. 134-1317—134-1350. Reserved.

DIVIDIVISION 8. C-TS TOWN-SERVING COMMERCIAL DISTRICT[1]

Sec. 134-1106. Purpose and limitations.

The purposes of the C-TS town-serving commercial district are to:

(1) Create, preserve and enhance areas of attractive, small-scale, retail, personal and professional/business services to be developed either as a unit or in individual parcels, providing for the frequently recurring needs of townpersons.

(2) Enhance the general character of the district and its compatibility with its residential surroundings, and, therefore, signs are limited to those accessory to businesses conducted on the premises, including the number, area and types; retail drive-in facilities are not permitted, and, in order to maintain the town-serving nature of the district, limitations on gross leasable floor (GLA) area are imposed.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93)

Sec. 134-1107. Permitted uses.

(a) *Enumeration; maximum gross leasable area.* The permitted uses in the C-TS town-serving commercial district, with a maximum of 3,000 square feet gross leasable area (GLA), are as follows:

(1) Retail and service establishments, such as hardware stores, food stores, clothing stores, drugstores, barbershops, beauty salons and jewelry stores.

(2) Offices, executive office suites, professional services, business services, excluding veterinarian offices, and securities and financial brokerage and trust companies above the first floor.

(3) Offices, professional services, business services and securities and financial brokerage and trust companies in the 200 block of Peruvian Avenue and Bradley Place.

(4) Nonprofit cultural centers.

(5) Professional and studio type schools.

(6) Storage facility related to a permitted or special exception use in the district provided said use meets all additional conditions in section 134-1760 of this chapter.

[1]Cross reference(s)—Businesses, ch. 22.

(7) Essential services.

(8) Public parks.

(9) Residence(s) above the first floor.

(10) Supplemental off-site shared parking as provided for in sections 134-2177 and 134-2182. This use will sunset on March 13, 2024, unless extended or modified by town council.

(b) *Regulation of existing nonconforming commercial uses.* Any existing uses contained on the list of permitted uses shown in subsection (a) of this section which contain more than 3,000 square feet of gross leasable area (GLA) shall be classified as existing nonconforming uses under article VI of this chapter pertaining to nonconforming uses. However, all future changes of use shall be limited to those uses listed as permitted uses on the list contained in this section with a maximum gross leasable area of 3,000 square feet, and if a change of use is contemplated from one general commercial category (retail and services; office, professional and business services; or banks and financial institutions) to another, wherein the new use will involve a gross leasable area exceeding 3,000 square feet, the contemplated new use shall be subject to prior approval of a special exception application by the town council before the change is made (refer to sections 134-227 through 134-233 pertaining to special exception uses). In effect, this will allow any existing use over 3,000 square feet, in a district with a 3,000 square footage limitation, to continue operating at its existing scale or to change to another use within the same general commercial category without town council approval. For example, if a ladies apparel store of 8,000 square feet exists in the C-TS district and the owner wishes to change to an antique store of the same size or subdivide into two 4,000-square-foot offices, the owner would need to apply for and obtain approval of a special exception from the town council. No existing commercial use which is subject to the 3,000 square feet maximum gross leasable area (GLA) regulation may occupy additional space within 1,500 feet of the existing businesses, which distance shall be measured along the public sidewalk, if such new space to be occupied will increase the total gross leasable area (GLA) to more than 3,000 square feet.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 1-96, § 4, 2-5-96; Ord. No. 1-98, § 5, 2-9-98; Ord. No. 1-02, § 9, 3-12-02; Ord. No. 1-04, §§ 17, 22, 3-9-04; Ord. No. 1-05, § 2, 3-8-05; Ord. No. 4-08, § 8, 4-7-08; Ord. No. 5-2011, § 3, 3-9-11; Ord. No. 2-2011, § 3, 7-13-11; Ord. No. 7-2014, § 5, 5-14-14; Ord. No. 13-2015, § 1, 5-13-15; Ord. No. 8-2017 , § 1, 4-12-17; Ord. No. 17-2019 , § 5, 6-12-19; Ord. No. 01-2021 , § 2, 2-10-21; Ord. No. 12-2021 , § 1, 6-9-21; Ord. No. 20-2021 , § 2, 9-13-21)

Editor's note(s)—Ord. No. 7-2014, § 5, adopted May 14, 2014, set out provisions amending subsection 134-1108(a)(2). To correct a scrivener's error, and at the editor's discretion, these provisions have been included as amending subsection 134-1107(a)(2).

Sec. 134-1108. Accessory uses.

The accessory uses in the C-TS town-serving commercial district are as follows:

(1) Off-street parking and loading.

(2) Signs.

(3) Accessory uses customarily incident to the permitted or approved special exception uses.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 5-09, § 5, 4-15-09; Ord. No. 16-2021 , § 11, 8-11-21)

Sec. 134-1109. Special exception uses.

(a) The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the C-TS town-serving commercial district are as follows:

(1) Public or private parking lots or storage garages.

(2) Auto rental lots.

(3) Private social, swimming, golf, tennis and yacht clubs.

(4) Service stations.

(5) Public structures/uses.

(6) Essential services related to town-owned municipal buildings and structures.

(7) Supplemental parking per sections 134-2177 and 134-2182.

(8) Public or private academic schools.

(9 Drive-in business service facilities.

(10) Churches, synagogues or other houses of worship.

(11) Permitted uses, or uses not specifically enumerated under permitted uses in section 134-1107 but having traffic, patronage and intensity of use characteristics similar to those uses cited therein, which are greater than 3,000 square feet gross leasable area.

(12) Banks and financial institutions, excluding securities or financial brokerage and trust companies.

(13) Roof-deck automobile parking.

(14) Outdoor cafe seating is permitted only for restaurants, retail specialty food including the sale of prepared food for takeout only, and private, social, swimming, golf, tennis and yacht clubs, provided that all requirements and conditions in sections 134-2104 through 134-2108 are met.

(15) Veterinarian offices above the first floor.

(16) Museums occupying building of unique value as designated historical landmarks, as determined by the landmarks preservation commission and the town council.

(17) Nightclubs.

(18) Except as provided for in subsection 134-1107(3), offices (excluding executive office suites), professional services, business services and securities or financial brokerage and trust companies on the first floor provided that there are at least 50 percent existing office uses on all floors of the building in which the office use is proposed and more than 50 percent existing office uses on the first floor within 300 feet of the proposed office use within the same zoning district.

(19) Private parks.

(20) Medical marijuana treatment centers and medical marijuana dispensaries are prohibited, however, should state law preempt said prohibition, said uses shall be permitted subject to the requirements in sections 134-2113 through 134-2114 of this chapter.

(21) Outdoor promotional events. See section 134-2115 for additional conditions and criteria.

(22) Restaurants, excluding formula restaurants, as defined in section 134-2 and bars/lounges.

(23) Planned unit development, PUD (5) (see article V of this chapter for standards).

(b) An owner or tenant of a property, located within the C-TS district, which property has received approval of a special exception after March 31, 1980, shall be required to obtain approval by the town council under the provisions of section 134-229 prior to being granted a new business tax receipt. This subsection shall not apply to renewal of an existing business tax receipt.

(Ord. No. 2-74, schedule B, 3-26-74; Ord. No. 3-77, § 2, 3-29-77; Ord. No. 5-78, §§ 10, 15, 3-31-78; Ord. No. 7-79, §§ 2, 5, 7, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(a)—(d), (g), (h), 3-31-81; Ord. No. 7-82, § 3(a)—(d), 3-31-82; Ord. No. 2-83, § 3(c), 2-23-83; Ord. No. 1-84, § 2(f)—(h), 3-1-84; Ord. No. 1-85, § 2(g)—(k), 2-11-85; Ord. No. 1-86, § 2(b), (c), 2-10-86; Ord. No. 1-87, § 2(c)—(f), 2-9-87; Ord. No. 2-88, § 1, 2-8-88; Ord. No. 1-89, § 2(a), 2-6-89; Ord. No. 1-90, § 2(f)—(i), 2-5-90; Ord. No. 1-91, § 2(b), 4-23-91; Ord. No. 1-92, § 2, 2-3-92; Ord. No. 6-93, § 2(a)1—7, 2-9-93; Ord. No. 1-96, § 3, 2-5-96; Ord. No. 1-98, § 5, 2-9-98; Ord. No. 1-02, § 8, 3-12-02; Ord. No. 1-03, § 2, 3-11-03; Ord. No. 1-04, § 28, 3-9-04; Ord. No. 1-07, § 3, 4-10-07; Ord. No. 5-09, § 6, 4-15-09; Ord. No. 5-2011, § 4, 3-9-11; Ord. No. 2-2011, § 4, 7-13-11; Ord. No. 3-2012, § 4, 4-11-12; Ord. No. 7-2014, § 5, 5-14-14; Ord. No. 13-2015, § 2, 5-13-15; Ord. No. 24-2016 , § 2, 1-11-17; Ord. No. 30-2017 , § 2, 1-10-18; Ord. No. 02-2019 , § 9, 3-19-19; Ord. No. 17-2019 , § 6, 6-12-19; Ord. No. 01-2021 , § 3, 2-10-21; Ord. No. 12-2021 , § 2, 6-9-21; Ord. No. 16-2021 , § 12, 8-11-21)

Editor's note(s)—Ord. No. 13-2015, § 2, adopted May 13, 2015, set out provisions intended for use as subsection 134-1109(a)(15). To maintain the current subsection 134-1109(a)(15) as added by Ord. No. 7-2014, § 5, adopted May 14, 2014, and at the editor's discretion, these provisions have been included herein as subsection 134-1109(a)(19).

Sec. 134-1110. Accessory structures.

(a) *Generally.* Enclosed accessory structures in the C-TS town-serving commercial district shall comply with front and side yard requirements for the principal structure to which they are accessory and shall be not closer to any rear property line than ten feet.

(b) *Dish antennas.* A dish antenna shall be an accessory structure and shall be constructed, erected or placed in compliance with all of the provisions of this chapter applicable to accessory structures. Dish antennas shall not exceed three meters in diameter. Only one dish antenna that exceeds one meter in diameter shall be permitted on each building. Such dish antenna which exceeds one meter in diameter shall not be attached to a building; shall not be closer than ten feet to any side or rear property line; shall not exceed 12 feet in height above the average grade; and, shall not be located in a required front yard, street side yard or rear street yard setback. Each residential unit or commercial tenant space shall not be limited as to the number of dish antennas of one meter or less in diameter and said antenna(s) may be attached or unattached to a building. If said dish antenna(s) is unattached, said antenna(s) shall not exceed 12 feet in height above the average grade; shall be located no closer than ten feet to any side or rear lot line; and, shall not be located in a required front yard, street side yard or rear street yard setback. All attached and unattached dish antennas in this commercial zoning district shall be screened from public view, and private and public streets and

ways; be neutral in color; and, to the maximum extent possible, compatible with the surrounding neighborhood appearance and character. In addition, no form of lettering, advertising or identification shall be allowed on any such antenna or its framework (other than the manufacturer's small identification plate). Note: One meter in the metric system of measurement equals 39.37 inches or 3.28 feet.

(Ord. No. 2-74, § 5.51, 3-26-74; Ord. No. 3-76, § 3, 3-23-76; Ord. No. 5-78, § 11, 3-31-78; Ord. No. 7-79, § 11, 3-30-79; Ord. No. 4-80, § 4, 3-31-80; Ord. No. 7-82, § 4(i), (k), 3-31-82; Ord. No. 1-84, § 3(h), 3-1-84; Ord. No. 1-85, § 3(e), 2-11-85; Ord. No. 1-86, § 3(d), 2-10-86; Ord. No. 1-87, § 3(e), 2-9-87; Ord. No. 1-90, § 3(g), 2-5-90; Ord. No. 1-92, § 3(e), 2-3-92; Ord. No. 1-93, § 3(g), 2-8-93; Ord. No. 1-94, § 3(c), 2-7-94; Ord. No. 1-95, § 1(b), 1-23-95; Ord. No. 1-97, § 5, 2-17-97; Ord. No. 1-99, § 10, 4-5-99)

Sec. 134-1111. Reserved.

Ord. No. 16-2021 , § 13, adopted August 11, 2021, repealed § 134-111, which pertained to stands, seated dining areas and open counters for eating and drinking and derived from Ord. No. 2-74, § 6.61, 3-26-74; Ord. No. 3-77, § 14, 3-29-77; Ord. No. 1-89, 4(f), 2-6-89; Ord. No. 1-04, § 15, 3-9-04; Ord. No. 5-09, § 7, 4-15-09.

Sec. 134-1112. Commercial uses; site plan approval for new buildings, new building additions or changes in permitted uses over certain floor area.

All applications for new buildings or for new building additions or for changes in a permitted use in section 134-1107 which involve more than 2,000 square feet of building floor area of buildings in the C-TS town-serving commercial district shall require a site plan approval in accordance with article III of this chapter. No certificate of occupancy shall be issued for any building, unless all facilities included in the site plan have been provided in accordance therewith. The maximum dimension of any structure or group of attached structures shall not exceed 150 feet.

(Ord. No. 2-74, § 6.55, 3-26-74; Ord. No. 5-78, § 12, 3-31-78; Ord. No. 7-79, § 14, 3-30-79; Ord. No. 4-80, § 6, 3-31-80; Ord. No. 7-82, § 5(d), 3-31-82; Ord. No. 1-85, § 4(h), 2-11-85)

Sec. 134-1113. Lot, yard and area requirements—Generally.

In the C-TS town-serving commercial district, the schedule of lot, yard and area requirements is as given in this section:

(1) *Lot area.* The minimum lot area is 4,000 square feet.

(2) *Lot width.* The minimum lot width is 30 feet.

(3) *Lot depth.* The minimum lot depth is 90 feet.

(4) *Density.* A single dwelling unit, or multiple dwelling units not to exceed six dwelling units per gross acre. See article III of this chapter for site plan review requirements.

(5) *Front yard.*

a. For one-story buildings, the minimum front yard setback is five feet.

b. For two-story buildings, the minimum front yard setback is five feet.

c. All buildings shall be set back so as to provide at least a ten-foot-wide pedestrian walkway between the street curbline and the building, exclusive of beautification strips, not more than five feet of which may be on the town street right-of-way, where appropriate, and addition-ally,

to provide for the minimum building front yard setback, which shall be measured from the inside (lot side) of the required pedestrian walkway. Where no front yard building setback is approved or required, two feet of the required ten-foot-wide pedestrian walkway, adjacent to the inside (lot side) of the walkway, may be landscaped by placement of potted plants or removable planters. Such potted plants or planters shall include xeriscape landscaping whenever possible.

d. For buildings in excess of 15 feet in height, increase all minimum yard requirements one foot for each two feet of building height, or portion thereof, exceeding 15 feet.

(6) *Side yard.*

a. There is no minimum side yard required for one-story structures, but a side yard shall be five feet if provided. When the side yard of a C-TS property adjoins property zoned in any R district, a ten-foot side yard is required on that side.

b. For buildings in excess of 15 feet in height, increase all minimum yard requirements one foot for each two feet of building height, or portion thereof, exceeding 15 feet. Side yards shall be as calculated or five feet, whichever is greater.

(7) *Rear yard.*

a. For one-story buildings, the minimum rear yard setback is ten feet.

b. For two-story buildings, the minimum rear yard setback is ten feet.

c. For buildings in excess of 15 feet in height, increase all minimum yard requirements one foot for each two feet of building height, or portion thereof, exceeding 15 feet. Side yards shall be as calculated or five feet, whichever is greater.

(8) *Height and overall height.*

a. For one-story buildings, the maximum building height is 15 feet.

b. For two-story buildings, the maximum building height is 25 feet.

c. In this district, the maximum building height allows one story, with provision for a special exception for two stories. See special exception provisions in sections 134-227 through 134-233 (special exception use), section 134-1115 relating to allowable height and lot coverage, and article III of this chapter (site plan review).

d. Maximum overall height of a building shall be the maximum allowable building height, as defined in section 134-2, plus five feet for a flat roof and ten feet for all other roof styles. When a parapet is used above the maximum building height, as defined in section 134-2, the building overall height will be calculated based on the flat roof style identified above. Parapet walls extending above the maximum allowable building height shall have appropriate architectural treatment.

(9) *Lot coverage.*

a. For one-story buildings, the maximum lot coverage is 70 percent.

b. For two-story buildings, the maximum lot coverage is 70 percent.

(10) *Length.*

a. For one-story buildings, the maximum building length is 150 feet.

b. For two-story buildings, the maximum building length is 150 feet.

c. Sub-basements are exempt from the maximum building length requirement. Individual building elements extending above ground from a single sub-basement shall each, be considered as a separate building for the purpose of calculating building length.

(11) *Landscaped open space.*

a. For one-story buildings, the minimum landscaped open space is 15 percent.

b. For two-story buildings, the minimum landscaped open space is 25 percent.

c. Additionally, not less than 35 percent of the required front yard must be landscaped open space in the C-TS district.

(12) *Floor area.*

a. For one-story buildings, the maximum gross floor area of buildings is 15,000 square feet.

b. For two-story buildings, the maximum gross floor area of buildings is 15,000 square feet.

c. Sub-basements shall be exempt from the maximum floor area requirements. Individual building elements extending above ground from, a single sub-basement shall each be considered as a separate building for the purpose of calculating building floor area.

(Ord. No. 2-74, schedule A, 3-26-74; Ord. No. 7-79, §§ 2, 6, 3-30-79; Ord. No. 4-80, § 3, 3-31-80; Ord. No. 6-81, § 2(e), (f), 3-31-81; Ord. No. 7-82, § 3(e), 3-31-82; Ord. No. 2-83, §§ 3(a), (b), 2-23-83; Ord. No. 1-84, §§ 2(a)—(e), 3-1-84; Ord. No. 1-85, § 2(b)—(f), 2-11-85; Ord. No. 1-86, § 2(a), 2-10-86; Ord. No. 1-88, § 1, 2-8-88; Ord. No. 1-89, § 2(b)—(d), 2-6-89; Ord. No. 1-90, § 2(a)—(e), 2-5-90; Ord. No. 1-92, § 2(a)1, 2, 2-3-92; Ord. No. 9-93, § 2(b), 6-8-93; Ord. No. 1-94, § 2(a), 2-7-94; Ord. No. 1-96, § 8, 2-5-96; Ord. No. 1-97, § 1, 2-17-97; Ord. No. 1-98, §§ 2—4, 2-9-98; Ord. No. 2-98, §§ 1, 2, 2-27-98; Ord. No. 1-04, § 31, 3-9-04; Ord. No. 16-2016 , § 2, 12-14-16)

Sec. 134-1114. Same—Exceptions.

(a) In the C-TS town-serving commercial district, cornices, solid canopies, or architectural features may extend 48 inches over the sidewalk or required yard area, provided they shall have nine feet of vertical clearance between any solid construction and the sidewalk or yard.

(b) Marquees or canvas-covered fireproof canopies, no wider than entranceways, may be constructed over main entrances to hotels, theaters and places of public assembly and may extend to the face of the curb, provided that no support shall be nearer than 18 inches to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance between any solid construction and the sidewalk.

(c) No projections shall be allowed in the required rear yard except open-type fire escapes, and these must be provided with a counter-balanced bottom section to provide for nine feet of clearance when up.

(d) Awnings may be suspended over sidewalks or ways, provided that they shall not project nearer than 18 inches to the face of the street curbline or more than eight feet from the exterior wall of the building, and the installation shall have at least seven feet six inches of vertical clearance between any solid construction and the sidewalk or way. Cloth front and side drops shall measure not less than six feet six inches from their lowest point to the sidewalk or way.

(e) One open, one story pergola may extend five feet into a setback provided said structure does not exceed a height of nine feet; the supporting beams do not obstruct a sidewalk or walkway.

(f) One arbor shall be allowed in a required setback on a property provided said arbor does not exceed a height of eight feet nor cover more than 15 square feet in area; and, does not block a sidewalk or walkway.

(Ord. No. 2-74, § 5.33(a)—(d), 3-26-74; Ord. No. 4-80, § 4, 3-31-80; Ord. No. 1-91, § 3(c), 4-23-91; Ord. No. 3-02, § 3, 7-9-02)

Sec. 134-1115. Special exception to height regulations; special exception structures.

In order to encourage increased open space, landscaped open space, reduced density and lot coverage and architectural detail, the town council may at its discretion, upon review of an application and public hearing thereon, allow for the increase of the maximum building height in the C-TS town-serving commercial district, upon a finding being made by the town council that the proposed increase in height for a contemplated special exception structure is in the public interest, that careful attention is given to architectural detail, and that it meets the standards of sections 134-227 through 134-233 and the following goals and guidelines:

Two-story guidelines. Lot coverage not more than 35 percent.

(Ord. No. 2-74, § 5.48, 3-26-74; Ord. No. 3-76, § 3, 3-23-76; Ord. No. 5-78, § 11, 3-31-78; Ord. No. 7-82, § 4(g), 3-31-82; Ord. No. 2-83, § 4(d), 2-23-83; Ord. No. 1-84, § 3(e), 3-1-84; Ord. No. 1-85, § 3(d), 2-11-85; Ord. No. 1-91, § 3(e), 4-23-91; Ord. No. 1-92, § 3(d), 2-3-92)

Sec. 134-1116. Supplementary district regulations.

The supplementary district regulations which may be applicable to the C-TS town-serving commercial district are contained in article VIII of this chapter.

Sec. 134-1117. Off-street parking and loading.

The off-street parking or loading requirements which may be applicable in the C-TS town-serving commercial district are contained in article IX of this chapter.

Sec. 134-1118. Signs.

The sign regulations which may be applicable in the C-TS town-serving commercial district are contained in article XI of this chapter.

Sec. 134-1119. Air conditioning and generator equipment.

Air conditioners and air handlers, cooling towers, generators, swimming pool filters, pumps and heaters are regulated in section 134-1728 and 134-1729.

(Ord. No. 1-99, § 11, 4-5-99)

Sec. 134-1120. Architectural tower features.

In the commercial zoning districts, a maximum of two towers as architectural features may be constructed as integral parts of the building provided that no tower(s) exceeds the allowable overall height by more than five feet; such tower(s) is set back an additional five feet on the front, rear, side, and street side and street rear yards; and, such tower(s) has no habitable floor area. The area of such tower(s) shall in combination not exceed two percent of the gross floor area of the building. This section does not apply to entry facades or parapets.

(Ord. No. 1-00, § 2, 2-22-00)

Sec. 134-1121. Lot grade topography and drainage.

In the C-TS, commercial town serving district, the natural grade and topography of a lot shall not be altered to raise and the grade the lot to meet base flood elevation requirements except as provided for in section 134-1600. The grade shall not be raised on a vacant or occupied piece of property unless a building permit is issued which addresses the paving and drainage requirements of the town.

(Ord. No. 19-2021 , § 5, 9-13-21)

Secs. 134-1122—134-1155. Reserved.

ARTICLE V. PLANNED UNIT DEVELOPMENT PROCEDURE

DIVISION 1. GENERALLY

Sec. 134-476. Purpose.

(a) The purpose of planned unit development regulations is to:

(1) Encourage flexibility in the design and development of land in order to promote its most appropriate use;

(2) Facilitate the adequate and economical provision of streets, utilities and public spaces; and

(3) Preserve the natural and scenic qualities of open areas.

(b) The procedure is intended to permit diversification in the location of structures and improve circulation facilities and other site qualities while ensuring adequate standards relating to public health, safety and welfare and morals both in the use and occupancy of buildings and facilities in planned groups.

(c) In addition to subsections (a) and (b) of this section, PUD-4 historical preservation-residential development is intended to preserve structures and premises of significant historical or architectural value to the town by allowing for low-density residential development at a density calculated on the area of the entire property, excluding the area of property required by the town to be assigned to the historical structure. Structures and/or premises listed in the national record or in any historical report recognized by the town council may be considered significant for the purposes of this article. In addition, the town council may declare any other structure and/or premises to be of historical or architectural significance.

(Ord. No. 2-74, § 7.10, 3-26-74; Ord. No. 5-78, § 13, 3-31-78; Ord. No. 1-92, § 5(a), 2-3-92)

Sec. 134-477. District regulations.

The requirements and regulations for a PUD district are contained in division 14 of article VI of this chapter.

Sec. 134-478. Town council approval for permitted use and special exception use; review by planning and zoning commission; hearing; site plan review of application.

(a) A planned unit development, when a permitted use, shall be subject to the approval of the town council after a review and report by the planning and zoning commission and after a public hearing is held by the town council in accordance with law.

(b) A planned unit development, when a special exception use, shall be subject to the approval of the town council after a review and report by the planning and zoning commission and after a public hearing is held by the town council in accordance with law. The review by the planning and zoning commission shall be to make findings pursuant to sections 134-227 through 134-233 and other applicable sections of this chapter and to make recommendations thereon.

(c) Every application for approval of a planned unit development shall require concurrent site plan review in accordance with article III of this chapter.

(Ord. No. 2-74, § 7.20, 3-26-74; Ord. No. 7-79, § 15, 3-30-79; Ord. No. 1-04, § 42, 3-9-04)

Secs. 134-479—134-505. Reserved.

DIVISION 2. PROCEDURE

Subdivision I. In General

Secs. 134-506—134-530. Reserved.

Subdivision II. Tentative Approval

Sec. 134-531. Application.

In order to provide an expeditious method for processing a plan for a planned unit development, under the terms of this chapter, it is declared to be in the public interest that all procedures with respect to the approval or disapproval of a plan for a planned unit development, and the continuing administration thereof, shall be consistent with the following:

(1) An application for tentative approval of the plan for a planned unit development shall be filed by or on behalf of the landowner with the building official.

(2) The following information shall be submitted with the application:

a. The location and size of the site and the nature of the landowner's interest in the land proposed to be developed.

b. The density of land use to be allocated to parts of the site to be developed.

c. The location and size of any common open space and the form or organization proposed to own and maintain any common open space.

d. The use and the approximate height, bulk and location of buildings and other structures.

e. The feasibility of proposals for the disposition of sanitary waste and stormwater.

f. The substance of covenants, grants of easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures including proposed easements or grants for public utilities.

g. The provisions for parking of vehicles and the location and width of proposed streets and public ways.

h. The required modifications in the town land use regulations otherwise applicable to the subject property.

i. For plans that call for development over a period of years, a schedule showing the proposed times within which application for final approval of all sections of the planned unit development are intended to be filed.

j. For PUD-4, a complete description of the historical and/or architecturally significant structures and/or premises and provisions for their preservation. The portion of the property to be devoted to the preservation shall be delineated.

(3) The application for tentative approval of a planned unit development shall include a written statement by the landowner or any other entity having a cognizable interest in the land, setting forth the reasons why, in his opinion, a planned unit development would be in the public interest and would be consistent with the town's statement of purposes on planned unit development.

(Ord. No. 2-74, § 7.31, 3-26-74; Ord. No. 5-78, § 13, 3-31-78)

Sec. 134-532. Public hearings.

(a) Upon submission of a complete planned unit development application, the planning and zoning commission shall hear said application within 60 days of the application being deemed complete by the director of the planning, zoning and building department or designee. A public hearing on the planned unit development application shall then be held by the planning and zoning commission and town council after public notice is given in accordance with law. A copy of the PUD application shall be mailed to the owners of the property and the property immediately adjacent thereto and across the street therefrom and to all property owners within 300 feet from any part of the subject property at the address shown on the county property appraiser's tax records, together with a notice from the director or designee advising the date, time and location of the hearing on such application before the planning and zoning commission and town council. Such list of property owners, together with a notification map, shall be provided by the applicant and shall be certified by the applicant as being true and accurate. The applicant shall be required to mail the application to the property owners within notification area within five days of submittal of the application to the town. No application shall be heard less that ten days after the first publication notice as provided in this section and 15 days after the mailing to property owners directly affected, and all applications will be heard at regular meetings of the town council unless otherwise ordered by the town council.

(b) A transcript of the hearing shall be caused to be made by the town council, copies of which shall be made available at cost to any party to the proceedings, and all exhibits accepted in evidence shall be identified and duly preserved, or, if not accepted in evidence, shall be properly identified and the reason for the exclusion clearly noted in the record. The planning and zoning commission shall report on the proposed planned unit development not less than 15 days before the public hearing, and the report shall be available for public inspection during reasonable hours.

(Ord. No. 2-74, § 7.32, 3-26-74; Ord. No. 2-83, § 6, 2-23-83; Ord. No. 1-04, §§ 38, 43, 3-9-04; Ord. No. 5-09, § 26, 4-15-09; Ord. No. 11-2018 , § 5, 7-11-18)

Sec. 134-533. Grant or denial.

(a) The town council shall, within 60 days following the conclusion of the public hearing for tentative approval of a planned unit development, by written resolution either (i) grant tentative approval of the plan as submitted, (ii) grant tentative approval subject to specified conditions not included in the plan as submitted, or (iii) deny tentative approval to the plan. Failure of the town council to so act within such period shall be deemed to be a grant of tentative approval of the plan as submitted.

(b) If tentative approval is granted, other than by lapse of time, either of the plan as submitted or of the plan with conditions, the town council shall, as part of its resolution, specify the drawings, specifications and form of performance bond that shall accompany an application for final approval.

(c) If tentative approval is granted subject to conditions, the landowner shall, if he finds such conditions to be unacceptable, within 45 days after receiving a copy of the written resolution of the town council, notify the town council of his refusal to accept the conditions.

(d) If the landowner refuses to accept all the conditions, the town council shall be deemed to have denied tentative approval of the plan.

(e) If the landowner does not, within such period, notify the town council of his acceptance of or his refusal to accept all the conditions, tentative approval of the plan, with all the conditions, shall stand as granted.

(f) Nothing contained in this section shall prevent the town council and the landowner from mutually agreeing to a change in such conditions, and the town council may, at the request of the landowner, extend the time during which the landowner shall notify the town council of his acceptance or refusal to accept the conditions.

(g) The grant or denial of tentative approval by written resolution shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without conditions, or for the denial, and the resolution shall set forth with particularity in which respects the plan would or would not be in the public interest, including but not limited to findings of fact and conclusions on the following:

(1) In what respects the plan is or is not consistent with the purpose of a planned unit development, as expressed in section 134-476.

(2) The extent to which the plan departs from zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, bulk and use, and the reasons why such departures are not deemed to be in the public interests.

(3) The purpose, location and amount of the common open space in the planned unit development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of development.

(4) The physical design of the plan and the manner in which the design does or does not make adequate provision for public services, provide adequate control over vehicular traffic and further the amenities of light and air, recreation and visual enjoyment.

(5) The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is proposed to be established.

(6) For a plan that proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and of the residents and owners of the planned unit development in the integrity of the plan.

(7) The historical or architectural significance of any structure and/or premises and the adequacy of provisions for its preservation.

(h) If a plan is granted tentative approval, with or without conditions, the town council shall set forth in the written resolution the time within which an application for final approval of the plan shall be filed or, for a plan that provides for development over a period of years, the periods of time within which applications for final approval of each part thereof shall be filed. The time so established between grant of tentative approval and application for final approval shall not be less than three months and, for developments over a period of years, the time between applications for final approval of each part of a plan shall be not less than six months. Nothing contained in this subsection shall be construed to limit a landowner from the presentation of any application for final approval earlier than the time period set forth in this subsection.

(Ord. No. 2-74, § 7.33, 3-26-74; Ord. No. 5-78, § 13, 3-31-78)

Sec. 134-534. Status of plan after tentative approval.

(a) Within five working days after the adoption of the written resolution provided for in section 134-533, it shall be certified by the town clerk and shall be filed in his office, and a certified copy shall be mailed to the landowner. Where tentative approval has been granted, the approval shall be noted on the zoning map maintained in the office of the town clerk.

(b) Tentative approval of a plan shall not qualify a plat of the planned unit development for recording or authorize development or issuance of any building permits. A plan which has been given tentative approval as submitted or which has been given tentative approval with conditions that have been accepted by the landowner, and provided that the landowner has not defaulted or violated any of the conditions of the tentative approval, shall not be modified, revoked or otherwise impaired by action of the town pending an application for final approval, without the consent of the landowner, provided an application for final approval is filed or, for development over a period of years, provided applications are filed within the periods of time specified in the resolution granting tentative approval.

(c) If a plan is given tentative approval and thereafter, but prior to final approval, the landowner shall elect to abandon part or all of the plan and shall so notify the town council in writing, or if the landowner shall fail to file application for final approval within the required period of time, as the case may be, tentative approval shall be deemed to be revoked, and all that portion of the area included in the plan for which final approval has not been given shall be subject to the sections of this chapter applicable thereto, as they may be amended from time to time, and such shall be noted on the zoning map in the office of the town clerk and in the records of the town clerk.

(Ord. No. 2-74, § 7.34, 3-26-74)

Secs. 134-535—134-560. Reserved.

Subdivision III. Final Approval

Sec. 134-561. Application.

(a) An application for final approval of a planned unit development may be for all the land included in a plan or the extent set forth in the tentative approval for a section thereof. The application shall be made to the director of planning, zoning and building or designee. The application shall include such drawings, specifications, covenants, easements, conditions and form of performance bond as were set forth by written resolution of the town council at the time tentative approval. A public hearing on an application for final approval of the plan or part thereof shall not be required, provided the plan, or the part thereof submitted for final approval, is in substantial compliance with the plan theretofore given tentative approval. The town council shall find that any changes to the tentative plan shall not be in contravention to the public's best interests.

(b) When the application for final approval has been filed, together with all drawings, specifications and other documents in support thereof and as required by the resolution of tentative approval, the town council shall, within 45 days of such filing, grant such plan final approval.

(Ord. No. 2-74, § 7.35, 3-26-74; Ord. No. 1-84, § 5, 3-1-84; Ord. No. 26-10, § 7, 12-15-10)

Sec. 134-562. Refusal to grant for variations in tentatively approved plan.

(a) If the final plan for a planned unit development as submitted contains variations from the plan given tentative approval, the town council may, after a meeting with the landowner, refuse to grant final approval and shall, within 45 days from the filing of application for final approval, so advise the landowner in writing of the refusal, setting forth in the notice the reasons why one or more of the variations are not in the public interest.

(b) If refusal occurs, the landowner may:

(1) File his application for final approval without the variations objected to by the town council on or before the last day of the time within which he was authorized by the resolution granting tentative approval to file for final approval, or within 30 days from the date he received notice, whichever date shall last occur;

(2) Treat the refusal as a denial of final approval; or

(3) File a written request with the town council that it hold a public hearing on his application for final approval. Any such public hearing shall follow the procedure for tentative approval and shall be held during the next annual public hearing period starting with October.

(c) Within 45 days after the conclusion of the hearing, the town council shall by resolution either grant final approval to the plan or deny final approval to the plan. The grant or denial of final approval of the plan shall, in cases arising under this subsection, be in the form and contain the findings required for a resolution on an application for tentative approval set forth in section 134-532.

(Ord. No. 2-74, § 7.35, 3-26-74; Ord. No. 1-84, § 5, 3-1-84; Ord. No. 1-04, § 39, 3-9-04)

Sec. 134-563. Certification; filing of record plat; modification before completion of development.

(a) A plan for a planned unit development or any part thereof that has been given final approval by the town council shall be so certified without delay by the town clerk, and a record plat may be filed on record forthwith in the office of the county clerk in accordance with F.S. ch. 177 before any development shall take place in accordance therewith. Upon the filing on record of the plan, all other ordinances and subdivision regulations otherwise applicable to the land included in the plan shall cease to apply thereto.

(b) Pending completion within five years of the planned unit development or of that part thereof, as the case may be, that has been finally approved, no modification of the provisions of the plan or part thereof, as finally approved, shall be made nor shall it be impaired by act of the town, except with the consent of the landowner.

(Ord. No. 2-74, § 7.35, 3-26-74; Ord. No. 1-84, § 5, 3-1-84)

Sec. 134-564. Abandonment; termination.

If a plan for a planned unit development or section thereof is given final approval and thereafter the landowner shall abandon the plan or the section thereof that has been finally approved and shall so notify the town council in writing or if the landowner shall fail to commence the planned unit development within 18 months, such final approval shall terminate and be deemed null and void unless such time period is extended by the town upon written request of the landowner.

(Ord. No. 2-74, § 7.35, 3-26-74; Ord. No. 1-84, § 5, 3-1-84)

Secs. 134-565—134-590. Reserved.

DIVISION 3. REGULATIONS

Subdivision I. In General

Secs. 134-591—134-615. Reserved.

Subdivision II. Permitted Uses

Sec. 134-616. Districts where permitted.

Planned unit developments are a permitted use within PUD-A, PUD-B, PUD-C, and PUD-D districts as indicated on the Amended Zoning Map of the Town of Palm Beach, Florida, adopted by reference and made a part of this chapter.

(Ord. No. 2-74, § 7.41, 3-26-74; Ord. No. 7-78, § 4, 5-9-78)

Sec. 134-617. Compliance.

When developed as a permitted use within PUD-A, PUD-B, PUD-C, or PUD-D district, planned unit developments shall conform to the regulations in this subdivision, other pertinent sections of this chapter and the principles set forth in the comprehensive plan of the town.

(Ord. No. 2-74, § 7.42, 3-26-74)

Sec. 134-618. Minimum area.

Minimum area requirements for permitted use planned unit developments are as follows:

(1) PUD-A, mixed use district, 25 contiguous acres undivided by any public right-of-way or easement.

(2) PUD-B, residential mix district, 15 contiguous acres undivided by any public right-of-way or easement.

(3) PUD-C, residential mix district, four contiguous acres undivided by any public right-of-way or easement.

(4) PUD-D, mixed use district, six (6) contiguous acres undivided by any public right-of-way or easement.

(Ord. No. 2-74, § 7.421, 3-26-74)

Sec. 134-619. Open space.

In permitted use planned unit developments in the PUD-A, PUD-B, PUD-C, and PUD-D districts, not less than 15 percent of the planned unit site areas shall be developed as common open space; vehicle access facilities and parking areas shall not be considered in calculating such common open space. In no event, however, shall the lot coverage of all structures located within a planned unit development site exceed 35 percent of the gross area included within such planned unit development site.

(Ord. No. 2-74, § 7.422, 3-26-74)

Sec. 134-620. Residential density.

Residential densities in permitted use planned unit developments shall be as follows:

(1) PUD-A, ten units per acre; provided, however, that the planned unit development on the Breaker's Property shall be subject to the requirements of Resolution No. 6-71 and Resolution No. 9-72 of the town, as agreed to by the Flagler Systems, Inc.

(2) PUD-B, ten units per acre.

(3) PUD-C, six units per acre.

(4) PUD-D, four units per acre for the portion of the property with a Single Family Future Land Use Designation and six units per acre for the portion of the property with a Commercial Future Land Use Designation.

(Ord. No. 2-74, § 7.423, 3-26-74)

Sec. 134-621. Densities bordering estate districts.

(a) As used in this section, the term "adjoin" is defined as having a common property line or being separated by a public right-of-way on an easement of 150 feet or less.

(b) Where a permitted use planned unit development adjoins an R-AA large estate residential district or an R-A estate residential district, residential densities within the planned unit development shall not exceed six units per acre within 500 feet of the R-AA or R-A district, and the height of structures within 500 feet of the R-AA or R-A district shall not exceed two stories or 25 feet. When such restrictions are imposed on permitted use planned unit developments, densities may be increased in the remainder of the development site in order that the gross density of the development may equal but not exceed the maximum density stipulated in section 134-620.

(Ord. No. 2-74, § 7.424, 3-26-74)

Sec. 134-622. Permitted land uses in PUD-A district.

The following uses shall be permitted in planned unit developments in the PUD-A district:

(1) Any use permitted in the R-D(1) moderate density residential district and R-D(2) high density residential district; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

(2) Any use permitted in the C-TS, C-WA, C-OPI or C-PC commercial district; provided, however, that commercial development within the planned unit development shall, in no case, occupy more than 20 percent of the gross area of the planned unit development. For the purpose of calculating gross density, as set forth in section 134-620, the land use measurements indicated in the table in section 134-656 shall be equivalent to a dwelling unit as defined.

(3) Hotels.

(4) Golf courses and other uses that are customarily accessory to a principal hotel use.

(5) Site plan review modifications for permitted and accessory uses that do not exceed 2,500 square feet may be approved administratively without Town Council review if the Director of Planning, Zoning and Building determines that such modifications will not create adverse impacts on surrounding properties or Town facilities.

(Ord. No. 2-74, § 7.425, 3-26-74; Ord. No. 4-80, § 4, 3-31-80; Ord. No. 1-00, § 1, 2-22-00; Ord. No. 1-2020 , § 1, 2-12-20)

Sec. 134-623. Permitted land uses in PUD-B district.

The uses permitted in planned unit developments in the PUD-B district shall be any use permitted in the R-C, medium density district; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620. Newsstands, dining rooms and personal service uses for the convenience of residents shall be permitted in such district; provided, however, that no exterior or external advertising of such facilities shall be permitted.

(Ord. No. 2-74, § 7.425, 3-26-74)

Sec. 134-624. Permitted land uses in PUD-C district.

The uses permitted in planned unit developments in the PUD-C district shall be any use permitted in the R-C, medium density district; provided, however, that the maximum density for the planned unit development shall not be governed by section 134-620.

((Ord. No. 2-74, § 7.425, 3-26-74; Ord. No. 5-78, § 13, 3-31-78; Ord. No. 7-78, § 4, 5-9-78)

Sec. 134-625. Permitted land uses in PUD-D district.

The following uses shall be permitted in planned unit developments in the PUD-D district:

(1) Single-family dwellings; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

(2) Two-family dwellings; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

(3) Townhouses; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

(4) Multi-family dwellings; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

(5) Banks and financial institutions.

Secs. 134-626—134-650. Reserved.

Subdivision III. Special Exceptions

Sec. 134-651. Establishment of special exception planned unit developments.

The following special exception planned unit development districts are established and shall be subject to all applicable requirements of this article and of the district in which they are located:

PUD-1	Single-family development
PUD-2	Residential mix development
PUD-3	Mixed use development
PUD-4	Historical preservation residential development
PUD-5	Mixed use development

(Ord. No. 2-74, § 7.431, 3-26-74)

Sec. 134-652. Districts where permitted.

Planned unit developments as established by this article may be permitted as special exceptions only in specifically designated districts as follows:

(1) *PUD-1, single-family development.* Permitted only in portions of R-B districts which are in close proximity to intensive developments in an R-C, R-D(1) or R-D(2) district.

(2) *PUD-2, residential mix development.* Permitted only in R-C, R-D(1) and R-D(2) districts.

(3) *PUD-3, mixed use development.* Permitted only in R-C, R-D(1) and R-D(2) districts.

(4) *PUD-4, historical preservation residential development.* Permitted only in R-AA, R-A and R-B districts.

(5) PUD-5, *mixed use development*. Permitted only in the six (6) Palm Beach acres in the C-TS, R-B, and C-B zoning districts between Royal Palm Way And South County Road And Seaview Avenue And South Ocean Boulevard.

(Ord. No. 2-74, § 7.432, 3-26-74)

Sec. 134-653. Minimum area requirements.

Minimum area requirements for special exception planned unit developments are as follows:

(1) *PUD-1, single-family development.* One contiguous acre undivided by any public right-of-way or easement.

(2) *PUD-2, residential mix development.* Ten contiguous acres undivided by any public right-of-way or easement.

(3) *PUD-3, mixed use district.* Twenty contiguous acres undivided by any public right-of-way or easement.

(4) *PUD-4, historical preservation residential development.* One or more contiguous acres undivided by any public right-of-way or easement.

(5) *PUD-5, mixed use district.* Six contiguous acres undivided by any public right-of-way or easement.

(Ord. No. 2-74, § 7.433, 3-26-7

Sec. 134-654. Residential density.

Residential densities in special exception planned unit developments permitted under this article shall be as follows:

PUD District	Use District	Maximum Density Permitted under PUD* (units per acre)
PUD-1	R-B	4
PUD-2	R-C	6**
	R-D(1)	13**
PUD-3	R-C	6**
	R-D(1)	13**
	R-D(2)	13**
PUD-4	R-AA	⅔**
	R-A	2**
	R-B	4**
PUD-5	C-TS, C-B	6
	R-B	4

* See section 134-656 for conversion of nonresidential uses to equivalent dwelling unit amounts for the purpose of calculating gross density.

** See section 134-655 for special provisions covering densities in those portions of the planned unit development site adjoining lower density residential districts.

(Ord. No. 2-74, § 7.434, 3-26-74; Ord. No. 6-81, § 6(a), 3-31-81; Ord. No. 1-03, § 7, 3-11-03; Ord. No. 1-04, § 34, 3-9-04)

Sec. 134-655. Areas of restricted density in PUD-2 or PUD-3 district.

(a) For the purpose of this section, the term "adjoin" is defined as having a common property line or being separated by a public right-of-way of 150 feet or less.

(b) Whenever a PUD-2 or PUD-3 planned unit development is permitted, the density restriction in subsection (c) of this section shall apply.

(c) Where the proposed planned unit development adjoins an R-AA, R-A or R-B district, residential densities within the planned unit development shall not exceed six units per acre within 500 feet of the R-AA, R-A or R-B district, and the height of structures within 500 feet of the R-AA, R-A or R-B district shall not exceed two stories or 25 feet. When such density restrictions are imposed on planned unit developments adjoining an R-AA, R-A or R-B district, the height limit on the portion of the development over 500 feet from the R-AA, R-A or R-B district may be increased but shall not exceed five stories or 62 feet in building height.

(Ord. No. 2-74, § 7.435, 3-26-74)

Sec. 134-656. Permitted land use.

The uses permitted in planned unit developments shall be as follows:

(1) *PUD-1.*

a. Any use permitted in the R-AA large estate residential district, R-A estate residential district or R-B low density residential district; provided, however, that such uses are grouped in cluster development in accordance with division 5 of this article.

b. Townhouses, subject to applicable requirements in subdivision II of division 10 of article VIII of this chapter.

(2) *PUD-2.*

a. Any use permitted in the R-C medium density residential district.

b. Newsstands, dining rooms and personal service uses for the convenience of residents shall be permitted in such district; provided, however, that no exterior or external advertising of such facilities shall be permitted nor shall the gross floor area devoted to such uses exceed ten percent of the gross ground floor area of buildings included within the planned unit development.

(3) *PUD-3.*

a. Any use permitted in the R-D(1) moderate density residential district.

b. In PUD-3 developments containing 100 or more residential dwelling units, commercial uses permitted in the C-TS, C-WA, C-OPI or C-PC commercial district may be permitted; provided, however, that any commercial development in the planned unit development shall front on a major thoroughfare and further provided that such commercial development, including its required parking area, shall not occupy more than 20 percent of the gross floor area of the planned unit development. For the purpose of calculating gross density, as set forth in section 134-620, the following land use measurements shall be equivalent to a dwelling unit as defined:

Land Use Type	Unit of Measurement	Equivalence to One Dwelling Unit of Gross Density
Hotels, motels or similar places of transient occupation	Number of bedrooms	Two bedrooms
Principal commercial uses	Total floor area	750 square feet
Accessory commercial uses	Total floor area	1,500 square feet
All other nonresidential floor spaces	Total floor area	1,000 square feet

(4) *PUD-4.* Any use permitted in the R-AA large estate residential or RD-A estate residential district, provided the uses are developed compatibly with an historical or architecturally significant structure or premises.

(5) PUD-5.

a. Single-family dwellings; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

b. Two-family dwellings; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

c. Townhouses; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

d. Multi-family dwellings; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

e. Banks and financial institutions.

(Ord. No. 2-74, § 7.436, 3-26-74; Ord. No. 6-81, § 6(b), 3-31-81; Ord. No. 1-92, § 5(b), 2-3-92)

Sec. 134-657. Open space.

A minimum of 15 percent of a planned unit site area shall be developed as common open space. Parking areas and vehicle access facilities shall not be considered in calculating such common open space. In no event, however, shall the lot coverage of all structures located within a planned unit development site exceed 35 percent of the gross area included within such planned unit development site.

(Ord. No. 2-74, § 7.437, 3-26-74; Ord. No. 5-78, § 13, 3-31-78; Ord. No. 7-79, § 16, 3-30-79; Ord. No. 4-80, § 4, 3-31-80; Ord. No. 1-92, § 5(b), 2-3-92)

Secs. 134-658—134-685. Reserved.

DIVISION 4. STANDARDS

Sec. 134-686. Compliance with division.

The town council shall approve the planned unit development only if it finds that the planned unit development satisfies all of the standards in this division.

(Ord. No. 2-74, § 7.50, 3-26-74)

Sec. 134-687. General standards.

(a) The planned unit development shall be consistent with the regulations governing planned unit developments as set forth within division 3 of this article.

(b) The planned unit development plan shall be consistent with the Palm Beach Comprehensive Plan.

(c) The planned unit development shall provide for an effective and unified treatment of the development possibilities on the project site making appropriate provision for the preservation of scenic features and amenities of the site and the surrounding areas.

(d) The planned unit development shall be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.

(Ord. No. 2-74, § 7.51, 3-26-74)

Sec. 134-688. Design standards.

(a) In a planned unit development, all buildings in the layout and design shall be an integral part of the development and shall have convenient access to and from adjacent uses and blocks.

(b) Individual buildings shall be related to each other in design, masses, materials, placement and connections to provide a visually and physically integrated development.

(c) Treatment of the sides and rear of all buildings within the planned unit development group shall be comparable in amenity and appearance to the treatment given to street frontage of these same buildings.

(d) The design of buildings and the parking facilities shall take advantage of the natural features, topography of the project site, where appropriate.

(e) All building walls shall be so oriented as to ensure adequate light and air exposures to the room within.

(f) All buildings shall be arranged so as to avoid undue exposure to concentrated loading or parking facilities wherever possible and shall be so oriented as to preserve visual and audible privacy between adjacent buildings.

(g) All buildings shall be arranged so as to be accessible to emergency vehicles.

(Ord. No. 2-74, § 7.52, 3-26-74)

Sec. 134-689. Landscape design standards.

(a) In a planned unit development, landscape treatment for plazas, roads, paths, service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area.

(b) Primary landscape treatment shall consist of shrubs, ground cover, and shade trees and shall combine with appropriate walks and street surfaces to provide an attractive development pattern. Landscape materials selected should be appropriate to local growing conditions.

(c) Whenever appropriate, existing trees shall be conserved and integrated into the landscape design plan.

(d) All streets bordering the project area shall be planted at appropriate intervals with street trees.

(Ord. No. 2-74, § 7.53, 3-26-74; Ord. No. 5-78, § 19, 3-31-78)

Sec. 134-690. Circulation system design standards.

(a) In a planned unit development, there shall be an adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading space.

(b) Roads, pedestrian walks and open space shall be designed as integral parts of an overall site design. They shall be properly related to existing and proposed buildings and appropriately landscaped.

(c) Buildings and vehicular circulation with open spaces shall be arranged so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic.

(d) Landscaped, paved and comfortably graded pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas and adjacent buildings.

(e) Materials and design of paving, lighting fixtures, retaining walls, fences, curbs, benches, etc., shall be of good appearance, easily maintained and indicative of their function.

(Ord. No. 2-74, § 7.54, 3-26-74)

Sec. 134-691. Parking and loading design standards.

(a) In a planned unit development, parking facilities shall be landscaped and screened from public view to the extent necessary to eliminate unsightliness and monotony of parked cars.

(b) Pedestrian connections between areas and buildings shall be via special pedestrian walkways and/or elevators.

(c) Parking facilities shall be designed with careful regard to orderly arrangement, landscaping, ease of access, and shall be developed as an integral part of an overall site design.

(d) Any abovegrade loading facility should be screened from public view to the extent necessary to eliminate unsightliness.

(e) Parking and loading facilities shall be provided in accordance with divisions 2 and 3 of article IX of this chapter.

(Ord. No. 2-74, § 7.55, 3-26-74)

Secs. 134-692—134-720. Reserved.

DIVISION 5. CLUSTER DEVELOPMENT

Sec. 134-721. Variance of net residential density.

In order to promote the health and general welfare of the community and to preserve and make available open space, the town council may grant a developer the right to vary the net residential density within a tract to be developed, leaving a substantial area free of building lots. The right to vary the net density shall be subject to the following conditions:

(1) An overall plan of the entire tract showing lots, lot lines, lot areas, easements, encumbrances and other relevant data shall be submitted.

(2) The average lot size may be reduced by 20 percent with no lot reduced by more than 25 percent. The uses in the proposed subdivision shall be grouped in clusters.

(3) Minimum yard requirements in a cluster development shall be as follows:

a. Front yard, 25 feet.

b. Side yard, ten feet, except that garages or carports upon an adjacent lot may join at the property line or be grouped on land away from the individual lot.

c. Rear yard, 25 feet.

(4) The balance of the land not contained in the lots or within the road rights-of-way shall be contiguous and of such condition, size and shape as to be usable for recreation. Such land shall be held in corporate ownership by the owners of lots within the development and shall incorporate into the deeds a clause giving to the owners an interest in such open land which shall be used for recreation purposes only. No structures except those incidental to the recreational use shall be permitted thereon.

(Ord. No. 2-74, § 7.44, 3-26-74 Secs. 134-722—134-750. Reserved.

TOWN OF PALM BEACH
Information for Town Council Meeting on: March 12, 2024

To: Mayor and Town Council Members, Serving as the Local Planning Agency & Town Council

Via: Kirk W. Blouin, Town Manager

From: Wayne Bergman, MCP, LEED-AP, Director PZ&B WB

Re: Comprehensive Plan Text Amendment Related to Private Group Use and a Zoning Text Amendment for a Corresponding New Cultural Institutional Zoning District (CI)

Date: March 1, 2024

STAFF RECOMMENDATION

Staff recommends the Town Council, acting as the Local Planning Agency, conduct the public hearings for Ordinance No. 005-2024 and Ordinance No. 006-2024 at the Town Council meeting prior to 5:00 p.m. The Ordinance will be heard at the first reading on March 13,2024, and possible adoption hearing on April 10, 2024.

GENERAL INFORMATION

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

As Ordinance No. 005-2024 is a proposed text amendment to the Town of Palm Beach Comprehensive Plan, the March 13, 2024 Town Council meeting will serve as the transmittal hearing to the Florida Department of Commerce.

TOWN ATTORNEY REVIEW

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

Attachment: Proposed Ordinance No. 005-2024

cc: James Murphy, Assistant Planning Director
Jennifer Hofmeister-Drew, Planner III, AICP

ORDINANCE NO. 005-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ADOPTED 2017 TOWN OF PALM BEACH'S COMPREHENSIVE PLAN, PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AMENDING THE GOALS, OBJECTIVES, AND POLICIES OF THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT WITHIN THE COMPREHENSIVE PLAN; AMENDING THE TOWN OF PALM BEACH COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT POLICY 2.3.6 RELATED TO THE PRIVATE GROUP USE FUTURE LAND USE DESIGNATION; AMENDING POLICY 2.3.6 TO REMOVE THE MAXIMUM LOT COVERAGE AND TO ALLOW, IN LIMITED CIRCUMSTANCES, THE MAXIMUM BUILDING HEIGHT TO BE THREE STORIES WITH TOWN COUNCIL APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, known as the Community Planning Act (the "Act");

WHEREAS, on August 9, 2017, the Town of Palm Beach amended its Comprehensive Plan based on the Town's Evaluation and Appraisal of the Comprehensive Plan with the adoption of Ordinance No. 9-2017; and

WHEREAS, pursuant to Town Code Section 86-51, in accordance with Section 163.3174, Florida Statutes, the Town Council of the Town of Palm Beach is hereby designated and established as the Local Planning Agency for the incorporated territory of the Town of Palm Beach; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the process for amending a comprehensive plan, which is not a small-scale development amendment nor a plan amendment

within an area of critical state concern, shall follow the expedited state review process for adoption of comprehensive plan amendments; and

WHEREAS, on January 10, 2024, the Town of Palm Beach received a privately initiated development review application to amend the Town of Palm Beach Comprehensive Plan Future Land Use Element Goals, Objectives and Policies that relate to the Private Group Use Future Land Use designation; and

WHEREAS, on March 5, 2024, the Town of Palm Beach Planning and Zoning Commission reviewed the proposed text amendments ("Amendments") to the Future Land Use Element of the Comprehensive Plan and recommended to the Town Council that the Amendments be approved; and

WHEREAS, on March 13, 2024, pursuant to Section 163.3174(4)(a), Florida Statutes, the Town Council acting as the Local Planning Agency conducted a public hearing wherein it considered the recommendations of the Planning, Zoning and Building Department and the Planning and Zoning Commission regarding the Amendments to the Future Land Use Element of the Town of Palm Beach Comprehensive Plan; and

WHEREAS, the Town Council has determined that the proposed Amendments to the Comprehensive Plan Future Land Use Element promote the public health, safety and welfare and are consistent with the requirements in Florida Statutes, and all elements of the adopted Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3184(11), the Town Council has affirmatively voted to transmit the Amendments to the Florida Department of Commerce and appropriate reviewing agencies for their respective review(s).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals.

The above recitals are incorporated as fully set forth herein.

Section 2. Amendment of the Comprehensive Plan.

The Town of Palm Beach Comprehensive Plan, set forth in Ordinance No. 9-2017 of the Town of Palm Beach, is hereby amended to amend Future Land Use Element Policy 2.3.6 as follows and as set forth in Exhibit "A", a copy of which is attached hereto and incorporated herein:

POLICY 2.3

Development orders shall be issued by the Town only for new non-residential development or redevelopment that is consistent with the Future Land Use Map and descriptions and intensities of land use as set forth in the following policies.

***

2.3.6 Private Group Use – Intended to provide for low intensity uses such as private clubs, golf and country clubs, public and private schools, houses of worship, museums, and non-commercial recreation-type or cultural uses at a scale and intensity intended to primarily serve the needs of Town persons.

a. The designation of a property for Private Group Use on the Future Land Use Plan Map recognizes the current use of the property**~~; and, further, that such properties may also be appropriate for residential or commercial development with uses identified under the Single Family Residential, Multi-family Moderate Density, and Commercial future land use categories.~~**

~~**b. Maximum lot coverage shall be 40%.**~~

~~**c.**~~**b.** In limited circumstances ~~**(Commercial Worth Avenue (C-WA) zoning district),**~~ the maximum building height **may** ~~**shall**~~ be three stories **(with Town Council approval).**

Section 3. Transmittal.

The Town Clerk is hereby directed to transmit the required copies of the Amendments to the Town's Comprehensive Plan to the Florida Department of Commerce and all other parties as required by Section 163.3184(3)(c)2, Florida Statutes.

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 Comprehensive Plan of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect 31 days subsequent to its enactment on second and final reading, 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 *(date)* day of *(Month)*, *(year)*, and for second and final reading this *(date)* day of *(Month)*, *(year)*.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

EXHIBIT A

OBJECTIVE 2

Maintain the character of the Town as a predominantly residential community having only the type and amount of businesses and other support services necessary to meet the needs of Town residents.

POLICY 2.3

Development orders shall be issued by the Town only for new non-residential development or redevelopment that is consistent with the Future Land Use Map and descriptions and intensities of land use as set forth in the following policies.

2.3.1 The following definitions shall pertain to the application of the non-residential land use designations and associated policies:

a. "Town-serving" shall mean establishments principally oriented to serving the needs of Town persons and not substantially relying on the patronage of persons not defined as Town persons. Commercial establishments (other than those in the "Commercial – Office, Professional & Institutional" (C-OPI) zoning district, which are not required to meet town-serving requirements) of 3,000 square-feet or less of gross leasable area in the C-PC, C-TS and C-B zoning districts, and 4,000 square-feet or less of gross leasable area in the C-WA zoning district are assumed to meet the intent of the first part of this definition.

b. "Town persons" shall mean all full-time and seasonal residents of the Town as well as visitors staying at accommodations in, or employees working in establishments located within, the Town.

2.3.2 Conservation – Intended to preserve and protect unique natural areas and submerged land from development and the negative impacts of public use. No development or redevelopment is permitted on or over land designated in this category, with the exception of docks, essential services or parks owned and operated by the Town.

2.3.3 Commercial – Intended to create, preserve, and enhance areas of attractive, small-scale, retail, personal and professional/business services, and mixed commercial/ residential use, developed either as a unit or in individual parcels, providing primarily for the frequently recurring needs of Town persons with limited provision for more intensive commercial uses that are proven to be compatible with the Future Land Use Plan and the character of the Town.

a. Appropriate uses include a wide range of commercial retail, service, professional and business uses for residents and visitors; hotels/motels up to 26 rooms per gross Palm Beach acre (40,000 square feet); timesharing uses up to 9 units per gross Palm Beach acre (40,000 square feet); offices; public uses and facilities; public and private schools; private group uses; and residential uses located above the ground floor.

b. Except for uses located in the Worth Avenue zoning district (C-WA), one residential unit may be located above the ground floor, or up to a maximum density of six dwelling units per gross

EXHIBIT A

Palm Beach acre, whichever is greater. In the Worth Avenue zoning district the maximum allowable density shall be 10 dwelling units per gross Palm Beach acre provided the Worth Avenue Design Guidelines are met.

c. Maximum lot coverage for non-residential uses shall be 75%.

d. In limited circumstances, the maximum building height shall be three stories.

2.3.4 Public – Intended to recognize existing locations of, and provide sites for, public uses, structures and facilities.

a. Appropriate uses include public schools, low intensity public buildings and facilities such as fire and police stations, Town Hall, etc., of a scale and intensity necessary to primarily serve the needs of Town persons. Only public uses owned, operated, franchised, or supervised by a governmental agency are given this designation.

b. The designation of a property for Public use on the Future Land Use Plan Map recognizes the current use of the property; and, further, that such properties may also be appropriate for residential or commercial development with uses identified under the Single-Family Residential and Commercial land use categories.

c. Maximum lot coverage shall be 40%.

d. In limited circumstances, the maximum building height shall be three stories.

2.3.5 Public Recreation – Intended to provide for low intensity public recreational uses or activities, natural resource and scenic resources of a scale and intensity necessary to primarily serve the needs of Town persons. Only public facilities owned, operated, franchised, or supervised by a public governmental entity are given this designation.

2.3.6 Private Group Use – Intended to provide for low intensity uses such as private clubs, golf and country clubs, public and private schools, houses of worship, museums, and non-commercial recreation-type or cultural uses at a scale and intensity intended to primarily serve the needs of Town persons.

a. The designation of a property for Private Group Use on the Future Land Use Plan Map recognizes the current use of the property~~; and, further, that such properties may also be appropriate for residential or commercial development with uses identified under the Single Family Residential, Multi-family Moderate Density, and Commercial future land use categories~~.

b. ~~Maximum lot coverage shall be 40%~~.

b. ~~c.~~ In limited circumstances ~~(Commercial Worth Avenue (C-WA) zoning district),~~ the maximum building height may~~shall~~ be three stories (with Town Council approval).

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Consent - Other

Agenda Title
PERC - Extension of Appointment

Presenter
Gillian Barth, Director of People & Culture

ATTACHMENTS:

- **Memorandum dated March 11, 2024, from Gillian Barth, Director of People & Culture**
- **J. Patterson Cooper C.V.**
- **PERC Roster**

TOWN OF PALM BEACH
People & Culture Department

MEMORANDUM

TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

FROM: Gillian Barth, Director of People & Culture

RE: Reappointment to the Public Employees Relations Commission Panel for PERC Ordinance Appendix "A" Section 1.003.

DATE: March 11, 2024

STAFF RECOMMENDATION

Staff recommends that the Town Council reappoint Mr. J. Patterson Cooper to fill the position of "Employer Member" to the Town of Palm Beach Public Employees Relations Commission (PERC).

GENERAL INFORMATION

Section 447.022 of the Public Employment Relations Act, a part of Chapter 74-100, Laws of Florida, provided for the adoption of an ordinance (Appendix A -Public Employee Relations) by municipalities in lieu of the requirement of the State Public Employment Relations Act. This allowed the Town of Palm Beach to create and provide administration for the Public Employees Relations Commission (PERC.)

The purpose for the establishment of the PERC is to provide implementation of Section 447.603, Florida Statutes, Chapter 77-343, and to provide harmonious and cooperative relationships between the Town and its employees, both collectively and individually. It also provides for protection of the public by assuring the orderly and uninterrupted operations and functions of government.

Adoption of the Ordinance providing for the Town of Palm Beach Public Employees Relations Commission:

1. Grants to Town employees the right to organize and have representation.
2. Requires the Town to negotiate with bargaining agents duly certified to represent public employees; and
3. Recognizes the constitutional prohibition against strikes by public employees and provides for remedies for violation of such prohibitions.

The Public Employees Relations Commission consists of three individuals, appointed by an independent "Blue Ribbon" panel appointed by the Town Council to four-year staggered terms. Members may succeed themselves in office.

The most recent date the Committee was required to meet on its established 'as needed' basis was September 27, 2012.

However, to meet the requirements of the Ordinance, new members have been appointed or reappointed in the years following.

On October 31, 2023, the current four-year term of the Employer Member, held by J. Patterson Cooper, of the Public Employees Relations Commission (PERC) expired.

Mr. Cooper, who has served since November 2019, has indicated his interest in seeking another four-year term.

As this is not a new appointment to the Commission, the Blue-Ribbon Panel has not been assembled to (re)recommend these appointments.

Attached you will find a bio for Mr. Cooper, in addition to a list of current PERC members.

FUNDING/FISCAL IMPACT

There is no funding impact to the Town of Palm Beach regarding this issue.

Attachments

J. PATTERSON "PAT" COOPER

3960 N. Flagler Drive, Apt.# 302 • West Palm Beach, FL 33407
561.308.4433 • jpattersoncooper@gmail.com

Experienced professional with an MBA. Practical experience in the fields of merchant, investment (buy and sell side) & commercial banking, asset & liability management, and interacting with all levels of management and Boards of Directors.

Strong track record of effectively identifying risk, establishing controls and formulating tools to track performance. Deep experience in dealing with State, Federal, and international regulators. A keen eye for optimizing governance in line with shareholder needs. Process-driven and skilled at implementing procedures that improve operational efficiency, productivity, and profitability. A motivational leader who provides extensive training and development to create high-performing teams.

AREAS OF EXPERTISE

• Business Development • Client Relations • Customer Service • Public Relations • Strategic Planning • Change Management • Restructuring/Turnarounds • Expense Control • Financial Analysis • Cost Reduction • Risk Management • Audits • Budgeting • Internal Controls • Joint Ventures • Project Management • Team Leadership/ Motivation• Process Improvement• Needs Assessment
• Sales Forecasting• Sales Cycle Management• Presentations• Internet Research
• Loan Documents • Event Planning

NOTABLE ACHIEVEMENTS

Achieved Success outside Financial Institutions

- *Prudent Capital Management* - Led a small (3) team of professionals, won exclusive development rights on Kiawah Island, South Carolina, for a raw piece of land. Total value of $85 million with a profitability potential of $20 million. Transitioned actual development to a new General Partner with development knowledge and experience.

Recognized problem solver

- *Chemical Bank* - Increased profitability of the Palm Beach organization fivefold by doubling Assets under administration from $700 million to over $2.0 billion over a seven-year period.

- *Bankers Trust*- Increased profitability sevenfold by doubling AUA's over a six-year period. Raised the profile of the institution, acquired new clients and ultimately increased profitability seven-fold and doubled AUA's over a six-year period.

- *First Bank of the Palm Beaches* - "Reopened" bank and hired personnel following the departure of the previous CEO. Hired competent personnel, created & executed business plans and sourced new investors.

Well Rounded Leader - Philanthropic and Civic Service

- *Town of Palm Beach* -Appointed (July 2015) as Trustee of the Town of Palm Beach Retirement Board overseeing investments and plan administration; and, member of the Shore Protection Board (2009).
- *Camp Boggy Creek*- Board member since 1998. Voted Chairman in 2009 and instituted a strategic plan that achieved the following results:

    - Endowment, reserves and cash on hand all showed increases over the period (taking into account general market conditions). Most importantly, sources of funding were broadened.

    - Board involvement increased as a result of instilling "ownership" of results to each member. Board members who were either not contributing or had been long term members with "burn out" were transitioned either off or to an emeritus status. All Board members attend at least 50% of meetings with 100% contribution participation.

PROFESSIONAL EXPERIENCE

PRUDENT CAPITAL PARTNERS, L LC, London, U.K.
Partner
PCP is an independent merchant bank/fund-less sponsor whose funds are provided by its partners and select investor groups. The partnership was formed to raise money for investment banking transactions and to also act as agent for M&A transactions. This entity also was a key provider of initial stage information and ultimately investment in a new development currently under way on Kiawah Island, South Carolina.
Achievement:

- A small team (3) worked together to win, design, permit, finance and ultimately build a community on Kiawah Island, South Carolina. Total value estimated at $85 million with estimated profitability of $20 million. For over a year and a half this team worked together to bring the project online. Ultimately it selected another General Partner to undertake the development which is now taking place.
- This same team is considering real estate transactions in Massachusetts and involvement with a Water Treatment Company looking to replace long term investors. Total investment (including debt) up to $500 million.

PROUTY INDIA FUND LIMITED, Greenwich, CT.
An opened ended fund investing in mid-cap listed companies on the Bombay Stock Exchange (BSE Sensex).

Director
Responsibilities include attending board meetings (typically via teleconference, compliance oversight and ensuring the company is operating in conjunction with the laws of the United States, Mauritius and India.
Achievements:

- The fund is being marketed by Mr. Prouty. It was considered a "new" fund as the state of the Indian market was not conducive to investments vis-a-vis the American Market. The investment climate changed at the beginning of 2014 and new investors entered the markets.

SALT MARSH INVESTMENTS, LLC
This is the dedicated Investment Manager of the Prouty India Fund

President, COO and Member of the Investment Committee
Achievements:

- Responsible for compliance with applicable laws in the US and ensuring all transactions are booked properly. As a member of the Investment Committee, I review all purchase and sale transactions ensuring that style and scope are consistent with the original private placement memorandum.

PRIVATE CONSULTANT, Palm Beach, Florida
Provide advice in a variety of disciplines including economic and financial insights in both domestic and international arenas, commercial banking, and compliance.
Achievements:

- Advised the *South Florida Science Museum and Aquarium* about the overall viability to a proposed expansion of its campus and how it will raise over $100 million to obtain approval.
- Advised the Palm Beach Civic Association regarding budget proposals for raising taxes by the Town of Palm Beach and Palm Beach County. Advanced the Civic Association position publicly at Council and Commission meetings respectively.
- Advised and assisted *The Ecclestone Organization* to reach decisions about certain private placements of international assets. Directly negotiated with principals and other investors to exit without penalty or future obligation to the fund.

FIRST BANK OF THE PALM BEACHES, West Palm Beach, Florida
This is a Community Bank which opened in 2006 offering a full range of retail banking services.

President & CEO
Managed this de novo banking operation including relationships with regulatory bodies. Created and implemented strategic business plans, and consistently exceeded budget goals. Established liquidity models and procedures to ensure the bank was able to proactively understand and meet its upcoming funding positions. Created, upgraded, and ensured operational compliance with internal policies and procedures. Tracked and alerted staff to regulatory updates. Interacted with Florida regulators on a regular basis and with Federal bank examiners. Ensured that all staff was familiar with Bank Secrecy Act provisions and amendments.

Achievements:

- Replaced the former CEO and formed a strong relationship of trust with Board Members and Florida Regulators.
- Reinvigorated new business calling effort withsmall business and individual clients.
- Created a Treasury Department to better manage the Bank's balance sheet and liquidity.
- Ensured the CFO was trained in all manner of approved transactions and introduced that function to additional funding options.
- Strengthened the Credit Department ensuring loans were properly documented, booked and follow-up calling was completed on a scheduled basis.
- Sourced a new investor who could infuse substantial capital allowing for branching in other counties in Southeast Florida.

DEUTSCHE BANK (LEGACY BANKERS TRUST)
Global financial services company.
Managing Director-Head of Regulatory Control Group, Private Wealth Management, Deutsche Bank (Legacy Bankers Trust), New York, New York
Complied with "Know-Your-Client and served as a resource to all client-facing staff in Private Wealth Management ("PWM") Divisions with regulatory questions. Ensured all legal entities under which PWM operated are operating under regulatory and internal guidelines. Administered day-to-day activities and interfaced with NYS Banking authorities and the Federal Reserve of NY on PWM regulatory matters.
Achievements:

- Integrated sales processes, which provided three separate operating and legal entities to work with each other's products.
- Constructed legal agreements to sell products across allentities.
- Reduced the number of legal entities in PWM by four thereby returning capital to the parent company.
- Completed a backlog of KYC projects with the exception of the Trust Area amounting to over 20,000 separate files, which restored regulatory confidence and avoided sanctions.

Branch Manager, DB Alex Brown, Palm Beach, Florida
DBAlex Brown was the full-service brokerage firm and investment bank. It undertook research on various companies' stocks and had a retail presence in approximately 16 markets throughout the U.S. Oversaw retail brokerage operations and ensured compliance with securities laws and internal policies and procedures. Managed the performance of 20 employees, administered the budget, and drove new business development by marketing the firm's new and current products.
Achievements:

- I was the first person approved by the NYSE to operate a separately capitalized bank and brokerage branch office.
- This appointment was an attempt to integrate the functions of banking and brokerage. Ultimately, it was decided to keep the functions separate due to the innate operational differences.

President & CEO, Deutsche Bank Florida, N.A. (Legacy Bankers Trust Company of Florida, N.A.), Palm Beach, Florida
Full service standalone banking institution 100% owned by Deutsche Bank America. Provided deposit and lending services in addition to the major focus of trusts, estate, custodial and investment services. Championed the turnaround of the unprofitable Palm Beach Operation. Created and implemented strategic businesses plan which retained current clientele while increasing the new client base. Hired and trained new client staff to improve customer service levels. Managed banking operations that provided a wide range of products including banking, lending, trust, investment advisory and custodial services. Worked closely with the Board of Directors and externalregulators.

Deutsche Bank (continued)

Achievements:

- Increased assets under management ("AUM") by more than 75% to $1.758 by soliciting and winning the business of a major client, the bank's largest new trust asset in over 1O years.
- Reduced expenses by 25% over a three-year period while maintaining and growing AUM's.
- Enhanced the bank's brand image by participating in high profile, non-profit, community ventures including United Way Campaigns, Camp Boggy Creek (medical camp founded by Paul Newman and Norman Schwarzkopf) and by chairing numerous charitable events in the Town of Palm Beach.

Career Note:
JPMorgan Chase *(Legacy* **Chemical Bank),** New York, NY

Positions held throughout full term of employment included:

Managing Director, President and CEO, Palm Beach, FL
Vice President, London Branch Office, International Division
Team Member, New York Office, Municipal Finance Department
Korea Country Manager, International Division
Vice President, Korea Desk Manager
Vice President, Deputy Philippine Branch Manager, International Division
Vice President, Australasian Desk Officer
Various Positions, Metropolitan Division
Trainee, Metropolitan Management Training Program

EDUCATION

Masters, Major in Financial Management
Pace University School of Business - New York, New York

Bachelors, Major in Political Science
College of Santa Fe - Santa Fe, New Mexico

CERTIFICATIONS/OTHER

FINRA 7,8,24,63,65 (Relicensing Needed)
Harvard Executive Management Program

PROFESSIONAL ORGANIZATIONS/AFFILIATIONS

Former Trustee Town of Palm Beach Retirement Board,
Former Town of Palm Beach Shore Protection Board (2009-2015)
Treasurer/Secretary/Director, Palm Beach Civic Association Boggy Creek Camp (Board Member 1997-Present; Chairman 2008-2014)
Korean-American Education Commission (Fulbright Program), Appointed by the U.S. Ambassador to Korea

COMPUTER SKILLS

Adept and nimble with changing landscape
Usages include: • Proprietary Software Applications with an emphasis on analytics
• Business and Social Media

Public Employees Relations Commission (PERC)

(Four-Year Terms)

	First Appointed (FA) Re-Appointed (RA)	Term Expires
CHAIR Stephen E. Jacobs 3000 S. Ocean Blvd. #201N Palm Beach, FL 33480 (C) 917-680-1061 stephen.jacobs@weil.com	FA – 01/2019 RA – 11/2022	12/2026
EMPLOYER MEMBER J. Patterson Cooper 3920 North Flagler Drive Apt. #401 West Palm Beach, FL 33407 (C) 561-308-4433 jpattersoncooper@gmail.com	FA – 11/2019	10/2023
EMPLOYEE MEMBER Donald Singer 2295 South Ocean Boulevard Palm Beach, FL 33480 (561) 585-4400, or (718) 544-9756 donaldsylvia@bellsouth.net	FA- 12/2018 RA – 11/2022	11/2026
ATTORNEY Jeff Pheterson Ward Damon 4420 Beacon Circle West Palm Beach, FL 33407-3270 (PH) 561.842.3000 (C) 561.239.0025 jpheterson@warddamon.com	1992 - Present	N/A

FA = First Appointed

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Consent - Other

Agenda Title
Request by the City of West Palm Beach for Town Sponsorship for City's 4th on Flagler Event

Presenter
Kirk W. Blouin, Town Manager

ATTACHMENTS:

- **Memorandum Dated February 21, 2024, from Kirk W. Blouin, Town Manager**
- **Fourth on Flagler West Palm Beach Request**
- **Fourth on Flagler West Palm Beach Sponsorship Benefits**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2023

To: Mayor and Town Council

From: Kirk W. Blouin, Town Manager

Re: Request for the City of West Palm Beach

Date: February 21, 2024

GENERAL INFORMATION

The City of West Palm Beach is requesting the Town officially sponsor their 4th on Flagler July 4th Celebration. The attached letter dated February 20, 2024, from Cinde Martin, Marketing Consultant for the City of West Palm Beach, identifies sponsorship benefits.

The Town has previously sponsored this event, including last year's $12,000. This year's celebration fireworks are also being televised live on WPBF 25 News.

FUNDING/FISCAL IMPACT

If the Town Council approves Town sponsorship of the 4th on Flagler event, the $12,000 cost for this sponsorship will be expended from the FY2024 General Fund Contingency Account.

Attachments

KB:js

cc: Bob Miracle, Deputy Town Manager Finance and Administration

The City of West Palm Beach

"The Capital City of the Palm Beaches"

February 20, 2024
Mr. Kirk Blouin
Town of Palm Beach
Correspondence via e-mail

Dear Mr. Blouin,

It's that time of year again, when we start planning for Independence Day celebrations. The City of West Palm Beach appreciates the Town of Palm Beach's continued support for 4th on Flagler over the years. Thank you.

Last year's event was very well attended and another huge success! Again, last year, WPBF 25 News aired Project CommUNITY Fireworks from Home 30-minute live broadcast, so Palm Beach County residents and beyond were able to enjoy the fireworks live from our local celebration.

We are excited for the Thursday, July 4th celebration this year and another special TV Program airing the fireworks live on WPBF 25 News that evening.

We are respectfully requesting the Town of Palm Beach serve as a sponsor again and donate to the event. As you know, we serve as the County's largest Fireworks display on the 4th of July and we are confident this year will be no different. We are requesting a $ 12,000 donation please.

I've attached an outline of the benefits you will continue to receive as a 4th on Flagler partner. Please contact me if you have questions or require more information. We look forward to working with you on the City of West Palm Beach's 4th of July celebration!

Sincerely,
VIA EMAIL
Cinde A. Martin
Marketing Consultant

OFFICIAL SPONSORSHIP
Town of Palm Beach

THURSDAY, JULY 4, 2024
Attendance approximately 100,000+
Join the City of West Palm Beach for South Florida's largest and best Fourth of July Celebration. This year's celebration will mark 4th on Flagler's 37th year! We are so proud that 4th on Flagler has become the largest, free community celebration in Palm Beach County. This year, as always, we invite the Town of Palm Beach and its residents to join us in providing this community service for all residents.

The celebration is heavily promoted on television – we are again working with WPBF-TV 25 again and we welcome our radio partners, Hubbard Radio which includes 97.9 WRMF, New Country 103.1, SUNNY 107.9, PARTY 96.3, News Talk 850 WFTL, Fox Sports 640 South Florida and X 102.3. With two stages, a kids area, a family picnic area, delicious food and drink, and of course the grand star – the fireworks – 4TH on Flagler is good ole' Americana fun!

Benefits include:

- Right to a Corporate Display Areas; one (1) 10x10 tent on Flagler Drive
- Media Recognition
    - Corporate Inclusion in select radio ads to run on Hubbard Radio West Palm Beach
- Website Inclusion
- Collateral Inclusion on 4th on Flagler Collateral
- Prominent Signage at Event; Inclusion on all Sponsor Boards
- VIP Ticket Package for Event; VIP is located along the Seawall across from the Great Lawn this year
    - 1 VIP Parking Pass
    - 14 Tickets to the VIP Hospitality Area
- Right to pre and post event promotions (with City's prior approval)
- First right of refusal

PACKAGE VALUE - $ 20+K ANNUALLY

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Consent - Other

Agenda Title
Endorse Palm Beach County's Bonefish Islands Restoration Project and Approve Waivers to Town Code for Construction Dates, Hours, and Noise in Lake Worth Lagoon

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

ATTACHMENTS:

- **Memorandum dated February 23,2024 from H. Paul Brazil, P..E., Director of Public Works**
- **Palm Beach County Letter Dated, February 26, 2024**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Endorse Palm Beach County's Bonefish Islands Restoration Project and Approve Waivers to Town Code for Construction Dates, Hours, and Noise in Lake Worth Lagoon

DATE: February 23, 2024

STAFF RECOMMENDATION

Town staff recommends that Town Council endorse Palm Beach County's Bonefish Cove Islands Restoration Project, and Palm Beach County Environmental Resources Management request for waivers to Town Code of Ordinances for construction dates, hours, and noise in Lake Worth Lagoon.

GENERAL INFORMATION

Palm Beach County Environmental Resources Management (ERM) has been performing environmental enhancement projects in the Lake Worth Lagoon for many years with several projects which include Grassy Flats and Ibis Isle, completed within Town limits. Currently, the Town is working with Palm Beach County to place fill from the marina rehabilitation into an old dredge hole in Tarpon Cove to construct resilient islands near the El Cid neighborhood of West Palm Beach.

Palm Beach County ERM staff have been coordinating with Town staff for many years regarding future environmental enhancement projects in the Town of Palm Beach. ERM is now planning to construct resilient islands, called Bonefish Cove, near the south end of the Town approximately 1,000 feet from shore in the lagoon between 3120 and 3390 South Ocean Boulevard Condominiums. In addition, ERM has been coordinating with Town staff with their plans to construct resilient islands south of Everglades Island. These projects, like the previously constructed projects, will serve as environmental habitat, improve water quality in the lagoon, and provide wave-breaks to help shoreline stabilization. Neither of these projects are expected to negatively impact the three (3) recently completed channel dredging project areas.

In order to construct these projects, Palm Beach County ERM provided a letter to the Town, dated February 26, 2024 (see attached), requesting waivers of the following sections of the Town Code of Ordinances:

> Section 42-198 – prohibits operation of equipment or machinery during winter, Sundays, and legal holidays (commencing on December 1 and ending May 1).
>
> Section 42-199 – prohibits work between 5:00pm and 8:00am.
>
> Sections 42-226 through 229 – regulates noise, equipment operation, and work hours and the standard Town requirement to "stand down for the season".

Specifically, Palm Beach County ERM is requesting approval for construction hours of 7:00am to 6:00pm, Monday through Saturday. No work on Sundays. The US Army Corps of Engineers is the Federal sponsor and has awarded a construction contract. The contractor has until July 2025 to complete the project.

Town Council approved a previous request at the May 2021 Town Council meeting. Due to significant time since Town Council approval, staff request Palm Beach County submit a new request.

FUNDING/FISCAL IMPACT

There is no funding/fiscal impact related to these Palm Beach County projects.

Attachment

cc: Joanne O'Connor, Town Attorney
Jason Debrincat, P.E., Assistant Director of Public Works
Carolyn Stone, Deputy Town Manager

Department of Environmental Resources Management
2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743
(561) 233-2400
FAX: (561) 233-2414
www.pbcgov.com/erm

Palm Beach County Board of County Commissioners

Maria Sachs, Mayor

Maria G. Marino, Vice Mayor

Gregg K. Weiss

Michael A. Barnett

Marci Woodward

Sara Baxter

Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

Official Electronic Letterhead

February 26, 2024

Mr. Paul Brazil, Director of Public Works
Town of Palm Beach
360 South County Road
P.O Box 2029
Palm Beach, FL 33480

SUBJECT: BONEFISH COVE RESTORATION PROJECT

Dear Mr. Brazil,

Per our recent discussions, please accept this correspondence as a request for various waivers associated with the construction of the Bonefish Cove Restoration project to be considered at the earliest available Town (Town) Council meeting. The Bonefish Cove project previously received approval from the Town Council for the waivers on May 11, 2021. The project plan and photo renderings are attached, and specific waiver requests as originally presented are detailed below:

Bonefish Cove:
a) Request for construction approval with notification to the Town 30 days prior to projected start date. Work will take place ~1,000 feet offshore of S. Ocean Blvd. in the Lake Worth Lagoon.

b) Request for approval to construct 7:00am-6:00pm, Monday-Saturday for 12 months and associated waivers of the Town Ordinance Sections 42-198; 42-199; and 42-226 through 229.

The U.S. Army Corps of Engineers, as the federal sponsor of the project, awarded the construction contract on November 15, 2023, with a project construction schedule through July 2025. Community project notices with project information were mailed to residents of the Town in early February.

If you have questions or need additional information, please contact me at 561-233-2400 or Ms. Mayra Ashton, Senior Environmental Analyst, at 561-233-2451. We look forward to working with you to complete construction of this valuable environment restoration project.

Sincerely,

Deborah Drum

Deborah Drum, Director
Environmental Resources Management

DD:MA
Enclosures

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Board/Commission Annual Report

Agenda Title
Annual Report of the Landmarks Preservation Commission

Presenter
Sue Patterson, Chair

ATTACHMENTS:

- **2023 LPC Annual Report**

Landmarks Preservation Commission (LPC) – Annual Report 2023

The Commission held twelve (12) regularly scheduled meetings in 2023, and had an average attendance rate of 93.33%, with a total of 8 absences for the year (5 excused and 3 unexcused). Last year, 2022, was 87.5%.

The Commission reviewed forty-six (46) Certificates of Appropriateness (COA) which represents a 17% increase in the number of COAs from 2022. Additionally, twelve (12) Historically Significant Buildings (HSB) were reviewed.

The Commission was able to conduct eight (8) new designation hearings prior to the end of the year:

PROPERTY ADDRESS	MEETING DATE
296 South County Road	January 18, 2023
304 South County Road (304-306 South County Road)	January 18, 2023
101 North County Road	March 22, 2023
163 Seminole Avenue	March 22, 2023
316 South County Road (310-316 South County Road)	April 19, 2023
151 North County Road	April 19, 2023
262 Sunset Avenue	November 17, 2023
318 Australian Avenue	November 17, 2023

On behalf of the Commission, staff (with Preservation Consultants Murphy Stillings) designated three (3) Historically Significant Buildings.

PROPERTY ADDRESS	DESIGNATION
124 Park Monceau	January
263 Park Avenue	July
256 Orange Grove Road	November

The Town Council passed five (5) Historic Ad Valorem Tax Exemption resolutions for Landmarked properties that received COA approvals from the Landmarks Preservation Commission.

A total of three (3) courtesy Landmark Plaques were distributed to property owners.

On behalf of the Commission, staff (in consultation with the LPC Chairman) conducted 200 reviews of minor projects and revisions to approved projects and approved 169 of those applications.

Based on direction from Town Council, Murphy Stillings presented “Properties Previously Considered for Landmark Designation” in September 2023 which consisted of properties with new owners that could be voluntarily reconsidered for Landmark Designation. Subsequently, staff sent letters to these homeowners with information about the landmarking process.

Procedures were adopted to strengthen the LPC process and protect the Town's heritage:

- Separate motions at LPC hearings for the demolition portion of a project.
- Plans/elevations are required to clearly demarcate in red any portion that involves demolition.
- Applicants provide detailed Letters of Intent (LOI), notes, material sheets, photos, demolition plans, and historic images and/or plans.
- Certificate of mailing confirms property owners are notified of an LPC project 30 days prior to a hearing within a 300-foot radius of the subject residential property and a 1000-foot radius for commercial properties.
- The Town places notice at Town Hall and publishes the proposed projects in the paper 30 days prior to the hearing. All noticed projects are uploaded to the Town Website. The website allows any user to view all past and upcoming agendas as well as plans.
- Development Orders are issued to applicants following an approval or denial of LPC following the meeting.
- Training on preservation topics will be hosted in 2024 by the Preservation Foundation of Palm Beach for LPC, Town Council, ARCOM, and Town Staff. Staff in conjunction with the PFPB will provide a more robust onboarding for new Commission members to ensure the continuity of the Landmarks Program.
- Staff will monitor significant projects in the field more frequently in addition to final inspections.
- The Project Designation Manual Matrix is being revised for clarity. The guide explains the level of review needed by LPC. Any items that does not come to LPC is reviewed by Town Staff, Preservation Consultants, and the Chair.

Commissioners remain enthusiastic and engaged in their volunteer service to the Town and look forward to the continued preservation of our built environment that makes Palm Beach unique.

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda

Regular Agenda - Old Business

Agenda Title

RESOLUTION NO. 028-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Second Amendment and Restated Ground Lease Agreement with CRE Fund at Okeechobee Boulevard, LLC, a Florida Limited Liability Company and is Joined in the Second Amendment by AHS Residential, LLC.

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- **Memorandum dated February 26, 2024 from Dean Mealy, II Procurement and Contract Manager**
- **Resolution No. 028-2024**
- **Second Amendment to Amended and Restated Ground Lease Agreement with CRE Fund at Okeechobee Boulevard, LLC, a Florida limited liability company. This Second Amendment is joined by AHS Residential, LLC**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA Deputy Town Manager, Finance and Administration

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

RE: Resolution approving Second Amendment and Restated Ground Lease Agreement with CRE Fund at Okeechobee Boulevard, LLC, a Florida limited liability company. This Second Amendment is joined by AHS Residential, LLC.

DATE: February 26, 2024

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 028-2024, approving Second Amendment and Restated Ground Lease Agreement with CRE Fund at Okeechobee Boulevard, LLC, a Florida limited liability company. This Second Amendment is joined by AHS Residential, LLC.

SUMMARY EXPLANATION/BACKGROUND

Please note that the summary explanation was prepared by Janis Cheezem, partner with Akerman.

CRE Fund at Okeechobee Boulevard, LLC and its Guarantor, AHS Residential, LLC asked the Town to defer the remaining balance of first year rent under the ground lease for the Town's property at 5976 Okeechobee Blvd., West Palm Beach to better align rent payments with anticipated income from the project to be constructed on this property; the tenant's construction schedule has been pushed back by a variety of factors, including remediation requirements and site planning to align non-residential construction with remediated portions of the site. (The tenant had previously paid $350,000, to be applied to first year rent to extend the approval date for its remediation plan.) AHS has also provided the Town with the following accounting showing its substantial costs to date in connection with its work on the site:

Under this amendment:

1. The remaining balance of first year rent of $533,368.00 will be deferred to the fifth lease year, thereby increasing rent for the fifth lease year to $1,400,986 plus sales tax.
2. The due date for the $867,618 letter of credit from the tenant is deferred until February 1, 2025, but the payment guaranty of tenant's parent is due as of February 1, 2024 (and has been provided in anticipation of the Town's execution of this Amendment.)

3. The "Date of Beneficial Occupancy" (the rent commencement date) under the Ground Lease is set as February 1, 2024.
4. Lease terms relating to the amortization of the tenant's bond to secure its completion of required remediation of the site are clarified and confirmed.
5. The tenant waives all termination rights in the ground lease, although the Town retains its termination rights if the tenant does not obtain all required approvals to proceed with project development on or before March 1, 2025, to give Tenant time to obtain these approvals. The following represents expenditures by AHS to date.

Account Group	%	Actual
⊞ Architects & Engineers	35.3%	$2,761,489
⊞ Finance Fees	23.1%	$1,809,777
⊞ Consultants	19.7%	$1,542,977
⊞ Municipal & Other Fees	5.6%	$440,668
⊞ Legal	5.5%	$428,080
⊞ Land Acquisition	4.5%	$350,949
⊞ Tests & Reports	3.2%	$247,949
⊞ Internal Fees	1.7%	$134,470
⊞ Land Development	1.2%	$93,100
⊞ Insurance	0.1%	$6,261
⊞ Furniture, Fixtures & Equipment	0.1%	$6,190
⊞ Miscellaneous	0.1%	$5,967
Total	100.0%	$7,827,875

Kirk Blouin, Paul Brazil, Bob Miracle, Jason Debrincat, and I met with AHS to review the tenant's construction schedule which was pushed back by a variety of factors, including remediation requirements and site planning to align non-residential construction with remediated portions of the site.

The rent schedule other than remainder of the first year to year five is unchanged.

PERIOD	ANNUAL BASE RENT	MONTHLY RENT
1	$334,250.00	[PREPAID BY EXTENSION DEPOSIT]
2– 4	$867,618.00	$72,301.50
5	$1,400,986.00	$116,748.83
6 - 10	$954,380.00	$79,531.66
11 – 15	$1,049,818.00	$87,484.83
16 – 20	$1,154,800.00	$96,233.33
21 - 25	$1,270,280.00	$105,856.66

TOWN ATTORNEY REVIEW

This item was prepared by Janis Cheezem, partner with Akerman LLP.

RESOLUTION NO. 028- 2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SECOND AMENDMENT AND RESTATED GROUND LEASE AGREEMENT WITH CRE FUND AT OKEECHOBEE BOULEVARD, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND IS JOINED IN THE SECOND AMENDMENT BY AHS RESIDENTIAL LLC

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 No. 028-2024, approving Second Amendment and Restated Ground Lease Agreement with CRE Fund at Okeechobee Boulevard, LLC, a Florida limited liability company and is joined in the Second Amendment by AHS Residential, LLC.

Section 2. The Town Manager is hereby authorized to execute the Contract and 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 12th day of March, 2024.

_____
Danielle H. Moore, Mayor

_____
Margaret A. Zeidman, Town Council President

_____
Bobbie D. Lindsay, Council President Pro Tem

ATTEST:

_____
Julie Araskog, Town Council Member

_____
Edward A. Cooney, Town Council Member

_____
Kelly Churney, Acting Town Clerk

_____
Lewis S.W. Crampton, Town Council Member

DocuSign Envelope ID: 8DC32722-D47A-4F7B-A1B4-FB705F7F4608

SECOND AMENDMENT TO AMENDED AND RESTATED GROUND LEASE AGREEMENT

THIS SECOND AMENDMENT TO THE AMENDED AND RESTATED GROUND LEASE AGREEMENT ("Second Amendment") is made and entered into as of this ___ day of _____, 2024 ("Effective Date") by and between TOWN OF PALM BEACH, FLORIDA, a political subdivision of the State of Florida ("Town") and CRE FUND AT OKEECHOBEE BOULEVARD, LLC, a Florida limited liability company ("Tenant"). This Second Amendment is joined by AHS RESIDENTIAL, LLC "(Guarantor").

RECITALS

A. Town and Tenant entered into that certain Amended and Restated Ground Lease Agreement dated August 12, 2021 ("Amended and Restated Lease"). The Amended and Restated Lease is for premises ("Premises") that include the Property located at 5976 Okeechobee Blvd., West Palm Beach, Florida. Tenant's obligations under the Amended and Restated Lease are subject to that certain Completion Guaranty executed by Guarantor on July 28, 2021 ("Completion Guaranty") and that certain Payment Guaranty and Guaranty of Continuing Obligations executed by Guarantor on July 28, 2021 ("Payment Guaranty").

B. Town and Tenant entered into that certain First Amendment to Amended and Restated Ground Lease dated as of February 17, 2022 ("First Amendment") for the purpose of extending the BSRA Date, for the purpose of waiving Tenant's termination rights under the Amended and Restated Lease for failure to obtain the BSRA, and for the other purposes set forth therein. The Amended and Restated Lease as affected by the First Amendment are together referred to herein as the "Lease". Capitalized terms herein but not otherwise defined shall have the meaning given to such terms in the Lease unless otherwise specifically indicated or unless the context clearly indicates to the contrary.

C. Tenant delivered the Extension Deposit in the amount of $350,000.00 to the Town, as provided in Paragraph 3.07(D)(2) of the Amended and Restated Lease, thereby extending the Remediation Plan Outside Approval Date to December 31, 2023.

D. Tenant delivered written notice dated December 30, 2023 confirming satisfaction of the requirements for the Outside Approval Date and waiving its termination rights under Paragraph 3.07(D) of the Amended and Restated Lease. Furthermore, Tenant has agreed to waive its termination rights under Paragraph 3.08(D) of the Amended and Restated Lease, although Tenant will not have obtained all Final Approvals on or prior to the Outside Termination Date, as required by Paragraph 3.08 of the Amended and Restated Lease.

E. Tenant has requested that the Town (i) agree to modify the Annual Base Rent Schedule set forth in Paragraph I of *Exhibit "C"* to the Amended and Restated Lease, (ii) extend the Town's right to terminate the Lease under Paragraph 3.08(D) due to Tenant's inability to obtain all Final Approvals, (iii) establish the Date of Beneficial Occupancy, and (iv) agree to adjustments to the Required Security Amount for the Remediation Bond set forth in Paragraph 3.07(E) of the Amended and Restated Ground Lease.

F. The Amended and Restated Lease currently provides that Annual Base Rent for the first Lease Year is in the amount of $867,618.00, plus sales tax thereon, and that monthly payments are in the amount of $72,301.50, plus sales tax thereon. The $350,000.00 Extension Deposit has been applied to Annual Base Rent for the first Lease Year in the amount of $334,250.00 and sales tax in the amount of $15,750.00. Accordingly, the remaining balance of Annual Base Rent for the first Lease Year is $533,368.00, plus sales tax thereon ("First Lease Year Remaining Balance").

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G. The Town and Tenant desire to enter into this Second Amendment for the purpose of making certain agreed upon modifications to the terms of the Lease referenced in Recital E herein, and for the other purposes set forth in this Second Amendment.

NOW, THEREFORE, in consideration of the foregoing, and the sum of $1.00 the receipt of which is conclusively acknowledged and which the parties stipulate to be good and sufficient consideration,

1. Incorporation of Recitals; Defined Terms. The foregoing recitals are true and correct and are hereby incorporated into this Second Amendment to the same extent as if fully set forth herein. Capitalized but undefined terms herein shall be defined under the Lease.

2. Annual Base Rent Schedule and Letter of Credit. The schedule of Annual Base Rent set forth in Paragraph I of *Exhibit "C"* to the Amended and Restated Ground Lease is hereby amended to provide as follows:

A. The definition of Lease Year set forth in Paragraph 2.43 of the Amended and Restated Lease is hereby amended to provide that the first Lease Year shall be from February 1, 2024 through January 31, 2025, and each successive Lease Year shall be from February 1 through January 31 of the next calendar year. For example, the second Lease Year is from February 1, 2025 through January 31, 2026.

B. So long as the Lease remains in full force and effect and so long as Tenant is not in default under the Lease beyond any applicable notice, grace or cure period, Landlord agrees to defer the, First Lease Year Remaining Balance, namely $533,368.00, plus sales tax thereon, as set forth below.

(1) Tenant shall pay the First Lease Year Remaining Balance Rent in twelve (12) equal monthly installments, on or before the first day of each calendar month, without notice, demand, holdback or setoff and together with Tenant's monthly payments of Annual Base Rent for the fifth Lease Year. Accordingly, the schedule of Annual Base Rent set forth as *Exhibit "C"* to the Amended and Restated Ground Lease is hereby amended to provide that Annual Base Rent for the fifth Lease Year commencing on February 1, 2028 and ending on January 31, 2029, shall be in the amount of $1,400,986.00, plus sales tax, payable in equal monthly installments in the amount of $116,748.83, plus sales tax thereon.

(2) Any unpaid balance of the First Lease Year Remaining Balance shall be immediately due and payable in the event that Tenant is in default under the Lease beyond any applicable notice, grace or cure period.

C. Pursuant to Paragraph 5.05 of the Amended and Restated Lease, within ten (10) Business Days from the Date of Beneficial Occupancy, the Tenant is to deliver to the Town, a Payment Guaranty and a Letter of Credit in an amount equal to $867,618.00. The Town hereby agrees that Tenant shall not be required to deliver the Letter of Credit until February 1, 2025 provided, however, that the due date for the Payment Guaranty shall not be deferred.

3. Date of Beneficial Occupancy. The definition of Date of Beneficial Occupancy set forth in Paragraph 3.01 of the Amended and Restated Lease is hereby amended to February 1, 2024.

4. Bond. The Town and Tenant hereby ratify and confirm the terms of Paragraph 3.07(E) of the Amended and Restated Ground Lease pertaining to the reduction of the amount of the Remediation Bond or other acceptable form of security ("Rehabilitation Security") during the Site Rehabilitation Process. For the avoidance of doubt, the reduction procedures shall apply so long as Tenant is not in default under the terms of the Lease beyond any applicable notice, grace or cure period including, without limitation, the requirement that Tenant diligently pursues the Site Rehabilitation Process, once commenced, until completion.

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A. Following the procedures set forth in the Paragraph 3.07(E) of the Amended and Restated Ground Lease and subject to the foregoing contingencies, the Town Manager will reasonably approve and execute such documents that may be required to reduce the Rehabilitation Security based on the percentage of completion of the Site Rehabilitation Process, so that the amount of the Rehabilitation Security, at all times, is at least one hundred twenty percent (120%) of the cost to complete the Site Rehabilitation Process.

B. The thresholds for reduction of the Rehabilitation Security prior to completion shall occur when the Site Rehabilitation Process is fifty percent (50%) complete and seventy-five percent (75%) complete.

5. Final Approvals. Tenant hereby agrees to waive its right to terminate the Lease by the Outside Termination Date due to its failure to obtain all Final Approvals by such deadline. The Town hereby acknowledges that Tenant will not have obtained all Final Approvals by the Outside Termination Date and hereby waives its right to terminate the Lease by such deadline; provided, however, that if Tenant has not obtained all Final Approvals and confirmed the same to the Town in writing on or before March 1, 2025 ("Extended Outside Termination Date"), the Town may terminate the Lease by sending written notice to Tenant no later than thirty (30) days after the expiration of the Extended Outside Termination Date.

6. Benefit and Binding Effect. This Second Amendment shall be binding upon, and inure to the benefit of, the parties to this Second Amendment, their legal representatives, successors, and permitted assigns.

7. Conflict. In the event of any conflict between the terms of the Amended and Restated Lease and this Second Amendment, this Second Amendment shall control.

8. Counterparts. This Second Amendment may be executed in counterparts, each of which shall be deemed an original and all of which shall together constitute but one agreement.

9. Ratification. Except as modified by this Second Amendment, the Amended and Restated Lease shall otherwise remain unmodified and in full force and effect. Tenant hereby ratifies and confirms the terms of the Amended and Restated Lease as modified by this Second Amendment. Tenant certifies that it has no offsets, defenses, or claims with respect to its obligations under the Amended and Restated Lease as affected by this Second Amendment.

10. Execution by PDF and Electronic Means. The parties agree that this Second Amendment shall be binding upon the parties when the signatures of Town and Tenant are exchanged in portable document format (PDF) as attachments to electronic mail messages or with their electronic signatures affixed. The exchange of original documents shall not be required.

[Signature Page Follows]

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IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment as of the date and year first above written.

TOWN

TOWN OF PALM BEACH, FLORIDA, a political subdivision of the State of Florida

By: _____
Name:
Title:

Attest: _____
City Clerk

TENANT

CRE FUND AT OKEECHOBEE BOULEVARD, LLC, a Florida limited liability company

DocuSigned by:
By: Ricardo Blas
8C00AA904CBA43A...
Name: Ricardo Blas
Title: Authorized Representative

JOINDER OF GUARANTOR

Guarantor hereby joins in this Second Amendment for the purpose of consenting to the terms and conditions of the foregoing Second Amendment and for the purpose of confirming that the Completion Guaranty and the Payment Guaranty remain in full force and effect without claim or defense of any nature whatsoever.

AHS RESIDENTIAL, LLC, a Florida limited liability company

By: _____
Name: Carlos E. Gonzalez
Title: Authorized Representative

74295042;5

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Regular Agenda - Old Business

Agenda Title
Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status

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

ATTACHMENTS:

- **Memorandum dated February 28, 2024, from H. Paul Brazil, P..E., Director of Public Works**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor & Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Paul Brazil, Public Works Director

FROM: Patricia Strayer, Town Engineer

RE: Utility Undergrounding Project Status Report

DATE: February 28, 2024

I. COMMUNICATIONS:

A. Community Meetings:

None to report

B. Significant Residential Communications

Staff meetings are focused on Phase 8 easement acquisition.

II. PROGRESS SUMMARY:

Overall, Town-wide construction progress, thirteen (13) of fifteen (15) construction zones are either complete or in progress/funded for construction, inclusive of Phases 1N, 1S, 2N, 2S, 3N, 3S, 4N, 4S, 5N, 5S, P6N, P6S and P7N.

A. Construction Progress:

Phase 1 North:
From the Inlet south to Onondaga Ave.

- Completed March 30, 2019

Phase 1 South:
From southern Town limits north to Sloan's Curve

- 1Completed April 3, 2020

Phase 2 North Construction:
From Esplanade Way to Ocean Terrace

- Completed October 29, 2020

Phase 2 South Construction:
From Sloan's' Curve to the intersection of South Ocean Blvd and South County Road

- Completed September 2023.

Phase 3 North Construction:
From Osceola Way to the north-side of La Puerta Way

- Completed September 17, 2021.

Phase 3 South:
From South Ocean Boulevard and South County Road to the alleyway south of Worth Avenue

- Phase 3 South construction is 90% complete.
- Switching has begun and is approximately 35% complete.
- At this time, we are unsure when poles will be removed.

Phase 4 North:
From south-side of La Puerta Way to north-side of List Road

- Poles are in the process of being removed.

Phase 4 South:
From Peruvian Avenue to Royal Palm Way

- Construction is 75% complete.

Phase 5 North:
From Country Club Road to Southland Road

- Construction phase is 83% complete.
- Comcast has started installation.
- Energizing the underground network has begun.

Phase 5 South:
From South Lake Drive/Hibiscus Avenue & Peruvian Avenue/Royal Palm Way, properties between the intracoastal waterway and the Atlantic Ocean and from Royal Palm Way to Seaspray Avenue.

- Construction phase is 81% complete.
- Contractor has requested FPL begin to energize the underground network.
- Poles will come down by June 2024.

Phase 6 North:
From Chateaux Drive and Kawama Lane to the south-side of Plantation Road

- Construction phase is 70% complete.
- Poles should be removed mid 2024 if we stay on schedule and do not have any significant storms that may divert resources away from FPL switching and conversions.

Phase 6 South:
Seaspray Avenue to the south of Royal Poinciana Way

- Construction is 24%complete.
- Poles should come down in 2025.

Phase 7 North:
Palm Beach Country Club north to the south side of List Road

- Construction phase is 3% completed.
- 79 of 79 (100%) easements approved.

Phase 7 South:
Atlantic Avenue north to Via Los Incas and Sanford Avenue

- Design is 93% complete and on schedule. Bid packages are being prepared and expected to be issued in the next 30 days.
- 55 of 55 (100%) easements approved.

Phase 8:
Royal Poinciana Way north to Everglade Avenue

- Design is 77% complete and on schedule.
- 94 of 115 (82%) easements approved.

III. FINANCIAL SUMMARY:

A. FEMA Grant Update:

FEMA has granted the request for an extension of the completion deadline.

B. Project Budget Summary:

There are no significant changes since the last report. Updates include processing of vendor pay applications for design and work performed in active phases. The table below shows the latest construction cost summary which has been updated to include Phase 7 North.

Phase Area	Construction Cost Proposal	Master Plan OPC	Difference	% Difference
3S	$8,029,384.83	$7,710,000.00	$319,384.83	4.1%
4N	$4,843,009.99	$5,360,000.00	($516,990.01)	-9.6%
4S	$8,803,506.00	$6,400,000.00	$2,403,506.00	37.6%
5N	$7,347,435.31	$6,960,000.00	$387,435.31	5.6%
5S	$8,102,327.89	$8,940,000.00	($837,672.11)	-9.4%
6N	$7,867,296.00	$5,620,000.00	$2,247,296.00	40.0%
6S	$8,149,565.00	$10,040,000.00	($1,890,435.00)	-18.8%
7N	$10,472,977.00	$5,980,000.00	$4,492,977.00	75.1%
Totals	**$63,615,502.02**	**$57,010,000.00**	**$6,605,502.02**	**11.6%**

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

Underground Utility Project Budget
Project Financial Summary
January 31, 2024

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	$ 12,620,000	$ 12,910,000	$ 12,773,514	$ 12,718,730	99.6%
Phase 2	$ 9,170,000	$ 13,470,000	$ 13,669,545	$ 13,515,025	98.9%
Phase 3	$ 10,910,000	$ 15,400,000	$ 18,447,002	$ 14,914,197	80.8%
Phase 4	$ 10,370,000	$ 15,220,000	$ 19,081,845	$ 16,001,085	83.9%
Phase 5 (Includes $8.5 Million FEMA Grant Offset**)**	$ 14,090,000	$ 11,694,645	$ 18,517,330	$ 14,778,529	79.8%
Phase 6	$ 16,820,000	$ 20,800,000	$ 19,966,261	$ 8,515,572	42.6%
Phase 7	$ 11,730,000	$ 15,910,000	$ 12,957,949	$ 2,212,318	17.1%
Phase 8	$ 12,300,000	$ 14,500,000	$ 1,576,574	$ 1,304,477	82.7%
Total Project Costs To Date	**$ 98,010,000**	**$ 119,904,645**	**$ 116,990,019**	**$ 83,959,934**	71.8%
Other Costs Associated Directly with the Project (Page 8)	$ 570,000	$ 2,957,405	$ 2,957,405	$ 2,833,047	95.8%
Grand Total of Costs Related to Project	**$ 98,580,000**	**$ 122,862,050**	**$ 119,947,424**	**$ 86,792,981**	72.4%
Debt Service and Related Debt Issuance Costs (Page 8)			$ 19,420,699	$ 19,420,409	100.0%
Total Other Costs Outside Underground Budget (Page 8)			$ 690,317	$ 1,683,839	243.9%
Grand Total of All Costs Related to the Project	**$ 98,580,000**	**$ 122,862,050**	**$ 120,637,741**	**$ 107,897,228**	89.4%

Total Project Budget - Opinion of cost for construction		**$ 122,862,050**
% Budgeted/Encumbered To Date Project Costs		**97.63%**
% Spent to Date - Project Costs		**70.64%**

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	$ 18,329,914	$ 18,329,914	0.0%
Assessment Revenue	$ 25,280,000	$ 28,500,223	112.7%
Commercial Paper	$ -	$ -	0.0%
Town Owned Property Prepaid Assessments	$ 2,797,291	$ 2,797,291	100.0%
Interest	$ 1,667,009	$ 5,282,678	316.9%
GO Bond Proceeds 2018	$ 60,500,000	$ 60,499,897	100.0%
GO Bond Proceeds 2021	$ 9,198,896	$ 9,198,896	100.0%
1 Cent Sales Tax (CIP Pay go)	$ 5,000,000	$ 3,500,000	70.0%
FPL	$ 450,246	$ 450,246	100.0%
FEMA Grant	$ 8,500,000	$ 3,919,184	46.1%
Other			
Kevin McGann - CO #9	$ -	$ 34,900	0.0%
Donations - Civic Association	$ 49,250	$ 49,250	100.0%
Transfer from (307) Fund CIP	$ 760,200	$ 1,385,200	182.2%
Transfer from (401) Fund Marina	$ 5,200,000	$ 6,566,667	126.3%
Transfer from (001) General Fund - PM Salary	$ 942,116	$ 1,209,157	128.3%
Total Project Revenues	**$ 138,674,922**	**$ 141,723,503**	**102.2%**

Underground Utility Project Budget
Phase 1 Project Costs
January 31, 2024

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

Underground Utility Project Budget
Phase 2 Project Costs
January 31, 2024

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 2 Design					
Kimley Horn					
Task 1.1 Phase 2 North Design	335,000		**$ 281,304**	$ 281,304	100.0%
Task 1.2 Phase 2 South Design	400,000		**$ 335,353**	$ 335,353	100.0%
Task 1.3 Permitting Assistance North and South			**$ 12,674**	$ 12,674	100.0%
Task 1.4 Bid Phase Assistance North and South			**$ 40,565**	$ 40,565	100.0%
Task 1.6 Meetings North and South			**$ 136,617**	$ 131,510	96.3%
Total Phase 2 Design	**$ 735,000**	**$ 807,000**	**$ 806,513**	**$ 801,406**	**99.4%**
Construction Costs					
Phase 2 North Construction					
Preconstruction			**$ 35,000**	31,970	91.3%
Burkhardt Construction			**$ 3,932,792**	3,932,792	100.0%
Owner Purchased Supplies			**$ 253,631**	253,631	100.0%
FPL Design Cost			**$ 34,936**	34,936	100.0%
ATT Design Cost			**$ 10,000**	$ 10,000	100.0%
Comcast Design Cost			**$ 5,000**	$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			**$ 496,307**	$ 423,898	85.4%
FPL - Additional Vista Switches			**$ 55,000**	$ 54,938	99.9%
Construction Engineering (KH)			**$ 248,121**	$ 246,227	99.2%
Total Phase 2 North Construction	**3,800,000**	**5,020,000**	**$ 5,070,787**	**$ 4,992,974**	**98.5%**
Phase 2 South Construction	-				
Preconstruction			**$ 35,000**	87,667	250.5%
Burkhardt Construction			**$ 6,419,862**	6,264,521	97.6%
Owner Supplied Materials			**$ 175,898**	175,898	100.0%
FPL Design Cost			**$ 34,936**	34,936	100.0%
ATT Design Cost			**$ 5,000**	$ 5,000	100.0%
Comcast Design Cost			**$ 5,000**	$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			**$ 601,448**	$ 601,448	100.0%
Reimburse John Moran				$ 39,240	
Construction Engineering (KH)	-		**$ 325,280**	$ 319,791	98.3%
Total Phase 2 South Construction	**4,435,000**	**7,424,000**	**$ 7,602,424**	**$ 7,533,082**	**99.1%**
Easement Acquisition/Abandonment	**200,000**	**219,000**			
Kimley Horn Easement Assistance					
Task 1.5 Easement Assistance North			**$ 64,936**	$ 64,935	100.0%
Task 1.5 Easement Assistance South			**$ 77,466**	$ 77,467	100.0%
Surveys					
Task 1.7 Legal Sketch North			**$ 14,020**	$ 14,020	100.0%
Task 1.7 Legal Sketch South			**$ 21,725**	$ 20,689	95.2%
Advertising			**$ 1,200**	$ 1,101	91.7%
Recording Costs			**$ 3,605**	$ 3,359	93.2%
Easement Abandonment			**$ 6,870**	$ 5,994	87.2%
Total Easement Acquisition Costs	**200,000**	**219,000**	**$ 189,822**	**$ 187,564**	**98.8%**
Total Phase 2 Costs	**$ 9,170,000**	**$ 13,470,000**	**$ 13,669,545**	**$ 13,515,025**	**98.9%**

Underground Utility Project Budget
Phase 3 Project Costs
January 31, 2024

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 3 Design					
Kimley Horn					
Task 1.1 Phase 3 North Design	$ 325,000		$ 280,189	$ 280,189	100.0%
Task 1.2 Phase 3 South Design	$ 535,000		$ 486,333	$ 486,323	100.0%
Task 1.3 Permitting Assistance			$ 13,739	$ 13,739	100.0%
Task 1.4 Bid Phase Assistance			$ 36,834	$ 36,834	100.0%
Task 1.5 Meetings			$ 77,411	$ 76,626	99.0%
Total Phase 3 Design	**$ 860,000**	**$ 895,000**	**$ 894,505**	**$ 893,710**	**99.9%**
Construction Costs					
Phase 3 North Construction	**$ 3,700,000**	**$ 5,300,000**			
Preconstruction			**$ 24,580**	$ 24,580	100.0%
Construction - Burkhardt			**$ 4,100,697**	$ 4,100,697	100.0%
Owner supplied materials			**$ 2,797**	$ 3,456	123.6%
FPL Design Cost			**$ 12,850**	$ 2,700	21.0%
ATT Design Cost			**$ 5,000**	$ 5,000	100.0%
Comcast Design Cost			**$ 3,128**	$ 3,128	100.0%
FPL Construction			**$ 87,101**	$ 87,101	100.0%
Street Light Conversion			**$ 4,249**	$ 7,012	165.0%
Utility Costs (Comcast & ATT)			**$ 409,387**	$ 428,207	104.6%
Construction Engineering (KH)			**$ 236,976**	$ 224,829	94.9%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			**$ 457,851**	$ 457,851	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			**$ 85,796**	$ 85,796	100.0%
Comcast Nightingale/LaPuerta - Townwide Portion			**$ 8,885**	$ 8,885	100.0%
AT&T Nightingale/LaPuerta Townwide Portion			**$ 30,555**	$ 30,555	100.0%
Billing for Arnold Fisher relocate transformer Deanna Davis and Cohlan			**$ (17,647)**	**(17,647)**	**100.0%**
Total Phase 3 North Construction	**$ 3,700,000**	**$ 5,300,000**	**$ 5,452,205**	**$ 5,452,150**	**100.0%**
Phase 3 South Construction	**$ 6,090,000**	**$ 8,875,000**			
Preconstruction			**$ 33,400**	33,400	100.0%
Construction		$ 8,029,385	**$ 9,937,101**	6,264,916	63.0%
Owner supplied Pipe			**$ 153,809**	138,366	90.0%
FPL Construction			**$ 562,000**	562,905	100.2%
FPL Design Cost			**$ 11,359**	17,159	151.1%
FPL - 101 El Brillo			**$ 10,875**	10,875	100.0%
ATT Design and Construction Cost			**$ 537,254**	579,401	107.8%
Comcast Design and Construction Cost			**$ 195,128**	335,723	172.1%
Construction Engineering (KH)			**$ 322,540**	292,802	90.8%
Total Phase 3 South Construction	**$ 6,090,000**	**$ 8,875,000**	**$ 11,763,466**	**$ 8,235,547**	**70.0%**
Easement Acquisition/Abandonment	**$ 260,000**	**$ 330,000**			
Kimley Horn Easement Assistance					
Task 1 Easement Assistance North and South			**$ 273,390**	$ 271,913	99.5%
Easement Amendment			**$ 49,285**	$ 49,198	99.8%
Surveys					
Recording Costs			**$ 6,000**	$ 5,137	85.6%
Easement Abandonment			**$ 8,150**	$ 6,542	80.3%
Total Easement Acquisition Costs	**$ 260,000**	**$ 330,000**	**$ 336,825**	**$ 332,791**	**98.8%**
Total Phase 3 Costs	**$ 10,910,000**	**$ 15,400,000**	**$ 18,447,002**	**$ 14,914,197**	**80.8%**

Underground Utility Project Budget
Phase 4 Project Costs
January 31, 2024

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	$ 402,000		$ 312,317	312,317	100.0%
Task 1.2 Phase 4 South Design	$ 413,000		$ 451,284	451,284	100.0%
Task 1.3 Permitting Assistance			$ 14,468	14,468	100.0%
Task 1.4 Bid Phase Assistance			$ 37,899	37,899	100.0%
Task 1.6 Meetings			$ 77,911	77,383	99.3%
Total Phase 4 Design	**$ 815,000**	**$ 894,000**	**$ 893,879**	**893,351**	**99.9%**
Construction Costs					
Phase 4 North Construction	**4,605,000**	**6,275,000**			
Preconstruction			**$ 22,270**	22,270	100.0%
Construction Costs			**$ 5,016,315**	4,923,217	98.1%
Owner Supplied Pipe and Vaults			**$ 156,238**	156,238	100.0%
FPL BCE			**$ 91,543**	91,543	100.0%
FPL Design Cost			**$ 12,757**	12,850	100.7%
ATT Design Cost			**$ 5,000**	5,000	100.0%
Comcast Design and Construction Cost			**$ 173,151**	3,128	1.8%
Utility Costs (FPL, Comcast, AT&T)			**$ 353,715**	353,715	100.0%
Street Light Conversion FPL			**$ 4,222**	4,222	100.0%
Construction Engineering (KH)			**$ 324,309**	311,707	96.1%
Total Phase 4 North Construction	**$ 4,605,000**	**$ 6,275,000**	**$ 6,159,520**	**5,883,889**	**95.5%**
Phase 4 South Construction	**4,710,000**	**7,640,000**			
Preconstruction			**$ 34,800**	34,800	100.0%
Construction			**$ 8,909,957**	6,199,301	69.6%
Construction with Lake Drive Park			**$ 320,311**	363,499	113.5%
Owner Supplied Pipes			**$ 2,170**	2,170	100.0%
Reimbursement from Preservation Foundation			**$ (102,500)**	(102,500)	100.0%
Street Light Conversion (FPL)			**$ 7,098**	7,098	100.0%
FPL Design Cost			**$ 13,160**	1,350	10.3%
ATT Design Cost			**$ 5,000**	5,000	100.0%
Comcast Design Cost			**$ 3,128**	3,128	100.0%
Kimley Horn - Design services Hibiscus Ave			**$ 12,047**	11,940	99.1%
Utility Costs (FPL, Comcast, AT&T)			**$ 2,013,298**	2,013,298	100.0%
Construction Engineering (KH)			**$ 333,659**	212,873	63.8%
Total Phase 4 South Construction	**$ 4,710,000**	**$ 7,640,000**	**$ 11,552,128**	**8,751,956**	**75.8%**
Easement Acquisition/Abandonment	**$ 240,000**	**$ 411,000**			
Kimley Horn Easement Assistance					
Easement Assistance (KH)			**$ 280,270**	280,254	100.0%
Easement Assistance (KH) -- Switches			**$ 67,747**	67,481	99.6%
Easement Assistance (KH)			**$ 59,369**	60,956	102.7%
Surveys					
Legal Sketch			**$ 38,230**	38,092	99.6%
Legal Sketch - Switches			**$ 4,967**		
Jones Foster - Legal					
Recording Costs			**$ 7,000**	6,371	91.0%
Easement Abandonment			**$ 18,735**	**18,735**	100.0%
Total Easement Acquisition Costs	**$ 240,000**	**$ 411,000**	**$ 476,318**	**471,889**	**99.1%**
Total Phase 4 Costs	**$ 10,370,000**	**$ 15,220,000**	**$ 19,081,845**	**16,001,085**	**83.9%**

Underground Utility Project Budget
Phase 5 Project Costs
January 31, 2024

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	$ 520,000		$ 454,210	$ 454,210	100.0%
Task 1.2 Phase 5 South Design	$ 600,000		$ 606,951	$ 606,951	100.0%
Task 1.3 Permitting Assistance North/South			$ 17,100	$ 17,100	100.0%
Task 1.4 Bid Phase Assistance North/South			$ 37,899	$ 37,899	100.0%
Task 1.6 Meetings North/South			$ 77,911	$ 77,905	100.0%
Total Phase 5 Design	**$ 1,120,000**	**$ 1,195,000**	**$ 1,194,071**	**$ 1,194,065**	**100.0%**
Construction Costs					
Phase 5 North Construction	**$ 5,890,000**	**$ 8,055,000**			
Preconstruction			**$ 59,100**	59,100	100.0%
Construction			**$ 6,456,367**	5,651,036	87.5%
Construction Manager - Burkhardt			**$ 940,702**	903,074	96.0%
Utility Costs (FPL, Comcast, AT&T)			**$ 333,639**	333,639	100.0%
AT&T Design			**$ 5,000**	5,000	100.0%
FPL Design Costs			**$ 16,223**	30,330	187.0%
Reimburse Caren and Gary Marder work performed			**$ 6,100**	6,100	100.0%
Construction Engineering (KH)			**$ 334,147**	289,474	86.6%
Total Phase 5 North Construction	**$ 5,890,000**	**$ 8,055,000**	**$ 8,151,279**	**$ 7,277,754**	**89.3%**
Phase 5 South Construction	**$ 6,750,000**	**$ 10,545,000**			
Preconstruction			**$ 59,100**	59,100	100.0%
Construction			**$ 6,629,361**	4,156,205	62.7%
Infrastructure from Phase 4 south bid - Not part of Grant			**$ 163,350**	57,460	35.2%
Construction Manager - Burkhardt			**$ 979,098**	783,278	80.0%
Four Arts Reimbursement			**$ (8,493)**	(8,493)	
Utility Costs (FPL, Comcast, AT&T)			**$ 641,597**	644,800	100.5%
AT&T Design			**$ 5,000**	5,000	100.0%
FPL Design Costs			**$ 21,043**	21,043	100.0%
Construction Engineering (KH)			**$ 334,159**	251,679	75.3%
Total Phase 5 South Construction	**$ 6,750,000**	**$ 10,545,000**	**$ 8,824,214**	**$ 5,970,072**	**67.7%**
Easement Acquisition/Abandonment	**$ 330,000**	**$ 365,000**			
Kimley Horn Easement Assistance					
Easement Assistance			**$ 218,600**	$ 218,536	100.0%
Easement Assistance			**$ 81,086**	$ 78,699	97.1%
Surveys					
Legal Sketch			**$ 41,080**	$ 32,927	80.2%
Legal Ads			**$ 1,000**	$ 585	58.5%
Recording Costs			**$ 6,000**	$ 5,891	98.2%
Easement Abandonment				$ -	
Total Easement Acquisition Costs	**$ 330,000**	**$ 365,000**	**$ 347,766**	**$ 336,638**	**96.8%**
FEMA Grant		**$ (8,465,355)**			
Total Phase 5 Costs	**$ 14,090,000**	**$ 11,694,645**	**$ 18,517,330**	**$ 14,778,529**	**79.8%**

Underground Utility Project Budget
Phase 6 Project Costs
January 31, 2024

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	**$ 420,000**		**$ 475,019**	$ 475,019	100.0%
Task 1.2 Phase 6 South Design	**$ 940,000**		**$ 826,551**	$ 826,551	100.0%
Task 1.3 Permitting Assistance North/South			**$ 17,694**	$ 17,694	100.0%
Task 1.4 Bid Phase Assistance North/South			**$ 35,938**	$ 35,938	100.0%
Task 1.6 Meetings North			**$ 84,791**	$ 84,765	100.0%
Total Phase 6 Design	**$ 1,360,000**	**$ 1,440,000**	**$ 1,439,993**	**$ 1,439,967**	**100.0%**
Utility and Construction Costs					
Phase 6 North Construction	**$ 4,790,000**	**$ 6,615,000**			
Preconstruction			**$ 24,270**	24,270	100.0%
Construction			**$ 7,867,296**	3,823,985	48.6%
Approved Change Orders					
FPL Design Cost			**$ 15,868**	29,198	184.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)			**$ 295,632**	554,193	187.5%
Construction Engineering (KH)			**$ 344,177**	225,249	65.4%
Total Phase 6 North Construction	**$ 4,790,000**	**$ 6,615,000**	**$ 8,547,243**	**$ 4,656,895**	**54.5%**
Phase 6 South Construction	**$ 10,270,000**	**$ 12,298,000**			
Preconstruction			**$ 24,270**	24,270	100.0%
Construction			**$ 8,400,000**	**1,085,471**	12.9%
Approved Change Orders					
FPL Design Cost			**$ 29,924**	29,924	100.0%
ATT Design Cost			**$ 10,000**	10,000	100.0%
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)			**$ 754,815**	754,815	100.0%
Construction Engineering (KH)			**$ 344,007**	100,310	29.2%
Total Phase 6 South Construction	**$ 10,270,000**	**$ 12,298,000**	**$ 9,563,016**	**$ 2,004,790**	**21.0%**
Easement Acquisition/Abandonment	**$ 400,000**	**$ 447,000**			
Kimley Horn Easement Assistance					
Easement Assistance			**$ 351,594**	$ 371,979	105.8%
Surveys					
Legal Sketch			**$ 58,415**	$ 38,011	65.1%
Legal Ads			**$ 1,000**	$ 113	11.3%
Recording Costs			**$ 5,000**	$ 3,817	76.3%
Easement Abandonment				$ -	
Total Easement Acquisition Costs	**$ 400,000**	**$ 447,000**	**$ 416,009**	**$ 413,920**	**99.5%**
Total Phase 6 Costs	**$ 16,820,000**	**$ 20,800,000**	**$ 19,966,261**	**$ 8,515,572**	**42.6%**

Underground Utility Project Budget
Phase 7 Project Costs
January 31, 2024

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 7 Design					
Kimley Horn					
Task 1.1 Phase 7 North Design	$ 450,000		$ 492,488	$ 492,488	100.0%
Task 1.2 Phase 7 South Design	$ 480,000		$ 630,830	$ 624,522	99.0%
Task 1.3 Bid Phase Assistance North and South			$ 35,938	$ 24,797	69.0%
Task 1.4 Meetings North and South			$ 77,616	$ 77,535	99.9%
Total Phase 7 Design	**$ 930,000**	**$ 1,237,000**	**$ 1,236,872**	**$ 1,219,342**	**98.6%**
Utility and Construction Costs					
Phase 7 North Construction	**$ 5,140,000**	**$ 7,005,000**			
Preconstruction			**$ 47,500**	11,515	**24.2%**
Construction			**$ 10,472,977**	186,703	**1.8%**
Chicane Demonstrations			**$ 47,500**	19,558	**41.2%**
FPL Design Cost			**$ 15,806**	27,165	**171.9%**
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)			**$ 245,460**	**245,460**	**100.0%**
Construction Engineering (KH)			**$ 354,458**	**30,714**	**8.7%**
Total Phase 7 North Construction	**$ 5,140,000**	**$ 7,005,000**	**$ 11,183,701**	**$ 521,115**	**4.7%**
Phase 7 South Construction	**$ 5,380,000**	**$ 7,320,000**			
Preconstruction			**$ 47,500**	11,515	**24.2%**
Construction					
Chicane Demonstrations			**$ 47,500**	19,558	**41.2%**
FPL Design Cost			**$ 19,953**	19,953	**100.0%**
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 7 South Construction	**$ 5,380,000**	**$ 7,320,000**	**$ 114,953**	**$ 51,026**	**44.4%**
Easement Acquisition/Abandonment	**$ 280,000**	**$ 348,000**			
Kimley Horn Easement Assistance					
Easement Assistance			**$ 346,459**	$ 346,356	100.0%
Easement Assistance			**$ 69,964**	$ 69,919	99.9%
Surveys					
Legal Sketch					
Legal Ads			**$ 1,000**	$ 113	11.3%
American Acquisition Group					
Temp Services					
Legal Advertising					
Recording Costs			**$ 5,000**	$ 4,448	89.0%
Total Easement Acquisition Costs	**$ 280,000**	**$ 348,000**	**$ 422,423**	**$ 420,836**	**99.6%**
Total Phase 7 Costs	**$ 11,730,000**	**$ 15,910,000**	**$ 12,957,949**	**$ 2,212,318**	**17.1%**

Underground Utility Project Budget
Phase 8 Project Costs
January 31, 2024

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 8 Design					
Kimley Horn					
Task 1.1 Phase 8 Design	$ 1,010,000	$ 1,151,000	$ 1,029,017	$ 864,374	84.0%
Task 1.2 Permitting Assistance			$ 17,694		0.0%
Task 1.3 Bid Phase Assistance			$ 14,430		0.0%
Task 1.4 Meetings			$ 89,778	$ 55,098	61.4%
Task 1.5 Easement Assistance			$ 129,997	$ 103,439	79.6%
Total Phase 8 Design	**$ 1,010,000**	**$ 1,151,000**	**$ 1,280,916**	**$ 1,022,911**	**79.9%**
Utility and Construction Costs					
Phase 8 Construction	**$ 10,990,000**	**$ 13,107,000**			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			**$ 13,160**	13,160	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 8 North Construction	**$ 10,990,000**	**$ 13,107,000**	**$ 13,160**	**$ 13,160**	**100.0%**
Easement Acquisition/Abandonment	**$ 300,000**	**$ 242,000**			
Kimley Horn Easement Assistance					
Easement Assistance			**$ 227,724**	$ 226,073	99.3%
Surveys					
Legal Sketch					
Legal Ads				$ 56	
American Acquisition Group					
Kimley Horn Grant Assistance BRIC Grant			**$ 49,774**	$ 41,587	83.6%
Temp Services					
Recording Costs			**$ 5,000**	$ 690	13.8%
Total Easement Acquisition Costs	**$ 300,000**	**$ 242,000**	**$ 282,498**	**$ 268,406**	**95.0%**
Total Phase 8 Costs	**$ 12,300,000**	**$ 14,500,000**	**$ 1,576,574**	**$ 1,304,477**	**82.7%**

Underground Utility Project Budget
Other Project Costs
January 31, 2024

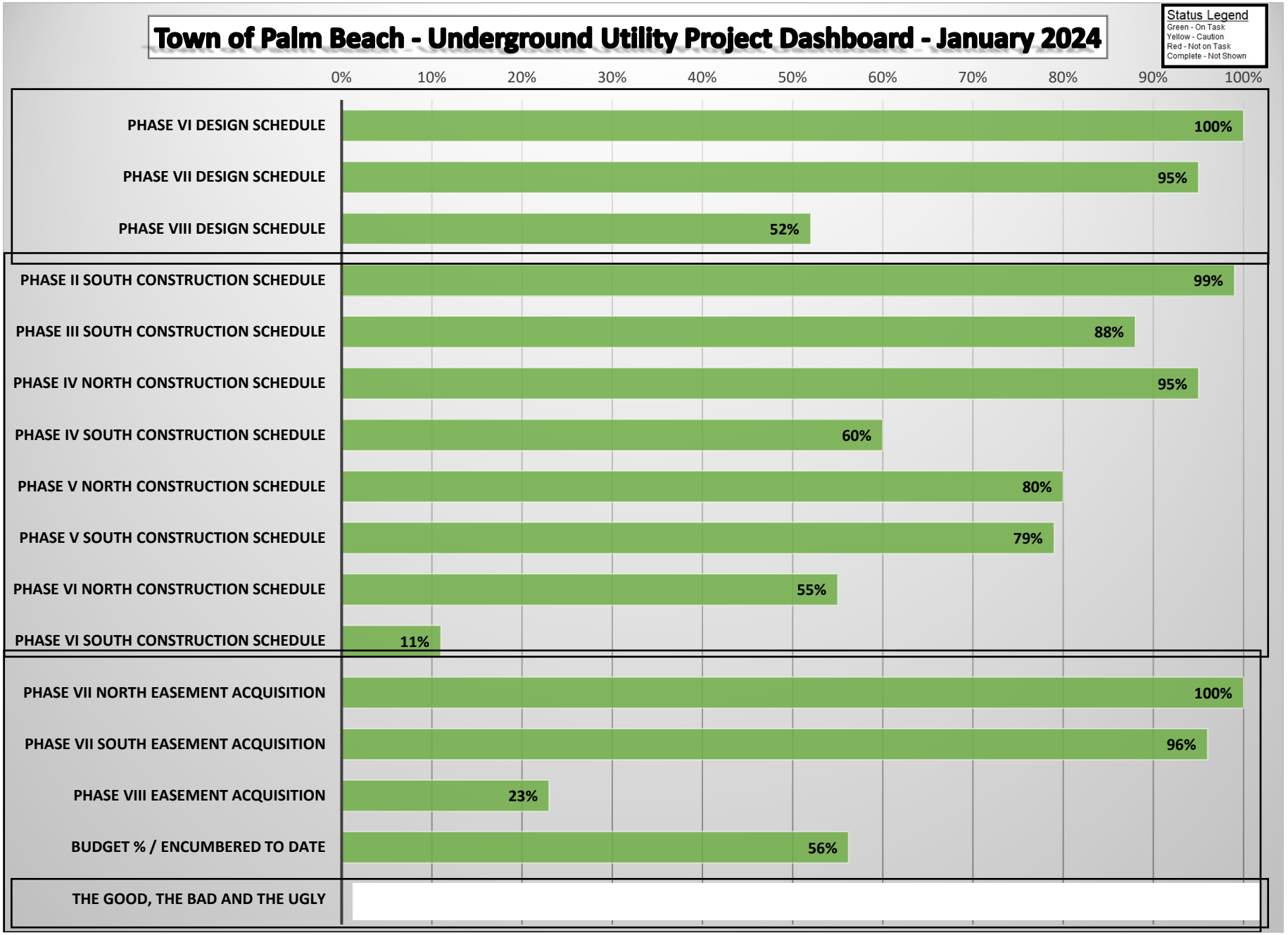
Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	$ 88,021	$ 88,021	100.0%
Tash 1.1a Data Collection for Future Communications	$ 23,511	$ 23,511	100.0%
Task 1.2 - Conceptual Design and Master Plan	$ 161,756	$ 161,756	100.0%
Task 1.3 - Project Sequencing and Phasing	$ 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**	$ 12,015	100.0%
Assessment Costs, Legal, Fees and Discounts	**$ 950,000**	$ 948,097	99.8%
Project Manager -Pay and benefits	**$ 840,000**	$ 786,590	93.6%
Temp Services - Easement Acquisition	**$ 150,000**	$ 106,050	70.7%
Other Miscellaneous Expenses		$ 29,901	
General Easement Assistance	**$ 24,976**	$ 24,838	99.4%
Community Outreach	**$ 282,519**	$ 227,674	80.6%
Peer Review Study - Patterson & Dewar ($50,000 Offsetting Revenue)	**$ 100,000**	$ 100,000	100.0%
Total Other Project Costs	**$ 2,957,405**	**$ 2,833,047**	**95.8%**

Debt Service and Related Debt Issuance Costs

	Budget	Actual	% Expended
Commercial Paper Issuance Cost	**$ 260,116**	$ 260,116	100.0%
Commercial Paper Interest	**$ 243,096**	$ 243,096	100.0%
Arbitrage Rebate Calculation	**$ 2,500**	$ 4,300	172.0%
Debt Service Fees	**$ 2,000**	$ 500	25.0%
GO Bond Closing Costs 2018	**$ 488,271**	$ 487,471	99.8%
GO Bond Closing Costs 2021	**$ 202,169**	$ 202,380	100.1%
GO Bond Debt Service	**$ 18,222,547**	$ 18,222,547	100.0%
Total Debt Service and Related Debt Issuance Costs	**$ 19,420,699**	**$ 19,420,409**	**100.0%**

Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	**$ 25,231**	$ 24,430	96.8%
Project Construction	**$ 351,081**	$ 351,081	100.0%
Project Construction Engineering	**$ 11,607**	$ 12,849	110.7%
Utility Cost (FPL, Comcast, AT&T)	**$ 134,333**	$ 127,531	94.9%
Project Meeting Attendance	**$ 3,334**	$ 2,914	87.4%
Total Lake Worth Section	**$ 525,586**	$ 518,805	98.7%
Ibis Way PGD Improvements	**$ 14,583**	$ 14,583	100.0%
Crosswalk Spare Conduits	**$ 26,148**	$ 22,226	85.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		$ 183,701	
Kosberg v TPB Legal and Other Costs		$ 615,602	
PBT Real Estate v TPB		$ 197,178	
Gardner, Bist Bowden, Bush (Shef Wright)		$ 24,799	
Telecommunications Consultant	**$ 89,000**	$ 83,210	93.5%
Peter Brandt (Contract Negotiations)	**$ 35,000**	$ 23,735	67.8%
Total Related Costs Outside of the Budget	**$ 690,317**	**$ 1,683,839**	**243.9%**


Town of Palm Beach - Underground Utility Project Dashboard - January 2024
Status Legend
Green - On Task
Yellow - Caution
Red - Not on Task
Complete - Not Shown
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
PHASE VI DESIGN SCHEDULE
100%
PHASE VII DESIGN SCHEDULE
95%
PHASE VIII DESIGN SCHEDULE
52%
PHASE II SOUTH CONSTRUCTION SCHEDULE
99%
PHASE III SOUTH CONSTRUCTION SCHEDULE
88%
PHASE IV NORTH CONSTRUCTION SCHEDULE
95%
PHASE IV SOUTH CONSTRUCTION SCHEDULE
60%
PHASE V NORTH CONSTRUCTION SCHEDULE
80%
PHASE V SOUTH CONSTRUCTION SCHEDULE
79%
PHASE VI NORTH CONSTRUCTION SCHEDULE
55%
PHASE VI SOUTH CONSTRUCTION SCHEDULE
11%
PHASE VII NORTH EASEMENT ACQUISITION
100%
PHASE VII SOUTH EASEMENT ACQUISITION
96%
PHASE VIII EASEMENT ACQUISITION
23%
BUDGET % / ENCUMBERED TO DATE
56%
THE GOOD, THE BAD AND THE UGLY

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Regular Agenda - Old Business

Agenda Title
Phipps Ocean Park Project Update

RESOLUTION NO. 031-2024 A Resolution of the Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Guaranteed Maximum Price Construction Contract for the Phipps Ocean Park Improvements to Burkhardt Construction, Inc. In The Amount Of $30,018,930.15 And Establishing an Overall Construction Budget Of $33,027,930.15. Contingent On the Approval of The Phipps Ocean Park Capital Gifts and Operation Agreement.

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

ATTACHMENTS:

- **Memorandum Dated February 27, 2024, from H. Paul Brazil, P.E., Director of Public Works**
- **Resolution No. 031-2024**
- **Phipps Ocean Park Summary**

TOWN OF PALM BEACH
Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Resolution to Approve Award a Construction Management at Risk (CMAR) Contract GMP to Burkhardt Construction Inc. for the Phipps Ocean Park Improvements in the Amount of $30,018,930.15 and Establish a Project Budget of $33,027,930.15 Contingent on the Approval of the Phipps Ocean Park Capital Gifts and Operating Agreement.
Resolution No. 031-2024

DATE: February 27, 2024

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 031-2024 and award a Construction Manager at Risk (CMAR) contract to Burkhardt Construction, Inc. for the Phipps Ocean Park Improvements for a Guaranteed Maximum Price (GMP) amount not-to-exceed $30,018,930.15 and establishing a Construction Phase Budget of $33,027,930.15. This authorizes the Town Manager to execute a contract with Burkhardt Construction, Inc. contingent on the approval of the Phipps Ocean Park Capital Gifts and Operating Agreement.

GENERAL INFORMATION

This project was submitted to Landmarks Preservation Commission (LPC) for review at their meeting on November 16, 2022, and a Certificate of Appropriateness was issued at that time. The Town Council subsequently reviewed the project at its meeting on December 13, 2022 and approved the Special Exception with Site Plan Review. Phipps Ocean Park Site Plan was approved at the February 14, 2023, Town Council Meeting. A subsequent review for the approval of the pickleball courts and inclusion of the lifeguard building followed at the LPC meeting on March 23, 2023 and the Town Council meeting on April 3, 2023, to approve the resulting variances. At the January 9, 2024, Town Council meeting modifications to the approved 2023 February site plan due to value engineering were approved.

Project Design Status:

The design consultants for this project were hired by the Preservation Foundation of Palm Beach (PFPB), and include Raymond Jungles Inc. (landscape architect), Fairfax Sammons & Partners (architect), and Kimley-Horn & Associates (civil engineer). After the Town Council approval in December 2022, the project team began meeting on a regular (bi-weekly) basis. The project team includes representatives from the design consultants above, as well as Town staff and the selected Construction Manager at Risk (CMAR) for this project, which is Burkhardt Construction. The project progressed to the sixty percent (60%) design in March 2023, ninety percent (90%) design plans in September 2023, and a revised ninety percent (90%) plans in December 2023. The project team brainstormed various value-engineering items throughout the process with the participation of the PFPB to provide cost savings opportunities. A summary of cost savings and scope reduction items are attached.

Project Timeline and Construction Schedule:
Below are brief milestones achieved since the July 2023 Town Council meeting update and those milestones ahead pending Town Council's award of the GMP:

- Update/Presentation to Town Council - July 2023 and January 2024
- Ninety Percent (90%) Design Bid Plans - September 2023
- Permitting Complete - May 2024
- GMP Developed and Negotiated - October 2023 - February 2024
- Construction Contract Awarded - March 2024
- Construction Start - June 2024
- Construction Complete - August 2025

The coordination of the construction start date for this project with that of the upcoming Reach 7 Beach Renourishment work is noted and the two (2) projects will progress concurrently.

Project Budget & Town Participation in Project Funding:
Prior to the Phipps Ocean Park project, Town Staff had identified two (2) projects in this park; the resurfacing and fence replacement at Phipps Ocean Park tennis facility and the Town's lifeguard station at the top of the dune. Due to the highly corrosive environment, the tennis center and the lifeguard station are in serious need of improvements. The fencing and resurfacing for the tennis facility were last redone in 2016. The lifeguard station was constructed in 1992 and has not had any major improvement since that time other than minor repairs due to storm damage. Some of the improvements to the lifeguard station include installation of impact windows, security improvements, realigning of the stairs from the tower to the beach and reconfiguration of the building interior. These proposed changes help with the building functionality. A portion of lifeguard station improvements will be funded by PFPB and will be included in the GMP to accommodate the specific finishes and enhancements requested for continuity within the park. Below is a summary of the actual and anticipated cost for Total Park Improvements Budget:

Guaranteed Maximum Price	
Phipps Ocean Park Improvements	$ 29,082,314.28
Phipps Ocean Park Improvements Contingency 10%	$ 2,910,000.00
Estimated Project total to be funded by PFPB	**$31,992,314.28**
Tennis Facility resurfacing and fence replacement	$ 388,514.00
Tennis Contingency 10%	$ 39,000.00
Estimated Project Total to be funded by Recreation	**$ 427,514.00**
Phipps Lifeguard Improvements	$ 548,101.87
Phipps Lifeguard Contingency 10%	$ 60,000.00
Estimated Project Total to be funded by Capital	**$ 608,101.87**
Total Phipps Ocean Park Improvements Budget	**$33,027,930.15**

Total costs do not reflect the Construction Phase Engineering Services which are to be submitted next month.

Special Considerations
The contractor's intent is to maintain the work hours during the off-season, May through November 8:00am to 6:00pm Monday through Friday, and in season 9:00am to 5:00pm Monday through Friday between December through April. The contractor would like the flexibility to request extended work hours, night-time, and Saturday work to expedite the project should there be delays due to acts of God or unforeseen conflicts. There are also elements within the project that are date sensitive due to grant funding restrictions. The contractor and Public Works staff will communicate with adjacent properties prior to the requests to minimize any confusion or conflicts.

Staff recommends a waiver to Section 42-196 through Section 42-199 of the Town Code of Ordinances to allow for extended work hours Saturday, and night-time work hours as necessary, and approved by Public Works.

Staff also recommends a waiver to the Noise Ordinance for those same Saturday and night-time activities from Section 42-226 through Section 42-229 of the Town Code of Ordinances.

CMAR & Consultant Services:
CMAR (Burkhardt) – The Town Council approved the award of CMAR services for this project to Burkhardt Construction (Burkhardt) at its meeting on November 8, 2022. A task for preconstruction services was approved by the Town Council at the December 13, 2022 meeting, and a purchase order was issued in the amount of $106,760 on December 15, 2022. Since their award Burkhardt has met with the project team and PFPB via bi-weekly progress meetings thru July providing feedback on the drawings, market pricing, recommending alternatives, confirming scopes, and confirming drawings are meeting the intent of the project. Burkhardt provided Town staff the GMP and associated backup in early February 2024 for review.

Construction Phase Engineering Services (Kimley-Horn & Associates) – The Town Council approved the award of these services for this project to Kimley-Horn & Associates at its meeting on May 9, 2023. Since the extent of the services required will not be definite until the GMP is submitted, the construction phase contract requirements are not known. The GMP was just delivered in February 2024. A Construction Phase proposal has been sought from Kimley-Horn and staff intends to bring it to Town Council next month. The amount for the construction phase services will be added to the overall project budget since this task is to be funded by the PFPB donation.

FUNDING/FISCAL IMPACT
The park renovation is being funded through donations. Funding for the Phipps Park Tennis Facilities is being funded by Recreation and the Phipps Lifeguard Facility is being funded by Capital.

PURCHASING REVIEW
This item has been reviewed by the Purchasing Manager for concurrence.

Attachments

cc: Carolyn Stone, Deputy Town Manager
Jason Debrincat, P.E., Assistant Director Public Works
Patricia Strayer, P.E., Town Engineer
Michael Roach, P.E., Project Engineer
Paul Colby, Facilities Maintenance Division Manager
Amanda Skier, Executive Director – Preservation Foundation of Palm Beach

RESOLUTION NO. 031-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A GUARANTEED MAXIMUM PRICE CONSTRUCTION CONTRACT FOR THE PHIPPS OCEAN PARK IMPROVEMENTS TO BURKHARDT CONSTRUCTION, INC. IN THE AMOUNT OF $30,018,930.15 AND ESTABLISHING AN OVERALL CONSTRUCTION BUDGET OF $33,027,930.15. CONTINGENT ON THE APPROVAL OF THE PHIPPS OCEAN PARK CAPITAL GIFTS AND OPERATION AGREEMENT

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 031-2024, approving a Guaranteed Maximum Price Construction Contract for the Phipps Ocean Park Improvements to Burkhardt Construction, Inc. in the amount of $30,018,930.15 and establishing a construction budget of $33,027,930.15 contingent on the approval of the Phipps Ocean Park Capital Gifts and Operating Agreement.

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

PASSED AND ADOPTED in a regular, adjournment session of the Town Council of the Town of Palm Beach assembled this 12th day of March 2024.

_____
Danielle H. Moore, Mayor

_____
Margaret A. Zeidman, Town Council President

_____
Bobbie D. Lindsay, Town Council President Pro Tem

ATTEST:

_____
Julie Araskog, Town Council Member

_____
Edward A. Cooney, Town Council Member

_____
Kelly Churney, Acting Town Clerk

_____
Lewis S.W. Crampton, Town Council Member

Town of Palm Beach
Phipps Ocean Park Summary
Guaranteed Maximum Price

From:	**Burkhardt Construction, Inc.** Attn: Marc Kleisley, Vice President 1400 Alabama Ave. West Palm Beach, FL 33401 Ph: (561) 659-1400 Fax: (561) 659-1402
Owner:	**Town Of Palm Beach** Public Works & Engineering Dept 951 Old Okeechobee Road West Palm Beach, FL 33401 Tel: (561) 838-5440 Fax: (561) 835-4691
Engineer:	**Kimley-Horn & Associates, Inc.** Attn: Tricia Richter, PLA, ASLA 1920 Wekiva Way, Suite 200 West Palm Beach, FL. 33411 Ph: (561) 845-0665 Fax: (561) 863-8175
Project:	**Phipps Ocean Park**
Plans:	Kimley-Horn Phipps Ocean Park 90% Construction Documents, Dated BCI Rec'd 12/7/2023 Chen Moore and Associates Town of Palm Beach - Phipps Park Lifeguard Station Renovation Permit Plans, Dated BCI Rec'd 7/3/2023 Complete Plan Log attached
Location:	Phipps Ocean Park 2201 S. Ocean Boulevard Palm Beach, FL 33480
Proposal Date:	2/16/2024, Rev. 2/29/2024

Phipps Ocean Park	**$**	**29,082,314.28**
Tennis Court Renovations	**$**	**388,514.00**
Lifeguard Renovations - Town Responsibility	**$**	**430,146.87**
Electrical Panel Replacement Allowance	**$**	**117,955.00**
Total Guaranteed Maximum Price	**$**	**30,018,930.15**

Town of Palm Beach
Phipps Ocean Park
Guaranteed Maximum Price

From:	**Burkhardt Construction, Inc.** Attn: Marc Kleisley, Vice President 1400 Alabama Ave. West Palm Beach, FL 33401 Ph: (561) 659-1400 Fax: (561) 659-1402
Owner:	**Town Of Palm Beach** Public Works & Engineering Dept 951 Old Okeechobee Road West Palm Beach, FL 33401 Tel: (561) 838-5440 Fax: (561) 835-4691
Engineer:	**Kimley-Horn & Associates, Inc.** Attn: Tricia Richter, PLA, ASLA 1920 Wekiva Way, Suite 200 West Palm Beach, FL. 33411 Ph: (561) 845-0665 Fax: (561) 863-8175
Project:	**Phipps Ocean Park**
Plans:	Kimley-Horn Phipps Ocean Park 90% Construction Documents, Dated BCI Rec'd 12/7/2023 Chen Moore and Associates Town of Palm Beach - Phipps Park Lifeguard Station Renovation Permit Plans, Dated BCI Rec'd 7/3/2023 Complete Plan Log attached
Location:	Phipps Ocean Park 2201 S. Ocean Boulevard Palm Beach, FL 33480
Proposal Date:	2/16/2024, Rev. 2/29/2024

Phipps Ocean Park	**$**	**24,655,429.28**
General Conditions	**$**	**1,499,839.51**
Construction Phase Management Fee	**$**	**897,735.00**
Profit	**$**	**2,029,310.49**
Total Guaranteed Maximum Price	**$**	**29,082,314.28**

Town of Palm Beach
Phipps Ocean Park - Tennis Court Renovations
Guaranteed Maximum Price

From:	**Burkhardt Construction, Inc.** Attn: Marc Kleisley, Vice President 1400 Alabama Ave. West Palm Beach, FL 33401 Ph: (561) 659-1400 Fax: (561) 659-1402
Owner:	**Town Of Palm Beach** Public Works & Engineering Dept 951 Old Okeechobee Road West Palm Beach, FL 33401 Tel: (561) 838-5440 Fax: (561) 835-4691
Engineer:	**Kimley-Horn & Associates, Inc.** Attn: Tricia Richter, PLA, ASLA 1920 Wekiva Way, Suite 200 West Palm Beach, FL. 33411 Ph: (561) 845-0665 Fax: (561) 863-8175
Project:	**Phipps Ocean Park**
Plans:	Kimley-Horn Phipps Ocean Park 90% Construction Documents, Dated BCI Rec'd 12/7/2023 Chen Moore and Associates Town of Palm Beach - Phipps Park Lifeguard Station Renovation Permit Plans, Dated BCI Rec'd 7/3/2023 Complete Plan Log attached
Location:	Phipps Ocean Park 2201 S. Ocean Boulevard Palm Beach, FL 33480
Proposal Date:	2/16/2024, Rev. 2/29/2024

Tennis Court Renovations	**$**	**329,374.00**
General Conditions	**$**	**20,040.00**
Construction Phase Management Fee	**$**	**11,995.00**
Profit	**$**	**27,105.00**
Total Guaranteed Maximum Price	**$**	**388,514.00**

Town of Palm Beach
Phipps Ocean Park - Lifeguard Station Renovation
Guaranteed Maximum Price

From: **Burkhardt Construction, Inc.**
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
Public Works & Engineering Dept
951 Old Okeechobee Road
West Palm Beach, FL 33401
Tel: (561) 838-5440
Fax: (561) 835-4691

Engineer: **Kimley-Horn & Associates, Inc.**
Attn: Tricia Richter, PLA, ASLA
1920 Wekiva Way, Suite 200
West Palm Beach, FL. 33411
Ph: (561) 845-0665
Fax: (561) 863-8175

Project: **Phipps Ocean Park**

Plans: Kimley-Horn Phipps Ocean Park
90% Construction Documents, Dated BCI Rec'd 12/7/2023
Chen Moore and Associates Town of Palm Beach - Phipps Park Lifeguard Station Renovation
Permit Plans, Dated BCI Rec'd 7/3/2023

Complete Plan Log attached

Location: Phipps Ocean Park
2201 S. Ocean Boulevard
Palm Beach, FL 33480

Proposal Date: 2/16/2024, Rev. 2/29/2024

Lifeguard Station Renovation - Town of Palm Beach Responsibility	**$**	**364,671.87**
General Conditions	**$**	**22,185.00**
Construction Phase Management Fee	**$**	**13,280.00**
Profit	**$**	**30,010.00**
Total Guaranteed Maximum Price	**$**	**430,146.87**

Town of Palm Beach
Phipps Ocean Park - Electrical Panel Replacement Allowance
Guaranteed Maximum Price

From: **Burkhardt Construction, Inc.**
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
Public Works & Engineering Dept
951 Old Okeechobee Road
West Palm Beach, FL 33401
Tel: (561) 838-5440
Fax: (561) 835-4691

Engineer: **Kimley-Horn & Associates, Inc.**
Attn: Tricia Richter, PLA, ASLA
1920 Wekiva Way, Suite 200
West Palm Beach, FL. 33411
Ph: (561) 845-0665
Fax: (561) 863-8175

Project: **Phipps Ocean Park**

Plans: Kimley-Horn Phipps Ocean Park
90% Construction Documents, Dated BCI Rec'd 12/7/2023
Chen Moore and Associates Town of Palm Beach - Phipps Park Lifeguard Station Renovation
Permit Plans, Dated BCI Rec'd 7/3/2023

Complete Plan Log attached

Location: Phipps Ocean Park
2201 S. Ocean Boulevard
Palm Beach, FL 33480

Proposal Date: 2/16/2024, Rev. 2/29/2024

Electrical Panel Replacement Allowance	**$**	**100,000.00**
General Conditions	**$**	**6,085.00**
Construction Phase Management Fee	**$**	**3,640.00**
Profit	**$**	**8,230.00**
Total Guaranteed Maximum Price	**$**	**117,955.00**

Town of Palm Beach

Phipps Ocean Park

Direct Construction Costs

Prepared by Burkhardt Construction, Inc.

LEGEND FOR ABBREVIATIONS	
EA - Each	**SF** - Square Foot
E/D - Each Day	**SY** - Square Yard
DAY - Daily	**TCY** - Truck Cubic Yard
LS - Lump Sum	**ALL** - Allowance
ROL - Rolls	
LF - Lineal Foot	

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
MAINTENANCE OF TRAFFIC				$262,997.45						
MOT PLAN	5	EA	$107.00	$ 535.00				535	BOB'S BARRICADES	535
WORK ZONE SIGNS/NO TRESPASSING SIGNS	9000	E/D	$0.30	$ 2,700.00				2700	BOB'S BARRICADES	2700
CONES	11250	E/D	$0.24	$ 2,700.00				2700	BOB'S BARRICADES	2700
VARIABLE MESSAGE BOARD	60	E/D	$25.00	$ 1,500.00				1500	BOB'S BARRICADES	1500
WATER FILLED BARRIER WALL/TEMPORARY PEDESTRIAN BARRICADES WITH SCREEN	15300	E/D	$2.00	$ 30,600.00				30600	BOB'S BARRICADES	30600
SALES TAX FOR BARRICADES	1	LS	$2,662.45	$ 2,662.45				2662.45	BOB'S BARRICADES	2662.45
ORANGE SAFETY FENCE AND POSTS	1	LS	$11,000.00	$ 11,000.00	3500	2500	5000		BCI	11000
MOT / SAFETY DEVICE SET-UP & MAINTENANCE	1	LS	$35,625.00	$ 35,625.00	25000	10625			BCI	35625
CONTINUOUS SITE CLEANING / DEBRIS REMOVAL	1	LS	$42,300.00	$ 42,300.00	30000	12300			BCI	42300
DANGER RIBBON	25	ROLLS	$35.00	$ 875.00			875		BCI	875
FLAGMEN	1	LS	$7,500.00	$ 7,500.00	7500				BCI	7500
TEMPORARY FENCING/FENCE RELOCATION FOR PHASING	1	LS	$125,000.00	$ 125,000.00				125000	BCI	125000
TEMPORARY ASPHALT PATCHING	**NOT INCLUDED**									0
TEMPORARY ASPHALT MILLING/TEMP WALKWAYS	**NOT INCLUDED**									0
ROADWAY STEEL PLATES	**NOT INCLUDED**									0
TEMPORARY PEDESTRIAN BOARDWALKS	**NOT INCLUDED**									0
POST MOUNTING FOR ADVANCE WARNING SIGNS	**NOT INCLUDED**									0
STEADY BURN &/OR FLASHING LIGHTS	**NOT INCLUDED**									0
HI INTENSITY FLASHING LIGHT, TEMP. TYPE "B"	**NOT INCLUDED**									0
BARRICADE TEMP. TYPE I, II, VP & DRUM	**NOT INCLUDED**									0
BARRICADE TEMP. TYPE III, 6'	**NOT INCLUDED**									0
ADVANCE WARNING ARROW PANEL	**NOT INCLUDED**									0
TEMPORARY ROADWAY STRIPING (ALLOWANCE)	**NOT INCLUDED**									0
SPECIALTY SIGNAGE (ALLOWANCE)	**NOT INCLUDED**									0
SPECIALTY MERCHANT SIGNAGE (ALLOWANCE)	**NOT INCLUDED**									0
WINDOW CLEANING	**NOT INCLUDED**									0
TEMP. CHAIN LINK FENCING WITH WINDSCREEN	**NOT INCLUDED**									0
FLOWABLE FILL	**NOT INCLUDED**									0
OFF DUTY POLICE OFFICERS	**NOT INCLUDED**									0
LIGHT BANKS FOR NIGHT WORK	**NOT INCLUDED**									0
DEMOLITION/CLEARING & GRUBBING				$1,048,207.50						
NPDES MONTHLY REPORTING	1	LS	$12,500.00	$ 12,500.00				12500	BCI	12500
SILT FENCE	6,370	LF	$2.50	$ 15,925.00				15925	BCI	15925
GRAVEL DRIVE AT CONSTRUCTION YARD ENTRANCE	1	LS	$15,000.00	$ 15,000.00				15000	BCI	15000
TREE PROTECTION	385	EA	$519.48	$ 200,000.00				200000	TCI/ROOD	200000
REMOVE AND DISPOSE OF EXISTING TREES AND PALMS (VARYING HEIGHTS, SIZES, AND TYPES) - SEE TREE DISPOSITION PLANS FOR DETAILS	218	EA	$366.97	$ 80,000.00				80000	TREE CYCLE	80000
REMOVE AND DISPOSE OF EXISTING WOOD RAMP/WALKWAYS	2,045	SF	$2.00	$ 4,090.00				4090	BIG D PAVING	4090
REMOVE AND DISPOSE OF EXISTING SHELL ROCK PATH	11,005	SF	$1.00	$ 11,005.00				11005	BIG D PAVING	11005
REMOVE/DISPOSE EXISTING RESTROOM BUILDINGS (CUT AND CAP EXIST. UTILITIES) - APPROX. 150 SF EACH	3	EA	$10,000.00	$ 30,000.00				30000	RAPID REMOVAL	30000
REMOVE AND DISPOSE EXISTING CONCRETE STEPS AND HANDRAIL	240	SF	$3.00	$ 720.00				720	BIG D PAVING	720
REMOVE AND DISPOSE OF EXISTING METAL MONUMENT ON NORTH SIDE OF SOUTH PARKING LOT NORTH ENTRANCE	1	EA	$1,200.00	$ 1,200.00				1200	BIG D PAVING	1200
REMOVE AND DISPOSE OF EXISTING CONCRETE	3,835	SF	$3.00	$ 11,505.00				11505	BIG D PAVING	11505
REMOVE AND DISPOSE OF EXISTING CHICKEE HUTS (INCL. CONCRETE PADS AND WOODEN RAILING)	1,930	SF	$5.00	$ 9,650.00				9650	BIG D PAVING	9650
REMOVE AND DISPOSE OF EXISTING SWING SET FRAME	1	EA	$1,200.00	$ 1,200.00				1200	BIG D PAVING	1200
REMOVE AND DISPOSE OF EXISTING ASPHALT PARKING LOT, ASPHALT PATHWAYS, AND BASE	137,875	SF	$1.50	$ 206,812.50				206812.5	BIG D PAVING	206812.5
REMOVE AND DISPOSE OF EXISTING WATER SPIGOT (CAP LINE)	1	EA	$500.00	$ 500.00				500	BCI	500
REMOVE AND DISPOSE OF EXISTING TRASH CANS	7	EA	$250.00	$ 1,750.00				1750	BIG D PAVING	1750
REMOVE EXISTING SIGNAGE AND SIGN POSTS	107	EA	$250.00	$ 26,750.00				26750	BIG D PAVING	26750
REMOVE AND DISPOSE OF EXISTING SHOWERS AND PADS	5	EA	$375.00	$ 1,875.00				1875	BCI	1875
REMOVE AND DISPOSE OF EXISTING SANITARY SEWER LATERAL	150	LF	$14.50	$ 2,175.00				2175	BCI	2175
REMOVE AND DISPOSE OF EXISTING PARKING METERS	3	EA	$250.00	$ 750.00				750	BIG D PAVING	750
REMOVE AND DISPOSE OF EXISTING METAL POLES	110	EA	$250.00	$ 27,500.00				27500	BIG D PAVING	27500
REMOVE AND DISPOSE OF EXISTING WATER SERVICE PIPING	80	LF	$10.00	$ 800.00				800	BCI	800
REMOVE AND DISPOSE OF EXISTING IRRIGATION CONTROL VALVES	3	EA	$500.00	$ 1,500.00				1500	BCI	1500
REMOVE AND DISPOSE OF EXISTING D CURB	130	LF	$10.00	$ 1,300.00				1300	BIG D PAVING	1300
REMOVE AND DISPOSE OF EXISTING CONCRETE PARK SIGN	2	EA	$2,500.00	$ 5,000.00				5000	BIG D PAVING	5000
REMOVE AND DISPOSE OF EXISTING CAMERA POLES	1	EA	$1,200.00	$ 1,200.00				1200	BIG D PAVING	1200
REMOVE AND DISPOSE OF EXISTING BOLLARDS	4	EA	$250.00	$ 1,000.00				1000	BIG D PAVING	1000
REMOVE AND DISPOSE OF EXISTING BIKE RACKS	1	EA	$250.00	$ 250.00				250	BIG D PAVING	250
REMOVE AND DISPOSE OF EXISTING BBQ GRILLS	4	EA	$250.00	$ 1,000.00				1000	BIG D PAVING	1000
REMOVE AND DISPOSE OF EXISTING BACK FLOW PREVENTERS (CUT AND CAP WATER LINES)	3	EA	$500.00	$ 1,500.00				1500	BCI	1500
REMOVE AND DISPOSE OF EXISTING AC PAD	1	EA	$250.00	$ 250.00				250	BIG D PAVING	250
REMOVE AND DISPOSE OF EXISTING FENCING	230	LF	$5.00	$ 1,150.00				1150	BIG D PAVING	1150
REMOVE AND DISPOSE OF EXISTING ELECTRICAL LOCK BOX	1	EA	$500.00	$ 500.00				500	BCI	500
CLEAR, GRUB, AND FILL EXISTING SWALE AREA	18,690	SF	$0.50	$ 9,345.00				9345	BIG D PAVING	9345
REMOVE AND DISPOSE OF EXISTING SMALL VEGETATION	5,450	SF	$1.00	$ 5,450.00				5450	BIG D PAVING	5450
REMOVE AND DISPOSE OF EXISTING LARGE VEGETATION	6,650	SF	$1.50	$ 9,975.00				9975	BIG D PAVING	9975

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
CLEAR AND GRUB SITE	446,160	SF	$0.50	$ 223,080.00				223080	BIG D PAVING	223080
SAWCUT EXISTING CONCRETE/ASPHALT	4,500	LF	$7.00	$ 31,500.00				31500	BIG D PAVING	31500
REMOVE AND DISPOSE OF EXISTING IRRIGATION PIPING	1	LS	$15,000.00	$ 15,000.00				15000	BIG D PAVING	15000
REMOVE AND DISPOSE OF EXISTING VERTICAL CMP (INCL. SLOTTED LID)	1	EA	$2,500.00	$ 2,500.00				2500	BCI	2500
ROLL-OFF DUMPSTER	40	PUL	$1,250.00	$ 50,000.00				50000	BCI	50000
FINAL CONSTRUCTION CLEAN	1	LS	$25,000.00	$ 25,000.00				25000	BCI	25000
SELECTIVE CLEARING, GRUBBING, AND DISPOSAL OF DUNE VEGETATION	1	LS	BY OTHERS							0
SANITARY SEWER				$137,950.00						
PLUG EXISTING SANITARY SEWER LINE	2	EA	$1,500.00	$ 3,000.00				$3,000.00	JOHNSON-DAVIS	3000
CONNECT TO EXISTING SEWER WITH 6" WYE	1	EA	$3,400.00	$ 3,400.00				$3,400.00	JOHNSON-DAVIS	3400
CONNECT TO EXISTING SEWER LINE	2	EA	$1,500.00	$ 3,000.00				$3,000.00	JOHNSON-DAVIS	3000
CONNECT NEW BUILDINGS TO SANITARY SEWER LINES	4	EA	$2,000.00	$ 8,000.00				$8,000.00	JOHNSON-DAVIS	8000
6" WYE	7	EA	$300.00	$ 2,100.00				$2,100.00	JOHNSON-DAVIS	2100
6" PVC FOR SANITARY SEWER	1330	LF	$55.00	$ 73,150.00				$73,150.00	JOHNSON-DAVIS	73150
6" 90 DEG. BEND	1	EA	$275.00	$ 275.00				$275.00	JOHNSON-DAVIS	275
6" 45 DEG. BEND	11	EA	$275.00	$ 3,025.00				$3,025.00	JOHNSON-DAVIS	3025
2-WAY CLEANOUT	18	EA	$1,500.00	$ 27,000.00				$27,000.00	JOHNSON-DAVIS	27000
DRY WELLS FOR WATER FOUNTAINS	4	EA	$3,750.00	$ 15,000.00				$15,000.00	BCI	15000
WATER				$131,390.00						
SAMPLE POINTS	3	EA	$1,500.00	$ 4,500.00				$4,500.00	JOHNSON-DAVIS	4500
CONNECT WATERLINE TO NEW DRINKING FOUNTAINS	6	EA	$1,300.00	$ 7,800.00				$7,800.00	JOHNSON-DAVIS	7800
CONNECT TO EXISTING WATERMAINS FOR OUTDOOR SHOWERS AND BUILDINGS	7	EA	$2,200.00	$ 15,400.00				$15,400.00	JOHNSON-DAVIS	15400
CONNECT NEW OUTDOOR SHOWERS TO WATER LINES	4	EA	$1,200.00	$ 4,800.00				$4,800.00	JOHNSON-DAVIS	4800
2" TEE	11	EA	$600.00	$ 6,600.00				$6,600.00	JOHNSON-DAVIS	6600
2" RPZ BACKFLOW PREVENTER (METER BY OTHERS)	3	EA	$4,000.00	$ 12,000.00				$12,000.00	JOHNSON-DAVIS	12000
2" PVC FOR WATER LINES	1570	LF	$22.00	$ 34,540.00				$34,540.00	JOHNSON-DAVIS	34540
2" GATE VALVE	13	EA	$2,250.00	$ 29,250.00				$29,250.00	JOHNSON-DAVIS	29250
2" 90 DEG. BEND	10	EA	$600.00	$ 6,000.00				$6,000.00	JOHNSON-DAVIS	6000
2" 45 DEG. BEND	21	EA	$500.00	$ 10,500.00				$10,500.00	JOHNSON-DAVIS	10500
ELECTRICAL AND STREET LIGHTING				$344,421.25						
F&I PEDOC POWER PEDESTALS	9	EA	$1,980.00	$ 17,820.00				17820	CURRENT CONNECTION	17820
F&I ELECTRICAL SERVICE POINT FOR EVENT POWER ONLY (316 STAINLESS STEEL) - ALUMINUM METER CAN	1	EA	$32,000.00	$ 32,000.00				32000	CURRENT CONNECTION	32000
F&I 2-2" SCHEDULE 80 CONDUITS FOR FUTURE USE	815	LF	$48.60	$ 39,609.00				39609	CURRENT CONNECTION	39609
F&I 2-2" SCHEDULE 40 CONDUITS FOR FUTURE USE	300	LF	$29.50	$ 8,850.00				8850	CURRENT CONNECTION	8850
F&I 2" SCHEDULE 80 CONDUIT W/ (2) #10 AWG + (1) AWG GROUND	1965	LF	$30.75	$ 60,423.75				60423.75	CURRENT CONNECTION	60423.75
F&I 2" SCHEDULE 40 CONDUIT W/ (8) #10 AWG + (1) #10 AWG GROUND	30	LF	$42.75	$ 1,282.50				1282.5	CURRENT CONNECTION	1282.5
F&I 2" SCHEDULE 40 CONDUIT W/ (6) #4 AWG + (1) #6 AWG GROUND	110	LF	$53.60	$ 5,896.00				5896	CURRENT CONNECTION	5896
F&I 2" SCHEDULE 40 CONDUIT W/ (6) #10 AWG + (1) #10 AWG GROUND	30	LF	$40.00	$ 1,200.00				1200	CURRENT CONNECTION	1200
F&I 2" SCHEDULE 40 CONDUIT W/ (4) #10 AWG + (1) #10 AWG GROUND	470	LF	$38.00	$ 17,860.00				17860	CURRENT CONNECTION	17860
F&I 2" SCHEDULE 40 CONDUIT W/ (3) #4 AWG + (1) #6 AWG GROUND	20	LF	$44.00	$ 880.00				880	CURRENT CONNECTION	880
F&I 2" SCHEDULE 40 CONDUIT W/ (2) #10 AWG + (1) #10 AWG GROUND	235	LF	$26.00	$ 6,110.00				6110	CURRENT CONNECTION	6110
F&I 2" SCHEDULE 40 CONDUIT FROM TRANSFORMER	1020	LF	$24.50	$ 24,990.00				24990	CURRENT CONNECTION	24990
F&I 12"X18" NON TRAFFIC RATED JUNCTION BOX LABELED "ELECTRIC"	25	EA	$1,100.00	$ 27,500.00				27500	CURRENT CONNECTION	27500
ALLOWANCE TO UPGRADE PANEL ONSITE AND RUN NEW ELECTRICAL TO LIFEGUARD STATION AND C.R.C. BUILDING	1	ALL.	$100,000.00	$ 100,000.00				100000	ALLOWANCE	100000
REMOVE AND DISPOSE OF EXISTING LIGHTS POLES INCLUDING HANDHOLES AND WIRING			BY FP&L						BY FP&L	
FP&L HOLOPHANE GRANVILLE 39W T3 LED POST TOP PEDESTRIAN FIXTURE AND 14.5 FT. POLE			BY FP&L						BY FP&L	
LOW VOLTAGE				$538,420.55						
F&I SITE JUNCTION BOX FOR SECURITY CAMERAS	40	EA	$1,050.00	$ 42,000.00				42000	CURRENT CONNECTION	42000
F&I BLDG. JUNCTION BOX FOR SECURITY CAMERAS	5	EA	$3,500.00	$ 17,500.00				17500	CURRENT CONNECTION	17500
F&I BLACK WASHINGTON CONCRETE TENON MOUNT POLE FOR SECURITY CAMERA	19	EA	$10,500.00	$ 199,500.00				199500	CURRENT CONNECTION	199500
F&I 2" SCHEDULE 40 PVC WITH 6 CAT6 CABLES	540	LF	$24.60	$ 13,284.00				13284	CURRENT CONNECTION	13284
F&I 2" SCHEDULE 40 PVC WITH 5 CAT6 CABLES	1,200	LF	$22.25	$ 26,700.00				26700	CURRENT CONNECTION	26700
F&I 2" SCHEDULE 40 PVC WITH 4 STRAND FIBER OPTIC CABLE	530	LF	$20.00	$ 10,600.00				10600	CURRENT CONNECTION	10600
F&I 2" SCHEDULE 40 PVC WITH 4 CAT6 CABLES	945	LF	$21.80	$ 20,601.00				20601	CURRENT CONNECTION	20601
F&I 2" SCHEDULE 40 PVC WITH 3 CAT6 CABLES	400	LF	$22.25	$ 8,900.00				8900	CURRENT CONNECTION	8900
F&I 2" SCHEDULE 40 PVC WITH 2 CAT6 CABLES	650	LF	$21.30	$ 13,845.00				13845	CURRENT CONNECTION	13845
F&I 2" SCHEDULE 40 PVC WITH 1 CAT6 CABLE	810	LF	$21.40	$ 17,334.00				17334	CURRENT CONNECTION	17334
F&I 1" EMT WITH 4 CAT6 CABLES - MOUNTED TO BUILDING	125	LF	$16.00	$ 2,000.00				2000	CURRENT CONNECTION	2000
F&I 1" EMT WITH 3 CAT6 CABLES - MOUNTED TO BUILDING	80	LF	$17.50	$ 1,400.00				1400	CURRENT CONNECTION	1400
F&I 1" EMT WITH 2 CAT6 CABLES - MOUNTED TO BUILDING	30	LF	$17.50	$ 525.00				525	CURRENT CONNECTION	525
F&I 1" EMT WITH 1 CAT6 CABLES - MOUNTED TO BUILDING	155	LF	$14.00	$ 2,170.00				2170	CURRENT CONNECTION	2170
F&I, F&I AXIS P1468-LE WITH POE EXTENDER IF REQUIRED, (360B) F&I AXIS Q6135-LE WITH POE EXTENDER IF REQUIRED, (360A) F&I AXIS P3719-PLE WITH POE EXTENDER IF REQUIRED, AND (180) F&I AXIS P3807-PVE WITH POE EXTENDER IF REQUIRED	1	LS	$147,061.55	$ 147,061.55				147061.55	BROADCAST SYSTEMS	147061.55
ALLOWANCE TO F&I CONDUITS FOR COMCAST/AT&T TO C.R.C. BUILDING	1	ALL.	$15,000.00	$ 15,000.00				15000	ALLOWANCE	15000
EARTHWORK AND GRADING				$2,021,070.00						
ROUGH GRADE SITE	15	AC	$15,000.00	$ 225,000.00				225000	BIG D PAVING	225000
PROOF ROLL SITE	653400	SF	$0.10	$ 65,340.00				65340	BIG D PAVING	65340
GRADE/COMPACT FOR PLAYGROUND AREA	910	SY	$3.00	$ 2,730.00				2730	BIG D PAVING	2730
GRADE/COMPACT FOR PICKLEBALL AREA	440	SY	$3.00	$ 1,320.00				1320	BIG D PAVING	1320
GRADE/COMPACT FOR CORAL STONE PAVING AREAS	310	SY	$3.00	$ 930.00				930	BIG D PAVING	930
GRADE/COMPACT FOR STABILIZED CRUSHED STONE PAVING AREAS	3640	SY	$3.00	$ 10,920.00				10920	BIG D PAVING	10920
GRADE/COMPACT FOR CONCRETE AREAS - PEDESTRIAN AND VEHICULAR	11,920	SY	$3.00	$ 35,760.00				35760	BIG D PAVING	35760
GRADE/COMPACT FOR GRAVEL PAVE AREAS	3,825	SY	$3.00	$ 11,475.00				11475	BIG D PAVING	11475
GRADE/COMPACT FOR REINFORCED TURF AREAS	9,480	SY	$3.00	$ 28,440.00				28440	BIG D PAVING	28440

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
GRADE/COMPACT FOR STEPS	135	SY	$3.00	$ 405.00				405	BIG D PAVING	405
LANDSCAPE PLANTER AREA EXCAVATION	13,460	CY	$30.00	$ 403,800.00				403800	BIG D PAVING	403800
IMPORT FILL FOR BUILDING PADS PREP/GRADE, AND COMPACT	980	CY	$30.00	$ 29,400.00				29400	BIG D PAVING	29400
EXCAVATE/GRADE FOR DEPRESSION AREAS	725	CY	$30.00	$ 21,750.00				21750	BIG D PAVING	21750
EXCAVATE/GRADE FOR MONOLITHIC STEPS	600	CY	$30.00	$ 18,000.00				18000	BIG D PAVING	18000
EXCAVATE/GRADE FOR SOUTH PROPERTY LINE PRE-CAST WALL	20	CY	$30.00	$ 600.00				600	BIG D PAVING	600
IMPORT FILL FOR OUTDOOR CLASSROOM AREA PREP/GRADE, AND COMPACT	220	CY	$30.00	$ 6,600.00				6600	BIG D PAVING	6600
IMPORT FILL FOR HORIZON PLATEAU AREA PREP/GRADE, AND COMPACT	1,910	CY	$30.00	$ 57,300.00				57300	BIG D PAVING	57300
EXCAVATE/GRADE FOR DUMPSTER ENCLOSURE AREAS	35	CY	$30.00	$ 1,050.00				1050	BIG D PAVING	1050
EXCAVATE/GRADE FOR PLAYGROUND AREA	985	CY	$30.00	$ 29,550.00				29550	BIG D PAVING	29550
EXCAVATE/GRADE FOR BOULDER RETAINING WALLS	1,430	CY	$30.00	$ 42,900.00				42900	BIG D PAVING	42900
IMPORT CLEAN FILL MATERIAL (SHEET GI.020)	5,620	CY	$85.00	$ 477,700.00				477700	BIG D PAVING	477700
LOAD/HAUL SURPLUS FILL	25,205	CY	$20.00	$ 504,100.00				504100	BIG D PAVING	504100
ADJUST EXISTING SEWER MANHOLE TO GRADE	1	EA	$1,000.00	$ 1,000.00				1000	BCI	1000
ADJUST EXISTING MONITORING WELL RIM TO GRADE	3	EA	$833.33	$ 2,500.00				2500	BCI	2500
ADJUST EXISTING COMMUNICATIONS VAULT TO GRADE	1	EA	$2,500.00	$ 2,500.00				2500	BCI	2500
FINAL DRESSING AND FINISH GRADING	1	LS	$40,000.00	$ 40,000.00				40000	BCI	40000
SUBGRADE, BASE, AND HARDSCAPE ELEMENTS CONSTRUCTION				$3,055,530.34						
PLAYGROUND SURFACING										
12" STABILIZED SUBGRADE	910	SY	$22.00	$ 20,020.00				20020	BIG D PAVING	20020
4" COMPACTED STONE	910	SY	$18.00	$ 16,380.00				16380	BIG D PAVING	16380
NON-WOVEN GEOTEXTILE FABRIC	8,190	SF	$1.00	$ 8,190.00				8190	BIG D PAVING	8190
F&I ZEAGERS WOODCARPET PLAYGROUND SURFACING 12" ENGINEERED WOOD CHIPS (DETAIL M-13, SHEET LH.301)	8,190	SF	$5.35	$ 43,824.54				43824.54	ZEAGER'S/NPC	43824.54
PICKLEBALL COURT CONSTRUCTION (2 COURTS)										
12" STABILIZED SUBGRADE	440	SY	$22.00	$ 9,680.00				9680	BIG D PAVING	9680
6" LIMEROCK BASE	440	SY	$36.00	$ 15,840.00				15840	BIG D PAVING	15840
1.5" S-3 VIRGIN ASPHALT	440	SY	$35.00	$ 15,400.00				15400	BIG D PAVING	15400
PLEXIPAVE COURT COATING AND LINE PAINT (2 COAT SYSTEM)(INCLUDES NETS AND NET POSTS)	3,960	SF	$3.00	$ 11,880.00				11880	BIG D PAVING	11880
CORAL STONE PAVING										
12" STABILIZED SUBGRADE	310	SY	$25.00	$ 7,750.00				7750	BIG D PAVING	7750
6" SUBSLAB (COVERED IN CONCRETE BID FORM)	2,760	SF	BY OTHERS						BY OTHERS	
MORTAR SETTING BED	2,760	SF	$2.50	$ 6,900.00				6900	DAVID WAYNE HARD.	6900
1" DOMINICAN CORALINA STONE IN RANDOM ASHLAR PATTERN	2,760	SF	$27.30	$ 75,348.00				75348	DAVID WAYNE HARD.	75348
PRESSURE CLEAN AND SEAL CORAL STONE	2,760	SF	$1.88	$ 5,188.80				5188.8	DAVID WAYNE HARD.	5188.8
STABLIZED CRUSHED STONE PAVING (WALKING PATHS)										
12" STABILIZED SUBGRADE	3,640	SY	$22.00	$ 80,080.00				80080	BIG D PAVING	80080
NON-WOVEN GEOTEXTILE FABRIC	32,740	SF	$1.00	$ 32,740.00				32740	BIG D PAVING	32740
3/16"-3/8" HARD, SHARP, WASHED DECOMPOSED GRANITE STONE WITH PHP ORGANIC BINDER	3,640	SY	$226.00	$ 822,640.00				822640	BIG D PAVING	822640
GRAVELPAVE - REINFORCED GRAVEL FOR PARKING LOT AREAS										
12" COMPACTED SUBGRADE	3,825	SY	$1.00	$ 3,825.00				3825	BIG D PAVING	3825
6" LIMEROCK BASE	3,825	SY	$24.00	$ 91,800.00				91800	BIG D PAVING	91800
F&I GRAVELPAVE 2 W/ SNAP FIT FASTENERS	34,410	SF	$6.00	$ 206,460.00				206460	BIG D PAVING	206460
3/16" - 3/8" ANGULAR GRAVEL	3,825	SY	$38.00	$ 145,350.00				145350	BIG D PAVING	145350
GRASSPAVE - REINFORCED TURF										
12" COMPACTED SUBGRADE			ELIMINATED FROM SCOPE							0
MONOLITHIC STONE RETAINING SEATWALL BEHIND LITTLE RED SCHOOL HOUSE										
12" STABILIZED SUBGRADE	35	SY	$75.00	$ 2,625.00				2625	BIG D PAVING	2625
F&I OF MONOLITHIC KEY STONE STEPS ON WEST SIDE OF LITTLE RED SCHOOLHOUSE (8" HIGH X 8" WIDE X 36" LENGTH) - DETAIL 9 ON SHEET L	140	LF	$244.00	$ 34,160.00				34160	DAVID WAYNE HARD.	34160
STONE STEPS AT TURF AND AT STONE PAVING										
12" STABILIZED SUBGRADE	240	SY	$20.00	$ 4,800.00				4800	BIG D PAVING	4800
F&I OF MONOLITHIC STONE STEPS - 14" WIDTH X 36" LENGTH X 8" HEIGHT PER DETAILS 6 AND 7 ON SHEET LH.503	620	LF	$437.00	$ 270,940.00				270940	DAVID WAYNE HARD.	270940
OUTDOOR CLASSROOM NATURAL SEATING BOULDERS										
12" STABILIZED SUBGRADE	30	SY	$100.00	$ 3,000.00				3000	BIG D PAVING	3000
F&I STONE RETAINING SEAT WALL - MONOLITHIC SAW-CUT STONE STEPS - 14" WIDTH X 25" HEIGHT X 36" LENGTH	80	LF	$435.00	$ 34,800.00				34800	DAVID WAYNE HARD.	34800
ADA RAMP AND STAIR CONSTRUCTION (ACCOYA WOOD DECKING PER DETAIL M-10, SHEET LH.300) - REUSE EXISTING FRAMING										
ADA RAMP RECONSTRUCTION	1	LS	$103,275.00	$ 103,275.00				103275	BUTLER CONSTRUCTIOI	103275
BOULDER RETAINING WALL CONSTRUCTION PER DETAIL 6, SHEET LH.501										
12" STABILIZED SUBGRADE	770	SY	$25.00	$ 19,250.00				19250	BIG D PAVING	19250
NON-WOVEN GEOTEXTILE FABRIC	6,900	SF	$1.00	$ 6,900.00				6900	BIG D PAVING	6900
F&I STONE BOULDERS (3'X3' - DETAIL M-5, SHEET LH.300)	1,380	LF	$90.00	$ 124,200.00				124200	DAVID WAYNE HARD.	124200
BOULDER RETAINING WALL CONSTRUCTION IN PLAYGROUND PER DETAIL 4, SHEET LH.505										
12" STABILIZED SUBGRADE	30	SY	$75.00	$ 2,250.00				2250	BIG D PAVING	2250
NON-WOVEN GEOTEXTILE FABRIC	250	SF	$5.00	$ 1,250.00				1250	BIG D PAVING	1250
F&I STONE BOULDERS (DETAIL M-18, SHEET LH.301)	50	LF	$260.00	$ 13,000.00				13000	DAVID WAYNE HARD.	13000
RENOVATION OF EXISTING TENNIS COURTS										
REMOVE EXISTING TENNIS COURT FENCING - LEAVE EXISTING FENCE SLEEVES FOR REUSE	1,900	LF	$30.00	$ 57,000.00				57000	BIG D PAVING	57000
REMOVE EXISTING PLAYING LINES AND NAILS FROM ALL COURTS	1	LS	$6,500.00	$ 6,500.00				6500	BIG D PAVING	6500
REMOVE/REINSTALL EXISTING TENNIS NETS	6	EA	$250.00	$ 1,500.00				1500	BIG D PAVING	1500
PREPARE COURTS FOR RESURFACING TO INCLUDE, BUT NOT LIMITED TO: SCRAPE COURTS, REMOVE ALL FOREIGN MATERIAL AND ALGAE, INCLUDING EXCESS HAR TRU HYDROBLEND MATERIAL. THE TOP 1/8" SHALL BE SCARIFIED, EXCESS MATERIAL ON LOW SIDE OF COURT SHALL BE REMOVED AS NEEDED	45,515	SF	$0.35	$ 15,930.25				15930.25	BIG D PAVING	15930.25
REGRADE EXISTING HAR-TRU HYDROBLEND TENNIS COURTS/ INFILL IN WHERE NECESSARY - APPROXIMATELY 70 TONS. INCLUDING LASER GRADING, AND COMPACTED. EXCESS MATERIAL GENERATED DURING REGRADING SHALL BE DISPOSED OF BY THE CONTRACTOR.	45,515	SF	$1.25	$ 56,893.75				56893.75	BIG D PAVING	56893.75
F&I NEW 10' CHAINLINK FENCE, COMMERCIAL BLACK VINYL COATED 1-3/4X8 GAUGE KK CLASS 2B CHAIN LINK FENCE, FIBERGLASS TENSION BARS, WITH TEO 4' WIDE SINGLE GATES AND ONE 10' WIDE DOUBLE GATE ON SCHEDULE 40 POSTS CONSISTING OF 1-5/8" TOP AND BOTTOM RAIL, AND 3" POSTS.	1,490	LF	$85.00	$ 126,650.00				126650	BIG D PAVING	126650
F&I NEW 4' CHAINLINK FENCE, COMMERCIAL BLACK VINYL COATED 1-3/4X8 GAUGE KK CLASS 2B CHAIN LINK FENCE, WITH ONE 4' WIDE SINGLE GATE ON SCHEDULE 40 POSTS CONSISTING OF A 1-5/8" TOP AND BOTTOM RAIL, 2 1/2" LINE POSTS AND 3" TERMINAL POSTS. ALL POSTS SET INSIDE EXISTING PVC SLEEVES.	225	LF	$66.00	$ 14,850.00				14850	BIG D PAVING	14850

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
F&I APPROXIMATELY 50 LF OF 7' HIGH COMMERCIAL BLACK VINYL COATED 2"X8 GAUGE KK CLASS 2B CHAIN LINK, FIBERGLASS TENSION BARS, WINDSCREEN, ONE 10' WIDE DOUBLE GATE ON SCHEDULE 40 POSTS CONSISTING OF 1-5/8" TOP AND BOTTOM RAIL, 2-1/2" LINE POSTS AND 3" TERMINAL POSTS UTILIZING EXISING PVC SLEEVES.	50	LF	$105.00	$ 5,250.00				5250	BIG D PAVING	5250
F&I APPROXIMATELY 20 LF OF 6' HIGH COMMERCIAL BLACK VINYL COATED 2"X8 GAUGE KK CLASS 2B CHAIN LINK, FIBERGLASS TENSION BARS, WINDSCREEN, ONE 4' WIDE SINGLE GATE ON SCHEDULE 40 POSTS CONSISTING OF 1-5/8" TOP AND BOTTOM RAIL, 2-1/2" LINE POSTS AND 3" TERMINAL POSTS UTILIZING EXISING PVC SLEEVES.	20	LF	$115.00	$ 2,300.00				2300	BIG D PAVING	2300
F&I LEE HERRINGBONE LINE TAPE (NO SUBSTITUTIONS) AND 3" ALUMINUM NAILS AND INSTALL IN ACCORDANCE WITH U.S.T.A SPECIFICATIONS.	1	LS	$9,500.00	$ 9,500.00				9500	BIG D PAVING	9500
REMOVE EXISTING CENTER STRAP GROUND ANHORS. REPLACE ALL CENTER STRAP GROUND ANCHORS WITH PIPE CENTER STRAP ANCHOR MADE FROM GALVANIZED STEEL WITH PIN IN THE TOP CENTER. REPLACE GROUND ANCHORS AS NEEDED	1	LS	$4,500.00	$ 4,500.00				4500	BIG D PAVING	4500
F&I 10-S PROSCREEN OPEN MESH FLEX FOAMED PVC MESH, COLOR - BLACK AND FINISHED WITH A DOUBLE NEEDLED LOCK STITCHING TO ELIMINATE THREAD UNRAVELING. GROMMETS EVERY 12", 4 YEAR FACTORY WARANTY, CENTER BILLOW LIP TAB WITH GROMMETS, 80% SHADE FACTOR, STANDARD HALF-MOON "FLAP" VENTS EVERY 10'. WINDSCREEN FOR ALL 6 COURTS AND FENCING AROUND STORAGE AREA	1,900	LF	$15.00	$ 28,500.00				28500	BIG D PAVING	28500
MISCELLANEOUS HARDSCAPE ITEMS										
12" COMPACTED SUBGRADE FOR CONCRETE AREAS	11,920	SY	$8.00	$ 95,360.00				95360	BIG D PAVING	95360
4" STABILIZED SUBGRADE FOR CONCRETE AREAS	11,920	SY	$20.00	$ 238,400.00				238400	BIG D PAVING	238400
57 STONE FOR ENTRY GATE PLANTER WALLS	40	CY	$100.00	$ 4,000.00				4000	BIG D PAVING	4000
TOPSOIL FOR ENTRY GATE PLANTER WALLS	60	CY	$100.00	$ 6,000.00				6000	BIG D PAVING	6000
F&I METAL EDGING PER DETAIL 5, SHEET LH.501	9,510	LF	$15.00	$ 142,650.00				142650	BCI	142650
ASPHALT				NOT INCLUDED						
CONCRETE CONSTRUCTION				$1,388,250.00						
6" CONCRETE SUBSLAB WITH FIBER REINFORCEMENT FOR FURNISHINGS	2860	SF	$8.00	$ 22,880.00				22880	WM. D. ADEIMY	22880
4" CONCRETE SIDEWALKS - PEDESTRIAN RATED, RAKED FINISH	14325	SF	$8.50	$ 121,762.50				121762.5	WM. D. ADEIMY	121762.5
6" CONCRETE PAVING, VEHICULAR, RAKED FINISH WITH 12"X12" THICKENED EDGE PER DETAIL #9, SHEET LH.503, 4000 PSI	70180	SF	$9.25	$ 649,165.00				649165	WM. D. ADEIMY	649165
6" CONCRETE PAVING, VEHICULAR, DECORATIVE FINISH PER DETAILS M3/LH.300 WITH 12"X12" THICKENED EDGE PER DETAIL #8, SHEET LH.503, 4000 PSI	3140	SF	$15.00	$ 47,100.00				47100	WM. D. ADEIMY	47100
6" CONCRETE PAVING, VEHICULAR, BROOM FINISH PER DETAILS M9/LH.300 WITH 12" X 12" THICKENED EDGE PER DETAIL #10, SHEET LH.503, 40	18475	SF	$9.50	$ 175,512.50				175512.5	WM. D. ADEIMY	175512.5
6" SUBSLAB FOR CORAL STONE PAVING AREAS PER DETAIL #11, SHEET LH.503	2760	SF	$8.00	$ 22,080.00				22080	WM. D. ADEIMY	22080
6"X6" CONCRETE CURB EDGING PER DETAIL #4, SHEET LH.503	2150	LF	$40.00	$ 86,000.00				86000	WM. D. ADEIMY	86000
6"X18" CONCRETE CURB FOR PLAYGROUND CURB, BID ALTERNATE B, DETAIL 2, SHEET LH.507	490	LF	$50.00	$ 24,500.00				24500	WM. D. ADEIMY	24500
24" CONCRETE MAT FOR PLAYGROUND FOUNDATIONS WITH #5 BARS EACH WAY @ 8" O.C. TOP AND BOTTOM, DETAIL #1, SHEET SA.201	8190	SF	$25.00	$ 204,750.00				204750	WM. D. ADEIMY	204750
10'X10' MOCKUPS FOR BROOM FINISH, RAKED FINISH, AND DECORATIVE FINISH	3	EA	$1,500.00	$ 4,500.00				4500	WM. D. ADEIMY	4500
CONCRETE PUMP RENTAL	20	EA	$1,500.00	$ 30,000.00				30000	WM. D. ADEIMY	30000
STRIPING AND SIGNAGE				$76,825.00						
F&I HANDICAP PARKING SIGNS FOR PARKING STALLS	23	EA	$435.00	$ 10,005.00				10005	FINE-LINE STRIPING	10005
PAINT HANDICAP PARKING STRIPING ON CONCRETE (INCL. CROSSHATCH AREA WHERE SHOWN)	23	EA	$130.00	$ 2,990.00				2990	FINE-LINE STRIPING	2990
F&I STOP SIGNS IN PARKING LOTS AND AT PARK EXITS	13	EA	$455.00	$ 5,915.00				5915	FINE-LINE STRIPING	5915
F&I CONCRETE WHEEL STOPS	205	EA	$65.00	$ 13,325.00				13325	FINE-LINE STRIPING	13325
4" SOLID WHITE LINE, SLIP RESISTANT PAINT	3720	LF	$0.75	$ 2,790.00				2790	FINE-LINE STRIPING	2790
24" SOLID WHITE THERMOPLASTIC STOP BARS	200	LF	$9.00	$ 1,800.00				1800	FINE-LINE STRIPING	1800
ALLOWANCE FOR DECORATIVE SIGN POSTS/PACKAGE	1	ALL.	$25,000.00	$ 25,000.00				25000	ALLOWANCE	25000
F&I PARK ENTRANCE SIGNS ON STONE WALLS	1	ALL.	$15,000.00	$ 15,000.00				15000	ALLOWANCE	15000
F&I WAYFINDING SIGNS	31	EA	BY OTHERS							0
F&I EDUCATIONAL PANELS	5	EA	BY OTHERS							0
FURNISHINGS				$1,408,346.81						
F&I DUMOR TRASH CANS - MODEL 436-40	27	EA	$2,775.01	$ 74,925.32	$62,775.32			12150	BCI	74925.32
F&I WESTMINISTER 65" TEAK BENCH	23	EA	$2,869.80	$ 66,005.49	$39,555.49			26450	BCI	66005.49
F&I GLOBAL INDUSTRIAL OUTDOOR WATER FOUNTAIN / BOTTLE FILLING STATION	6	EA	$5,203.85	$ 31,223.07	$16,223.07			15000	BCI	31223.07
F&I LANDSCAPE FORMS BICILINEA BIKE RACK (10 FT.)	5	EA	$9,063.00	$ 45,315.00	$32,815.00			12500	LANDSCAPE FORMS/BC	45315
F&I MODEL 565 ADA COMPLIANT SHOWER INCL. ALL CONNECTION TO WATER (NO SEWER CONNECTION)	4	EA	$18,762.53	$ 75,050.10	$30,050.10			45000	BCI	75050.1
EXCAVATE, GRADE, AND CONSTRUCT OUTDOOR SHOWER DRAIN WELL COMPLETE WITH CONCRETE FOUNDATION, DRAINROCK DRYWELL, CRUSHED ROCK BASE, AND GRATING PER DETAIL 1/LH.502	4	EA	$12,500.00	$ 50,000.00				50000	BCI	50000
F&I RELIANCE FOUNDRY RETRACTABLE BOLLARD (MODEL R-8464)	5	EA	$1,857.50	$ 9,287.49	$4,287.49			5000	BCI	9287.49
F&I COUNTRY CASUAL 6' TEAK PICNIC TABLE (MODEL: BOND, WITH ATTACHED BENCHES)	12	EA	$6,958.78	$ 83,505.34	$61,905.34			21600	CASUAL TEAK	83505.34
F&I SEATING BOULDERS FOR ENTRY PLAZA AND SHOWERS PER DETAIL M-18/LH.301	20	EA	$880.00	$ 17,600.00				17600	DAVID WAYNE HARD.	17600
F&I ACCENT BOULDERS THROUGHOUT PARK PER DETAIL 7, LH.501	32	EA	$880.00	$ 28,160.00				28160	DAIVD WAYNE HARD.	28160
F&I REMOVABLE CHAIN GATE WITH POSTS PER DETAIL 4, SHEET LH.506	1	LS	$3,500.00	$ 3,500.00				3500	LTG	3500
ALLOWANCE TO F&I PUMP STATION ENCLOSURE FENCE AND GATE	230	ALL.	$652.17	$ 150,000.00				150000	ALLOWANCE	150000
F&I 4' PLAYGROUND FENCING PER SHEET LH.502, DETAIL 3 - PRE-MANUFACTURED PANELS	422	LF	$99.61	$ 42,035.00				42035	LTG	42035
F&I 4' OUTDOOR CLASSROOM FENCING PER SHEET LH.502, DETAIL 4 - PRE-MANUFACTURED PANELS	112	LF	$137.19	$ 15,365.00				15365	LTG	15365
F&I 6' COASTAL RESTORATION CENTER FENCING PER SHEET LH.502, DETAIL 3 - PRE-MANUFACTURED PANELS	385	LF	$126.30	$ 48,625.00				48625	LTG	48625
F&I 6' CHAIN LINK FENCE AND GATES PER DETAIL #2 SHEET LH.506	300	LF	$80.00	$ 24,000.00				24000	LTG	24000
F&I DECORATIVE GATES TO CRC BUILDING PER DETAIL #1 ON SHEET LH.511 - PRE-MANUFACTURED PANELS	1	LS	$10,000.00	$ 10,000.00				10000	LTG	10000
F&I 30' MANUAL DOUBLE SWING GATE BARRIER ARM PER DETAIL #M23 ON SHEET LH.301	1	LS	$15,000.00	$ 15,000.00				15000	LTG	15000
F&I GATES FOR MAIN AND SIDE ENTRANCES TO PLAYGROUND AND OUTDOOR CLASSROOM PER SHEET LH.510, DETAILS 1 & 2 - PRE-MANUFACTURED PANELS	1	LS	$5,000.00	$ 5,000.00				5000	LTG	5000
F&I 10' CHAIN LINK FENCING AND GATES AROUND PICKLEBALL COURT PER DETAIL #1 ON SHEET LH.506	325	LF	$150.00	$ 48,750.00				48750	BIG D PAVING	48750
F&I OUTDOOR KNOX BOXES	3	EA	$2,500.00	$ 7,500.00				7500	BCI	7500
ALLOWANCE TO COORDINATE INSTALLATION OF MONSTRUM PLAYGROUND EQUIPMENT AND F&I OF FOUNDATIONS FOR PLAYGROUND EQUIPMENT	1	ALL.	$555,000.00	$ 555,000.00				555000	ALLOWANCE	555000
PAINT VALVE BOXES, INLETS, MANHOLES, JUNCTION BOXES, HANDHOLES	1	ALL.	$2,500.00	$ 2,500.00				2500	BCI	2500
RELOCATED TRIANGLE ART SCULPTURE ON WEST SIDE OF A1A			ELIMINATED FROM SCOPE							
F&I RAISED CONCRETE PLANTERS ON SOUTH SIDE OF LITTLE RED SCHOOL HOUSE (21'X4')			BY OTHERS							
F&I RAISED CONCRETE PLANTERS ON SOUTH SIDE OF LITTLE RED SCHOOL HOUSE (14'X4')			BY OTHERS							

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
F&I PARKING KIOSKS			BY OTHERS							
COMMISSIONED ART SCULPTURE IN HORIZON PLATEAU			BY OTHERS							
F&I MONSTRUM PLAYGROUND EQUIPMENT			BY OTHERS							
LANDSCAPING				$5,038,236.00						
PROPOSED CANOPY TREES										
BURSERA SIMARUBA 'GUMBO LIMBO' PROPOSED LEGACY TREE 30' HT X 20' SOR, 18" DBH-BSI (F&I BY PRESERVATION FOUNDATION)	11	EA	BY PRESERVATION FOUNDATION						PRESERVATION FOUNDATION	
CHRYSOPHYLLUM OLIVFORME 'SATIN LEAF' 100 GALLON - COL	28	EA	$3,188.00	$ 89,264.00				89264.00	TCIROOD	89264
COCCOLOBA UVIFER 'SEAGRAPE' 300 GALLON - CUV	15	EA	$7,190.00	$ 107,850.00				107850.00	TCIROOD	107850
COCOLOBA DIVERSIFOLIA 'PIGEON PLUM' 100 GALLON - CDI`	3	EA	$3,310.00	$ 9,930.00				9930.00	TCIROOD	9930
COCCOLBA DIVERSIFOLIA 'PIGEON PLUM' 65 GALLON - CDI-2	2	EA	$1,615.00	$ 3,230.00				3230.00	TCIROOD	3230
DRYPETES LATERIFLORA 'GUIANA PALM' 15 GALLON - DLA	2	EA	$275.00	$ 550.00				550.00	TCIROOD	550
EUGENIA CONFUSA 'REDBERRY STOPPER' 100 GALLON - ECO	2	EA	$3,178.00	$ 6,356.00				6356.00	TCIROOD	6356
EUGENIA CONFUSE 'REDBERRY STOPPER' 65 GALLON - ECO-2	3	EA	$1,626.00	$ 4,878.00				4878.00	TCIROOD	4878
EUGENIA FOETIDA 'SPANISH STOPPER' 100 GALLON - EFO	4	EA	$3,188.00	$ 12,752.00				12752.00	TCIROOD	12752
EXOTHEA PANICULATA 'INKWOOD' 15 GALLON	2	EA	$125.00	$ 250.00				250.00	TCIROOD	250
FICUS AUREA 'STRANGLER FIG' PROPOSED LEGACY TREE 30' HT X 30' SPR 24" DBH - FAU (F&I BY PRESERVATION FOUNDATION)	15	EA	BY PRESERVATION FOUNDATION						PRESERVATION FOUNDATION	
GUAPRIA DISCOLOR 'BLOLLY' 65 GALLON	2	EA	$1,626.00	$ 3,252.00				3252.00	TCIROOD	3252
KRUGIODENDRON FERREUM 'BLACK IRONWOOD' 100 GALLON - KFE	2	EA	$3,105.00	$ 6,210.00				6210.00	TCIROOD	6210
MYRCIANTHUS FRAGANS 'SIMPSONS STOPPER' 65 GALLON - MFR	1	EA	$1,594.00	$ 1,594.00				1594.00	TCIROOD	1594
QUERCUS VIRGINIANA 'LIVE OAK' 300 GALLON	26	EA	$3,705.00	$ 96,330.00				96330.00	TCIROOD	96330
SIDEROXYLON FOETIDDIMUM 'MASTIC' PROPOSED LEGACY TREE 20' HT X 20' SPR, 18" DBH (F&I BY PRESERVATION FOUNDATION)	10	EA	BY PRESERVATION FOUNDATION						PRESERVATION FOUNDATION	
SIDEROXYLON SALICIFOLLUM 'WILLOW BUSIC' PROPOSED LEGACY TREE 20' HT X 20' SPR, 18" DBH - SSA (F&I BY PRESERVATION FOUNDATION)	2	EA	BY PRESERVATION FOUNDATION						PRESERVATION FOUNDATION	
SIMAROUBA GLAUCA 'PARADISE TREE' PROPOSED LEGACY TREE 20" HT X 20' SPR, 18" DBH - SGL (F&I BY PRESERVATION FOUNDATION)	8	EA	BY PRESERVATION FOUNDATION						PRESERVATION FOUNDATION	
SIMAROUBA GLAUCA 'PARADISE TREE' 65 GALLON - GSL -2	1	EA	$1,595.00	$ 1,595.00				1595.00	TCIROOD	1595
PROPOSED PALMS										
COCCOTHRINAX ARGENTATA 'FLORIDA SILVER PINE' 5'-9' STAGGERED WOOD HT PER PLAN - CAR	6	EA	$8,777.00	$ 52,662.00				52662.00	TCIROOD	52662
COCCOTHRINAX ARGENTATA 'FLORIDA SILVER PINE' 45 GALLON - CAR	31	EA	$1,425.00	$ 44,175.00				44175.00	TCIROOD	44175
COCCOTHRINAX ARGENTATA 'FLORIDA SILVER PINE' 15 GALLON - CAR	30	EA	$245.00	$ 7,350.00				7350.00	TCIROOD	7350
ROYSTONEA REGIA 'ROYAL PALM' 25'-30-GW STAGGERED HT PER PLAN - REL	5	EA	$4,650.00	$ 23,250.00				23250.00	TCIROOD	23250
SABAL PALMETTO 'SABAL PALM' 18' ROOTED C.T HEAVY - SPA	27	EA	$835.00	$ 22,545.00				22545.00	TCIROOD	22545
SABAL PALMETTO 'SABAL PALM' 25'-35' WD STAGGERED HT - CHARACTER - SPA	66	EA	$596.00	$ 39,336.00				39336.00	TCIROOD	39336
PROPOSED NATIVE MEDIUM TREES										
101 EACH CHOSEN FROM SELECTION BELOW	101	EA	$3,960.00	$ 399,960.00				399960	TCIROOD	399960
AMYRIS ELEMIFERA 'TORCHWOOD' 65 GALLON - NMT - UNIT VALUE										
ARDISIA ESCALIONDIODES 'MARLBERRY' 65 GALLON - NMT - UNIT VALUE										
CITHAREXLYUM SPINOSUM 'FIDDLEWOOD' 65 GALLON - NMT - UNIT VALUE										
COCCOLOBA DIVERSIFOLIA X UVIFERA 'SEA PLUM' 65 GALLON - NMT - UNIT VALUE										
DRYPETES LATERIFOLORA 'GUANA PLUM' 65 GALLON - NMT - UNIT VALUE										
ERITHALIS FRUTICOSA 'BLACK TORCH' 65 GALLON - NMT - UNIT VALUE										
EUGENIA CONFUSA 'REDBERRY STOPPER' 65 GALLON - NMT - UNIT VALUE										
EUGENIA FOETIDA 'SPANISH STOPPER' 65 GALLON - NMT - UNIT VALUE										
EXOTHEA PANICULATA 'INKWOOD' 65 GALLON - NMT - UNIT PRICE										
FORESTIERA SEGREGATA 'FLORIDA PRIVET' 65 GALLON - NMT - UNIT PRICE										
GUAPIRA DISCOLOR 'BOLLY' 65 GALLON - NMT - UNIT VALUE										
KRUGIODENDRON FERREUM 'BLACK IRONWOOD' 65 GALLON -NMT - UNIT VALUE										
QUADRELLA JAMAICENSIS 'JAMAICAN CAPER' 65 GALLON - NMT - UNIT VALUE										
RANDIA ACULEATA 'WHITE INDIGOBERRY' 65 GALLON - NMT - UNIT VALUE										
SIDEROXYLON FOETIDISSIMUM 'MASTIC' 65 GALLON										
SIDEROXYLON SALICIFOIUM 'WILLOW BUSTIC' 65 GALLON - NMT - UNIT PRICE										
LP.303										
MARITIME HAMMOCK / COASTAL BERM - EAST OF A1A (AROUND COURTS AND BUILDING)- UNDERSTORY - 2024 - MS W/IN THIS MATRIX	1	LS	$8,300.00	$ 8,300.00				8300	TCIROOD	8300
MEDIUM GROUNDCOVER AND LOW SHRUBS - EAST OF A1A (AROUND COURTS) - 2024 MS W/IN THIS MATRIX	1	LS	$2,800.00	$ 2,800.00				2800	TCIROOD	2800
LOW GROUNDCOVER - EAST OF A1A (AROUND COURTS) - 2024	1	LS	$1,600.00	$ 1,600.00				1600	TCIROOD	1600
MARITIME HAMMOCK / COASTAL BERM - A1A ROW - 2024	1	LS	$17,900.00	$ 17,900.00				17900	TCIROOD	17900
MEDIUM GROUNDCOVER AND LOW SHRUBS - ALONG A1A - 2024	1	LS	$1,600.00	$ 1,600.00				1600	TCIROOD	1600
MS (ALL MS SHRUBS THAT DO NOT FALL WITHIN A MATRIX)	1	LS	$6,500.00	$ 6,500.00				6500	TCIROOD	6500
MS MARITIME HAMMOCK (MS SHRUBS AT SCHOOLHOUSE) 2024	1	LS	$7,900.00	$ 7,900.00				7900	TCIROOD	7900
CI SHRUBS IN MARITIME HAMMOCK (CI SHRUBS AT SCHOOLHOUSE) - 2024	1	LS	$1,490.00	$ 1,490.00				1490	TCIROOD	1490
ADDITIONAL SHRUBS IN HAMMOCK (SHRUBS AT SCHOOLHOUSE) - 2024	1	LS	$1,100.00	$ 1,100.00				1100	TCIROOD	1100
UNDERSTORY PALMS - 2024	1	LS	$105,000.00	$ 105,000.00				105000	TCIROOD	105000
LP.304										
DUNE- PIONEER OPEN SAND -(EXCLUDES AREAS WITH EXISTING VEGETATION)-2024	1	LS	$2,500.00	$ 2,500.00				2500	TCIROOD	2500
DUNE - FACE -(EXCLUDES AREAS WITH EXISTING VEGETATION) 2024	1	LS	$8,900.00	$ 8,900.00				8900	TCIROOD	8900
COASTAL STRAND - PRICKLY ZONE - 2024	1	LS	$13,000.00	$ 13,000.00				13000	TCIROOD	13000
COASTAL STRAND - WINDBREAK - (EXCLUDES AREAS WITH EXISTING VEGETATION) - 2024	1	LS	$110,000.00	$ 110,000.00				110000	TCIROOD	110000
COASTAL STRAND -OPEN COS - (EXCLUDES AREAS WITH EXISTING VEGETATION)- 2024	1	LS	$83,000.00	$ 83,000.00				83000	TCIROOD	83000

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
LP.305										
MARITIME HAMMOCK (SUBCANOPY, UNDERSTORY AND GROUND LAYER (MERGED) - 2024	1	LS	$318,000.00	$ 318,000.00				318000	TCIROOD	318000
MARITIME HAMMOCK - EDGE -2024	1	LS	$41,000.00	$ 41,000.00				41000	TCIROOD	41000
WILDFLOWER GARDEN - (WET)- 2024	1	LS	$3,700.00	$ 3,700.00				3700	TCIROOD	3700
WILDFLOWER GARDEN (MOIST) - 2024	1	LS	$2,900.00	$ 2,900.00				2900	TCIROOD	2900
LP.306										
WILDFLOWER GARDEN (MOIST TO DRY) - 2024	1	LS	$1,150.00	$ 1,150.00				1150	TCIROOD	1150
MARITIME HAMMOCK - BUFFER AND NORTH BUFFER- 2024	1	LS	$679,000.00	$ 679,000.00				679000	TCIROOD	679000
MARTIME HAMMOCK - BUFFER 2 (LOW, NEXT TO COASTAL STRAND) - 2024	1	LS	$35,000.00	$ 35,000.00				35000	TCIROOD	35000
INTERDUNAL SWALE - (TENNIS COURT AREA)- 2024	1	LS	$490.00	$ 490.00				490	TCIROOD	490
RAIN GARDENS - (PARKING LOTS) - 2024	1	LS	$201,000.00	$ 201,000.00				201000	TCIROOD	201000
MARITIME HAMMOCK/ COASTAL BERM (EAST OF A1A - AROUND COURTS AND BUILDINGS) - 2024	1	LS	$50,100.00	$ 50,100.00				50100	TCIROOD	50100
MEDIUM GROUNDCOVER AND LOW SHRUBS (EAST OF A1A (AROUND COURTS)	1	LS	$70,500.00	$ 70,500.00				70500	TCIROOD	70500
LOW GROUNDCOVER (EAST OF A1A - AROUND COURTS) LP.306	1	LS	$13,000.00	$ 13,000.00				13000	TCIROOD	13000
MARITIME HAMMOCK / COASTAL BERM - A1A ROW LP.306	1	LS	$109,850.00	$ 109,850.00				109850	TCIROOD	109850
LP.307										
MEDIUM GROUNDCOVER AND LOW SHRUBS - ALONG A1A LP.307	1	LS	$46,000.00	$ 46,000.00				46000	TCIROOD	46000
LOW GROUNDCOVER - ALONG A1A (DERIVED FROM WILDFLOWER GARDEN)	1	LS	$33,500.00	$ 33,500.00				33500	TCIROOD	33500
MARITIME HAMMOCK/ COASTAL BERM - WEST OF AIA - 2024	1	LS	$178,500.00	$ 178,500.00				178500	TCIROOD	178500
MEDIUM GROUNDCOVER AND LOW SHRUB - WEST OF A1A LP.307	1	LS	$400.00	$ 400.00				400	TCIROOD	400
RELOCATES										
RELOCATES - TEMPORARY HOLDING AREA/FINAL LOCATION	1	LS	$804,000.00	$ 804,000.00				804000	TCIROOD	804000
STRANGLER FIG RELOCATES	1	LS	$75,000.00	$ 75,000.00				75000	TCIROOD	75000
MISCELLANEOUS LANDSCAPING ITEMS										
SOIL TESTING - 35 AREAS, 3 OCCURANCES	1	LS	$5,250.00	$ 5,250.00				5250	TCIROOD	5250
SUPREME PASPALUM SOD	72963	SF	$3.00	$ 218,889.00				218889	TCIROOD	218889
MULCH	1	LS	$131,000.00	$ 131,000.00				131000	TCIROOD	131000
MAINTENANCE FOR RELOCATED MATERIAL	1	LS	$24,000.00	$ 24,000.00				24000	TCIROOD	24000
TREE STAKING - EXCLUDING LEGACY TREES INSTALLED BY OTHERS - INCLUDES RELOCATED TREES	1	LS	$40,000.00	$ 40,000.00				40000	TCIROOD	40000
FERTILIZATION - FOR ALL SHRUB AND GROUNDCOVER AREAS	1	LS	$45,378.00	$ 45,378.00				45378	TCIROOD	45378
INSTALLATION COSTS FOR CONTRACT GROWN PLANTS FURNISHED AND DELIVERED BY THE PRESERVATION FOUNDATION (EXCLUDED DELIVERY TO SITE, BUT INCLUDES LABOR TO OFFLOAD PLANT MATERIAL AT SITE)	1	LS	$275,000.00	$ 275,000.00				275000	TCIROOD	275000
MAINTENANCE FOR NEWLY INSTALLED MATERIAL DURING CONSTRUCTION	52	WKS	$1,360.00	$ 70,720.00				70720	TCIROOD	70720
SOIL ALLOWANCE (70% COURSE/20% FL PEAT/10% PINE BARK) - $3,000.00 PER TRUCKLOAD	1	LS	$120,000.00	$ 120,000.00				120000	TCIROOD	120000
PLANTER AREAS SITE PREPARATION	1	LS	$55,000.00	$ 55,000.00				55000	TCIROOD	55000
ALLOWANCE FOR RAYMOND JUNGLES TO SELECT ACCENT SPECIMENS FOR INSTALLATION BY CONTRACTOR	1	ALL.	$35,000.00	$ 35,000.00			10000	25000	ALLOWANCE	35000
ALLOWANCE FOR ADDITIONAL DUNE PLANTINGS	1	ALL.	$50,000.00	$ 50,000.00				50000	ALLOWANCE	50000
IRRIGATION				$641,209.00						
IRRIGATION SYSTEM COMPLETE (INCL. BUT NOT LIMITED TO) POINTS OF CONNECTION CONTROLLER WITH PEDESTAL AND ENCLOSURE SCHEDULE 40 PVC SLEEVES SCHEDULE 40 PVC MAINLINE AND LATERALS VALVES, VALVE BOXES, AND WIRE SPRAY HEADS BUBBLERS	1	LS	$535,908.00	$ 535,908.00				535908	TCIROOD	535908
TEMPORARY IRRIGATION/WATER FOR TEMPORARY TREE NURSERY FOR RELOCATED MATERIAL	1	LS	$45,301.00	$ 45,301.00				45301	TCIROOD	45301
BOOSTER PUMPS FOR IRRIGATION SYSTEM (ALLOWANCE - ASSUME 3 EA)	1	ALL.	$60,000.00	$ 60,000.00				60000	ALLOWANCE	60000
VERTICAL CONSTRUCTION AND SPECIALTY HARDSCAPE ELEMENTS				$8,856,621.27						
RELOCATE LITTLE RED SCHOOL HOUSE	1	LS	$547,290.71	$ 547,290.71				547290.71	BUTLER/BROWNIE	547290.71
LIFEGUARD STATION RENOVATION - TOWN OF PALM BEACH RESPONSIBILITY	1	LS	$364,671.87	$ 364,671.87				364671.87	BUTLER	364671.87
LIFEGUARD STATION RENOVATION - PRESERVATION FOUNDATION RESPONSIBILITY	1	LS	$150,000.00	$ 150,000.00				150000	BUTLER	150000
COASTAL RESTORATION CENTER CONSTRUCTION	1	LS	$2,667,769.22	$ 2,667,769.22				2667769.22	BUTLER	2667769.22
BEACH PAVILION CONSTRUCTION	4	EA	$204,721.79	$ 818,887.17				818887.17	BUTLER	818887.17
RESTROOM BUILDING CONSTRUCTION	2	EA	$1,282,367.65	$ 2,564,735.30				2564735.3	BUTLER	2564735.3
CONSTRUCT DUMPSTER ENCLOSURES PER DETAILS AND GATES IN DETAIL #1, SHEET LH.504	2	EA	$64,422.00	$ 128,844.00				128844	BUTLER	128844
WILDFLOWER GARDEN OVERLOOK DECK PER DETAILS ON SHEET LH.508	1	LS	$124,189.00	$ 124,189.00				124189	MURRAY-LOGAN	124189
SOUTH PROPERTY LINE BLOCK WALL	450	LF	$522.44	$ 235,096.00				235096	BUTLER	235096
ENTRY WALLS AND GATES (NORTH, CENTRAL, AND SOUTH)	1	LS	$428,799.00	$ 428,799.00				428799	BUTLER	428799
ALLOWANCE TO PRESSURE CLEAN/STUCCO PATCH/PAINT EXISTING NORTH PROPERTY WALL	1	ALL.	$75,000.00	$ 75,000.00				75000	ALLOWANCE	75000
WATER FEATURE MOCKUP	1	ALL.	$25,000.00	$ 25,000.00				25000	ALLOWANCE	25000
WATER FEATURE WITH STONE BOULDERS PER SHEET LH.510	1	ALL.	$726,339.00	$ 726,339.00				726339	FREEPORT FOUNTAINS	726339
CONSTRUCTION CONTINGENCY				$500,000.00						
CONSTRUCTION CONTINGENCY	1	ALL.	$500,000.00	$ 500,000.00				500000	ALLOWANCE	500000
					Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
					66000	25425	263486.81	25094563.36	0	25449475.17

Phipps Ocean Park Improvements **$25,449,475.17**

Town of Palm Beach
Phipps Ocean Park
Guaranteed Maximum Price

GENERAL CONDITIONS

From: **Burkhardt Construction, Inc.**
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
Public Works & Engineering Dept
951 Old Okeechobee Road
West Palm Beach, FL 33401
Tel: (561) 838-5440
Fax: (561) 835-4691

Engineer: **Kimley-Horn & Associates, Inc.**
Attn: Tricia Richter, PLA, ASLA
1920 Wekiva Way, Suite 200
West Palm Beach, FL. 33411
Ph: (561) 845-0665
Fax: (561) 863-8175

Project: **Phipps Ocean Park**

Plans: Kimley-Horn Phipps Ocean Park
90% Construction Documents, Dated BCI Rec'd 12/7/2023
Chen Moore and Associates Town of Palm Beach - Phipps Park Lifeguard Station Renovation
Permit Plans, Dated BCI Rec'd 7/3/2023

Complete Plan Log attached

Location: Phipps Ocean Park
2201 S. Ocean Boulevard
Palm Beach, FL 33480

Proposal Date: 2/16/2024, Rev. 2/29/2024

Item Description					Amount
BASED ON A 15 MONTH DURATION THAT OVERLAPS WITH PHASE 7 NORTH UNDERGROUNDING					
MOBILIZATION (move-in, move-out)					$4,000.00
TRANSPORT	$65.00 /	Hr	x	40	$2,600.00
EQUIPMENT	$35.00 /	Hr.	x	40	$1,400.00
PROJECT FIELD OFFICE					$117,875.00
OFFICE	$6,000.00 /	mo.	x	0	$0.00
YARD	$0.00 /	mo.	x	0	$0.00
EMPLOYEE PARKING FEES	$500.00 /	mo.	x	0	$0.00
TEMPORARY CONSTRUCTION TRAILER	$1,000.00 /	mo.	x	15	$15,000.00
TEMPORARY POWER	$500.00 /	mo.	x	15	$7,500.00
CONTAINER RENTAL FOR LANDSCAPING	$15,000.00 /	ls	x	1	$15,000.00
WORK PLATFORM FOR YARD	$500.00 /	mo.	x	15	$7,500.00
TEMPORARY FENCING FOR YARD	$500.00 /	mo.	x	0	$0.00
CONSTRUCTION YARD LIGHTING	$0.00 /	mo.	x	0	$0.00
OFFICE FURNISHINGS	$100.00 /	mo.	x	15	$1,500.00
COMPUTERS	$300.00 /	mo.	x	15	$4,500.00
PROCORE SOFTWARE	$36,600.00 /	ls	x	1	$36,600.00
SUBMITTAL SOFTWARE	$2,000.00 /	ls	x	0	$0.00
COPY MACHINE	$350.00 /	mo.	x	0	$0.00
FAX MACHINE	$100.00 /	mo.	x	0	$0.00
INTERNET SERVICE	$150.00 /	mo.	x	0	$0.00
CELLULAR TELEPHONE	$200.00 /	mo.	x	15	$3,000.00
TELEPHONE	$150.00 /	mo.	x	0	$0.00
FEDERAL EXPRESS MAILINGS	$100.00 /	mo.	x	0	$0.00
POSTAGE	$50.00 /	mo.	x	0	$0.00
PHOTOGRAPHS					

AERIAL PHOTOS		$110.00 /	mo.	x	15	$1,650.00
JOB PHOTOS		$50.00 /	wk	x	15	$750.00
PRE-CONSTRUCTION VIDEO		$5,000.00 /	ls	x	1	$5,000.00
PLAN REPRODUCTION COST/PRINTING		$200.00 /	set	x	15	$3,000.00
OFFICE SUPPLIES		$50.00 /	mo.	x	15	$750.00
FIRST AID SUPPLIES		$50.00 /	mo.	x	15	$750.00
WATER SERVICE		$35.00 /	mo.	x	0	$0.00
SANITARY SERVICE		$50.00 /	mo.	x	0	$0.00
ELECTRIC SERVICE		$200.00 /	mo.	x	0	$0.00
GARBAGE SERVICE		$25.00 /	mo.	x	0	$0.00
CONSTRUCTION WATER		$250.00 /	mo.	x	15	$3,750.00
JOHN DEERE GATOR (1)		$500.00 /	mo.	x	15	$7,500.00
ICE		$275.00 /	mo.	x	15	$4,125.00
BONDS						$296,398.76
GENERAL BOND		$12,500,000.00		x	1.25%	$156,250.00
		$17,518,595.00		X	0.80%	$140,148.76
SUBCONTRACTORS BONDS						NOT INCLUDED
PARTNERING INITIATIVES						$2,499.81
NOTICES, LETTERS, INFORMATION MEETINGS						$2,499.81
INSURANCE						$684,875.94
GENERAL INSURANCE		$30,018,595.00		x	1.90%	$570,353.31
Commercial General Liability						
Comprehensive Automobile Liability						
Owner Indemnification						
Professional (Errors/Omissions) Liability						
Excess/Umbrella Liability						
ADD'L INSUREDS		$100.00 /	ea.	x	0	$0.00
ADDED INSURANCES						
Builder's Risk Insurance		$25,449,475.17		x	0.45%	$114,522.64
Railroad protective Liability Ins.						NOT INCLUDED
Installation Floater						NOT INCLUDED
Flood Insurance						NOT INCLUDED
SUBCONTRACTORS' INSURANCE					INCLUDED IN THEIR DIRECT COSTS	
SANITARY SERVICES						$22,500.00
JOB TOILET (4ea.)		$1,500.00 /	mo.	x	15	$22,500.00
TESTING COSTS						$100,000.00
DENSITIES						
PRESSURE						
PROCTORS						
BACTERIOLOGICAL						
CONCRETE CYLINDERS						
ENGINEERING & REPORTING						
TV'ING OF INSTALLED LINES	NOT INCLUDED					
FEES						$0.00
TOPB BUILDING DEPT. PERMIT FEES/REVISION FEES						NONE ANTICIPATED
PERMIT SUBMISSION AND EXPEDITING						BY OTHERS
FDOT GENERAL USE PERMITS						NIC
DEWATERING PERMITS						NO FEE PERMIT
RAILROAD PERMITS						NIC
PALM BEACH COUNTY PERMITS						NIC
CITY OF WEST PALM BEACH PERMITS						NIC
SURVEYING						$270,000.00
LAYOUT & ASBUILTS	Avirom and Associates, Inc.					$235,000.00
RESTAKING & DRAFTING						$35,000.00
SMALL HAND TOOLS/EQUIPMENT RENTAL						$50,000.00
GENERAL						$50,000.00
HANDLING, STORAGE, UN-LOADING OF OWNER DIRECT PURCHASE MATERIALS						N/A
GENERAL CONDITIONS TOTAL						$1,548,149.51

Town of Palm Beach
Phipps Ocean Park
Guaranteed Maximum Price

CONSTRUCTION PHASE MANAGEMENT FEE

From: **Burkhardt Construction, Inc.**
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
Public Works & Engineering Dept
951 Old Okeechobee Road
West Palm Beach, FL 33401
Tel: (561) 838-5440
Fax: (561) 835-4691

Engineer: **Kimley-Horn & Associates, Inc.**
Attn: Tricia Richter, PLA, ASLA
1920 Wekiva Way, Suite 200
West Palm Beach, FL. 33411
Ph: (561) 845-0665
Fax: (561) 863-8175

Project: **Phipps Ocean Park**

Plans: Kimley-Horn Phipps Ocean Park
90% Construction Documents, Dated BCI Rec'd 12/7/2023
Chen Moore and Associates Town of Palm Beach - Phipps Park Lifeguard Station Renovation
Permit Plans, Dated BCI Rec'd 7/3/2023

Complete Plan Log attached

Location: Phipps Ocean Park
2201 S. Ocean Boulevard
Palm Beach, FL 33480

Proposal Date: 2/16/2024, Rev. 2/29/2024

Item Description — **PHASE 7 NORTH** — **Rate/Hr.** — **Amount**

Based on a 15 month duration - Starting June 1st, 2024 - Overlap with Phase 7 North Undergrounding

June 2024 thru September 2024	17 weeks
October 2024 thru December 2024	13 weeks
January 2025 thru August 2025	35 weeks
	65 weeks

	Jun '24 thru Sept. '24		Oct '24 thru Dec '24		Jan '25 thru Aug '25			
	Hrs./Week	Weeks	Hrs./Weel	Weeks	Hrs./Week	Weeks		
Project Principal	4	17	14	13	11	35	$ 215.00	$ 136,525.00
Senior Project Manager	0	17	30	13	25	35	$ 160.00	$ 202,400.00
Vertical Project Manager	32	17	32	13	32	35	$ 125.00	$ 260,000.00
Assistant Project Manager	6	17	20	13	15	35	$ 95.00	$ 84,265.00
Superintendent/Construction Field Manager	16	17	30	13	30	35	$ 105.00	$ 179,760.00
Merchant/Resident Liaison	0	17	0	13	0	35	$ 100.00	$ -
Project Accountant	8	17	8	13	8	35	$ 95.00	$ 49,400.00
Administrative Assistant	4	17	4	13	4	35	$ 55.00	$ 14,300.00
Field Office Clerk	0	17	0	13	0	35	$ 55.00	$ -

TOTAL **$ 926,650.00**

Town of Palm Beach
Phipps Ocean Park
Guaranteed Maximum Price

Exceptions & Clarifications - 2/16/2024, Rev. 2/29/2024

GENERAL

1 Scope of work and quantities are based on 90% Construction Documents from Kimley-Horn for Phipps Ocean Park Dated BCI Rec'd 12/7/2023. Complete plan log is included with this submittal.

2 GMP pricing is based on a project start date of the second quarter of 2024. Project duration shall be 15 months from notice to proceed.

3 G.M.P. includes a construction contingency for the Phipps Ocean Park Improvements. The construction contingency can be used to cover construction related costs which were not specifically foreseeable or quantifiable as of the date the GMP was established, including, but not limited to: correction of minor defects or omissions in the work not caused by the CMAR's negligence, cost overruns due to the default of any subcontractor or supplier, minor changes caused by unforeseen or concealed conditions, minor changes in the work not involving adjustment in the GMP or extension of the completion date and not inconsistent with the approved final plans and specifications, and written agreed upon (Town requested changes to the work). Any savings from unused allowances or construction contingency listed in the direct construction costs will revert back to the Town.

4 G.M.P. does not include an owner's contingency. Burkhardt Construction, Inc. recommends that the Town carry an owner's contingency to cover the costs for Owner requested changes during construction. Burkhardt Construction, Inc. recommends a 5% contingency. The owner's contingency is for use by the Owner. The costs for the Owner directed changes would be subject to the general conditions, profit, and phase fee percentages.

5 G.M.P. does not include any capital improvement fees, connection fees or impact fees.

6 It is understood that the Direct Construction Cost (Exhibit "A") is unit prices for the work shown in the plans and as modified by these exceptions and clarifications.

7 Project master schedule and schedule updates shall be a bar chart schedule acceptable to the Owner prepared by CMAR in house personnel.

8 Project Manual as described in the contract shall mean the closeout project manual which shall be updated periodically and presented to the Owner upon completion of the project. The information contained in this manual shall be as requested by the Owner.

9 G.M.P. does not include additional insurance premiums for naming individual property owners as additional insureds.

10 G.M.P. includes all sales tax on materials.

11 Utility easements (if necessary) shall be obtained prior to work being performed in that area. If a construction easement has not been obtained it may impact the installation schedule, additional costs may be incurred. Reimbursement of costs may be requested and deemed appropriate, if and only if it is mutually agreed upon by the Town of Palm Beach and Burkhardt Construction. If these costs are deemed appropriate they will be paid from the owner's contingency.

12 Burkhardt Construction, Inc. (BCI) is not liable for failure to perform such work or any damages that occur if such failure is as a result of Acts of God (including fire, flood, earthquake, storm, hurricane or other natural disaster). If BCI asserts Force Majeure as the reason for failure to perform such work or such damages occur as a result of any Act of God, then BCI must prove that they took reasonable steps to minimize delay or damages caused by unforeseeable events, that BCI substantially fulfilled all obligations, and that the owner was timely notified of the likelihood or actual occurrence of the event described as an Act of God (Force Majeure). Any construction related damages that took place as a result, shall be repaired or removed and replaced at the same contract unit prices and shall be paid out of the owner's contingency.

13 In the event that the terms and provisions of all attached Exhibits conflict with or are omitted from the terms and provisions of this Contract, the terms and provisions of the attached Exhibits shall govern with respect to the performance of the work.

14 TOPB Building Permits; All permits shall be in hand prior to start of construction.

15 The following are part of the G.M.P. in order to facilitate the aggressive work schedule.

a. From April 15th, 2024 through November 22nd, 2024 Monday through Friday, regularly scheduled crew work hours shall be from 8:00 AM to 6:00 PM. From November 25th, 2024 through May 4th, 2025 regularly scheduled crew work hours shall be 9:00 AM to 5:00 PM Monday through Friday. From May 5th, 2025 through November 21st, 2025 regularly scheduled crew work hours shall be 8:00 AM to 6:00 PM Monday through Friday.
b. Night, weekend or holiday work beyond the regularly scheduled work hours stated in item a., which may be necessary due to emergency, delay or makeup time, shall be requested on a case by case basis and reviewed/approved by the Public Works Staff. If the Public Works Staff approves the request, the following Town code section shall not apply to the work performed in this GMP. Sec. 42-198(a) Prohibited. During the period of the year commencing on the Monday prior to Thanksgiving of each year and ending April 30, no person shall operate or cause to be operated the following machinery or equipment within the town (1)Dredges, whether used in making hydraulic fills, dry fills, piledriving or any other purpose.(2)Hammer-driven piledrivers, whether operated from water or land, or from motor truck or tractor, and whether stationary or moveable.(3)Gasoline, diesel and/or steam engines, operated in such a manner as to emit odors or noises offensive or disagreeable to the inhabitants of the town.(4)Dry sandblasting machines and jackhammers.(5)Any other class of machinery or appliance that in its operation would render the enjoyment of property within the town less agreeable than if such appliances or machinery were not operated.
c. The project will require free and unlimited jobsite access for workmen and deliveries during all authorized work hours.
d. The schedule makes no provision for delays caused by named storms.
e. The construction contract shall be authorized by the Town Council in the March 2024 Town Council meeting.

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

17 G.M.P. does not include removal or replacement of any unsuitable subsoils. Demucking is specifically excluded.

18 G.M.P. is based upon using parts of the Phipps Ocean Park property for construction staging and storage.

19 Prices are based on re-using excavated material for backfill. No unsuitable subsoil excavation, removal or replacement. Unsuitable soil, if encountered shall be removed, disposed of, replaced as directed by the Owner and billed to the Owner at the actual direct cost.

20 G.M.P. is based on the assumption that the entire park will be closed to begin construction. Portions of the park will be opened to the Public after completion and acceptance by the Town. Closures and phasing of construction shall be coordinated with the Town

21 The Preservation Foundation shall provide the Monstrum Playground equipment. G.M.P. includes an allowance cost for the following scopes of work as it relates to the coordination and installation of the playground equipment: scheduling of inspections, inspections, shop drawing review, coordinating delivery, any loading at the port of Miami to the site, delivery to the site and any offloading or staging, moving of materials from storage/lay down area to where the structures will be installed, project management for the delivery or installation of the equipment, furnish and installation of foundations, labor for installation, equipment and manpower for the installation, safety and securing of the work area, insurance, builder's risk insurance, testing costs, surveying and layout.

22 Owner and Construction Manager (the “Parties”) acknowledge and agree the GMP and Contract Time as defined in the Agreement do not include any cost impacts or schedule impacts (collectively “Impacts”) associated with COVID-19, any other virus, disease, epidemic, or pandemic (“Epidemic”). The Parties agree if Construction Manager's work is delayed, suspended, disrupted, made more expensive, or otherwise adversely impacted, directly or indirectly, by an Epidemic, including, but not limited to the following impacts: (1) material or equipment supply chain disruptions; (2) illness and related costs; (3) unavailability of labor or increased labor costs, including, but not limited to any labor shortage or increased labor costs resulting from loss of labor productivity, strike, lockout or denial of labor by any union or collective bargaining unit, labor force reduction required by the CDC or OSHA guidelines, regulations, or governmental order; (4) government orders, shelter-in-place orders, closures, changes in the law, or other directives or restrictions that impact the work or the Project site; or (5) fulfillment of Construction Manager’s contractual obligations regarding safety specific to COVID-19, any Epidemic, or both, then Construction Manager’s shall be entitled to an equitable adjustment of the GMP and/or Contract Time for all such impacts. The Parties further agree, Construction Manager’s will attempt to exercise due diligence with respect to the selection and management of material suppliers and supply chains in an effort to minimize the risk of disruption; however, Construction Manager does not warrant the performance of material suppliers, supply chains and supply chain management. Likewise, Construction Manager cannot foresee and is not carrying any necessary costs or contingencies for such Impacts and did not include any such Impacts in its GMP proposal for this Project.

23 Due to the present volatile nature of the construction market, construction material costs could change substantially during construction. The G.M.P. does not include any assumed material price increases. If any proposed increases are approved, these increases will be paid from the construction contingency.

24 Upon (a) achievement of substantial completion; or (b) achievement of substantial completion of all items for which Burkhardt Construction, Inc. is directly responsible such that the only outstanding items preventing finalization and closeout of the permit are either: (1) items which Owner has separately contracted for, such as furnish and installation of Legacy Trees, furnish and installation of Contract Grown Plantings, or the furnish and installation of the playground, or other specialty items; or (2) items under Burkhardt Construction Inc.'s permit but wholly out of Burkhardt Construction Inc.'s control, such as such as furnish and installation of Legacy Trees, furnish and installation of Contract Grown Plantings, or the furnish and installation of the playground, or other specialty items; the Owners shall release Burkhardt Construction, Inc., its respective officers, directors, agents and employees (collectively, "BCI") from all liability and indemnify, save, defend, and hold harmless BCI from and against any and all liabilities, damages, claims, losses, and expenses, including reasonable attorney's fees, expenses, and costs (including attorneys' fees, costs and expenses through appeal and attorneys' fees, costs and expenses incurred in establishing the right to and the amount of indemnification) for injury or damages resulting from, arising out of, caused by, or related to the presence of persons or property (other than persons or property under the direct control of BCI) within the boundaries of the location at which BCI performed the Work. This provision shall control over any other provision in the Agreement.

25 G.M.P. does not include any costs for an asbestos survey or asbestos or mold remediation in the existing restroom buildings that are being demolished. If a survey or any remediation is required, then the costs for the survey and the remediation will be taken out of construction contingency.

26 G.M.P. does not include any vibration monitoring or a pre/post construction survey by a geotechnical engineer on the existing buildings or structures in the project area. Should either of those tasks be required, the value will be taken from construction contingency.

WATER / SEWER / STORM DRAINAGE

1 G.M.P. does not include any cost for disposal/treatment of contaminated ground water if encountered during dewatering operations. It is assumed that clean groundwater generated by dewatering operations will be discharged into the existing storm drainage system.

2 Cleaning of the existing storm drainage system within the project limits is not included except to the extent caused by contractor negligence that is under the direct supervision of the construction manager.

3 G.M.P. does not include any water main work except for the few items noted on the G.M.P. "Bid Set "of drawings.

4 G.M.P. does not include City of West Palm Beach meter installation and hook-up fees.

FRANCHISE UTILITIES

1 G.M.P. does not include any design, engineering or installation fees which may be charged to the Owner by franchise utility companies. (electric, telephone, cable tv, gas)

2 The Construction Manager at Risk shall not assume liability or warranty any work performed by FPL, COMCAST, ATT, FPU and/or their subcontractors.

3 The schedule represents the work controlled by the Construction Manager. Should the project exceed the scheduled duration due to the involvement of entities beyond our control (including but not limited to FPL, ATT and Comcast), a "No Fee" time extension for that work shall be issued. "No Fee" specifically refers to the construction phase management fee and profit. Should a "Fee" be requested and deemed appropriate, if and only if it is mutually agreed upon by the Town of Palm Beach and Burkhardt Construction prior to the granted time extension, it shall be paid from owner's contingency.

4 G.M.P. does not include FPL, Comcast or ATT's binding cost estimates. These invoices shall be paid directly by the Owner. Once the FPL binding cost estimate is executed and FPL, ATT and Comcast materials are received by the subcontractor the Owner shall then issue the Notice to Proceed.

5 G.M.P. does not include any ATT or Comcast wire.

6 G.M.P. includes the costs for the meter cans shown on the drawings.

7 G.M.P. does not include any demolition and removal of any unknown structures during the installation of the proposed conduit. If encountered the additional work shall be paid from construction contingency.

ELECTRICAL

1 G.M.P. includes the installation of FP&L furnished conduits, wire, and handholes. Furnish and Installation of the light poles are by others and are not included in the G.M.P. cost estimate.

2 G.M.P. includes an allowance for the installation of new conduit and wire to each building as well as upgrading the existing "panel L" on the drawings.

LANDSCAPING AND IRRIGATION

1 G.M.P. a cost for landscape maintenance during the project. It does not include maintenance costs past project completion.

2 G.M.P. does not include the costs for the "Legacy Trees" that are labeled in the plans. The "Legacy Trees are being supplied, installed, and maintained by The Preservation Foundation of Palm Beach.

3 G.M.P. does not include material costs for the contract grown material. Plants marked with a (*) in the drawings indicate contract grown plants. All contract grown plants shall be furnished and delivered by The Preservation Foundation of Palm Beach and installed by the contractor.

VERTICAL CONSTRUCTION

1 G.M.P. does not include any provisions for a temporary lifeguard station while the existing lifeguard station is under construction. The existing lifeguard station will be closed while its undergoing renovations.

2 G.M.P. includes a special inspector for piling inspections only. The Coastal Restoration Center is the only building/structure that calls for pilings.

3 G.M.P. does not include any threshold inspector fees. G.M.P. cost estimate does not include special inspector fees for observing/certifying reinforced masonry construction.

4 G.M.P. includes the selective demolition as shown in the drawings for the lifeguard station. The exterior roof framing, all floor joists, and existing pilings all stay.

5 The metal entry gates and dumpster enclosure gates are powder coated aluminum in a standard color.

6 G.M.P. is based on using the following wood in the following locations: heavy timber framing/sheathing package is based on using Southern Yellow Pine, #1 grade, pressure treated with all 304 stainless steel hardware and fasteners. Exterior board and batten siding is including using Old Growth Cypress. Interior paint grade trim is included as Poplar. Exterior trim is included as Old Growth Cypress at CRC and restroom buildings. Exterior louvers and pediment vents on CRC building are included to be fabricated using Old Growth Cypress.

7 G.M.P. includes painted Western Red Cedar applied over Hardie board for the trim around the windows at the Lifeguard Station.

8 G.M.P. does not include new plywood decking for the floor of the Lifeguard Station. New composite decking is included for the lower level of the Lifeguard Station. Decking to be installed over existing lower level framing.

9 G.M.P. includes costs for Icynene insulation on the CRC building, restroom buildings, and lifeguard station. G.M.P. cost estimate does not include any new insulation in the Little Red School House as the ceiling and wall finishes are to remain.

10 G.M.P. includes Turada shingles for all roofs.

11 G.M.P. includes an allowance for the interior door hardware package. It is based on Baldwin Estate Series, lifetime finish.

12 G.M.P. includes CRC Building includes Marvin, Ultimate Series or equal Aluminum Clad Windows and Doors, painted finish both sides.

13 G.M.P. for the Lifeguard Station includes Marvin, Coastline Series All Aluminum Doors, windows and Sliders.

14 The Restroom Janitor Closet doors are included as Aluminum Louvered Doors and frames, with paint finish, by Cline Aluminum Doors.

15 Restroom Entry Doors are Included as Faux louvered, impact resistant wood doors. (Some details call for these to be metal, some wood). G.M. P. cost estimate includes wood.

16 G.M.P. includes boric acid and linseed oil for all exterior woodwork on CRC, Restrooms and Pavilions. LRS are painted to match existing.

17 All interiors of windows and doors are painted.

18 G.M.P. includes a manual roll down storm panel at the Lifeguard station because no power is shown for this storm panel.

19 G.M.P. includes lightning protection for the C.R.C. building, the L.R.S., and the pavilions. The G.M.P. does not include any lightning prediction systems.

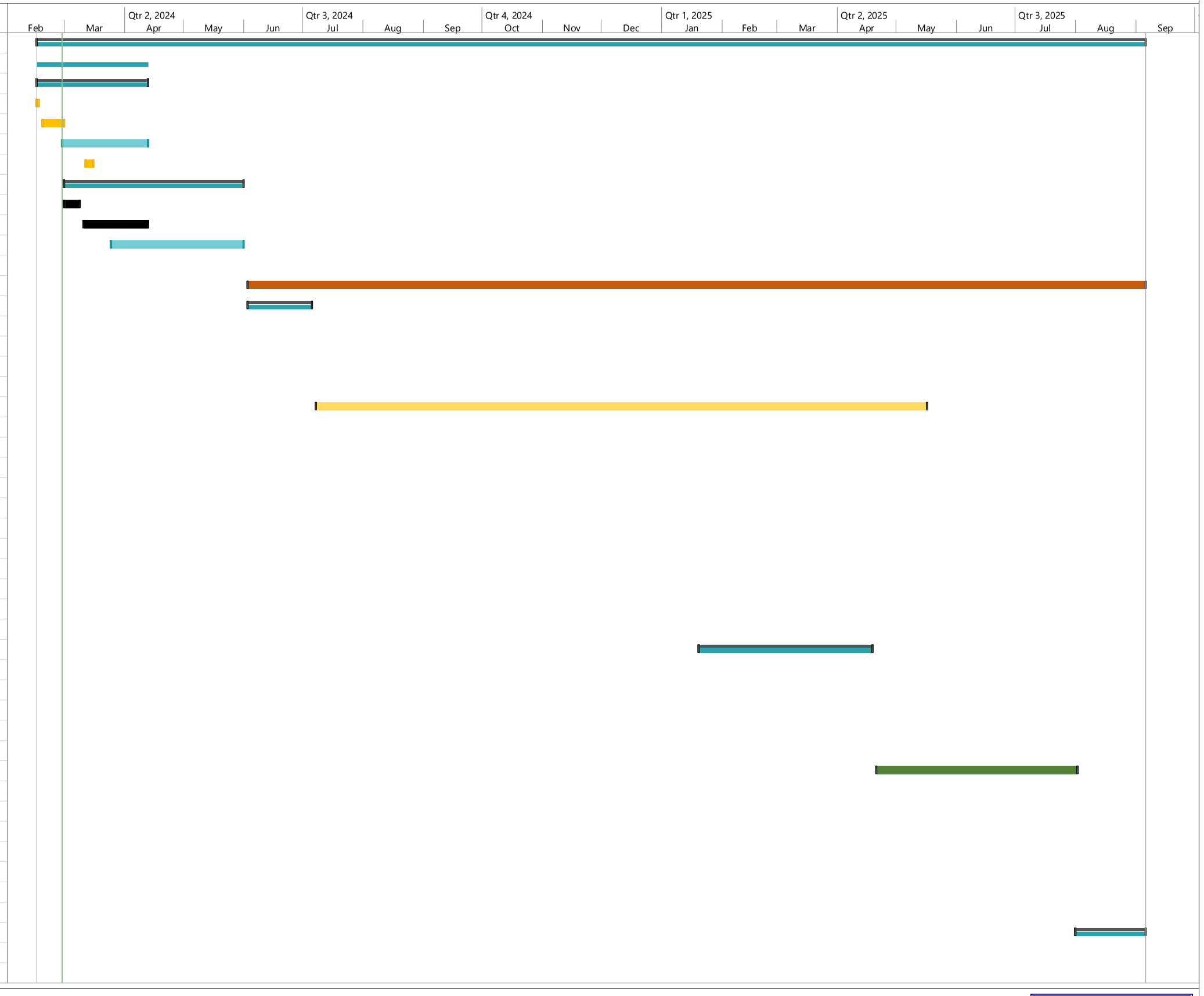
ALTERNATES

1 None.

03/12/24 TCM Backup

TOWN OF PALM BEACH
PHIPPS OCEAN PARK IMPROVEMENTS PROJECT
PRELIMINARY SCHEDULE
RFQ No. 2023-01

ID	Task Name	Start	Finish
1	**PHIPPS OCEAN PARK**	**Fri 2/16/24**	**Fri 9/5/25**
2	**PRECONSTRUCTION PHASE**		
3	**90% CONSTRUCTION DRAWINGS**	**Fri 2/16/24**	**Fri 4/12/24**
4	ISSUE GUARANTEED MAXIMUM PRICE (GMP)	Fri 2/16/24	Fri 2/16/24
5	GMP REVIEW / NEGOTIATIONS / APPROVAL	Mon 2/19/24	Thu 2/29/24
6	SUBMIT CONSTRUCTION DOCUMENTS FOR PERMITTING	Thu 2/29/24	Fri 4/12/24
7	CONTRACT EXECUTION AND NOTICE TO PROCEED	Tue 3/12/24	Fri 3/15/24
8	**CONSTRUCTION DOCUMENT PHASE**	**Fri 3/1/24**	**Fri 5/31/24**
9	LETTER OF INTENT / SUBCONTRACT AGREEMENTS	Fri 3/1/24	Fri 3/8/24
10	SUBMITTALS	Mon 3/11/24	Fri 4/12/24
11	MATERIAL PROCUREMENT	Mon 3/25/24	Fri 5/31/24
12			
13	**CONSTRUCTION**	**Mon 6/3/24**	**Fri 9/5/25**
14	**PHASE 1 OF CONSTRUCTION**	**Mon 6/3/24**	**Fri 7/5/24**
15	SITE SET UP/STAGING AREA/MOBILIZATION		
16	ROOT PRUNE TREES		
17	DEMO - STRUCTURES/TREES/INCIDENTALS		
18	DEMO - SOUTH PARKING LOT		
19	**PHASE 2 OF CONSTRUCTION**	**Mon 7/8/24**	**Fri 5/16/25**
20	TREE RELOCATIONS		
21	ROUGH SITE GRADING		
22	RESTROOM CONSTRUCTION (2)		
23	COASTAL RESTORATION CENTER CONSTRUCTION		
24	RELOCATE LITTLE RED SCHOOLHOUSE		
25	LIFEGUARD STATION RENOVATION		
26	WATER / SEWER		
27	SOUTH PARKING LOT CONSTRUCTION		
28	SOUTH WALL CONSTRUCTION		
29	TENNIS & PICKEL BALL COURTS		
30	BEACH PAVILIONS (4)		
31	**PHASE 3 OF CONSTRUCTION**	**Mon 1/20/25**	**Fri 4/18/25**
32	IRRIGATION ROUGH		
33	SITE ELECTRICAL/LOW VOLTAGE ROUGH		
34	PLAYGROUND INSTALLLATION		
35	EAST AND SOUTH PATHWAYS & STONE WALLS		
36	SOUTH & EAST IRRIGATION FINISH / LANDSCAPING		
37	**PHASE 4 AREA OF CONSTRUCTION**	**Mon 4/21/25**	**Fri 8/1/25**
38	NORTH PARKING LOT		
39	CONSTRUCT ENTRANCE SITE WALLS		
40	A1A CORRIDOR PLANTINGS		
41	NORTH & WEST PATHWAYS & STONE WALLS		
42	FINAL IRRIGATION AND LANDSCAPING		
43	SITE ELECTRICAL / LOW VOLTAGE FINISH		
44	FOUNTAIN CONSTRUCTION		
45	**PHASE 5 AREA OF CONSTRUCTION**	**Fri 8/1/25**	**Fri 9/5/25**
46	PUNCH OUT / FINAL SITE CLEANING		
47			



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PRELIMINARY SCHEDULE DATED 02/29/2024

BURKHARDT CONSTRUCTION, INC.

Burkhardt Construction, Inc.

03/12/24 TCM Backup

Current Drawings

Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
Architectural					
AA.001	KEY PLAN & STREET EL.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AA.002	FLOOD ZONE DIAGRAM	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.100	EX. & PROP. PLANS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.101	L.R.S. EX. & PROP. PLANS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.102	L.R.S. ROOF & PATT. PLANS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.103	EX. & PROP. PLANS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.110	L.R.S. EX. & PROP. ELEVATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.111	L.R.S. EX. & PROP. ELEVATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.112	L.R.S. A/C ENCL. PROP. ELEVS & SECTS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.120	L.R.S. PROPOSED SECTIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.200	L.R.S. WALL SECTIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.201	L.R.S. EAVE DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.202	L.R.S. PROP. ADA LAND. DTLS.	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.220	L.R.S. PROPOSED DOOR TYPES	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AB.221	L.R.S. PROPOSED DOOR TYPES	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.100	C.R.C. PROPOSED FLOOR PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.101	C.R.C. PROP. ROOF FRAMING PL.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.102	C.R.C.PROPOSED ROOF PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.103	C.R.C. R.C.P. & PATT. PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.104	C.R.C. PROPOSED ELEC. PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023

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					(11/30/23)
AC.105	C.R.C. ALT. DESIGN FLOOR PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.110	C.R.C. PROPOSED ELEVATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.111	C.R.C. PROPOSED ELEVATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.120	C.R.C. PROPOSED WEST SECT.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.121	C.R.C. PROP. BLDG. SECTIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.122	C.R.C. ALT. DESIGN SECTIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.200	CRC. PROPOSED WALL SECTS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.201	C.R.C. PROPOSED WALL SECTS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.210	C.R.C. EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.212	C.R.C. EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.213	C.R.C. EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.214	C.R.C. EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.215	C.R.C. EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.220	C.R.C. WINDOW TYPES/DTLS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.221	C.R.C. WINDOW TYPES/DTLS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.222	C.R.C. WINDOW TYPES/DTLS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.223	C.R.C. EXT. DOOR TYPES/DTLS.	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.224	C.R.C. EXT. DOOR TYPES/DTLS.	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.225	C.R.C. EXT. DOOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.226	C.R.C. EXT. DOOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.301	C.R.C. 101 OFFICE INT. ELEVS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.302	C.R.C. 102 KITCHEN. INT. ELEVS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
AC.303	C.R.C. 103 HALL INT. ELEVS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.304	C.R.C. 104 BATH INT. ELEVS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.305	C.R.C. 105 STORAGE INT. ELEVS.	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.306	C.R.C. 106 GARAGE INT. ELEVS.	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.307	C.R.C. 107 TRASH INT. ELEVS.	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.400	C.R.C. INTERIOR MOULDINGS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.401	C.R.C. INTERIOR MOULDINGS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.410	C.R.C. INTR. DOOR TYPES/DTLS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AC.500	C.R.C. SCHEDULES	2	01/29/2024	01/29/2024	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
AD.100	RESTROOMS FLOOR PLANS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.101	RESTROOMS ROOF & PATT. PLANS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.102	RESTROOMS R.C.P. & ELEC. PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.110	RESTROOMS PROPOSED ELEVATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.120	RESTROOMS PROPOSED SECTIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.200	RESTROOMS PROPOSED WALL SECTS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.201	RESTROOMS PROPOSED WALL SECTS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.210	RESTROOMS EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.211	RESTROOMS EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.212	RESTROOMS EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.220	RESTROOMS DOOR/VENT TYPES/DTLS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.221	RESTROOMS DOOR/VENT TYPES/DTLS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.222	RESTROOMS DOOR/VENT TYPES/DTLS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
AD.301	RESTROOMS 101 WOMEN'S INT. ELEVS.	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.302	RESTROOMS 102 FAMILY 1 INT. ELEVS.	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.303	RESTROOMS 103 MEN'S INT. ELEVS.	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.304	RESTROOMS 104 FAMILY 2 INT. ELEVS.	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AD.500	RESTROOMS SCHEDULES	2	01/29/2024	01/29/2024	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
AE.100	BEACH PAVILION PROPOSED PLANS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AE.110	BEACH PAVILION PROP. ELEVS & SECTS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AE.200	BEACH PAVILION EXTERIOR DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AE.201	BEACH PAVILION EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
AE.202	BEACH PAVILION EXTERIOR DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
Civil					
CS.000	COVER SHEET	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.001	GENERAL NOTES	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.002	PHOTOGRAPHS OF EXISTING CONDITIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.003	PHOTOGRAPHS OF EXISTING CONDITIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.200	OVERALL DEMOLITION	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.201	DEMOLITION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.202	DEMOLITION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.203	DEMOLITION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.204	DEMOLITION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.205	DEMOLITION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.206	DEMOLITION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.300	OVERALL MASS GRADING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
					(11/30/23)
CS.301	MASS GRADING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.302	MASS GRADING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.303	MASS GRADING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.304	MASS GRADING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.305	MASS GRADING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.306	MASS GRADING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.310	OVERALL PAVING GRADING AND DRAINAGE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.311	PAVING GRADING AND DRAINAGE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.312	PAVING GRADING AND DRAINAGE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.313	PAVING GRADING AND DRAINAGE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.314	PAVING GRADING AND DRAINAGE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.315	PAVING GRADING AND DRAINAGE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.316	PAVING GRADING AND DRAINAGE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.320	CONSTRUCTION DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.321	CONSTRUCTION DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.410	OVERALL UTILITY PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.411	UTILITY PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.412	UTILITY PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.413	UTILITY PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.414	UTILITY PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.415	UTILITY PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.416	UTILITY PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
CS.417	UTILITY DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
CS.418	UTILITY DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
Electrical					
EA.001	L.R.S. ELECTRICAL NOTES	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EA.002	L.R.S. ELECTRICAL SITE PLAN	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EB.100	L.R.S. ELECTRICAL PLANS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EB.200	L.R.S. ELECTRICAL RISERS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EC.100	C.R.C. ELECTRICAL PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EC.200	C.R.C. ELECTRICAL RISERS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
ED.100	RESTROOMS ELECTRICAL PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
ED.200	RESTROOMS ELECTRICAL RISERS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EP.000	OVERALL ELECTRICAL	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EP.001	ELECTRICAL POWER PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EP.002	ELECTRICAL POWER PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EP.003	ELECTRICAL POWER PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EP.004	ELECTRICAL POWER PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EP.005	ELECTRICAL POWER PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EP.006	ELECTRICAL POWER PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
EP.007	POWER SCHEDULE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
ES.000	OVERALL ELECTRICAL SECURITY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
ES.001	ELECTRICAL SECURITY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
ES.002	ELECTRICAL SECURITY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
ES.003	ELECTRICAL SECURITY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
ES.004	ELECTRICAL SECURITY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
ES.005	ELECTRICAL SECURITY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
ES.006	ELECTRICAL SECURITY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
ES.007	ELECTRICAL SECURITY SCHEDULES	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
General					
GI.000	SITE PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.001	VICINITY MAP & LOCATION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.002	SITE IMAGERY KEY PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.003	SITE IMAGERY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.004	SITE IMAGERY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.005	SITE IMAGERY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.006	SITE IMAGERY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.007	SITE IMAGERY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.008	SITE IMAGERY	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.010	ZONING DIAGRAM	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.020	ZONING LEGEND	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.030	PROPOSED OPEN SPACE DIAGRAM	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
GI.031	EXISTING OPEN SPACE DIAGRAM	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
Irrigation					
IR1.07	IRRIGATION SCHEDULE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
IR.100	OVERALL IRRIGATION	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
IR.101	IRRIGATION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
IR.102	IRRIGATION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
IR.103	IRRIGATION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
IR.104	IRRIGATION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
IR.105	IRRIGATION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
IR.106	IRRIGATION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
IR.110	IRRIGATION DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
IR.111	IRRIGATION NOTES	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
IR.112	IRRIGATION NOTES	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
Landscape					
LF.100	FURNISHINGS PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LF.201	FURNITURE SPECIFICATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LF.202	FURNITURE SPECIFICATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.100	HARDSCAPE PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.101	HARDSCAPE PLAN NORTHEAST	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.102	HARDSCAPE PLAN CENTER EAST	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.103	HARDSCAPE PLAN SOUTHEAST	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.104	HARDSCAPE PLAN NORTHWEST	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.105	HARDSCAPE PLAN CENTER WEST	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.106	HARDSCAPE PLAN SOUTHWEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.107	HARDSCAPE PLAN WEST OF A1A NORTH & CENTER	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
					(11/30/23)
LH.108	HARDSCAPE PLAN WEST OF A1A SOUTH	1	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.201	PLAYGROUND ENLARGEMENT	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.202	COASTAL RESTORATION CENTER	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.203	ENTRY PLAZA ENLARGEMENT	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.204	SCHOOLHOUSE & OUTDOOR CLASSROOM	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.205	HORIZON PLATEAU ENLARGEMENT	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.206	PUBLIC WORKS AREA ENLARGEMENT	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.207	WILDFLOWER GARDEN ENLARGEMENT	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.208	PICKLEBALL ENLARGEMENT	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.209	NORTH RESTROOMS ENLARGEMENT	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.210	SOUTH RESTROOMS ENLARGEMENT	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.211	ADA BEACH RAMP ENLARGEMENT	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.212	EDUCATIONALGARDEN ENLARGEMENT	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.300	MATERIAL SPECIFICATIONS	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.301	MATERIAL SPECIFICATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.302	MATERIAL SPECIFICATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.400	HARDSCAPE SECTIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.500	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
					(11/30/23)
LH.500.1	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.500.2	HARDSCAPE DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.501	HARDSCAPE DETAILS	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LH.502	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.503	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.504	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.505	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.506	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.507	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.508	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.509	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.510	HARDSCAPE DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.511	HARDSCAPE DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.512	HARDSCAPE DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LH.513	WATER FEATURE DETAILS	1	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LP.100	CANOPY PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.101	CANOPY PLAN NORTHEAST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.102	CANOPY PLAN CENTER EAST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.103	CANOPY PLAN SOUTHEAST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.104	CANOPY PLAN NORTHWEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
LP.105	CANOPY PLAN CENTER WEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.106	CANOPY PLAN SOUTHWEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.107	CANOPY PLAN WEST OF A1A NORTH & CENTER	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.108	CANOPY PLAN WEST OF A1A SOUTH	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.200	UNDERSTORY PLAN	2	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LP.201	UNDERSTORY PLAN NORTHEAST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.202	UNDERSTORY PLAN CENTER EAST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.203	UNDERSTORY PLAN SOUTHEAST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.204	UNDERSTORY PLAN NORTHWEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.205	UNDERSTORY PLAN CENTER WEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.206	UNDERSTORY PLAN SOUTHWEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.207	UNDERSTORY PLAN WEST OF A1A NORTH & CENTER	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.208	UNDERSTORY PLAN WEST OF A1A SOUTH	1	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LP.209	MULCH PLAN	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.300	CANOPY PLANT LIST	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.301	CANOPY PLANT LIST	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.302	CANOPY PLANT LIST	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.303	UNDERSTORY PLANT LIST	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.304	UNDERSTORY PLANT LIST	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.305	UNDERSTORY PLANT LIST	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.306	UNDERSTORY PLANT LIST	1	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
					Plan Sheets Received 1.31.2024 (01/31/24)
LP.307	UNDERSTORY PLANT LIST	1	01/31/2024	01/31/2024	Phipps Ocean Park Improvements Updated Landscape and Hardscape Plan Sheets Received 1.31.2024 (01/31/24)
LP.310	PLANTING SCHEDULE	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
LP.311	PLANTING SCHEDULE	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
LP.400	PLANTING DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.401	PLANTING NOTES & SPECIFICATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LP.402	SOIL SPECIFICATIONS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
LP.403	PLANTING SPECIFICATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.100	TREE DISPOSITION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.101	TREE DISPOSITION PLAN NORTHEAST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.102	TREE DISPOSITION PLAN CENTER EAST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.103	TREE DISPOSITION PLAN SOUTHEAST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.104	TREE DISPOSITION PLAN NORTHWEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.105	TREE DISPOSITION PLAN CENTER WEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.106	TREE DISPOSITION PLAN SOUTHWEST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.107	TREE DISPOSITION PLAN WEST OF A1A NORTH & CENTER	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.108	TREE DISPOSITION PLAN WEST OF AIA SOUTH	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.200	TREE DISPOSITION LIST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.201	TREE DISPOSITION LIST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.202	TREE DISPOSITION LIST	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LR.300	TREE DISPOSITION NOTES	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
					(11/30/23)
LIFEGUARD STATION RENOVATION					
A0.01	LIFEGUARD STATION TYPICAL MOUNTING HEIGHTS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A0.20	LIFEGUARD STATION MATERIALS & FINISH LEGEND	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A0.30	LIFEGUARD STATION DOOR AND WINDOW SCHEDULE AND	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A2.10	LIFEGUARD STATION OVERALL FLOOR PLANS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A2.11	LIFEGUARD STATION OVERALL ROOF PLAN	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A3.10	LIFEGUARD STATION OVERALL REFLECTED CEILING PLAN	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A4.01	LIFEGUARD STATION ENLARGED PLAN AND SECTIONS - STAIRS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A6.01	LIFEGUARD STATION EXTERIOR BUILDING ELEVATIONS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A6.02	LIFEGUARD STATION EXTERIOR BUILDING ELEVATIONS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A7.01	LIFEGUARD STATION BUILDING SECTIONS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A7.50	LIFEGUARD STATION WALL SECTIONS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A7.51	LIFEGUARD STATION WALL SECTIONS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A7.75	LIFEGUARD STATION PANEL DETAILS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
A8.01	LIFEGUARD STATION INTERIOR ELEVATIONS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
AD2.10	LIFEGUARD STATION DEMO FLOOR PLAN	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
AD6.01	LIFEGUARD STATION DEMO FELEVATION	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
C-01	LIFEGUARD STATION CIVIL SITE PLAN	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
E0.00	LIFEGUARD STATION GENERAL NOTES AND LEGEND	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
E1.10	LIEFGUARD STATION OVERALL ELECTRICAL PLANS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
E2.10	LIFEGUARD STATION ELECTRICAL DETAILS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
G0.00	LIFEGUARD STATION COVER SHEET	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
G0.01	LIFEGUARD GENERAL PROJECT INFORMATION	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
G2.01	LIFEGUARD LIFE SAFETY PLAN AND CODE ANALYSIS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
P0.10	LIFEGUARD STATION GENERAL NOTES, LEGENDS, & SCHEDULES	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
P1.10	LIFEGUARD STATION OVERALL PLUMBING PLANS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
S0.01	LIFEGUARD STATION GENERAL NOTES	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
S0.02	LIFEGUARD STATION GENERAL NOTES	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
S0.03	LIFEGUARD STATION GENERAL SCHEDULES	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
S1.01	LIFEGUARD STATION FRAMING PLANS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
S2.01	LIFEGUARD STATION SECTIONS & DETAILS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)
S2.02	LIFEGUARD STATION RETROFIT SECTIONS & DETAILS	0	06/30/2023	07/03/2023	Town of Palm Beach - Phipps Ocean Park Lifeguard Station Renovation Plans Rec'd 7.3.2023 (06/30/23)

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Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
Lighting					
LI.000	OVERALL LIGHTING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LI.003	LI.003 LIGHTING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LI.004	LIGHTING PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LI.005	LIGHTING PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LI.006	LIGHTING PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
LI.100	LIGHTING DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
Mechanical					
MA.001	MECHANICAL SCHEDULES	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
MA.200	MECHANICAL DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
MA.201	MECHANICAL DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
MB.100	L.R.S. PROPOSED MECHANICAL	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
MC.100	C.R.C. PROPOSED MECHANICAL	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
MD.100	RESTROOMS PROPOSED MECHANICAL	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
Plumbing					
PA.001	PLUMBING NOTES, LEGEND & SCHEDULE	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
PA.200	PLUMBING ISOMETRICS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
PA.300	PLUMBING DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
PB.100	L.R.S. PROPOSED PLUMBING	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
PC.100	C.R.C. PROPOSED PLUMBING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
PD.100	RESTROOMS PROPOSED PLUMBING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
Structural					
SA001	SITE STRUCTURAL NOTES & DTLS.	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SA.001	PLAYGROUND STRUCTURAL NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023

03/12/24 TCM Backup

Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
					(11/30/23)
SA002	SITE STRUCTURAL NOTES & DTLS.	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SA.002	PLAYGROUND STRUCTURAL NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SA101	RETAINING WALL PLAN	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SA.101	PLAYGROUND FOUNDATION PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SA102	PROPOSED FOUNDATION PLAN - PG	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SA201	SITE WALL DTLS.	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SA.201	PLAYGROUND STRUCTURAL DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SA202	SITE WALL DTLS.	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SA.202	SITE & LANDSCAPING DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SA.203	SITE & LANDSCAPING DETAILS	0	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SB001	LRS NOTES & DTLS.	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SB.001	LRS NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SB002	LRS NOTES & DTLS.	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SB.002	LRS NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SB101	PROPOSED FOUNDATION PLAN - LRS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SB.101	PROPOSED FOUNDATION PLAN - LRS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SC001	CRC NOTES & DTLS.	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.001	CRC NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)

Burkhardt Construction, Inc.

03/12/24 TCM Backup

Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
SC002	CRC NOTES & DTLS.	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.002	CRC NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SC003	CRC NOTES & DTLS.	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.003	CRC NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SC101	CRC PLANS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.101	CRC FOUNDATION	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SC102	CRC PLANS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.102	CRC LOW FRAMING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SC103	CRC PLANS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.103	CRC MID FRAMING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SC104	CRC PLANS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.104	CRC HIGH FRAMING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SC105	CRC WIND PRESSURE ELEVATIONS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.105	WIND PRESSURE ELEVATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SC201	CRC DETAILS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.201	CRC DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SC202	CRC DETAILS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SC.202	CRC DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SD001	RESTROOM NOTES & DETAILS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements

03/12/24 TCM Backup

Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
					90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SD.001	RESTROOM(s) NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SD002	RESTROOM NOTES & DETAILS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SD.002	RESTROOM(s) NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SD003	RESTROOM NOTES & DETAILS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SD.003	RESTROOM(s) NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SD101	RESTROOM PLANS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SD.101	PLAN	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SD102	RESTROOM PLANS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SD.102	ROOF FRAMING	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SD103	RESTROOMS WIND PRESSURE ELEVATIONS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SD.103	WIND PRESSURE ELEVATIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SD201	RESTROOM DETAILS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SD.201	RESTROOM(s) DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SE001	BEACH PAVILION NOTES & DETAILS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SE.001	BEACH PAVILION(s) NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SE002	BEACH PAVILION NOTES & DETAILS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SE.002	BEACH PAVILION(s) NOTES & DETAILS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SE101	BEACH PAVILION PLANS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/

03/12/24 TCM Backup

Drawing No.	Drawing Title	Revision	Drawing Date	Received Date	Set
					30/23)
SE.101	BEACH PAVILIONS	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
SE201	BEACH PAVILION DETAILS	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SE.201	BEACH PAVILION(s)	1	11/30/2023	12/07/2023	90% Plans Rev. 1 - Rec'd 12.7.2023 (11/30/23)
TOPOGRAPHIC SURVEY					
SHEET 1/8	SURVEY	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SHEET 2/8	SURVEY	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SHEET 3/8	SURVEY	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SHEET 4/8	SURVEY	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SHEET 5/8	SURVEY	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SHEET 6/8	SURVEY	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SHEET 7/8	SURVEY	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)
SHEET 8/8	SURVEY	0	06/30/2023	07/03/2023	Phipps Ocean Park Improvements 90% GMP Plans Rec'd 7.3.2023 (06/30/23)

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Regular Agenda - Old Business

Agenda Title
Discussion Regarding Traffic Issues and Presentation of Mitigation Plans

Presenter
Nicholas Caristo, Chief of Police

ATTACHMENTS:

- **Memorandum Dated February 28, 2024, from H. Paul Brazil, P.E., Director of Public Works**
- **Memorandum Dated February 29, 2024, from Nicholas Caristo, Chief of Police**
- **Traffic Management Plan (redlined version)**
- **Traffic Management Plan**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Traffic Signal Coordination Update

DATE: February 28, 2024

STAFF RECOMMENDATION

Town staff is providing an update on actions taken to improve the traffic signal coordination throughout the Town.

GENERAL INFORMATION

Several factors have led to increased traffic levels and congestion within the Town this year. The following text is a compilation of observations, data collection, and analysis by staff and Town's consultant.

Although traffic volumes are seemingly higher throughout the Town, the focus of increased congestion has been on North County Road north of Royal Poinciana Way, especially at the signalized intersections of Sunrise Avenue, Sunset Avenue, and Royal Poinciana Way. During certain times of the day, traffic traveling through these intersections may have to wait more than one cycle to proceed. Based on staff observation and review of recently collected traffic volume data, congestion in this area occurs on weekdays, in season, specifically from 3:00pm to 5:00pm, with 3:30pm being the peak. During other times of the day, the intersections can handle the volume of traffic.

Recent counts at the intersection of North County Road and Sunset Avenue indicate an overall increase in traffic volumes. In the past year, the total intersection count has increased from 1,286 vehicles per hour at 3:30pm to 1,471 vehicles per hour, representing a fourteen percent (14%) annual increase. In addition to the increased traffic utilizing Sunset Avenue eastbound since the conversion to a one-way street (a 52% increase in the PM peak and nearly double the traffic in the AM peak), the through volumes on northbound and southbound County Road have increased.

The Town has recently implemented a new software program to help manage the congestion and increase efficiency at the signalized sections within the Town. This state-of-the-art software observes traffic in real-time and modifies the amount of green time given to various movements at each intersection based on real-time observed traffic, rather than based on general patterns and traffic volume data that had to be quantified and analyzed manually. This means that instead of the signals operating within the same timing parameters all day long, they can update signal timings minute-by-minute based on real traffic flow. Furthermore, the intersections can communicate with the other intersections in the Town so that traffic flows from one intersection can be anticipated at other nearby intersections, creating more efficient traffic flow. This system is state-of-the-art and has been proven to reduce wait time at intersections.

While the new software will optimize efficiency at the signalized intersections, there are limits to how much traffic can flow through an intersection. During the peak hour, peak season time period, the peak flow in the southbound direction along North County Road near Royal Poinciana Way results in a delay to motorists that exceed the desirable limit of Level of Service D. Adjusting signal timing to allow for more green time along North County, while possible, will increase delays to northbound, eastbound, and westbound traffic at the intersection of Royal Poinciana Way and North County Road. Regardless of the optimization applied to the signal timing at the intersection, congestion will continue to occur at the current traffic volumes.

Options for relieving congestion should include strategies that reduce traffic volumes in the congested areas. Reversion of Sunset Avenue to two-way operation, or potentially one-way westbound, should be studied. The potential for a new traffic signal at Sunset Avenue and Bradley Place should also be studied. Additional laneage at key intersections such as Royal Poinciana Way and North County Road and Royal Poinciana Way and Bradley Place could be considered, recognizing right-of-way constraints. Re-striping the existing intersections to accommodate additional traffic can also be studied.

FUNDING/FISCAL IMPACT

The funding impacts would be determined if additional studies or actions are recommended.

cc: Nicholas Caristo, Chief of Police
Jason Debrincat, P.E., Assistant Director of Public Works
Paul Colby, Facilities Maintenance Division Manager

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Review and Discussion of Revised Mar a Lago Traffic Management Plan

Date: February 29, 2024

STAFF RECOMMENDATION

Staff recommends that the Town Council review a revised Traffic Management Plan submitted by Mar a Lago staff, provide input, and further direction when they would like to reconsider approval of an amended Declaration of Use for the property. This approval was previously tabled pending a revised Traffic Management Plan that was acceptable to the Town Council and Town staff.

GENERAL INFORMATION

The Police Department has been working with the Town Council, Mar a Lago staff, and our federal law enforcement partners on an amended Traffic Management Plan for events at Mar a Lago. We had productive meetings, which resulted in the attached Mar a Lago proposed Traffic Management Plan. Mar a Lago has been abiding by the amended plan since December of 2023, and the Police Department has seen improved traffic conditions during events in the area.

Attachment

cc: Carolyn Stone, Deputy Town Manager
Robert Miracle, Deputy Town Manager
Wayne Bergman, Director of Planning, Zoning, and Building

SIMMONS & WHITE
CIVIL & TRAFFIC ENGINEERING

MAR-A-LAGO

Palm Beach, Florida

TRAFFIC MANAGEMENT PLAN

PREPARED FOR:

Mar-a-Lago Club
1100 S. Ocean Boulevard
Palm Beach, Florida 33480

JOB NO. 23-050

DATE: April 27, 2023
REVISED: May 5, 2023
REVISED: February 19, 2024

Bryan G. Kelley, Professional Engineer, State of Florida, License No. 74006 This item has been digitally signed and sealed by Bryan G. Kelley, P.E., on 02/19/2024. Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.	

2581 Metrocentre Blvd. West, Ste 3 | West Palm Beach, FL 33407
561.478.7848 | simmonsandwhite.com | Certificate of Authorization #3452

APPENDICES

APPENDIX A

TRAFFIC CIRCULATION EXHIBITS

APPENDIX B

95TH PERCENTILE QUEUING CALCULATIONS

The Traffic Management Plan (TMP) documented herein is provided to serve as an update to the 1999 Traffic Management Plan and 2023 Traffic Management Plan. The Mar-a-Lago Club (The Club) received ~~is requesting~~ approval for a security guardhouse at the main entry gate on S. Ocean Boulevard on May 10, 2023 which was the reason for the 2023 TMP update. ~~The guardhouse is proposed to be located 31 feet west of the existing gate and approximately 60 feet from S. Ocean Boulevard. At the request of the Town Council, the Traffic Management Plan has been updated to document the existing and proposed traffic operations of The Club.~~ The purpose of this update is to make additional modifications to the TMP to further reduce traffic congestion on S. Ocean Boulevard. Representatives from the Town Council, Mar-a-Lago staff, Secret Service, and the Town Police Department met on December 4, 2023 and agreed on modifications to the TMP. All parties agreed to work together cooperatively on an on-going basis to minimize traffic disruptions to the public while allowing Mar-a-Lago to continue utilizing The Club for all permitted purposes while simultaneously providing Secret Service protection of the former president and his family.

For consistency purposes, the format and methodology of the updated TMP is similar to the previous 1999 TMP. The 1999 TMP included a list of objectives to evaluate that were agreed upon between the Town Staff and traffic consultants. The list included the following:

1. Address external impacts on the adjacent roadways. All efforts should be made not to interfere with traffic already on Southern Boulevard and South Ocean Boulevard.
2. Provide appropriate access for emergency vehicles.
3. Provide a routing plan for limousines.
4. Discuss access plan for Southern Boulevard gate.
5. Demonstrate how The Club's planning for events can alleviate traffic congestion (i.e., "spreading out the peak").
6. Explain valet parking operations and any problems related to its efficient operation.
7. Describe operations, including valet parking, during special events.
8. Discuss other traffic considerations, including drop-offs.

The 1999 TMP never contemplated a Donald Trump becoming President of the United States. The 2016 election of Mr. Trump to President created additional security measures including the increased presence of United States Secret Service during presidency and a modified presence as a former president. The above items will be readdressed as part of this updated TMP. A total of three scenarios (3) will be presented that will show various levels of Club operations and uses. The first scenario includes mostly daily Club operations and smaller events with less than 200 guests. The second scenario will describe the traffic operations for events with between 200 and ~~399~~ 299 guests. The final scenario will include larger events with ~~400~~ 300 to 740 guests. The existing traffic management and operations are designed to minimize traffic congestion on the surrounding roadway network. It should be noted the frequency of events decreases as the number of guests increase.

Roadway Characteristics

Southern Boulevard (SR 80) is a two-lane undivided roadway owned and maintained by the Florida Department of Transportation (FDOT) with a posted speed limit of 35 mph. Bike lanes and sidewalk are present on both sides of Southern Boulevard west of the Mar-a-Lago driveway. The right of way varies on Southern Boulevard due to the roundabout on the east side and the bridge on the west side.

S. Ocean Boulevard (SR A1A) is a two-lane undivided roadway owned and maintained by the FDOT with a posted speed limit of 30 mph. No bike lanes or sidewalks are present on S. Ocean Boulevard fronting Mar-a-Lago. The right of way on S. Ocean Boulevard is 40 feet along the frontage of the property.

Scenario #1 – Events up to 199 Guests

This scenario represents the majority of Mar-a-Lago activity. During daily operations, Club members can use the Southern Boulevard gate or main gate on S. Ocean Boulevard. Members tend to use the gate closest to their destination. Members going to the beach club or tennis area generally use the Southern Boulevard entrance and members going to the spa or main house generally use the S. Ocean Boulevard entrance. Club members have the option to self-park or use the valet service. When leaving the site, Club members are strongly encouraged to use the exit only gate on S. Ocean Boulevard.

Events up to 199 people can represent dinner parties, birthday parties, weddings, and other celebrations. Daily regular activity at The Club includes dining, spa, and tennis activities and can be easily accommodated when events of less than 200 guests are ongoing. The Club will utilize later dinner reservations on weeknights except for Friday.

All guests are emailed guidance instructions for arriving at site, security requirements, and Club policies. The guidance includes the arrival locations and informs guests to have ID's and QR codes ready upon arrival in order to expedite the check in process.

Guest traffic enters at the main driveway from S. Ocean Boulevard. The Southern Boulevard access is restricted to members, vendors, and staff. Staff arrive earlier than guest traffic. Guest traffic is restricted to northbound left turn only on S. Ocean Boulevard at the main entrance. For smaller events and when traffic is minimal, southbound right turns into the main entrance may be permittable. When southbound right turns are restricted, all guests arriving from the north are directed to travel around the corner and then make a U-turn at the roundabout on Southern Boulevard on the south side of The Club. The purpose of this restriction is to eliminate or minimize vehicular spillover and queuing on S. Ocean Boulevard. South Ocean Boulevard along the site frontage is a two-lane undivided roadway with an exclusive northbound left turn lane. Any vehicle stacking on southbound S. Ocean Boulevard would block through traffic not traveling to Mar-a-Lago. The northbound left turn lane is approximately 200 feet in length and can accommodate approximately 8 vehicles. Additionally, the existing chevron striping prior to the turn lane can accommodate approximately another 5 vehicles for a total of 13 vehicles. United States Secret Service is staged immediately inside the gate. Once motorists are cleared through security, they continue to the front of The Club to turn their vehicle over to valet. Valet then parks their vehicle starting at the parking lots to the east and moving west. Once the parking lots are filled, the grass lot is used for valet parking.

The Mar-a-Lago security team has implemented measures to improve vehicle operational efficiency and reduce traffic impact to S. Ocean Boulevard. First, off-duty police officers are hired to assist with traffic flow for all events 150 guests or larger. The police officers assist with traffic flow before events. At times, the security team and with police assistance position themselves on S. Ocean Boulevard to verify proper clearance onto the site. They will then inform the inside security/United States Secret Service team which vehicles have been cleared for quicker entry. Mar-a-Lago has recently implemented a QR code system check in for guests. The QR code has allowed for a much quicker processing time in identifying reservations and getting vehicles off of S. Ocean Boulevard. If credentials are not able to be verified, motorists are moved just to the north of the main entrance on S. Ocean Boulevard in the existing chevron striping area (center lane) to not cause any additional delay. If credentials are still unable to be confirmed, guests are asked to leave and return once they have sufficient credentials. If there is an issue or malfunction scanning the QR code, a physical copy of attendees is kept by the security team and can be utilized.

Once through security, motorists will continue to the front of The Club to the designated valet drop off area. Approximately 10 vehicles can stack (20 if double stacked) between the valet drop off area and S. Ocean Boulevard. The vehicles are then parked by valet staff in available parking spaces on the north side of The Club. The vehicles are generally parked east to west and begin at the parking lot closest to S. Ocean Boulevard. The grass field parking is the last parking area to be utilized.

At the conclusion of the event, guests pick up their vehicles at the same valet location as drop off if event is held in the main house area. Motorists utilize the exit only gate to S. Ocean Boulevard to exit the property. If the event is located in the Grand Ballroom, guests will generally pick up their vehicle ~~behind~~ near the Grand Ballroom and exit onto Southern Boulevard.

Emergency vehicles can access any of the three driveways as needed. A paramedic is always onsite for events with 150 guests or more. Limousines, Uber, Lyft, and other ridesharing services are not permitted on the property per United States Secret Service security requirements. This procedure has not caused traffic issues. Personal~~nnel~~ drivers (employed by a family) and shuttle buses are allowed on property.

Staffing for valet personnel varies pending event size. Valet staff is present at The Club during all days The Club is open even during non-events to allow for regular Club use valet services.

The plan described above for events of less than 200 guests is the majority of the events at the Mar-a-Lago. The number and size of events is detailed later in the report. The procedures described above unless otherwise noted carry over and are the same for larger events. A Traffic Circulation Exhibit documenting the ingress and egress circulation is provided in Appendix "A" of this report.

Scenario #2 – Events from 200 to ~~399~~ 299 Guests

Events between 200 to ~~399~~ 299 guests can include charitable functions, luncheons, cocktail parties, weddings, or other forms of celebrations. The Club schedules events of this size to take place when minimal other activity is happening on the property. The Club does not schedule two or more events of this size or larger at the same time. The Club will minimize or have no special events during the afternoon peak hours of the Town of Palm Beach which occurs from 3:00 to 5:30 P.M. on a weekday. One or two police officers are always used for events of this size. The Club notifies the police department well in advance of any event and informs them of the number of attendees expected and the duration of the event. The Club pays for the off-duty police officers. The arrival and departure procedure are nearly identical to Scenario #1.

The previous TMP stated staffing for valet personnel typically started at 7 people for an event of 200 guests and increased by two additional valet staff for every 100 guests. Therefore, a ~~400~~299-guest event would generally have ~~11~~ 9 valet staff members. Currently, The Club utilizes approximately 5 to 6 valet personnel for every 50 vehicles which exceeds the previous TMP assumptions. For purposes of this updated TMP, the traffic and queuing analysis will assume the previous valet staffing assumptions to be conservative.

Scenario # 3 – Events from ~~400~~ 300 to 740 Guests

Events between ~~400~~ 300 to 740 guests represent a small percentage of the overall events held at the Mar-a-Lago Club. A minimum of two police officers are used for all events with 400 or more anticipated guests. The police officers also generally assist with vehicle departure in addition to arrival for large events. The traffic management procedures are similar to the first two scenarios with a couple of ~~additional options as further~~notable differences detailed below. The valet personnel will typically range from ~~11~~ 9 staff members for a ~~400~~300-guest event up to 18 staff members for a 740-guest event.

~~**Optional Traffic Management Measures**~~

For large events (300 to 740 guests), The Club will ~~generally~~ make best efforts to utilize the Bath and Tennis Club's west parking lot across from The Club on the south side of Southern Boulevard to pre-screen guests. Guests are notified prior to the event they must arrive at the Bath and Tennis Club. The Club security team is staged at both the entrance to Mar-a-Lago and within the Bath and Tennis Club parking lot. All vehicles arrive at the Bath and Tennis Club's west parking lot via the driveway on S. Ocean Boulevard. Once guests have arrived at the parking lot, a pre-screen queuing line is formed that can accommodate approximately 17 vehicles single stacked and additional lanes can be created to allow for additional vehicles. The security team gives vehicles an entrance pass once they have been pre-screened. Once several vehicles have been pre-screened, the police officer will stop eastbound and westbound Southern Boulevard traffic and allow vehicles to the enter Mar-a-Lago using the south gate. This procedure dramatically reduces vehicle congestion on S. Ocean Boulevard and Southern Boulevard since all queuing is occurring within the Bath and Tennis Club. ~~The Bath and Tennis Club is used for large events and when available. However, the Bath and Tennis Club is not always available due to other planned events.~~ No events of 300 guests or more will occur on a weekday between 3:00 and 5:30 P.M. unless the Bath and Tennis Club parking lot and Southern Boulevard entrance are used.

In the event the Bath and Tennis Club parking lot is not available outside of the Town's P.M. peak hours, the S. Ocean Boulevard entrance will be used along with shuttle buses from offsite. The shuttle buses will be required to shuttle a total of at least 200 guests and will utilize the South Boulevard entrance to minimize queuing conflicts with the S. Ocean Boulevard. Shuttle buses from offsite locations will also be used and are recommended for all large events even when using the Bath and Tennis Center's parking lot and Southern Boulevard entrance.

Temporary wayfinding signage including sandwich signs, illuminated signs, and multiple signs may be used within the public right of way for all special events.

Once inside the Southern Boulevard gate, guests proceed to the valet drop off area which is approximately 250 feet inside the gate near the Grand Ballroom driveway. The valet stacking can accommodate approximately 10 vehicles single stacked or 20 vehicles double stacked. For red carpet events, the valet drop off is approximately 450 feet north (18 vehicles single stacked capacity) of the Southern Boulevard gate just south of the parking lot on the north side of the property. Numerous valet attendants are ready as soon as vehicles arrive so queueing is typically not an issue. Further, security can hold vehicles at the Bath and Tennis Club if needed to allow the vehicles at the valet to clear.

For these events, guests will pick up their vehicles ~~behind~~ near the ballroom and exit onto Southern Boulevard when the event is over. A police officer is always present for these events at the entrance for arrival and for departure of large events. Guests are notified prior to the event if the Southern Boulevard gate is to be used. The Club will also limit reservations for different times to balance the peak demand.

To help reduce traffic congestion for larger events (approaching 740 guests), at times The Club will stagger arrival times for guests. Guests will be notified the arrival times on the guest guidance sheet that is sent out prior to all events. A Traffic Circulation Exhibit documenting the ingress and egress circulation for large events and using the Bath and Tennis Club parking lot is provided in Appendix "A" of this report.

Event Summary (October 31, 2022 – April 20, 2023)

The number and types of events documented below were provided by Mar-a-Lago Catering & Events and Dining Services for the time period from October 31, 2022 through April 20, 2023. There is ~~a small~~ some discrepancy in the event threshold used in the reporting below was for 500 guests instead of ~~400~~ 300 guests. However, the data provides insight to the frequency and size of events.

- Number of days in 2022-2023 season as noted above: 171 days
- Number of banquet events: 95 (56% of seasonal days)
- Number of banquet events with less than 200 total guests: 59 (62% of total events/ 35% of seasonal days)
- Number of banquet events with 200-499 guests: 22 (23% of events/ 13% of seasonal days)
- Number of banquet events with 500 or more guests: 14 (15% of events/ 8% of seasonal days)

- Average number of guests per event: 172

A summary of the Traffic Management Plan characteristics for each of the scenarios is provided below in Table 1.

Table 1 – Traffic Management Plan Summary Table

Scenario Type	Scenario # 1 - Events up to 199 Guests	Scenario # 2 - Events from 200 to ~~399~~ 299 Guests	Scenario # 3 - Events from ~~400~~ 300 to 740 Guests
~~Previous Season Frequency (Percentage of all Events)~~	~~62%~~	~~23%~~	~~15%~~
Points of Entry	S. Ocean Blvd Main Entrance	S. Ocean Blvd Main Entrance	~~S. Ocean Blvd,~~ Southern Blvd gate
Vehicle Drop Off Point	Main Entrance door	Main Entrance door	~~Main Entrance door,~~ Ddrive aisle near ball room ~~(if Southern Blvd is used)~~
Points of Exit	S. Ocean Blvd exit gate, Southern Blvd (pending event location)	S. Ocean Blvd exit gate, Southern Blvd (pending event location)	S. Ocean Blvd exit gate, Southern Blvd (pending event location)
Length of Security Queue Capacity	15 vehicles (2 onsite and 13 within turn lane and striping area)	15 vehicles (2 onsite and 13 within turn lane and striping area)	17 vehicles minimum and more if needed (using Bath and Tennis Club)
Length of Valet Queue on Property	10 vehicles single stacked, 20 vehicles double stacked	10 vehicles single stacked, 20 vehicles double stacked	10 vehicles single stacked, 20 vehicles double stacked
Police Department Notification	Yes, if over 150 guests	Yes	Yes
Special Detail Assignment Police Present	Yes, if over 150 guests	Yes	Yes, 2 police officers if more than 400 guests
Non-Event Club Operations	Yes	Yes, limited	Yes, limited
Valet Staffing	2 to 8	7 to ~~11~~9	~~11~~9 to 18
Temporary Signage	No	No	Yes ~~(if Bath and Tennis Club is used)~~
Guest Guidance Email	Yes	Yes	Yes
QR Code Check In	Yes	Yes	Yes

Queuing Calculations

The queuing calculations were prepared based on the methodology outlined within the ITE Transportation and Land Development, Application of Queueing Analysis. Separate queuing calculations were provided for both the security checkpoint and valet operations since both have different procedures. A valet and security queue calculations were also provided for a 200-guest event, a 400-guest event, and a 740-guest event. It should be noted the number of valet personnel used in the calculations is lower than the typical procedure in order to be conservative. The detailed queuing calculations for each of the scenarios are provided in Appendix "B" attached to this report.

The queue calculations had the following assumptions:

- All traffic would arrive within a one-hour span for a given event.
- The average vehicle occupancy rate is 2.5 guests per vehicle.
- The valet would consist of the following staff members:
    1. 200-guest event: 7 valet staff with minimum 6 valet runners (2 valet runners available at all times)
    2. 400-guest event: 11 valet staff with minimum 9 valet runners (3 valet runners available at all times)
    3. 740-guest event: 18 valet staff with minimum 16 valet runners (4 valet runners available at all times)
- It would take on average 2.5 minutes from when the vehicle arrives at the service point until the valet attendant parks the vehicle and is back at the service point for the next vehicle. The 2.5 minutes is based on 20 seconds at the service point for the valet attendant to get keys and get into the vehicle and an average parking distance of 800 feet which is just into the grass area. This distance can be considered conservative since vehicles are parked east to west and would only occur once the easterly spots are filled and may not occur during smaller event sizes. At an average vehicle speed of 15 mph and an average jogging speed of 6 mph, it would take the valet attendants approximately 35 seconds to park the vehicle and 90 seconds to get back to the valet stand. The 2.5 minutes (or 150 seconds) is rounded. Note the average parking distance of 800 feet is based on the S. Ocean Boulevard entrance and is less for the Southern Boulevard entrance.
- The security team would have the following minimum staffing dedicated to confirming credentials (QR code, ID, etc.):
    1. 200-guest event: 1 security team member
    2. 400-guest event: 2 security team members
    3. 740-guest event: 3 security team members

  Note the security team members dedicated to credentials is understated for queuing calculations to be conservative. The Club typically has 2 security members for a 200 guest event, 3 security members for a 400 guest event, and 6 security members for a 740 guest event.

- It would take on average 30 seconds to scan QR code and check ID per vehicle.

Additional assumptions related to the queuing operations and the calculations for all six scenarios are attached to this report. The calculations shown below document the 740-guest valet and security queuing calculations.

The queuing analysis was based on the following ratio:

Coefficient of utilization (ρ) = Average Demand Rate / Average Service Rate

The required queue storage (M) is determined based on the following equation:

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

A 95% confidence rate was used for this analysis. Therefore, the P(x > M) was set to 5%. Demand is approximately 296 vehicles/hour during a 740-guest event based on a vehicle occupancy of 2.5 guests per vehicle.

Valet Queue – 740-Guest Event

Q = Processing rate = 96 processes per hour
q = Demand rate = 296 vehicles per hour
N = 4 valet attendants (processing simultaneously)
ρ = Utilization factor = q/(NQ) = 296/(4*96) = 0.771
Q_m = Table value = 0.547
M = (ln(0.05) - ln(0.547))/ ln(0.771) - 1 = 8.19, or 8 vehicles.

The queue for the valet stand is conservatively estimated at 8 vehicles. At the valet service point at the Southern Boulevard and S. Ocean Boulevard gates, approximately 10 vehicles can be accommodated in the queuing area single stacked prior to reaching the gate. Stacking capacity can increase to 20 vehicles at each gate if double stacked but generally is not needed. Thus, the valet queueing capacity at this site is adequate. Note the number of valet attendants will fluctuate based on anticipated demand. The valet area will be monitored and additional valet attendants will be utilized if needed to ensure efficient queuing operations. Note The Club currently uses approximately 5 to 6 valet staff for every 50 vehicles which exceeds the 18 valet staff used in the calculations to be conservative.

Security Queue – 740-Guest Event

Q = Processing rate = 120 processes per hour
q = Demand rate = 296 vehicles per hour
N = 3 security attendants (processing simultaneously)
ρ = Utilization factor = q/(NQ) = 296/(3*120) = 0.822
Q_m = Table value = 0.685
M = (ln(0.05) - ln(0.685))/ ln(0.822) - 1 = 12.37, or 12 vehicles.

The queue for the security check in is conservatively estimated at 12 vehicles. At the Bath and Tennis Club's west parking lot, approximately 17 vehicles can be single stacked and more if needed. At the security service point at the S. Ocean Boulevard main gate, approximately 2 vehicles can be accommodated onsite and an additional 13 vehicles can be accommodated within the northbound left turn lane and chevron striped area on S. Ocean Boulevard. Therefore, the security queueing capacity at this site is adequate. Note the number of security staff dedicated to credential check-in will fluctuate based on anticipated demand. The area will be monitored and additional security staff will be utilized if needed to ensure efficient queuing operations.

As previously stated, the queuing calculations for the 200-guest and 400-guest events are attached to this report. The 200-guest event is anticipated to have a 95th percentile queue of 3 vehicles for the valet and 5 vehicles for the security check in. The 400-guest event is anticipated to have a 95th percentile queue of 7 vehicles for the valet and 5 vehicles for security check in. These calculations are based on the assumptions documented including the processing time of vehicles and the number of staff members present to assist with traffic management operations. The Club will continuously monitor operations and adjust staffing levels if necessary to ensure a safe and efficient process that minimizes disruptions to the surrounding roadway network.

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APPENDIX A

TRAFFIC CIRCULATION EXHIBITS

03/12/24 TCM Backup

N

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SCALE IN FEET
1"=50'

WOODBRIDGE RD.

EXIT ONLY GATE

VALET DROP-OFF LOCATION

PROPOSED SECURITY GUARDHOUSE LOCATED 31 FEET FROM GATE AND 60 FEET FROM ROADWAY. 2-3 VEHICLES CAN BE ACCOMMODATED BETWEEN THE SECURITY GUARDHOUSE AND S. OCEAN BLVD.

GENERAL GUESTS ARE NOT PERMITTED TO MAKE A SOUTHBOUND RIGHT TURN AT THE MAIN GATE DURING EVENT ARRIVAL PENDING EVENT SIZE. MOTORISTS ARE DIRECTED TO MAKE A U-TURN AT THE ROUNDABOUT

GUESTS ARRIVE VIA THE EXISTING NORTHBOUND LEFT TURN LANE ON S. OCEAN BLVD. APPROXIMATELY 14 VEHICLES CAN BE ACCOMMODATED WITHIN THE TURN LANE AND ADDITIONAL CHEVRON STRIPING

SOUTHERN BLVD. ENTRANCE RESTRICTED TO VENDORS AND EMPLOYEES ONLY WHICH ARRIVE PRIOR TO EVENTS. MEMBERS MAY ALSO ENTER THIS GATE PENDING EVENT SIZE.

SOUTHERN BLVD.

OCEAN BLVD.

OCEAN BLVD.

OCEAN BLVD.



LOCATION MAP
NOT TO SCALE

TRAFFIC MANAGEMENT STAFF:

1 POLICE OFFICER:
A POLICE OFFICER IS USED FOR ALL EVENTS WITH A MINIMUM OF 150 GUESTS. 2 POLICE OFFICERS ARE USED FOR EVENTS WITH A MINIMUM OF 400 GUESTS. POLICE OFFICER DIRECTS TRAFFIC ON S. OCEAN BLVD. AND THE MAIN GATE. AS NEEDED, THE POLICE OFFICER WILL STOP SOUTHBOUND TRAFFIC TO ALLOW GUEST TO ENTER THE SITE FROM THE SOUTH.

2 SECURITY STAFF:
SECURITY STAFF IS LOCATED INTERNAL TO THE GATE AND AT TIMES WILL BE LOCATED WITHIN THE EXISTING S. OCEAN BLVD. TURN LANE TO VERIFY RESERVATIONS. THE NUMBER OF SECURITY STAFF IS DEPENDENT ON EVENT SIZE.

3 VALET STAFF:
VALET VEHICLE DROP-OFF IS LOCATED APPROXIMATELY 200 FEET WEST OF THE GATE. VALET PARKS VEHICLES FROM THE EAST TO THE WEST ON THE NORTH SIDE OF THE CLUB. THE GRASS PARKING IS USED LAST. THE NUMBER OF VALET STAFF IS DEPENDENT ON EVENT SIZE.

5/3/2023

EVENT INGRESS CIRCULATION PLAN STANDARD PROCEDURE

REVISIONS

SIMMONS & WHITE
ENGINEERING | PLANNING | CONSULTING | SINCE 1982
Authorization No. 3452
2581 Metrocentre Blvd West ● Suite 3 ● West Palm Beach, Florida 33407 ● (561) 478-7848

DESIGN	DRAWN	CHECKED	APPROVED	DATE
B.K.	D.B.			

MAR-A-LAGO
SECTION 35, TOWNSHIP 43S., RANGE 43E.
TOWN OF PALM BEACH, FLORIDA
TRAFFIC CIRCULATION EXHIBIT

JOB NO.	DRAWING NO.	SHEET	OF
23-050	23050Z01	1	4

601

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03/12/24 TCM Backup

N

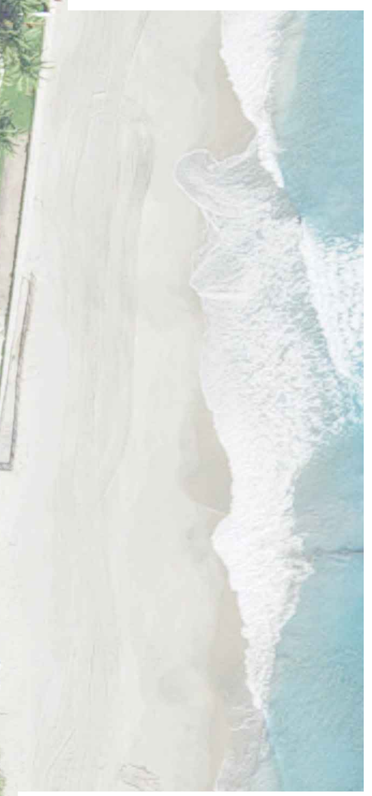
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SCALE IN FEET
1"=50'





LOCATION MAP
NOT TO SCALE



TRAFFIC MANAGEMENT STAFF:

1 VALET STAFF:
VALET STAFF RETRIEVE VEHICLES AND ARRIVE BACK TO VALET PICK-UP LOCATION. ALL VEHICLES WILL EXIT ONTO S. OCEAN BLVD. THE NUMBER OF VALET STAFF MEMBERS IS DEPENDENT ON EVENT SIZE.

5/3/2023

EVENT EGRESS CIRCULATION PLAN
STANDARD PROCEDURE

REVISIONS

SIMMONS & WHITE
ENGINEERING | PLANNING | CONSULTING | SINCE 1982
Authorization No. 3452
2581 Metrocentre Blvd West ● Suite 3 ● West Palm Beach, Florida 33407 ● (561) 478-7848

DESIGN	DRAWN	CHECKED	APPROVED	DATE
B.K.	D.B.			

MAR-A-LAGO
SECTION 35, TOWNSHIP 43S., RANGE 43E.
TOWN OF PALM BEACH, FLORIDA
TRAFFIC CIRCULATION EXHIBIT

JOB NO.	DRAWING NO.	SHEET	OF
23-050	23050Z01	2	4

209

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03/12/24 TCM Backup

VALET DROP-OFF LOCATION
FOR RED CARPET EVENTS

VALET DROP-OFF LOCATION
NON-RED CARPET EVENTS

APPROXIMATELY 10 VEHICLES CAN
STACK INTERNALLY BETWEEN
VALET DROP-OFF AND SOUTH GATE
SINGLE STACKED

SECURITY PERSONNEL CONFIRM CREDENTIALS
AND RESERVATION STATUS AT BATH AND
TENNIS CLUB. ONCE SEVERAL VEHICLES HAVE
BEEN CLEARED, POLICE OFFICER WILL STOP
SOUTHERN BLVD. TRAFFIC TO ALLOW
VEHICLES TO CROSS INTO THE SOUTH GATE.

GUESTS ARRIVE VIA THE WESTERN BATH AND
TENNIS CLUB PARKING LOT ON S. OCEAN BLVD.
APPROXIMATELY 17 VEHICLES CAN STACK
INTERNALLY USING A SINGLE LANE. IF NEEDED
ADDITIONAL LANES CAN BE USED TO INCREASE
INTERNAL STACKING CAPACITY.

SOUTHERN BLVD.

OCEAN BLVD.

OCEAN BLVD.

OCEAN BLVD.



LOCATION MAP
NOT TO SCALE

N

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SCALE IN FEET
1"=50'

TRAFFIC MANAGEMENT STAFF:

1 **POLICE OFFICER:**
A POLICE OFFICER IS USED FOR ALL EVENTS WITH A MINIMUM OF 150 GUESTS. 2 POLICE OFFICERS ARE USED FOR EVENTS WITH A MINIMUM OF 400 GUESTS. POLICE OFFICER STOPS TRAFFIC ON SOUTHERN BLVD. AS NECESSARY TO ALLOW GUESTS TO ENTER SITE.

2 **SECURITY STAFF:**
SECURITY STAFF IS LOCATED INTERNAL TO THE GATE AND AT BATH AND TENNIS CLUB. SECURITY CHECKS CREDENTIALS AND RESERVATIONS USING QR CODE AT BATH AND TENNIS CLUB BEFORE SENDING VEHICLES TO MAR-A-LAGO.

3 **VALET STAFF:**
VALET VEHICLE DROP-OFF IS LOCATED APPROXIMATELY 450 FEET NORTH OF THE SOUTHERN BLVD. VALET PARKS VEHICLES FROM THE EAST TO THE WEST ON THE NORTH SIDE OF THE CLUB. THE GRASS PARKING IS USED LAST. THE NUMBER OF VALET STAFF IS DEPENDENT ON EVENT SIZE.

5/3/2023

LARGE EVENT INGRESS CIRCULATION PLAN
STANDARD PROCEDURE

REVISIONS

SIMMONS & WHITE
ENGINEERING | PLANNING | CONSULTING | SINCE 1982
Authorization No. 3452
2581 Metrocentre Blvd West ● Suite 3 ● West Palm Beach, Florida 33407 ● (561) 478-7848

DESIGN	DRAWN	CHECKED	APPROVED	DATE
B.K.	D.B.			

MAR-A-LAGO
SECTION 35, TOWNSHIP 43S., RANGE 43E.
TOWN OF PALM BEACH, FLORIDA
TRAFFIC CIRCULATION EXHIBIT

JOB NO.	DRAWING NO.	SHEET	OF
23-050	23050Z01	3	4

603

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03/12/24 TCM Backup

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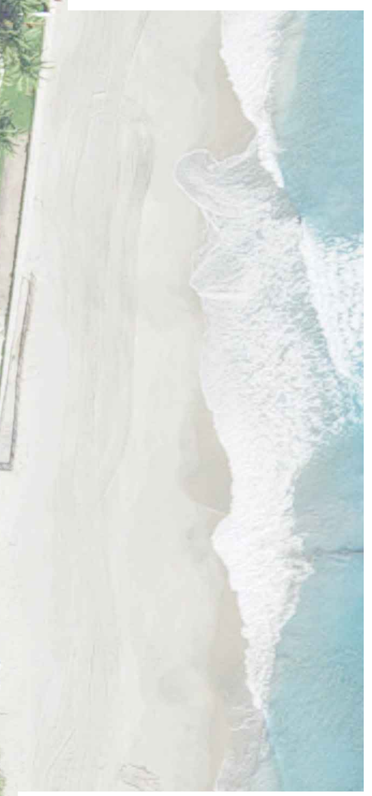
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SCALE IN FEET
1"=50'





LOCATION MAP
NOT TO SCALE



TRAFFIC MANAGEMENT STAFF:

1 POLICE OFFICER:
POLICE OFFICER ASSISTS WITH EVENT DEPARTURE FOR LARGE EVENTS AND WILL STOP VEHICLES AS NECESSARY ON SOUTHERN BLVD. TO ALLOW GUESTS TO EXIT.

2 VALET STAFF:
VALET STAFF RETRIEVE VEHICLES AND ARRIVE BACK TO SAME LOCATION AS DROP-OFF. ALL VEHICLES WILL EXIT ONTO SOUTHERN BLVD. THE NUMBER OF VALET STAFF MEMBERS IS DEPENDENT ON EVENT SIZE.

5/3/2023

SOUTHERN BLVD. EGRESS CIRCULATION PLAN STANDARD PROCEDURE

REVISIONS

SIMMONS & WHITE
ENGINEERING | PLANNING | CONSULTING | SINCE 1982
Authorization No. 3452
2581 Metrocentre Blvd West ● Suite 3 ● West Palm Beach, Florida 33407 ● (561) 478-7848

DESIGN	DRAWN	CHECKED	APPROVED	DATE
B.K.	D.B.			

MAR-A-LAGO
SECTION 35, TOWNSHIP 43S., RANGE 43E.
TOWN OF PALM BEACH, FLORIDA
TRAFFIC CIRCULATION EXHIBIT

JOB NO.	DRAWING NO.	SHEET	OF
23-050	23050Z01	4	4

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APPENDIX B

95TH PERCENTILE QUEUING CALCULATIONS

200-GUEST EVENT

Valet Queuing Calculations - 200 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	72	Processing rate (processes per hour)
q =	80	Demand rate (vehicles per hour)
N =	2	Service positions (attendants)
ρ =	0.556	Utilization factor (q/(NQ))
Q_m =	0.398	Table Value
M =	2.53	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.5000	0.3333
High Number =	0.6000	0.4501

Assumptions:

1. 200 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 7 valet staff members with 6 runners
3. A minimum of 2 runners would be available at all times to take cars at valet stand.
4. A total processing time of 2.5 minutes for each valet runner to pick up vehicle and return to stand
5. Processing rate = 2.5 minutes / 3 groups of runners times) = 50 seconds or 72 processes p
6. 3 groups of runners = 6 runners / 2 available at all times

Security Queuing Calculations - 200 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	120	Processing rate (processes per hour)
q =	80	Demand rate (vehicles per hour)
N =	1	Service positions (attendants)
ρ =	0.667	Utilization factor (q/(NQ))
Q_m =	0.534	Table Value
M =	4.84	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.6000	0.4501
High Number =	0.7000	0.5766

Assumptions:

1. 200 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 1 security guard checking clearance credentials.
3. A total processing time of 30 seconds per vehicle to scan QR code and check ID

400-GUEST EVENT

Valet Queuing Calculations - 400 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	72	Processing rate (processes per hour)
q =	160	Demand rate (vehicles per hour)
N =	3	Service positions (attendants)
ρ =	0.741	Utilization factor (q/(NQ))
Q_m =	0.555	Table Value
M =	7.02	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.7000	0.4923
High Number =	0.8000	0.6472

Assumptions:

1. 400 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 11 valet staff members with 9 runners
3. A minimum of 3 runners would be available at all times to take cars at valet stand.
4. A total processing time of 2.5 minutes for each valet runner to pick up vehicle and return to stand
5. Processing rate = 2.5 minutes / 3 groups of runners times) = 50 seconds or 72 processes p
6. 3 groups of runners = 9 runners / 3 available at all times

Security Queuing Calculations - 400 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	120	Processing rate (processes per hour)
q =	160	Demand rate (vehicles per hour)
N =	2	Service positions (attendants)
ρ =	0.667	Utilization factor (q/(NQ))
Q_m =	0.534	Table Value
M =	4.84	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.6000	0.4501
High Number =	0.7000	0.5766

Assumptions:

1. 400 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 2 security guards simultaneously checking clearance credentials.
3. A total processing time of 30 seconds per vehicle to scan QR code and check ID

740-GUEST EVENT

Valet Queuing Calculations - 740 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	96	Processing rate (processes per hour)
q =	296	Demand rate (vehicles per hour)
N =	4	Service positions (attendants)
ρ =	0.771	Utilization factor (q/(NQ))
Q_m =	0.547	Table Value
M =	8.19	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.7000	0.4286
High Number =	0.8000	0.5964

Assumptions:

1. 740 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 18 valet staff members with 16 runners
3. A minimum of 4 runners would be available at all times to take cars at valet stand.
4. A total processing time of 2.5 minutes for each valet runner to pick up vehicle and return to stand
5. Processing rate = 2.5 minutes / 4 groups of runners times) = 37.5 seconds or 96 processes
6. 4 groups of runners = 16 runners / 4 available at all times

Security Queuing Calculations - 740 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	120	Processing rate (processes per hour)
q =	296	Demand rate (vehicles per hour)
N =	3	Service positions (attendants)
ρ =	0.822	Utilization factor (q/(NQ))
Q_m =	0.685	Table Value
M =	12.37	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.8000	0.6472
High Number =	0.9000	0.8172

Assumptions:

1. 740 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 3 security guards simultaneously checking clearance credentials.
3. A total processing time of 30 seconds per vehicle to scan QR code and check ID

SIMMONS & WHITE
CIVIL & TRAFFIC ENGINEERING

MAR-A-LAGO

Palm Beach, Florida

TRAFFIC MANAGEMENT PLAN

PREPARED FOR:

Mar-a-Lago Club
1100 S. Ocean Boulevard
Palm Beach, Florida 33480

JOB NO. 23-050

DATE: April 27, 2023
REVISED: May 5, 2023
REVISED: February 19, 2024

Bryan G. Kelley, Professional Engineer, State of Florida, License No. 74006 This item has been digitally signed and sealed by Bryan G. Kelley, P.E., on 02/19/2024. Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.	Bryan Kelley Digitally signed by Bryan Kelley Date: 2024.02.19 17:47:20 -05'00'

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APPENDICES

APPENDIX A

TRAFFIC CIRCULATION EXHIBITS

APPENDIX B

95TH PERCENTILE QUEUING CALCULATIONS

The Traffic Management Plan (TMP) documented herein is provided to serve as an update to the 1999 Traffic Management Plan and 2023 Traffic Management Plan. The Mar-a-Lago Club (The Club) received approval for a security guardhouse at the main entry gate on S. Ocean Boulevard on May 10, 2023 which was the reason for the 2023 TMP update. The purpose of this update is to make additional modifications to the TMP to further reduce traffic congestion on S. Ocean Boulevard. Representatives from the Town Council, Mar-a-Lago staff, Secret Service, and the Town Police Department met on December 4, 2023 and agreed on modifications to the TMP. All parties agreed to work together cooperatively on an on-going basis to minimize traffic disruptions to the public while allowing Mar-a-Lago to continue utilizing The Club for all permitted purposes while simultaneously providing Secret Service protection of the former president and his family.

For consistency purposes, the format and methodology of the updated TMP is similar to the previous 1999 TMP. The 1999 TMP included a list of objectives to evaluate that were agreed upon between the Town Staff and traffic consultants. The list included the following:

1. Address external impacts on the adjacent roadways. All efforts should be made not to interfere with traffic already on Southern Boulevard and South Ocean Boulevard.
2. Provide appropriate access for emergency vehicles.
3. Provide a routing plan for limousines.
4. Discuss access plan for Southern Boulevard gate.
5. Demonstrate how The Club's planning for events can alleviate traffic congestion (i.e., "spreading out the peak").
6. Explain valet parking operations and any problems related to its efficient operation.
7. Describe operations, including valet parking, during special events.
8. Discuss other traffic considerations, including drop-offs.

The 1999 TMP never contemplated a Donald Trump becoming President of the United States. The 2016 election of Mr. Trump to President created additional security measures including the increased presence of United States Secret Service during presidency and a modified presence as a former president. The above items will be readdressed as part of this updated TMP. A total of three scenarios (3) will be presented that will show various levels of Club operations and uses. The first scenario includes mostly daily Club operations and smaller events with less than 200 guests. The second scenario will describe the traffic operations for events with between 200 and 299 guests. The final scenario will include larger events with 300 to 740 guests. The existing traffic management and operations are designed to minimize traffic congestion on the surrounding roadway network. It should be noted the frequency of events decreases as the number of guests increase.

Roadway Characteristics

Southern Boulevard (SR 80) is a two-lane undivided roadway owned and maintained by the Florida Department of Transportation (FDOT) with a posted speed limit of 35 mph. Bike lanes and sidewalk are present on both sides of Southern Boulevard west of the Mar-a-Lago driveway. The right of way varies on Southern Boulevard due to the roundabout on the east side and the bridge on the west side.

S. Ocean Boulevard (SR A1A) is a two-lane undivided roadway owned and maintained by the FDOT with a posted speed limit of 30 mph. No bike lanes or sidewalks are present on S. Ocean

Boulevard fronting Mar-a-Lago. The right of way on S. Ocean Boulevard is 40 feet along the frontage of the property.

Scenario #1 – Events up to 199 Guests

This scenario represents the majority of Mar-a-Lago activity. During daily operations, Club members can use the Southern Boulevard gate or main gate on S. Ocean Boulevard. Members tend to use the gate closest to their destination. Members going to the beach club or tennis area generally use the Southern Boulevard entrance and members going to the spa or main house generally use the S. Ocean Boulevard entrance. Club members have the option to self-park or use the valet service. When leaving the site, Club members are strongly encouraged to use the exit only gate on S. Ocean Boulevard.

Events up to 199 people can represent dinner parties, birthday parties, weddings, and other celebrations. Daily regular activity at The Club includes dining, spa, and tennis activities and can be easily accommodated when events of less than 200 guests are ongoing. The Club will utilize later dinner reservations on weeknights except for Friday.

All guests are emailed guidance instructions for arriving at site, security requirements, and Club policies. The guidance includes the arrival locations and informs guests to have ID's and QR codes ready upon arrival in order to expedite the check in process.

Guest traffic enters at the main driveway from S. Ocean Boulevard. The Southern Boulevard access is restricted to members, vendors, and staff. Staff arrive earlier than guest traffic. Guest traffic is restricted to northbound left turn only on S. Ocean Boulevard at the main entrance. For smaller events and when traffic is minimal, southbound right turns into the main entrance may be permittable. When southbound right turns are restricted, all guests arriving from the north are directed to travel around the corner and then make a U-turn at the roundabout on Southern Boulevard on the south side of The Club. The purpose of this restriction is to eliminate or minimize vehicular spillover and queuing on S. Ocean Boulevard. South Ocean Boulevard along the site frontage is a two-lane undivided roadway with an exclusive northbound left turn lane. Any vehicle stacking on southbound S. Ocean Boulevard would block through traffic not traveling to Mar-a-Lago. The northbound left turn lane is approximately 200 feet in length and can accommodate approximately 8 vehicles. Additionally, the existing chevron striping prior to the turn lane can accommodate approximately another 5 vehicles for a total of 13 vehicles. United States Secret Service is staged immediately inside the gate. Once motorists are cleared through security, they continue to the front of The Club to turn their vehicle over to valet. Valet then parks their vehicle starting at the parking lots to the east and moving west. Once the parking lots are filled, the grass lot is used for valet parking.

The Mar-a-Lago security team has implemented measures to improve vehicle operational efficiency and reduce traffic impact to S. Ocean Boulevard. First, off-duty police officers are hired to assist with traffic flow for all events 150 guests or larger. The police officers assist with traffic flow before events. At times, the security team and with police assistance position themselves on S. Ocean Boulevard to verify proper clearance onto the site. They will then inform the inside security/United States Secret Service team which vehicles have been cleared for quicker entry. Mar-a-Lago has recently implemented a QR code system check in for guests. The QR code has allowed for a much quicker processing time in identifying reservations and getting vehicles off of S. Ocean Boulevard. If credentials are not able to be verified, motorists are moved just to the north of the main entrance on S. Ocean Boulevard in the existing chevron striping area (center lane) to not cause any additional delay. If credentials are still unable to be confirmed, guests are asked to leave and return once they have sufficient credentials. If there is an issue or malfunction scanning the QR code, a physical copy of attendees is kept by the security team and can be utilized.

Once through security, motorists will continue to the front of The Club to the designated valet drop off area. Approximately 10 vehicles can stack (20 if double stacked) between the valet drop off area and S. Ocean Boulevard. The vehicles are then parked by valet staff in available parking spaces on the north side of The Club. The vehicles are generally parked east to west and begin at the parking lot closest to S. Ocean Boulevard. The grass field parking is the last parking area to be utilized.

At the conclusion of the event, guests pick up their vehicles at the same valet location as drop off if event is held in the main house area. Motorists utilize the exit only gate to S. Ocean Boulevard to exit the property. If the event is located in the Grand Ballroom, guests will generally pick up their vehicle near the Grand Ballroom and exit onto Southern Boulevard.

Emergency vehicles can access any of the three driveways as needed. A paramedic is always onsite for events with 150 guests or more. Limousines, Uber, Lyft, and other ridesharing services are not permitted on the property per United States Secret Service security requirements. This procedure has not caused traffic issues. Personal drivers (employed by a family) and shuttle buses are allowed on property.

Staffing for valet personnel varies pending event size. Valet staff is present at The Club during all days The Club is open even during non-events to allow for regular Club use valet services.

The plan described above for events of less than 200 guests is the majority of the events at the Mar-a-Lago. The number and size of events is detailed later in the report. The procedures described above unless otherwise noted carry over and are the same for larger events. A Traffic Circulation Exhibit documenting the ingress and egress circulation is provided in Appendix “A” of this report.

Scenario #2 – Events from 200 to 299 Guests

Events between 200 to 299 guests can include charitable functions, luncheons, cocktail parties, weddings, or other forms of celebrations. The Club schedules events of this size to take place when minimal other activity is happening on the property. The Club does not schedule two or more events of this size or larger at the same time. The Club will minimize or have no special events during the afternoon peak hours of the Town of Palm Beach which occurs from 3:00 to 5:30 P.M. on a weekday. One or two police officers are always used for events of this size. The Club notifies the police department well in advance of any event and informs them of the number of attendees expected and the duration of the event. The Club pays for the off-duty police officers. The arrival and departure procedure are nearly identical to Scenario #1.

The previous TMP stated staffing for valet personnel typically started at 7 people for an event of 200 guests and increased by two additional valet staff for every 100 guests. Therefore, a 299-guest event would generally have 9 valet staff members. Currently, The Club utilizes approximately 5 to 6 valet personnel for every 50 vehicles which exceeds the previous TMP assumptions. For purposes of this updated TMP, the traffic and queuing analysis will assume the previous valet staffing assumptions to be conservative.

Scenario # 3 – Events from 300 to 740 Guests

Events between 300 to 740 guests represent a small percentage of the overall events held at the Mar-a-Lago Club. A minimum of two police officers are used for all events with 400 or more anticipated guests. The police officers also generally assist with vehicle departure in addition to arrival for large events. The traffic management procedures are similar to the first two scenarios with a couple of notable differences detailed below. The valet personnel will typically range from 9 staff members for a 300-guest event up to 18 staff members for a 740-guest event.

For large events (300 to 740 guests), The Club will make best efforts to utilize the Bath and Tennis Club's west parking lot across from The Club on the south side of Southern Boulevard to pre-screen guests. Guests are notified prior to the event they must arrive at the Bath and Tennis Club. The Club security team is staged at both the entrance to Mar-a-Lago and within the Bath and Tennis Club parking lot. All vehicles arrive at the Bath and Tennis Club's west parking lot via the driveway on S. Ocean Boulevard. Once guests have arrived at the parking lot, a pre-screen queuing line is formed that can accommodate approximately 17 vehicles single stacked and additional lanes can be created to allow for additional vehicles. The security team gives vehicles an entrance pass once they have been pre-screened. Once several vehicles have been pre-screened, the police officer will stop eastbound and westbound Southern Boulevard traffic and allow vehicles to the enter Mar-a-Lago using the south gate. This procedure dramatically reduces vehicle congestion on S. Ocean Boulevard and Southern Boulevard since all queuing is occurring within the Bath and Tennis Club. No events of 300 guests or more will occur on a weekday between 3:00 and 5:30 P.M. unless the Bath and Tennis Club parking lot and Southern Boulevard entrance are used.

In the event the Bath and Tennis Club parking lot is not available outside of the Town's P.M. peak hours, the S. Ocean Boulevard entrance will be used along with shuttle buses from offsite. The shuttle buses will be required to shuttle a total of at least 200 guests and will utilize the South Boulevard entrance to minimize queuing conflicts with the S. Ocean Boulevard. Shuttle buses from offsite locations will also be used and are recommended for all large events even when using the Bath and Tennis Center's parking lot and Southern Boulevard entrance.

Temporary wayfinding signage including sandwich signs, illuminated signs, and multiple signs may be used within the public right of way for all special events.

Once inside the Southern Boulevard gate, guests proceed to the valet drop off area which is approximately 250 feet inside the gate near the Grand Ballroom driveway. The valet stacking can accommodate approximately 10 vehicles single stacked or 20 vehicles double stacked. For red carpet events, the valet drop off is approximately 450 feet north (18 vehicles single stacked capacity) of the Southern Boulevard gate just south of the parking lot on the north side of the property. Numerous valet attendants are ready as soon as vehicles arrive so queueing is typically not an issue. Further, security can hold vehicles at the Bath and Tennis Club if needed to allow the vehicles at the valet to clear.

For these events, guests will pick up their vehicles near the ballroom and exit onto Southern Boulevard when the event is over. A police officer is always present for these events at the entrance for arrival and for departure of large events. Guests are notified prior to the event if the Southern Boulevard gate is to be used. The Club will also limit reservations for different times to balance the peak demand.

To help reduce traffic congestion for larger events (approaching 740 guests), at times The Club will stagger arrival times for guests. Guests will be notified the arrival times on the guest guidance sheet that is sent out prior to all events. A Traffic Circulation Exhibit documenting the ingress and egress circulation for large events and using the Bath and Tennis Club parking lot is provided in Appendix "A" of this report.

Event Summary (October 31, 2022 – April 20, 2023)

The number and types of events documented below were provided by Mar-a-Lago Catering & Events and Dining Services for the time period from October 31, 2022 through April 20, 2023. There is some discrepancy in the event threshold used in the reporting below was for 500 guests instead of 300 guests. However, the data provides insight to the frequency and size of events.

- Number of days in 2022-2023 season as noted above: 171 days
- Number of banquet events: 95 (56% of seasonal days)
- Number of banquet events with less than 200 total guests: 59 (62% of total events/ 35% of seasonal days)
- Number of banquet events with 200-499 guests: 22 (23% of events/ 13% of seasonal days)
- Number of banquet events with 500 or more guests: 14 (15% of events/ 8% of seasonal days)
- Average number of guests per event: 172

A summary of the Traffic Management Plan characteristics for each of the scenarios is provided below in Table 1.

Table 1 – Traffic Management Plan Summary Table

Scenario Type	Scenario # 1 - Events up to 199 Guests	Scenario # 2 - Events from 200 to 299 Guests	Scenario # 3 - Events from 300 to 740 Guests
Points of Entry	S. Ocean Blvd Main Entrance	S. Ocean Blvd Main Entrance	Southern Blvd gate
Vehicle Drop Off Point	Main Entrance door	Main Entrance door	Drive aisle near ball room
Points of Exit	S. Ocean Blvd exit gate, Southern Blvd (pending event location)	S. Ocean Blvd exit gate, Southern Blvd (pending event location)	S. Ocean Blvd exit gate, Southern Blvd (pending event location)
Length of Security Queue Capacity	15 vehicles (2 onsite and 13 within turn lane and striping area)	15 vehicles (2 onsite and 13 within turn lane and striping area)	17 vehicles minimum and more if needed (using Bath and Tennis Club)
Length of Valet Queue on Property	10 vehicles single stacked, 20 vehicles double stacked	10 vehicles single stacked, 20 vehicles double stacked	10 vehicles single stacked, 20 vehicles double stacked
Police Department Notification	Yes, if over 150 guests	Yes	Yes
Special Detail Assignment Police Present	Yes, if over 150 guests	Yes	Yes, 2 police officers if more than 400 guests
Non-Event Club Operations	Yes	Yes, limited	Yes, limited
Valet Staffing	2 to 8	7 to 9	9 to 18
Temporary Signage	No	No	Yes
Guest Guidance Email	Yes	Yes	Yes
QR Code Check In	Yes	Yes	Yes

Queuing Calculations

The queuing calculations were prepared based on the methodology outlined within the ITE Transportation and Land Development, Application of Queueing Analysis. Separate queuing calculations were provided for both the security checkpoint and valet operations since both have different procedures. A valet and security queue calculations were also provided for a 200-guest event, a 400-guest event, and a 740-guest event. It should be noted the number of valet personnel used in the calculations is lower than the typical procedure in order to be conservative. The detailed queuing calculations for each of the scenarios are provided in Appendix "B" attached to this report.

The queue calculations had the following assumptions:

- All traffic would arrive within a one-hour span for a given event.
- The average vehicle occupancy rate is 2.5 guests per vehicle.
- The valet would consist of the following staff members:
    1. 200-guest event: 7 valet staff with minimum 6 valet runners (2 valet runners available at all times)
    2. 400-guest event: 11 valet staff with minimum 9 valet runners (3 valet runners available at all times)
    3. 740-guest event: 18 valet staff with minimum 16 valet runners (4 valet runners available at all times)
- It would take on average 2.5 minutes from when the vehicle arrives at the service point until the valet attendant parks the vehicle and is back at the service point for the next vehicle. The 2.5 minutes is based on 20 seconds at the service point for the valet attendant to get keys and get into the vehicle and an average parking distance of 800 feet which is just into the grass area. This distance can be considered conservative since vehicles are parked east to west and would only occur once the easterly spots are filled and may not occur during smaller event sizes. At an average vehicle speed of 15 mph and an average jogging speed of 6 mph, it would take the valet attendants approximately 35 seconds to park the vehicle and 90 seconds to get back to the valet stand. The 2.5 minutes (or 150 seconds) is rounded. Note the average parking distance of 800 feet is based on the S. Ocean Boulevard entrance and is less for the Southern Boulevard entrance.
- The security team would have the following minimum staffing dedicated to confirming credentials (QR code, ID, etc.):
    1. 200-guest event: 1 security team member
    2. 400-guest event: 2 security team members
    3. 740-guest event: 3 security team members

  Note the security team members dedicated to credentials is understated for queuing calculations to be conservative. The Club typically has 2 security members for a 200 guest event, 3 security members for a 400 guest event, and 6 security members for a 740 guest event.

- It would take on average 30 seconds to scan QR code and check ID per vehicle.

Additional assumptions related to the queuing operations and the calculations for all six scenarios are attached to this report. The calculations shown below document the 740-guest valet and security queuing calculations.

The queuing analysis was based on the following ratio:

Coefficient of utilization (ρ) = Average Demand Rate / Average Service Rate

The required queue storage (M) is determined based on the following equation:

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

A 95% confidence rate was used for this analysis. Therefore, the P(x > M) was set to 5%. Demand is approximately 296 vehicles/hour during a 740-guest event based on a vehicle occupancy of 2.5 guests per vehicle.

Valet Queue – 740-Guest Event

Q = Processing rate = 96 processes per hour
q = Demand rate = 296 vehicles per hour
N = 4 valet attendants (processing simultaneously)
ρ = Utilization factor = q/(NQ) = 296/(4*96) = 0.771
Q_m = Table value = 0.547
M = (ln(0.05) - ln(0.547))/ ln(0.771) - 1 = 8.19, or 8 vehicles.

The queue for the valet stand is conservatively estimated at 8 vehicles. At the valet service point at the Southern Boulevard and S. Ocean Boulevard gates, approximately 10 vehicles can be accommodated in the queuing area single stacked prior to reaching the gate. Stacking capacity can increase to 20 vehicles at each gate if double stacked but generally is not needed. Thus, the valet queueing capacity at this site is adequate. Note the number of valet attendants will fluctuate based on anticipated demand. The valet area will be monitored and additional valet attendants will be utilized if needed to ensure efficient queuing operations. Note The Club currently uses approximately 5 to 6 valet staff for every 50 vehicles which exceeds the 18 valet staff used in the calculations to be conservative.

Security Queue – 740-Guest Event

Q = Processing rate = 120 processes per hour
q = Demand rate = 296 vehicles per hour
N = 3 security attendants (processing simultaneously)
ρ = Utilization factor = q/(NQ) = 296/(3*120) = 0.822
Q_m = Table value = 0.685
M = (ln(0.05) - ln(0.685))/ ln(0.822) - 1 = 12.37, or 12 vehicles.

The queue for the security check in is conservatively estimated at 12 vehicles. At the Bath and Tennis Club's west parking lot, approximately 17 vehicles can be single stacked and more if needed. At the security service point at the S. Ocean Boulevard main gate, approximately 2 vehicles can be accommodated onsite and an additional 13 vehicles can be accommodated within the northbound left turn lane and chevron striped area on S. Ocean Boulevard. Therefore, the security queueing capacity at this site is adequate. Note the number of security staff dedicated to credential check-in will fluctuate based on anticipated demand. The area will be monitored and additional security staff will be utilized if needed to ensure efficient queuing operations.

As previously stated, the queuing calculations for the 200-guest and 400-guest events are attached to this report. The 200-guest event is anticipated to have a 95th percentile queue of 3 vehicles for the valet and 5 vehicles for the security check in. The 400-guest event is anticipated to have a 95th percentile queue of 7 vehicles for the valet and 5 vehicles for security check in. These calculations are based on the assumptions documented including the processing time of vehicles and the number of staff members present to assist with traffic management operations. The Club will continuously monitor operations and adjust staffing levels if necessary to ensure a safe and efficient process that minimizes disruptions to the surrounding roadway network.

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APPENDIX A

TRAFFIC CIRCULATION EXHIBITS

03/12/24 TCM Backup

N

50 25 0 50 100

SCALE IN FEET
1"=50'

WOODBRIDGE RD.

EXIT ONLY GATE

VALET DROP-OFF LOCATION

PROPOSED SECURITY GUARDHOUSE LOCATED 31 FEET FROM GATE AND 60 FEET FROM ROADWAY. 2-3 VEHICLES CAN BE ACCOMMODATED BETWEEN THE SECURITY GUARDHOUSE AND S. OCEAN BLVD.

GENERAL GUESTS ARE NOT PERMITTED TO MAKE A SOUTHBOUND RIGHT TURN AT THE MAIN GATE DURING EVENT ARRIVAL PENDING EVENT SIZE. MOTORISTS ARE DIRECTED TO MAKE A U-TURN AT THE ROUNDABOUT

GUESTS ARRIVE VIA THE EXISTING NORTHBOUND LEFT TURN LANE ON S. OCEAN BLVD. APPROXIMATELY 14 VEHICLES CAN BE ACCOMMODATED WITHIN THE TURN LANE AND ADDITIONAL CHEVRON STRIPING

SOUTHERN BLVD. ENTRANCE RESTRICTED TO VENDORS AND EMPLOYEES ONLY WHICH ARRIVE PRIOR TO EVENTS. MEMBERS MAY ALSO ENTER THIS GATE PENDING EVENT SIZE.

SOUTHERN BLVD.

OCEAN BLVD.

OCEAN BLVD.

OCEAN BLVD.



LOCATION MAP
NOT TO SCALE

TRAFFIC MANAGEMENT STAFF:

1 **POLICE OFFICER:**
A POLICE OFFICER IS USED FOR ALL EVENTS WITH A MINIMUM OF 150 GUESTS. 2 POLICE OFFICERS ARE USED FOR EVENTS WITH A MINIMUM OF 400 GUESTS. POLICE OFFICER DIRECTS TRAFFIC ON S. OCEAN BLVD. AND THE MAIN GATE. AS NEEDED, THE POLICE OFFICER WILL STOP SOUTHBOUND TRAFFIC TO ALLOW GUEST TO ENTER THE SITE FROM THE SOUTH.

2 **SECURITY STAFF:**
SECURITY STAFF IS LOCATED INTERNAL TO THE GATE AND AT TIMES WILL BE LOCATED WITHIN THE EXISTING S. OCEAN BLVD. TURN LANE TO VERIFY RESERVATIONS. THE NUMBER OF SECURITY STAFF IS DEPENDENT ON EVENT SIZE.

3 **VALET STAFF:**
VALET VEHICLE DROP-OFF IS LOCATED APPROXIMATELY 200 FEET WEST OF THE GATE. VALET PARKS VEHICLES FROM THE EAST TO THE WEST ON THE NORTH SIDE OF THE CLUB. THE GRASS PARKING IS USED LAST. THE NUMBER OF VALET STAFF IS DEPENDENT ON EVENT SIZE.

5/3/2023

EVENT INGRESS CIRCULATION PLAN
STANDARD PROCEDURE

REVISIONS

SIMMONS & WHITE
ENGINEERING | PLANNING | CONSULTING | SINCE 1982
Authorization No. 3452
2581 Metrocentre Blvd West ● Suite 3 ● West Palm Beach, Florida 33407 ● (561) 478-7848

DESIGN	DRAWN	CHECKED	APPROVED	DATE
B.K.	D.B.			

MAR-A-LAGO
SECTION 35, TOWNSHIP 43S., RANGE 43E.
TOWN OF PALM BEACH, FLORIDA
TRAFFIC CIRCULATION EXHIBIT

JOB NO.	DRAWING NO.	SHEET	OF
23-050	23050Z01	1	4

627

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03/12/24 TCM Backup

N

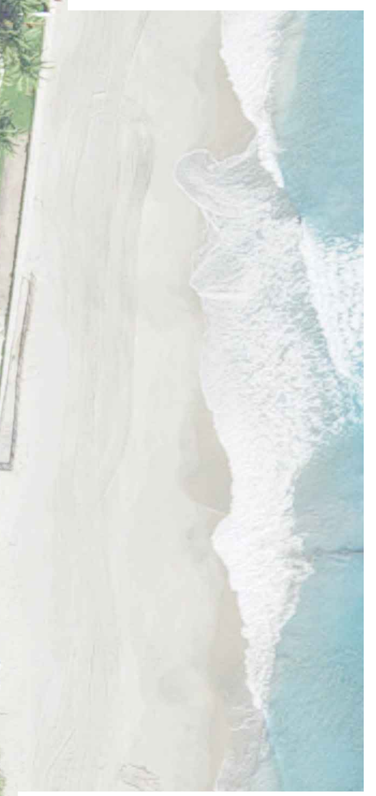
50 25 0 50 100

SCALE IN FEET
1"=50'





LOCATION MAP
NOT TO SCALE



TRAFFIC MANAGEMENT STAFF:

1 VALET STAFF:
VALET STAFF RETRIEVE VEHICLES AND ARRIVE BACK TO VALET PICK-UP LOCATION. ALL VEHICLES WILL EXIT ONTO S. OCEAN BLVD. THE NUMBER OF VALET STAFF MEMBERS IS DEPENDENT ON EVENT SIZE.

5/3/2023

EVENT EGRESS CIRCULATION PLAN
STANDARD PROCEDURE

REVISIONS

SIMMONS & WHITE
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Authorization No. 3452
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MAR-A-LAGO
SECTION 35, TOWNSHIP 43S., RANGE 43E.
TOWN OF PALM BEACH, FLORIDA
TRAFFIC CIRCULATION EXHIBIT

DESIGN	DRAWN	CHECKED	APPROVED	DATE
B.K.	D.B.			

JOB NO.	DRAWING NO.	SHEET	OF
23-050	23050Z01	2	4

929

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03/12/24 TCM Backup

VALET DROP-OFF LOCATION
FOR RED CARPET EVENTS

VALET DROP-OFF LOCATION
NON-RED CARPET EVENTS

APPROXIMATELY 10 VEHICLES CAN
STACK INTERNALLY BETWEEN
VALET DROP-OFF AND SOUTH GATE
SINGLE STACKED

SECURITY PERSONNEL CONFIRM CREDENTIALS
AND RESERVATION STATUS AT BATH AND
TENNIS CLUB. ONCE SEVERAL VEHICLES HAVE
BEEN CLEARED, POLICE OFFICER WILL STOP
SOUTHERN BLVD. TRAFFIC TO ALLOW
VEHICLES TO CROSS INTO THE SOUTH GATE.

GUESTS ARRIVE VIA THE WESTERN BATH AND
TENNIS CLUB PARKING LOT ON S. OCEAN BLVD.
APPROXIMATELY 17 VEHICLES CAN STACK
INTERNALLY USING A SINGLE LANE. IF NEEDED
ADDITIONAL LANES CAN BE USED TO INCREASE
INTERNAL STACKING CAPACITY.

SOUTHERN BLVD.

OCEAN BLVD.

OCEAN BLVD.

OCEAN BLVD.



LOCATION MAP
NOT TO SCALE

N

50 25 0 50 100
SCALE IN FEET
1"=50'

TRAFFIC MANAGEMENT STAFF:

1 **POLICE OFFICER:**
A POLICE OFFICER IS USED FOR ALL EVENTS WITH A MINIMUM OF 150 GUESTS. 2 POLICE OFFICERS ARE USED FOR EVENTS WITH A MINIMUM OF 400 GUESTS. POLICE OFFICER STOPS TRAFFIC ON SOUTHERN BLVD. AS NECESSARY TO ALLOW GUESTS TO ENTER SITE.

2 **SECURITY STAFF:**
SECURITY STAFF IS LOCATED INTERNAL TO THE GATE AND AT BATH AND TENNIS CLUB. SECURITY CHECKS CREDENTIALS AND RESERVATIONS USING QR CODE AT BATH AND TENNIS CLUB BEFORE SENDING VEHICLES TO MAR-A-LAGO.

3 **VALET STAFF:**
VALET VEHICLE DROP-OFF IS LOCATED APPROXIMATELY 450 FEET NORTH OF THE SOUTHERN BLVD. VALET PARKS VEHICLES FROM THE EAST TO THE WEST ON THE NORTH SIDE OF THE CLUB. THE GRASS PARKING IS USED LAST. THE NUMBER OF VALET STAFF IS DEPENDENT ON EVENT SIZE.

5/3/2023

LARGE EVENT INGRESS CIRCULATION PLAN
STANDARD PROCEDURE

REVISIONS

SIMMONS & WHITE
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Authorization No. 3452
2581 Metrocentre Blvd West ● Suite 3 ● West Palm Beach, Florida 33407 ● (561) 478-7848

DESIGN	DRAWN	CHECKED	APPROVED	DATE
B.K.	D.B.			

MAR-A-LAGO
SECTION 35, TOWNSHIP 43S., RANGE 43E.
TOWN OF PALM BEACH, FLORIDA
TRAFFIC CIRCULATION EXHIBIT

JOB NO.	DRAWING NO.	SHEET	OF
23-050	23050Z01	3	4

629

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03/12/24 TCM Backup

N

50 25 0 50 100

SCALE IN FEET
1"=50'

WOODBRIDGE RD.

OCEAN BLVD.

MEMBER EVENTS IN GRAND BALLROOM WILL HAVE VALET PICKUP AT THE TRAFFIC CIRCLE

VALET PICK-UP LOCATION FOR NON-MEMBER EVENTS

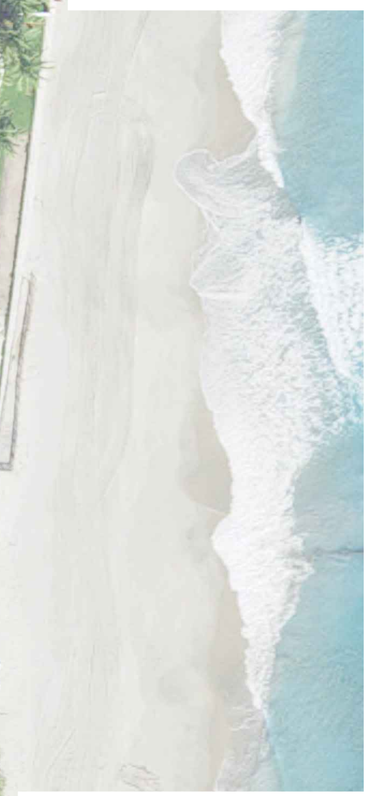
SOUTHERN BLVD.

OCEAN BLVD.

OCEAN BLVD.



LOCATION MAP
NOT TO SCALE



TRAFFIC MANAGEMENT STAFF:

1 POLICE OFFICER:
POLICE OFFICER ASSISTS WITH EVENT DEPARTURE FOR LARGE EVENTS AND WILL STOP VEHICLES AS NECESSARY ON SOUTHERN BLVD. TO ALLOW GUESTS TO EXIT.

2 VALET STAFF:
VALET STAFF RETRIEVE VEHICLES AND ARRIVE BACK TO SAME LOCATION AS DROP-OFF. ALL VEHICLES WILL EXIT ONTO SOUTHERN BLVD. THE NUMBER OF VALET STAFF MEMBERS IS DEPENDENT ON EVENT SIZE.

5/3/2023

SOUTHERN BLVD. EGRESS CIRCULATION PLAN STANDARD PROCEDURE

SIMMONS & WHITE
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Authorization No. 3452
2581 Metrocentre Blvd West ● Suite 3 ● West Palm Beach, Florida 33407 ● (561) 478-7848

MAR-A-LAGO
SECTION 35, TOWNSHIP 43S., RANGE 43E.
TOWN OF PALM BEACH, FLORIDA
TRAFFIC CIRCULATION EXHIBIT

REVISIONS	DESIGN	DRAWN	CHECKED	APPROVED	DATE
	B.K.	D.B.			

JOB NO.	DRAWING NO.	SHEET	OF
23-050	23050Z01	4	4

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APPENDIX B

95TH PERCENTILE QUEUING CALCULATIONS

200-GUEST EVENT

Valet Queuing Calculations - 200 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	72	Processing rate (processes per hour)
q =	80	Demand rate (vehicles per hour)
N =	2	Service positions (attendants)
ρ =	0.556	Utilization factor (q/(NQ))
Q_m =	0.398	Table Value
M =	2.53	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.5000	0.3333
High Number =	0.6000	0.4501

Assumptions:

1. 200 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 7 valet staff members with 6 runners
3. A minimum of 2 runners would be available at all times to take cars at valet stand.
4. A total processing time of 2.5 minutes for each valet runner to pick up vehicle and return to stand
5. Processing rate = 2.5 minutes / 3 groups of runners times) = 50 seconds or 72 processes p
6. 3 groups of runners = 6 runners / 2 available at all times

Security Queuing Calculations - 200 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	120	Processing rate (processes per hour)
q =	80	Demand rate (vehicles per hour)
N =	1	Service positions (attendants)
ρ =	0.667	Utilization factor (q/(NQ))
Q_m =	0.534	Table Value
M =	4.84	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.6000	0.4501
High Number =	0.7000	0.5766

Assumptions:

1. 200 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 1 security guard checking clearance credentials.
3. A total processing time of 30 seconds per vehicle to scan QR code and check ID

400-GUEST EVENT

Valet Queuing Calculations - 400 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	72	Processing rate (processes per hour)
q =	160	Demand rate (vehicles per hour)
N =	3	Service positions (attendants)
ρ =	0.741	Utilization factor (q/(NQ))
Q_m =	0.555	Table Value
M =	7.02	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.7000	0.4923
High Number =	0.8000	0.6472

Assumptions:

1. 400 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 11 valet staff members with 9 runners
3. A minimum of 3 runners would be available at all times to take cars at valet stand.
4. A total processing time of 2.5 minutes for each valet runner to pick up vehicle and return to stand
5. Processing rate = 2.5 minutes / 3 groups of runners times) = 50 seconds or 72 processes p
6. 3 groups of runners = 9 runners / 3 available at all times

Security Queuing Calculations - 400 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	120	Processing rate (processes per hour)
q =	160	Demand rate (vehicles per hour)
N =	2	Service positions (attendants)
ρ =	0.667	Utilization factor (q/(NQ))
Q_m =	0.534	Table Value
M =	4.84	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.6000	0.4501
High Number =	0.7000	0.5766

Assumptions:

1. 400 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 2 security guards simultaneously checking clearance credentials.
3. A total processing time of 30 seconds per vehicle to scan QR code and check ID

740-GUEST EVENT

Valet Queuing Calculations - 740 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	96	Processing rate (processes per hour)
q =	296	Demand rate (vehicles per hour)
N =	4	Service positions (attendants)
ρ =	0.771	Utilization factor (q/(NQ))
Q_m =	0.547	Table Value
M =	8.19	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.7000	0.4286
High Number =	0.8000	0.5964

Assumptions:

1. 740 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 18 valet staff members with 16 runners
3. A minimum of 4 runners would be available at all times to take cars at valet stand.
4. A total processing time of 2.5 minutes for each valet runner to pick up vehicle and return to stand
5. Processing rate = 2.5 minutes / 4 groups of runners times) = 37.5 seconds or 96 processes
6. 4 groups of runners = 16 runners / 4 available at all times

Security Queuing Calculations - 740 Guest Event

$$M = \left[\frac{\ln P(x > M) - \ln Q_M}{\ln \rho}\right] - 1$$

Q =	120	Processing rate (processes per hour)
q =	296	Demand rate (vehicles per hour)
N =	3	Service positions (attendants)
ρ =	0.822	Utilization factor (q/(NQ))
Q_m =	0.685	Table Value
M =	12.37	

	N = 1	2	3	4	6	8	10
0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
0.1	0.1000	0.1820	0.0037	0.0080	0.0000	0.0000	0.0000
0.2	0.2000	0.0666	0.0247	0.0096	0.0015	0.0002	0.0000
0.3	0.3000	0.1385	0.0700	0.0370	0.0111	0.0036	0.0011
0.4	0.4000	0.2286	0.1411	0.0907	0.0400	0.0185	0.0088
0.5	0.5000	0.3333	0.2368	0.1739	0.0991	0.0591	0.0360
0.6	0.6000	0.4501	0.3548	0.2870	0.1965	0.1395	0.1013
0.7	0.7000	0.5766	0.4923	0.4286	0.3359	0.2706	0.2218
0.8	0.8000	0.7111	0.6472	0.5964	0.5178	0.4576	0.4093
0.9	0.9000	0.8526	0.8172	0.7878	0.7401	0.7014	0.6687
1	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Interpolate	X	Y
Low Number =	0.8000	0.6472
High Number =	0.9000	0.8172

Assumptions:

1. 740 guests with average vehicle occupancy of 2.5 guests per vehicle
2. 3 security guards simultaneously checking clearance credentials.
3. A total processing time of 30 seconds per vehicle to scan QR code and check ID

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Regular Agenda - New Business

Agenda Title
Pension Plan Review and Proposal

Presenter
Maggie Zeidman, Council President

ATTACHMENTS:

- **Memo dated March 5, 2024 from Gillian Barth re Pension Review & Proposals**

MEMORANDUM

TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

FROM: Gillian Barth, Director of People & Culture

RE: Town of Palm Beach Pension Plan – Review and Proposal

DATE: March 5, 2024

OPTIONS FOR CONSIDERATION

1. **Increase** Police & Fire Rescue Defined Pension **Multiplier** from **2.75% to 3.0%** prospectively.

2. **Increase** General & Ocean Rescue Defined Pension **Multiplier** from **1.70 to 2.0%** prospectively.

3. **Reduce** Defined Pension Plan **vesting** from ten **(10) years to five to eight (5-8) years** prospectively for General/Lifeguard Staff and to eight (8) years for Public Safety.

4. **Reduce** Defined Contribution Plan **vesting** from **ten (10) years to one (1) year** prospectively.

5. In addition to current hybrid pension model, offer new General employees option of fully Defined Contribution Plan 401a in lieu of hybrid model. Public Safety employees will have the option of either a Fully Defined Pension or Defined Contribution (401a).

6. Revise retirement eligibility to match FRS for Public Safety personnel (age 55 if vested or 25 yrs of service)

Note: All public safety pensionable salary scales and step plan administration were shifted from the 75th percentile to the 85th percentile in 2023 to increase market competitiveness. This has proven to be successful.

GENERAL INFORMATION

In March 2023, Management commenced a review of the TOPB Pension plan. This review was prompted by several drivers:

- Seven (7) years since last review and changes (2017)
- Market shifts and increased competition
- Recruitment and retention challenges facing the Town
- Next generation of employee expectations
- Consistent area of concern on annual employee surveys
- Expression of interest by Town Council for a review

Recruitment Context: Over the past five years, it has been increasingly difficult to fill key staff positions, including Patrol Officers, 911 Telecommunicators, Accountants, Planners, Engineers, Equipment Operators and Water Resource Technicians. While the vacancies can be attributed to several factors, pay and benefits is one area that is regularly cited during candidate interviews and may be contributing to the cause of the disproportionately low number of applicants for each position viewed (see table below). In addition, the Town of Palm Beach publishes all salaries and benefits during recruitment, so they are visible to potential candidates. In response to market forces over the past two years, the Town has made considerable progress in adjusting its salary administration practices as evidenced by the change in compensation approach for the Police Department step plan in 2023. Pensions, however, have yet to be addressed and they are (purportedly) one of the top benefits that attract professionals and top performing employees to commit their careers to civil service.

Recruitment Data	2022	2023	2024
Average # Vacancies in past three years*	28 (8%)	32 (10%)	35 (10%)
Average time to hire**	111 days	92 days	
Average on-line views per job	2736	3740	
Average conversion rates of on-line views to applications***	2.54%	2.09%	
Average # applications per job****	69.51	78.29	
Advertising expenses	$17,764	$33,814	
# positions requiring repeat advertising	1	13	

** Established industry benchmark is 3.5%*
*** This is partly attributed to the vigorous level of review candidates are subjected to, particularly in Public Safety.*
**** 7-10% is overall industry standard (ref. SHRM, HireHive, JobVite)*
*****Despite vigorous automated screening, many applicants who do apply may not be suitable for Town employment.*

Retention Context: Despite improvements in retention rates since the days following the 2012 pension changes when *voluntary* resignation attrition rates reached peak levels of 34% in 2016, attrition remains higher than desirable. While resignations occur for a wide variety of reasons, the Town's pension plan remains one of the consistent themes in annual employee engagement surveys. Volunteer employee turnover is costly for an organization in replacement costs, reduced productivity, and remaining employees who shoulder the burden of vacancies.

		FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	*Future Target*
Resignations		8%	9%	10%	7%	7%	*3-4%*
Cost of Voluntary Turnover[1]	*$3.2M*	$617K	$708K	$754K	$548K	$594K	*$228K*

It's important to note that neither recruitment nor retention should be looked at in isolation but rather as combined factors that impact the Town's ability to be market competitive and attract the best and brightest talent.

[1]HR Industry standard calc. = Total Cost of Annual Staff Turnover] = [Number of Staff Resignations] multiplied by (([Average Hourly Rate] multiplied by [Hours per Week] multiplied by [Weeks per Year]) multiplied by 1.3) multiplied by 0.25. Note: 1.3 represents the multiplier used to account for things related to lost productivity and hiring expenses. .25 assumes only a quarter of an employee's annual salary is lost to turnover costs.

Review Methodology: Management contracted the services of Senior Consultant and Actuary *Peter Strong of GRS*[2] and, over the past twelve months, examined and costed multiple models and options, including:

- Increasing the defined pension multipliers for both Public Safety and General/Lifeguard Employees prospectively
- Increasing the defined pension multipliers prospectively *and* retroactively to 2012 (when the last significant changes were made)
- Reducing the defined pension vesting from 10 years to 5-8 years (General/Lifeguards), 8 years for Public Safety and to one (1) year for the defined contribution (401a) (Note: reduction in vesting does not necessarily lead to staff turnover – 34% of current staff have reached or exceeded current vesting period of 10 yrs)
- Offering staff the options of the current hybrid program or full direct contribution plan (401a Plan) only

Current Plan Versus Market: In addition, Management conducted a review of how the Town's current plan compares to other municipal and county pension plans to determine overall competitiveness. Results are provided below, segmented by Public Safety and General/Lifeguard employees.

PUBLIC SAFETY (POLICE & FIRE RESCUE)													
	TOPB Current			TOPB 2024 Options			Florida Retirement System (FRS)			Non-FRS Entities (PB County Municipalities)			State of Florida Average
	Multi-plier[3]	Vesting Period[4]	Employee/ Employer Contribution	Multi-plier	Vesting Period	Employee/ Employer Contribution	Multi-plier	Vesting Period	Employee Contribution	Multi-plier Avg.	Vesting Period Avg.	Employee/ Employer Contribution Avg.	Multi-plier
Defined Benefit Plan	2.75%	10 yrs	8.5%	3.0%	8 yrs	8.5%	3.0%	8 yrs	3.0%	3.04%	9.5 yrs	8.11%	3.05
Defined Contribution Plan (401a)	N/A	N/A	N/A	N/A	1 yr	3%/3%	N/A	1 yr	3%/16%	N/A	N/A	Limited Examples	
DROP	5 yrs			8 yrs			8 yrs			Variable			
Investment Only Option	No			Yes			Yes			Variable			
Portability	No			No			Yes			Not published			
COLA Adjustment	No			No			Yes (3%)			Limited 2% COLA			
Retirement Eligibility	Age 55 with 10 years of service Age 52 with 25 years of service			Age 55 if vested, or 25 years of service			Age 55 if vested, or 25 years of service			Variable (many mirror the FRS 25 years)			

[2] Mr. Strong and GRS also serve as contracted actuaries to the Town's Retirement Board.
[3] Pension multiplier calculation = (# years of service x multiplier x final years average salary)
[4] Number of years of service required to qualify for employer's contribution to pension benefits

GENERAL & LIFEGUARDS													
	TOPB Current (Hybrid Plan)			TOPB 2024 Options			Florida Retirement System (FRS)			Non-FRS Entities (PB County Municipalities)			State of Florida Average
	Multi-plier	Vesting Period	Employee/ Employer Contribution	Multi-plier	Vesting Period	Employee / Employer Contribution	Multi-plier	Vesting Period	Employee/ Employer Contribution	Multiplier Avg.	Vesting Period Avg.	Employee/ Employer Contribution Avg.	Multiplier
Defined Benefit Plan	1.70	10 yrs	3.5%	2.0	5-8 yrs	3.5%	1.60	8 yrs	3.0%	2.3%	7 yrs	6.26%	2.43
Defined Contribution Plan (401a)	N/A	10 yrs	3%/3%	N/A	1 yr	3%/3%	N/A	1 yr	3.0%/8.3%	N/A	1 yr	6%/11%	
DROP	5 yrs			8 yrs			8 yrs			Variable			
Investment Only Option	No			Yes			Yes			Variable			
Portability	No			No			Yes			Not published			
COLA Adjustment	No			No			Yes (3%)			Variable			
Retirement Eligibility:	DB - age 62 / DC - IRS rules			DB – age 62 / DC – IRS rules			DB – age 65 / DC IRS rules			Variable between 62 and 65			

FUNDING/FISCAL IMPACT

Funding Impact of Retirement - Current Plan vs Proposed
3% Public Safety and 2% Gen Employ/Ocean Rescue Multiplier

Budget YR	Town Contribution (ADEC) before $5.42M			Funded Ratio		Unfunded Actuarial Accrued Liability	
	Current Plan	3% PS; 2% GE	Difference	Current Plan	3% PS; 2% GE	Current Plan	3% PS; 2% GE
2025	13,926,310	14,499,594	573,284	73.70%	73.20%	99,114,858	101,643,725
2026	15,130,742	15,826,395	695,653	72.70%	72.10%	105,348,959	108,507,707
2027	15,612,354	16,371,316	758,962	73.90%	73.30%	101,542,409	104,744,897
2028	15,848,751	16,728,540	879,789	73.70%	73.00%	103,355,480	107,160,405
2029	15,666,357	16,694,605	1,028,248	76.90%	76.00%	92,120,463	96,592,474
2030	15,383,575	16,556,750	1,173,175	80.10%	79.20%	80,123,643	85,037,794
2031	14,964,578	16,203,121	1,238,543	83.40%	82.50%	67,799,125	72,471,946
2032	14,380,653	15,679,527	1,298,874	86.60%	85.80%	55,228,345	59,523,554
2033	12,662,033	13,954,516	1,292,483	89.80%	89.10%	42,570,574	46,430,870
2034	10,192,756	11,401,106	1,208,350	92.90%	92.30%	29,997,605	33,366,963
2035	8,947,548	10,162,166	1,214,618	95.60%	95.10%	18,701,993	21,589,863
2036	7,350,188	9,027,599	1,677,411	97.80%	97.30%	9,558,544	12,058,161
2037	6,169,217	6,940,582	771,365	99.70%	99.20%	1,376,076	3,488,820
2038	6,333,421	7,165,638	832,217	100.00%	100.00%	0	0
2039	6,535,859	7,403,119	867,260	100.00%	100.00%	0	0
	179,104,342	194,614,574	15,510,232	*			

* the present value of the 15 year additional cost would be approx. $8.1M

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda

Regular Agenda - New Business

Agenda Title

RESOLUTION NO. 034-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, To Amend the Town's Fund Balance Policy for the General Fund.

Presenter

Bob Miracle Deputy Town Manager - Finance and Administration

ATTACHMENTS:

- **Memorandum Dated February 27, 2024, from Robert Miracle, Deputy Town Manager - Finance and Administration**
- **Resolution No. 034-2024**
- **Exhibit A**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

To: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

From: Robert Miracle, Deputy Town Manager – Finance and Administration

Re: Resolution amending the Town's Fund Balance Policy for the General Fund

Date: February 27, 2024

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 034-2024 amending the Town's Fund Balance Policy for the General Fund

GENERAL INFORMATION

The Fund Balance policy for the General Fund is being amended to reflect the changes shown in Exhibit A.

There will be a presentation with Resolution Nos. 034-2024 and 035-2024.

This has been approved by the TOPB Retirement Board Chair.

FUNDING/FISCAL IMPACT

N/A

TOWN ATTORNEY REVIEW

This resolution has been reviewed by the Town Attorney for legal form and sufficiency.

Attachments

cc: John C. Randolph, Town Attorney
Carolyn Stone, Deputy Town Manager for Business Enterprise and Culture

RESOLUTION NO. 034-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, TO AMEND THE TOWN'S FUND BALANCE POLICY FOR THE GENERAL FUND

WHEREAS, it is recommended by the Government Finance Officers Association (GFOA) and the National Advisory Committee on State and Local Budgeting (NACSLB) that all governments implement financial policies; and

WHEREAS, it is important to adopt financial policies to guide the creation, maintenance and use of resources for financial stabilization purposes; and

WHEREAS, it is fiscally responsible to safeguard the Town's financial resources.

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 attached financial policies pertaining to the Fund Balance Reserve Policy for the General Fund are marked as Exhibit A incorporated by reference as part of this Resolution are hereby adopted. The Town Manager and the Deputy Town Manager – Finance and Administration are directed to do all things necessary to effectuate the financial policies and to report to the Town Council, or appropriate committee thereof, as may be needed relative to matters pertaining to same, in order to preserve and enhance the financial interests of the Town of Palm Beach.

Section 3: All previously adopted financial policies for the Town's Fund Balance Policy for the General Fund are now no longer applicable and are superseded by the policies adopted herein.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of March, 2024.

_____	_____
Danielle H. Moore, Mayor	Margaret A. Zeidman, Town Council President
	_____
	Bobbie D. Lindsay, Council President Pro Tem
	_____
ATTEST:	Julie Araskog, Town Council Member
	_____
	Edward A. Cooney, Town Council Member
_____	_____
Kelly Churney, Acting Town Clerk	Lewis S.W. Crampton, Town Council Member

Town of Palm Beach, Florida **Exhibit A**

Subject Policy: Fund Balance

Approved: August 9, 2011

Approved: July 12, 2012

Update: March 12, 2024

Purpose: The Town hereby establishes and will maintain Fund Balance, as defined herein, in accordance with Governmental Accounting and Financial Standards Board Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. Fund Balance shall be composed of non-spendable, restricted, committed, assigned and unassigned amounts.
A Fund Balance Policy is adopted to establish a level of funding that protects against unanticipated events that would adversely affect the financial condition of the Town and jeopardize the continuation of necessary public services. The policy also is established to secure and maintain investment-grade credit ratings, meet seasonal shortfalls in cash flow, and guard against revenue shortfalls. Fund balance information is used to identify the available resources for tax stabilization or enhance the financial position of the Town, in accordance with policies established by the Town Council.

This Fund Balance Policy establishes:

a) Fund balance policy for the general fund;
b) Reservations of fund balance for the general fund;
c) The method of budgeting the amount of estimated unrestricted fund balance available for appropriation during the annual budget adoption process (prior to the actual, audited fund balance being known); and
d) Establish a spending order of fund balances.

Fund Balance Policy:

1. Restricted Fund Balance –Amounts that can be spent only for specific purposes stipulated by (a) external resource providers such as creditors (by debt covenants), grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation will be budgeted and reported in special revenue funds, capital project funds or debt service funds. There is no restricted fund balance in the General Fund.

2. Committed Fund Balance – Commitment of fund balance may be made for such purposes including, but not limited to, a) major maintenance and repair projects; b) meeting future obligations resulting from a natural disaster; c) accumulating resources pursuant to stabilization arrangements; d) establishing reserves for disasters; and/or e) for setting aside amounts for specific projects or purposes.

Commitment of fund balance may be made from time-to-time by ordinance of the Town Council. Commitments may be changed or lifted only by the Town Council taking the same formal action that imposed the constraint originally (ordinance). The use of committed fund balances will be considered in conjunction with the annual budget adoption process or by budget amendment approved by Ordinance of the Town Council during the fiscal year.

3. Assigned Fund Balance – Assignment of fund balance may be a) made for a specific purpose that is narrower than the general purposes of the government itself; and/or b) used to reflect the appropriation of a portion of existing unassigned fund balance to eliminate a projected deficit in the subsequent year's budget in an amount no greater than the projected excess of expected expenditures over expected revenues.

   Assigned fund balance shall reflect management's intended use of resources as set forth in the annual budget (and any amendments thereto). Assigned fund balance may or may not be appropriated for expenditure in the subsequent year depending on the timing of the project/reserve for which it was assigned.

4. Non-Spendable Fund Balance – Non-spendable fund balance is established to report items that are not expected to be converted to cash such as inventory and prepaid items; items not currently in cash form such as the long-term amount of loans and notes receivable; and, items legally or contractually required to be maintained intact.

5. Minimum Level of Unassigned Fund Balance – Unassigned fund balance is the residual classification for the general fund and represents fund balance that has not been restricted, committed or assigned to specific purposes within the general fund. The Town will maintain a minimum level of 30% of general fund operating expenditures, including transfers to the Capital Improvement Fund and Coastal Fund.

   If after the annual audit, prior committed or assigned fund balance causes the unassigned fund balance to fall below 30% of general fund operating expenditures, the Town Manager will so advise the Town Council in order for necessary action to be taken to restore the unassigned fund balance to 30% of General Fund operating expenditures.

   The Town Manager will prepare and submit a plan to the Town Council, that may include expenditure reductions, revenue increases, use of non-recurring revenues, budget surpluses and excess resources in other funds to restore fund balance to the minimum level. The Town shall take action necessary to restore the unassigned fund balance to acceptable levels within two years.

When an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it is the Town's policy to reduce restricted amounts first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund

balance classifications could be used, it is the Town's policy to reduce committed amounts first, followed by assigned amounts, then unassigned amounts.

Reservations of Fund Balance (General Fund)

Committed Fund Balance –Compensated Absence Reserve – To fund the value of accrued compensated absences. The reserve includes accrued vacation, sick time and compensatory time and related payroll tax liability. The reserve will be adjusted annually during the year-end process and will be funded at a rate of 100% of the fiscal year end accrued balance. The Town Council will annually give consideration to appropriate funds from this reserve based upon estimated pay-outs of eligible accrued vacation, sick and compensatory time and the related payroll tax liability.

Assigned Fund Balance

The Town Council hereby establishes the following assignment of fund balance in the General Fund:

a) Assignment to Subsequent Year's Budget – The subsequent year's budget fund balance is assigned by the Town management as set forth in the annual budget (and any amendments thereto) to appropriate a portion of existing unassigned fund balance to eliminate projected deficit in the subsequent year's budget in an amount no greater than the projected excess of expected expenditures over expected revenues.

Budgeting

1. Appropriation of Unrestricted Fund Balance – The actual amount of unrestricted fund balance (total of committed fund balance assigned fund balance and unassigned fund balance) is not known until the completion of the annual audit which takes place within six months after the end of the fiscal year being audited. However, an estimate of unrestricted fund balance (also called estimated beginning fund balance) will be made and reported during the annual budget adoption process (June through September) which is prior to the end of the fiscal year, September 30th.

2. Estimated Beginning Fund Balance – In order to achieve the most accurate estimate possible, the Finance Department shall project both Sources of Funds (revenues, prior years unrestricted fund balances carried forward and other financing sources) and Uses of Funds (operating and non-operating expenditures), including accruals, for each governmental fund through September 30th of the current fiscal year. These projections will be shown for each fund in the proposed and final budget documents. The difference between the estimated actual sources of funds and estimated actual uses of funds is the calculated estimated beginning fund balance for the subsequent fiscal year. If planned for use in the subsequent fiscal year, committed and assigned fund balance may be included in the estimated beginning fund balance.

3. Estimated Ending Fund Balance – For the year being budgeted, a calculation of estimated ending fund balance shall be made. This calculation shall be the difference between the budgeted sources of funds and the budgeted uses of funds as described above.

   If after the annual audit, the actual general fund unassigned fund balance is greater than 25% of operating expenditures in the general fund, the excess may be used in one or a combination of the following ways:

   a) Left in the general fund to earn interest and roll forward into the subsequent year's beginning fund balance;
   b) Appropriated by the Town Council for a one-time expenditure or opportunity that does not increase recurring operating costs; or
   c) Temporary revenue shortfalls or unpredicted one-time expenditures due to a severe economic downturn or other major event(s) affecting the General Fund.

Annual Review and Determination of Fund Balance Policy: Compliance with the provisions of this policy shall be reviewed as a part of the annual budget adoption process, and the estimated amounts of restricted, committed assigned, non-spendable and minimum level of unassigned fund balance shall be determined during this process. The Town Manager will report the preliminary status of fund balance in the annual budget.

Responsibility: It will be the responsibility of the Town Manager and the Finance Director to implement this policy.

Effective Date: This policy shall take effect immediately upon adoption and will be applied beginning with the preparation of the Town's September 30, 2024 Comprehensive Annual Financial Report and adoption of the Town's Fiscal Year 2024-2025 Budget.

Update: Update shall take effect immediately upon adoption and will be applied with the preparation of the Town's September 30, 2024 Comprehensive Annual Financial Report.

DEFINITIONS

Fund Balance – As defined by the Governmental Accounting, Auditing and Financial Reporting of the Government Finance Officers Association, fund balance is "The difference between assets and liabilities reported in a governmental fund."

Non-Spendable Fund Balance – Amounts that are (a) not in a spendable form or (b) legally or contractually required to be maintained intact. "Not in spendable form" includes items that are not expected to be converted to cash (such as inventories and prepaid amounts) and items such as long-

term amount of loans and notes receivable, as well as property acquired for resale. The principal of a permanent fund is an example of an amount that is legally or contractually required to be maintained intact.

Restricted Fund Balance – Amounts that can be spent only for specific purposes stipulated by (a) external resource providers such as creditors (by debt covenants), grantors, contributors, or laws or regulations or other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Committed Fund Balance – Amounts that can be used only for the specific purposes determined by a formal action (ordinance ~~or resolution~~) of the Town Council. Commitments may be changed of lifted only by the Town Council taking the same formal action (ordinance ~~or resolution~~) that imposed the constraint originally. Resources accumulated pursuant to stabilization arrangements sometimes are reported in this category.

Assigned Fund Balance – Includes spendable fund balance amounts established by management of the Town that are intended to be used for specific purposes that are neither considered restricted or committed.

Unassigned Fund Balance - Unassigned fund balance is the residual classification for the general fund and represents fund balance that has not been assigned to other funds and that has not been restricted, committed or assigned to specific purposes within the general fund. Unassigned fund balance may also include negative balances for any governmental fund if expenditures exceed amounts restricted, committed, or assigned for those specific purposes.

Unrestricted Fund Balance – The total of committed fund balance, assigned fund balance and unassigned fund balance.

Reservations of Fund Balance – Reserves established by the Town Council or by Town Management.

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda

Regular Agenda - New Business

Agenda Title

RESOLUTION NO. 035-2024 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, To Amend the Town's Funding Policy for the Retirement Fund.

Presenter

Bob Miracle, Deputy Town Manager - Finance and Administration

ATTACHMENTS:

- **Memorandum Dated February 27, 2024, from Robert Miracle, Deputy Town Manager - Finance and Administration**
- **Resolution No. 035-2024**
- **Exhibit "A"**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 12, 2024

To: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

From: Robert Miracle, Deputy Town Manager – Finance and Administration

Re: Resolution amending the Funding Policy for the Town of Palm Beach Retirement System

Date: February 27, 2024

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 035-2024 amending the Funding Policy for the Town of Palm Beach Retirement System

GENERAL INFORMATION

The investment policy for the Town of Palm Beach Retirement System is being amended to reflect the changes shown in Exhibit A.

There will be a presentation with Resolution # 034-2024 and 035-2024.

This has been approved by the TOPB Retirement Board Chair, Dan Stanton.

FUNDING/FISCAL IMPACT

N/A

TOWN ATTORNEY REVIEW

This resolution has been reviewed by the Town Attorney for legal form and sufficiency.

Attachments

cc: John C. Randolph, Town Attorney
Carolyn Stone, Deputy Town Manager for Business Enterprise and Culture

RESOLUTION NO. 035-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, TO AMEND THE TOWN'S FUNDING POLICY FOR THE RETIREMENT FUND

WHEREAS, it is recommended by the Government Finance Officers Association (GFOA) and the National Advisory Committee on State and Local Budgeting (NACSLB) that all governments implement financial policies; and

WHEREAS, it is important to adopt financial policies to guide the creation, maintenance and use of resources for financial stabilization purposes; and

WHEREAS, it is fiscally responsible to safeguard the Town's financial resources.

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 attached financial policies pertaining to the Fund Policy for the Retirement Fund are marked as Exhibit A incorporated by reference as part of this Resolution are hereby adopted. The Town Manager and the Deputy Town Manager – Finance and Administration are directed to do all things necessary to effectuate the financial policies and to report to the Town Council, or appropriate committee thereof, as may be needed relative to matters pertaining to same, in order to preserve and enhance the financial interests of the Town of Palm Beach.

Section 3: All previously adopted financial policies for the Town's Funding Policy for the Retirement Fund are now no longer applicable and are superseded by the policies adopted herein.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of March, 2024.

_____	_____
Danielle H. Moore, Mayor	Margaret A. Zeidman, Town Council President
	_____
	Bobbie D. Lindsay, Council President Pro Tem
	_____
ATTEST:	Julie Araskog, Town Council Member
	_____
	Edward A. Cooney, Town Council Member
_____	_____
Kelly Churney, Acting Town Clerk	Lewis S.W. Crampton, Town Council Member

Town of Palm Beach, Florida

Subject Policy: Funding Policy for the Town of Palm Beach Retirement System

Effective Date: October 1, 2017

Revised: September 30, 2019

Purpose: The Mayor and Town Council along with the Retirement Board recognizes its fiduciary duty to set prudent funding policies that promote benefit security and intergenerational equity in compliance with all federal, state and local statutes, ordinances and regulations. This Funding Policy constitutes the Town's intentions that the Retirement Systems benefit obligations be funded on a systematic and actuarially sound basis in accordance with State Statutes.

This Funding Policy is intended to guide the Town, the Board members, and the plan's actuary in the discharge of their respective services to the Plan.

Policy: Each year the Town of Palm Beach will budget and contribute an amount equal to the Actuarially Determined Employer Contribution (ADEC). The contribution will be made to the Retirement Fund in either one annual payment during the first month of the fiscal year or quarterly installments throughout the fiscal year, depending on what is in the best interest of the Town. The ADEC amount will be derived from the annual valuation report and determined based on the current actuarial assumptions in place each year that is adjusted by the Board and/or the Town Council.

In addition, the Town of Palm Beach will contribute additional funds over and above the ADEC during the first month of the fiscal year. These additional funds serve to reduce the Town's Unfunded Actuarially Accrued Liability (UAAL) and will be reflected as receivable contributions in the actuarial valuation for the year ending September 30th immediately preceding the deposit date of the additional funds. An additional amount of $5,420,000 will be paid annually until the Plan is fully funded, subject to the funds being budgeted annually. In the event the amount exceeds the cap on contributions as described in this policy, this additional amount shall be reduced to meet the cap. The total Town contribution (including the ADEC) shall be capped at $16 million (indexed after 2017 at 2.75% per annum).

When deemed appropriate, the Town Council may authorize an additional one-time contribution to the Plan in excess of the cap to further reduce the UAAL. Such contributions shall be made on a case-by case basis.

It is the intent of this policy that the additional contribution will be budgeted and paid each year unless one of the following circumstances are met:

1. A force majeure, including a catastrophic storm or other unforeseen event that would prohibit the Town from meeting this obligation.
2. A financial circumstance such as a severe recession or other unforeseen financial event that would cause the Town to not be able to meet this obligation.
3. The Retirement Fund achieves the 100% actuarial funding objective.

Responsibility: It is the responsibility of the Town Manager and the Finance Director to, appropriate funds for this contribution in the Town's annual budget process.

Initial Approval Date: October 10, 2017

Revision Date: September 10, 2019

Reference Document: Refer to GRS Retirement Consulting Report dated August 31, 2017 for the basis of the minimum amount.

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Regular Agenda - Quarterly Litigation Report

Agenda Title
Litigation Status Report

Presenter
Joanne O'Connor, Town Attorney

ATTACHMENTS:

- **Memorandum Dated February 29, 2024, from Joanne O'Connor, Town Attorney**
- **Form 6 Lawsuit - Federal**
- **Form 6 Lawsuit - State**

Memo

To: Mayor Moore and Town Council Members
Cc: Kirk Blouin, Town Manager
From: Joanne M. O'Connor
Date: February 29, 2024
Re: Litigation Status Report – March 2024

This report provides a brief summary of litigation against the Town that is pending as of March 1, 2024 and that concluded in the preceding quarter.

CONCLUDED LITIGATION

1. **1275 South Ocean Boulevard, LLC v Town of Palm Beach, Blossom Way Holdings LLC and Providencia Partners LLC,** Case No: 502022CA002586XXXXMB AI (15th Jud. Cir. in and for Palm Beach Cnty, Fla.). This suit is principally between neighbors in the Blossom Way residential subdivision after the homeowners' association moved beach access easements and the Town approved the replat. Plaintiff included one count against Town, arguing that the Town's approval of the replat was arbitrary and capricious. The Court rejected this argument and on October 17, 2023, dismissed the the Town. Plaintiff chose not to replead against the Town.

PENDING LITIGATION

1. Form 6 Litigation

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

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

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

2. ***1020 South Ocean, LLC v. Town of Palm Beach and 1015 South Ocean, LLC*****,** Case No. 502022CA001377XXXXMB AY (15th Jud. Cir. in and for Palm Beach Cnty, Fla.) (Appellate Division). This suit sought appellate review of the Town Council's approval of two variances from setback and height plane restrictions for the construction of a new home at 1015 South Ocean Boulevard. The challenge was brought by the neighbor directly across South Ocean Boulevard.

1020 South Ocean sought first-tier review of the Town Council's approvals in the Circuit Court, Appellate Division. A three-judge panel denied 1020 South Ocean's petition for certiorari review, with one judge dissenting.

1020 South Ocean then sought second-tier certiorari review in the Fourth District Court of Appeal. On February 9, 2024, a three-judge panel of the Fourth District unanimously denied the petition without a written opinion.

On February 26, 2024, 1020 South Ocean filed a motion for written opinion and for consideration, *en banc*, by the entire Fourth District. The responses to that motion are due on March 12, 2024. Without a written opinion, 1020 South Ocean's appellate remedies will be over.

3. Midtown Beach: Private Property Rights Challenges.

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

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

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

Plaintiffs ask the Circuit Court to declare their respective property rights in the beach areas and their ability to post the boundaries of their private beach areas with post and rope and "no trespassing" signs. They have also alleged that the Town's failure to enforce trespass ordinances—

including as to persons using their beach areas for traditional beach uses, such as sunbathing and dog walking—constitutes a temporary "taking" of their property without compensation.

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

Depositions are proceeding and written discovery has largely concluded. A hearing is set in July on Plaintiffs' motion for summary judgment; the Town anticipates cross-moving for summary judgment to be heard at the same time. This case has a projected trial date in November 2024. The cases have been unsuccessfully mediated.

4. ***State of Florida ex rel. Virginia E. Dadey, Gregory J. Englesbe and Peter Kaupe v Town of Palm Beach*****,** Case No: 502022CA008479XXXXMB AI (15th Jud. Cir. in and for Palm Beach Cnty, Fla.). Town residents in the 200 Block of Atlantic Avenue challenge the status of the beach access at the east end of Atlantic Avenue. Certain owners in the 100 Block of Atlantic Avenue asserted a private ownership right to the access point based on a recorded plat. In December 2020, the Town publicly announced that it agreed with this determination. The 100 Block owners have locked the access at Atlantic Avenue.

Plaintiffs bring two-counts: (1) a claim to abate a purported public nuisance (the gate and any other obstructions of the access); and (2) a claim that the Town has violated the Public Records Act. As to the first claim, Plaintiffs rely on a statute that provides for dedication of public roadways to assert that title to the beach access became vested in the Town. The Town has asserted numerous defenses, including that Plaintiffs failed to join the 100 Block owners, who are indispensable parties.

The discovery deadline is March 29, 2024 and the deadline to file motions for summary judgment on April 12, 2024. A prior mediation was unsuccessful. The case will be determined by the Court, either at summary judgment or a non-jury trial. No trial date has been set.

5. Alef Preschool Challenges

a. ***Palm Beach Biltmore Condo. Ass'n v. Town of Palm Beach, Biltmore Galleria, LLC and Alef Preschool of Palm Beach, Inc*****.,** Case No. 22-012348 (15th Jud. Cir. in and for Palm Beach Cnty., Fla.) (Appellate Division)

b. ***Parc Regent Condom. Ass'n, Inc., Linda Landis, Jamie Stern, Steven Brown and Judith Berkowitz v. Town of Palm Beach, Biltmore Galleria, LLC and Alef Preschool of Palm Beach, Inc.,*** Case No. 22-012330 (15th Jud. Cir. in and for Palm Beach Cnty., Fla.) (Appellate Division)

Two appeals seeking review of the Town's zoning approvals for the Alef Preschool have been filed, and consolidated, in the circuit court appellate division by the Palm Beach Biltmore Condominium Association, Inc. and by Parc Regent Condominium Association, Linda Lewis, Jamie

Stern, Steven Brown and Judith Berkowitz. The Biltmore Galleria, LLC and the Alef Preschool of Palm Beach, Inc. are named with the Town as respondents.

Filed on December 15, 2022, these petitions for certiorari review assert that the Town Council wrongly granted a parking variance and approved a site plan and special exception to permit the preschool project.

As of August 30, 2023, this matter has baeen fully briefed and awaiting a decision from the circuit court appellate division.

6. ***Robert F. Greenhill v. Town of Palm Beach,*** Case No. 502023CA002478 (15th Jud. Cir. in and for Palm Beach Cnty., Fla.) (Appellate Division): This appeal filed by Mr. Greenhill challenges the designation of his property at 686 Island Drive as a historic landmark.

As of September 14, 2023, this matter has been fully briefed and awaiting a decision from the circuit court appellate division.

7. ***Thomas O. McCarthy v. Town of Palm Beach*****,** Case No. 502023CA012789 (15th Jud. Cir. in and for Palm Beach Cty., Fla.) (Appellate Division): This is an appeal by neighbors challenging the Town's grant of variances to permit the rehabilitation of a two-story accessory structure designated as a historically significant building to be raised 16 inches and to increase the first-floor ceiling height from 7 to 8 feet.

As of October 20, 2023, this matter has been fully briefed and awaits a decision from the circuit court appellate division.

#4042038 v1 13156-00008

UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.

PRESIDENT OF TOWN COUNCIL ELIZABETH A. LOPER, ALDERMAN KEITH J. BLACK, ALDERMAN KATHLEEN M. GROSS and ALDERMAN WILLIAM BIRCH, elected officials of the Town of Briny Breezes;

COUNCILMEMBERS WALTER FAJET and JACKY BRAVO, elected officials of Miami Springs, Florida;

COMMISSIONER PATRICIA PETRONE, an elected official of Lighthouse Point, Florida;

MAYOR DANIELLE H. MOORE, PRESIDENT OF TOWN COUNCIL MARGARET A. ZEIDMAN, COUNCIL MEMBER EDWARD A. COONEY, COUNCIL MEMBER LEWIS CRAMPTON, COUNCIL MEMBER JULIE ARASKOG and COUNCIL MEMBER BOBBIE LINDSAY, elected officials of the Town of Palm Beach, Florida;

MAYOR BRENT LATHAM, VICE MAYOR RICHARD CHERVONY, and COMMISSIONER ANDY ROTONDARO, elected officials of North Bay Village, Florida;

MAYOR GLENN SINGER, an elected official of the Town of Golden Beach, Florida;

MAYOR BERNARD KLEPACH, an elected official of Indian Creek, Florida;

MAYOR JEFFREY P. FREIMARK, VICE-MAYOR SETH E. SALVER, COUNCILMAN DAVID ALBAUM, and COUNCILMAN DAVID WOLF, elected officials of the Village of Bal Harbour, Florida;

MAYOR MARGARET BROWN, COMMISSIONER MARY MOLINA-MACFIE, COMMISSIONER CHRIS EDDY,

COMMISSIONER HENRY MEAD, and COMMISSIONER BYRON L. JAFFE, elected officials of the City of Weston, Florida;

MAYOR SHELLY PETROLIA, VICE-MAYOR RYAN BOYLSTON, DEPUTY VICE-MAYOR ROB LONG, COMMISSIONER ADAM FRANKEL, and COMMISSIONER ANGELA BURNS, elected officials of the City of Delray Beach, Florida;

MAYOR JOSEPH AYOUB, COMMISSIONER ANDY STEINGOLD, COMMISSIONER CARLOS DIAZ, COMMISSIONER NANCY J. BESORE, and COMMISSIONER CLIFF MERZ, elected officials of the City of Safety Harbor, Florida;

COMMISSIONER JEREMY KATZMAN, an elected official of Cooper City, Florida;

MAYOR SCOTT J. BROOK, VICE-MAYOR SHAWN CERRA, COMMISSIONER JOSHUA SIMMONS, COMMISSIONER JOY CARTER, and COMMISSIONER NANCY METAYER BOWEN, elected officials of the City of Coral Springs, Florida;

VICE-CHAIR ERIK BRECHNITZ, an elected official of the City of Marco Island, Florida;

VICE MAYOR ARLENE SCHWARTZ, COMMISSIONER ANTONIO V. ARSERIO, COMMISSIONER JOANNE SIMONE, and COMMISSIONER ANTHONY N. CAGGIANO, elected officials of the City of Margate, Florida;

MAYOR ROBERT T. WAGNER, COUNCIL MEMBER JOHN STEPHENS III, COUNCIL MEMBER TORY CJ GEILE, COUNCIL MEMBER JAMES B. BAGBY, and COUNCIL MEMBER TERESA R. HEBERT, elected officials of the City of Destin, Florida;

MAYOR KENNETH R. THURSTON, COMMISSIONER MELISSA P. DUNN, and COMMISSIONER SARAI "RAY" MARTIN, elected officials of the City of Lauderhill, Florida,

MAYOR BILL GANZ, VICE-MAYOR BERNIE PARNESS, COMMISSIONER BEN PRESTON, and COMMISSIONER MICHAEL HUDAK, elected officials of the City of Deerfield Beach, Florida;

VICE-MAYOR PAUL A. KRUSS and COMMISSIONER RACHEL FRIEDLAND, elected officials of the City of Aventura, Florida;

VICE-MAYOR MICHAEL NAPOLEONE, COUNCILWOMAN TANYA SISKIND, COUNCILMAN JOHN T. MCGOVERN, and COUNCILMAN MICHAEL DRAHOS, elected officials of the Village of Wellington;

MAYOR FRED CLEVELAND, elected official of the City of New Smyrna Beach, Florida;

COUNCILMEMBER JENNIFER ANDREU, elected official of the City of Plantation, Florida,

COUNCILMEMBER KEM E. MASON, elected official of the Town of Lantana, Florida; and

MAYOR CHARLES EDWARD DODD, VICE MAYOR KELLY DIXON, COUNCIL MEMBER FREDERICK B. JONES, COUNCIL MEMBER BOB MCPARTLAN, AND COUNCIL MEMBER CHRISTOPHER NUNN, elected officials of the City of Sebastian, Florida,

Plaintiffs,

vs.

ASHLEY LUKIS, in her official capacity as Chair of the Florida Commission on Ethics; MICHELLE ANCHORS, in her official capacity as Vice Chair of the Florida Commission on Ethics; WILLIAM P. CERVONE, in his official

capacity as a Member of the Florida Commission on Ethics; TINA DESCOVICH, in her official capacity as Member of the Florida Commission on Ethics; FREDDIE FIGGERS, in his official capacity as a Member of the Florida Commission on Ethics; LUIS M. FUSTE, in his official capacity as a Member of the Florida Commission on Ethics; and WENGAY M. NEWTON, SR., in his official capacity as a Member of the Florida Commission on Ethics,

Defendants.

COMPLAINT

Plaintiffs bring this action against Defendants for declaratory and injunctive relief, and state as follows:

OVERVIEW

1. This is an action by a large number of Florida elected municipal officials challenging a recently enacted law ("SB 774") that on or before July 1, 2024 compels elected municipal officials in office as of January 1, 2024 to utter very specific statements, in writing and available to the public at large through the Internet, regarding the elected officials' personal finances, including, among other things, stating the exact amount of their net worth and income, the total dollar value of their household goods, and the precise value of every asset and amount of every liability in excess of $1,000. An elected municipal official's failure to make these public statements will result in significant fines, civil penalties, and even potential removal from office.

2. SB 774 amended, among other statutes, Fla. Stat. § 112.3144, and renders elected municipal officials in office as of January 1, 2024, and municipal candidates subject to the financial disclosure requirements of Fla. Const., art. II, § 8(j).

3. Prior to the enactment of SB 774, elected municipal officials and municipal candidates were required to provide financial disclosures via a document called "Form 1" pursuant

to Fla. Stat. § 112.3145, but were not subject to the requirements of Fla. Const., art. II, § 8(j). However, Florida Statute sections 112.3144 and 99.061, as amended by SB 774 in 2023, respectively make *all* elected municipal officers and municipal candidates subject to the filing requirements of "Form 6," which demands much more intrusive financial disclosures as outlined in the Florida Constitution and section 112.3144. A copy of Form 1 is attached as Exhibit A, and a copy of Form 6 is attached as Exhibit B.

4. Forcing municipal elected officials and municipal candidates to publicly make such statements impairs their right to be free of government-compelled, content-based, non-commercial speech, in violation of the First Amendment to the United States Constitution.

5. Rather than being the least restrictive, narrowly tailored means of accomplishing a compelling state interest, these new, financial disclosure requirements imposed on elected municipal officials and municipal candidates through SB 744 are the most restrictive means available – stricter and more onerous than required of federal elected officials (including the President of the United States) and of elected officials in other states throughout the country.

6. The additional, financial information statements required to be made by Form 6 (*e.g.*, the disclosure of exact net worth, exact income and precise values of household goods and other assets and liabilities), as compared to Form 1, have little, if any, bearing on an elected official's municipal service, does not prevent or even ameliorate conflicts of interest or public corruption, and does not increase public confidence in government.

7. Form 1 is a less restrictive, alternative means of accomplishing the same governmental interests, as would be the less onerous disclosure forms used by the federal government or any of the other states in the United States.

8. Indeed, municipal elected officials and candidates operated under the requirements of Form 1 for decades, and nothing in the Legislature's enactment of the new Form 6 requirement reflected that Form 1 was insufficient and necessitated a change.

9. As such, this action seeks an order (i) declaring the 2023 amendments to Fla. Stat. § 112.3144 related to elected municipal officials and any penalties arising therefrom, including those in Fla. Stat. § 112.317, are unconstitutional under the First Amendment of the United States Constitution, and (ii) enjoining Defendants from enforcing the disclosure requirements.

JURISDICTION AND VENUE

10. The Court has subject matter jurisdiction over this case pursuant to this Court's federal question jurisdiction, 28 U.S.C. § 1331, as this case arises under the First Amendment to the United States Constitution, as made applicable to the States by the Fourteenth Amendment to the United States Constitution and 42 U.S.C. § 1983.

11. This case seeks declaratory and injunctive relief, pursuant to the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202, Federal Rule of Civil Procedure 57, and 42 U.S.C. § 1983.

12. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), as two of the Defendants (Freddie Figgers and Luis M. Fuste) reside in this District (and all are residents of this State), the majority of the plaintiffs reside and serve as elected officials in the District, and a substantial part of the events giving rise to the claim herein occurred in this District.

THE PARTIES

A. Plaintiffs

13. Plaintiffs in this action consist of the following current, elected officials of Florida municipalities:

a. Town of Briny Breezes President of Town Council Elizabeth A. Loper;

b. Town of Briny Breezes Alderman Keith J. Black;

c. Town of Briny Breezes Alderman Kathleen M. Gross;

d. Town of Briny Breezes Alderman William Birch;

e. City of Miami Springs Councilmember Walter Fajet;

f. City of Miami Springs Councilmember Jacky Bravo;

g. City of Lighthouse Point Commissioner Patricia Petrone;

h. Town of Palm Beach Mayor Danielle H. Moore;

i. Town of Palm Beach President of Town Council Margaret A. Zeidman;

j. Town of Palm Beach Council Member Edward A. Cooney;

k. Town of Palm Beach Council Member Lewis Crampton;

l. Town of Palm Beach Council Member Julie Araskog;

m. Town of Palm Beach Council Member Bobbie Lindsay;

n. North Bay Village Mayor Brent Latham;

o. North Bay Village Vice Mayor Richard Chervony;

p. North Bay Village Commissioner Andy Rotondaro;

q. Golden Beach Mayor Glenn Singer;

r. Indian Creek Mayor Bernard Klepach;

s. Village of Bal Harbour Mayor Jeffrey P. Freimark ;

t. Village of Bal Harbour Vice-Mayor Seth E. Salver;

u. Village of Bal Harbour Councilman David Albaum;

v. Village of Bal Harbour Councilman David Wolf;

w. City of Weston Mayor Margaret Brown;

x. City of Weston Commissioner Mary Molina-Macfie;

y. City of Weston Commissioner Chris Eddy;

z. City of Weston Commissioner Henry Mead;

aa. City of Weston Commissioner Byron L. Jaffe;

bb. City of Delray Beach Mayor Shelly Petrolia;

cc. City of Delray Beach Vice Mayor Ryan Boylston;

dd. City of Delray Beach Deputy Vice-Mayor Rob Long;

ee. City of Delray Beach Commissioner Adam Frankel;

ff. City of Delray Beach Commissioner Angela Burns;

gg. City of Safety Harbor Mayor Joseph Ayoub;

hh. City of Safety Harbor Commissioner Andy Steingold;

ii. City of Safety Harbor Commissioner Carlos Diaz;

jj. City of Safety Harbor Commissioner Nancy J. Besore;

kk. City of Safety Harbor Commissioner Cliff Merz;

ll. Cooper City Commissioner Jeremy Katzman;

mm. City of Coral Springs Mayor Scott J. Brook;

nn. City of Coral Springs Vice Mayor Shawn Cerra;

oo. City of Coral Springs Commissioner Joshua Simmons;

pp. City of Coral Springs Commissioner Joy Carter;

qq. City of Coral Springs Commissioner Nancy Metayer Bowen;

rr. City of Marco Island Vice-Chair Erik Brechnitz;

ss. City of Margate Vice-Mayor Arlene Schwartz;

tt. City of Margate Commissioner Antonio V. Arserio;

uu. City of Margate Commissioner Joanne Simone;

vv. City of Margate Commissioner Anthony N. Caggiano;

ww. City of Destin Mayor Robert T. Wagner;

xx. City of Destin Council Member John Stephens III;

yy. City of Destin Council Member Torey CJ Geile;

zz. City of Destin Council Member James B. Bagby;

aaa. City of Destin Council Member Teresa R. Hebert;

bbb. City of Lauderhill Mayor Kenneth R. Thurston;

ccc. City of Lauderhill Commissioner Melissa P. Dunn;

ddd. City of Lauderhill Commissioner Sarai "Ray" Martin;

eee. City of Deerfield Beach Mayor Bill Ganz;

fff. City of Deerfield Beach Vice-Mayor Bernie Parness;

ggg. City of Deerfield Beach Commissioner Ben Preston;

hhh. City of Deerfield Beach Commissioner Michael Hudak;

iii. City of Aventura Vice-Mayor Paul A. Kruss;

jjj. City of Aventura Commissioner Rachel Friedland;

kkk. Village of Wellington Vice-Mayor Michael Napoleone;

lll. Village of Wellington Councilwoman Tanya Siskind;

mmm. Village of Wellington Councilwoman John T. McGovern;

nnn. Village of Wellington Councilwoman Michael Drahos;

ooo. City of New Smyrna Beach Mayor Fred Cleveland;

ppp. City of Plantation Councilmember Jennifer Andreu;

qqq. Town of Lantana Councilmember Kem E. Mason;

rrr. City of Sebastian Mayor Charles Edward Dodd;

sss. City of Sebastian Vice Mayor Kelly Dixon;

ttt. City of Sebastian Council Member Frederick B. Jones;

uuu. City of Sebastian Council Member Bob McPartlan; and

vvv. City of Sebastian Council Member Christopher Nunn.

14. Plaintiffs are each duly elected or appointed officials of incorporated municipalities existing under the laws of the State of Florida and are currently in office.

15. As a result of the passage of SB 774, as of January 1, 2024, each, individual Plaintiff is subject to the financial disclosure requirements of Fla. Const., art. II, § 8(j) and Fla. Stat. § 112.3144, and are further subject to the fines, penalties and other enforcement mechanisms outlined in Fla. Stat. §§ 112.317 and 112.324.

16. Each Plaintiff is, therefore, required to file the requisite Form 6 (rather than the prior Form 1) on or before July 1, 2024.

17. The failure of any municipal elected official, including each Plaintiff, to make the compelled statements subjects him or her to a daily fine of $25 per day up to a maximum of $1,500 and, following an investigation and public hearing, a potential civil penalty of up to $20,000 and, among other things, a potential recommendation of removal from office. *See* Fla. Stat. §§ 112.3144(8)(f), 112.324(4), and 112.317.

18. Plaintiffs now face prior to the imminent deadline of July 1, 2024, the obligation to engage in non-commercial, content-based speech requirement to publicly disclose, against their will, the financial information required in Form 6, or face fines or other penalties.

19. Throughout Florida, more than 100 municipal elected officials resigned rather than agree to engage in such unwanted speech.

20. Plaintiffs strongly desire to continue to serve the public and have therefore not yet resigned, but instead have chosen to challenge the new compelled speech requirement.

21. Accordingly, Plaintiffs have each suffered a concrete and particularized injury-in-fact that is actual or imminent.

B. Defendants

22. Defendant, Ashley Lukis ("Lukis") is the Chair and a member of the Florida Commission on Ethics ("Commission"), a commission existing pursuant to Fla. Const., Art. II, § 8(h)(1) and Fla. Stat. § 112.320. Lukis is sued in her official capacity as Chair of the Commission.

23. Defendant, Michelle Anchors ("Anchors") is the Vice Chair and a member of the Commission. Anchors is sued in her official capacity as Vice Chair of the Commission.

24. Defendant, William P. Cervone ("Cervone") is a member of the Commission. Cervone is sued in his official capacity as member of the Commission.

25. Defendant Tina Descovich ("Descovich") is a member of the Commission. Descovich is sued in her official capacity as member of the Commission.

26. Defendant, Freddie Figgers ("Figgers") is a member of the Commission. Figgers is sued in his official capacity as member of the Commission and is a resident of this District.

27. Defendant, Luis Fuste ("Fuste") is a member of the Commission. Fuste is sued in his official capacity as member of the Commission and is a resident of this District.

28. Defendant, Wengay M. Newton, Sr. ("Newton") is a member of the Commission. Newton is sued in his official capacity as member of the Commission.

29. Lukis, Anchors, Cervone, Descovich, Figgers, Fuste, and Newton, collectively, comprise the Commission.

30. "The Agency Head is the entire Commission, which is responsible for final agency action." *See* Statement of Organization and Operation of the Commission on Ethics, https://www.ethics.state.fl.us/Documents/Ethics/statement%20of%20org.pdf?cp=2024127 (last accessed February 12, 2024).

31. The Commission, through each Defendant, is charged with implementing and enforcing the State's financial disclosure laws, including, among many other things, the receipt of

Form 6 disclosures, training regarding Form 6, investigating alleged violations regarding Form 6 filings, imposing fines for failure to file Form 6, holding enforcement hearings regarding failure to file Form 6, making recommendations of removal from office for failure to file Form 6, and rendering legally binding advisory opinions regarding Form 6. *See* Fla. Const., Art. II, § 8(g); Fla. Stat. §§ 112.3144, 112.317, 112.320.

32. The Commission is also required to identify every person required to file Form 6, provide notification of said requirement to each person subject to these disclosures, and ensure compliance with the disclosure requirements by each person subject thereto. *See* Fla. Const., Art. II, § 8(g); Fla. Stat. §§ 112.3144, 112.317, 112.320.

33. In addition, the Commission's 2022 Annual Report (as well as previous annual reports) expressly requested that the Legislature enact legislation to require that elected municipal officials complete Form 6, rather than Form 1, leading to the enactment of SB 774. *See* Annual Report to the Florida Legislature for Calendar Year 2022, pg. 23, https://ethics.state.fl.us/Documents/Publications/2022%20Annual%20Report.pdf?cp=202425 (last accessed February 12, 2024).

34. The only justification given by the Commission for its recommendation was:

> Elected municipal officials are very important and administer vast amounts of public resources. For these, and other reasons, their disclosure should be on par with that of county officials and others who file Form 6, rather than Form 1. The Commission believes the enhanced disclosure should be applied to all elected municipal officials regardless of the population or revenue of the municipality.

35. Nowhere in its report did the Commission conclude that there has been an increase in the need to oppose corruption or conflicts of interest at the municipal level or that Form 1 in any way was insufficient to the task of guarding against those governmental ills. In short, the Commission justified its recommendation merely by noting that municipal officials should have

to disclose the same information others already disclose, without regard to the municipality's population, revenue, annual budget, or any elected municipal compensation amount, if any.

36. All acts alleged herein by Defendants and their agents, servants, employees, or persons acting on their behalf were done and are continuing to be done under color of state law.

37. Plaintiffs bring this action against the state officers (namely, the members of the Commission) who have the responsibility to enforce the Form 6 requirement against municipal elected officials (including Plaintiffs) and seek only prospective equitable relief to end the continuing violations of the First Amendment to the United States Constitution.

BACKGROUND

A. History of Ethical Standards in Florida

38. Beginning in the late 1960s, the Florida Legislature has enacted numerous laws regulating ethical conduct for Florida's elected officials, including laws related to the solicitation or acceptance of gifts, unauthorized compensation, misuse or abuse of public position, disclosure of certain information, doing business with one's agency, conflicting employment, lobbying restrictions, dual public employment, anti-nepotism, conflicts of interest, and financial disclosure. *See generally* Fla. Stat., Chapter 112.

39. The interests that the financial disclosures are intended to serve are stated by the Commission: "Financial disclosure is required of public officials and employees because it enables the public to evaluate potential conflicts of interest, deters corruption, and increases public confidence in government." *See* Florida Commission on Ethics, Financial Disclosure Information, www.ethics.state.fl.us/FinancialDisclosure/Index.aspx, last accessed February 12, 2024.

40. In 1976, the Florida Constitution was amended to require that all elected, state constitutional officers annually file a full and public disclosure of their financial interests, which

is done through the state-adopted Form 6, requiring the disclosure of highly personal financial information. *See* Fla. Const. Art. II, § 8; Fla. Stat. § 112.3144; Exh. B.

41. The Form 6 requirement did not apply to elected municipal officials or candidates for municipal office prior to January 1, 2024.

B. The Change from Form 1 to Form 6 for Elected Municipal Officials

42. Instead, prior to January 1, 2024, elected municipal officials were required to make a more limited financial disclosure that nevertheless provides sufficient information to satisfy the interests of preventing conflicts of interest and public corruption and increasing public confidence in government. *See* Fla. Stat. § 112.3145. The elected municipal officials' financial disclosure was done through the state-adopted Form 1. Exh. A.

43. In the 2023 legislative session, the Florida Legislature duly enacted (and the Governor signed) SB 774, which was codified at Laws of Florida 2023-09, and which amended (in relevant part) Fla. Stat. § 112.3144, to change the financial disclosure requirements to require, as of January 1, 2024, that all elected municipal mayors and elected members of municipal governing boards (and candidates for such offices) file a Form 6 financial disclosure, rather than the previously required Form 1. *See* Fla. S.B. 774; Fla. Stat. §§ 99.061, 112.3144 (2023).

C. Comparison of Form 6 to Form 1

44. Form 6 is a highly intrusive and extreme level of required, public financial disclosure, mandating the disclosure of private financial information unrelated to any official duties and unnecessary to satisfy the interest of preventing conflicts of interest and public corruption or increasing public confidence in government. *See* Exh. B.

45. Specifically, Form 6 requires that the official disclose:

> (a) the official's exact net worth, to the penny, (b) the exact aggregate value of all household goods and personal effects, (c) the precise value of every other asset individually valued at over $1,000 (including a description of

> the asset), (d) the exact outstanding amount of all liabilities in excess of $1,000, including the name and address of the creditor, (e) every primary source of income that exceeded $1,000 during the year, including the name and address of the source of income and the precise amount of income, (f) every secondary source of income in excess of $1,000 from any business of which the official owns more than 5%, including the name of the business entity, the major sources of business income (namely, any that account for 10% or more of the business's revenue), and the address and principal business activity or source, and (g) any interest in certain specified types of businesses.

See Exh. B.

46. In contrast, Form 1 requires that the official disclose:

> (a) the name, address and principal business active for every primary sources of income in excess of $2,500 (but not the amount), (b) every secondary source of income in excess of $5,000 from any business of which the official owns more than 5%, including the name of the business entity, the major source of business income (any that account for 10% or more of the business's revenue), and the address and principal business activity or source, (c) a description of all real property (but not the value) of which the official had more than a 5% ownership interest, (d) a description (but not the value) of intangible property owned by the official and valued at more than $10,000, (e) the name and address of each creditor to whom the official owed more than $10,000 (but not the amount owed), and (f) any interest in certain specified types of businesses.

See Exh. A.

47. The information in Form 1 and Form 6 of each filer is made publicly available through the Commission's website.

COUNT I

COMPELLED, CONTENT-BASED SPEECH IN VIOLATION OF THE FIRST AMENDMENT OF THE U.S. CONSTITUTION, PURSUANT TO 42 U.S.C. § 1983

48. Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 1 through 47, as if fully set forth herein.

49. The First Amendment to the United States Constitution, as applied to the States by the Fourteenth Amendment, prohibits the government, including Defendants, from abridging Plaintiffs' freedom of speech though government-compelled speech.

50. The First Amendment's speech rights include the right to speak freely, the right to refrain from speaking at all, and the right not to speak certain words or messages.

51. The statements required by Fla. Stat. § 112.3144, through Form 6, constitute non-commercial, compelled speech from Plaintiffs in violation of the First Amendment.

52. Specifically, Fla. Stat. § 112.3144 unconstitutionally compels Plaintiffs to make invasive, public disclosures about their personal finances through Form 6.

53. The required disclosures of Fla. Stat. § 112.3144, through Form 6, are content-based speech because they compel individuals to speak a particular message. Compelled speech is no less compelled and no less speech because it is required to be in writing.

54. For example, among many other things, on July 1, 2024, each Plaintiff will be forced to say the words: "My Net Worth as of December 31, 2023 was $_____." *See* Exh. B at 1.

55. Plaintiffs would not otherwise engage in such non-commercial, content-based speech (namely, publicly disclosing to the public their exact net worth, income, asset values and other personal financial information required in Form 6) but for the requirements of Fla. Stat. § 112.3144 and the threat of fines, penalties and other enforcement mechanisms set forth in Fla. Stat. § 112.317.

56. The compelled speech in Form 6, as required by Fla. Stat. § 112.3144, is readily reviewable (now and for many years to come) by the public on the Internet, and the information in each filed Form 6 is clearly and readily associated with the individual filer (i.e., via the name of each individual Plaintiff).

57. Because the compelled speech is effectuated through state statute, the constitutional deprivation at issue here is caused by official policy of the state and under color of state law.

58. Although Plaintiffs recognize the government's interest in preventing conflicts of interest, deterring corruption, and increasing public confidence in government, Fla. Stat. § 112.3144, as amended by SB 744, and the application of Form 6 to elected municipal officials are not narrowly tailored to achieve these interests.

59. Requiring Plaintiffs to make the additional, compelled speech required by Form 6 (as opposed to the statements previously required through Form 1) are not the least restrictive means to accomplish any compelling government purpose.

60. Accordingly, an actual controversy exists between Plaintiffs and Defendants, each of whom have adverse legal interests of sufficient immediacy to warrant the issuance of a declaratory judgment and injunctive relief.

WHEREFORE, Plaintiffs respectfully request that judgment be entered in their favor:

A. Declaring, pursuant to 28 U.S.C. § 2201, 42 U.S.C. § 1983, and Rule 57, Fed. R. Civ P., that Fla. Stat. § 112.3144 (2023) compels Plaintiffs to engage in content-based, non-commercial speech in violation of the First Amendment of the United States Constitution and is, therefore, unconstitutional;

B. Enjoining, pursuant to 28 U.S.C. § 2202, Defendants from enforcing Fla. Stat. § 112.3144 (including the imposition of any fines, penalties or other enforcement) against Plaintiffs, arising from the failure of any Plaintiffs to file a Form 6 while subject to such requirements;

C. Awarding Plaintiffs their costs and expenses (including attorneys' fees) incurred in bringing in this action, pursuant to 42 U.S.C. § 1988, 28 U.S.C. § 1920, and other applicable law; and

D. Granting such other relief as this Court deems just and proper.

Dated this 15th day of February, 2024.

WEISS SEROTA HELFMAN
COLE + BIERMAN P.L.
200 East Broward Blvd., Ste. 1900
Fort Lauderdale, FL 33301
Telephone: (954) 763-4242
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Counsel for Plaintiffs

Exhibit A

2023 Form 1 - Statement of Financial Interests

General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS

County: SAMPLE COUNTY

PID SAMPLE

AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over $2,500) (Major sources of income to the reporting person)
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity

E-FILING SAMPLE

Secondary Sources of Income

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write “none” or “n/a”)

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source

Real Property

REAL PROPERTY (Land, buildings owned by the reporting person)
(If you have nothing to report, write “none” or “n/a”)

Location/Description

Intangible Personal Property

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over $10,000)
(If you have nothing to report, write “none” or “n/a”)

Type of Intangible	Business Entity to Which the Property Relates

E-FILING SAMPLE

Liabilities

LIABILITIES (Major debts valued over $10,000):
(If you have nothing to report, write “none” or “n/a”)

Name of Creditor	Address of Creditor

Interests in Specified Businesses

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)
(If you have nothing to report, write “none” or “n/a”)

Business Entity # 1

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

E-FILING SAMPLE

Signature of Filer

Digitally signed:

Filed with COE:

E-FILING SAMPLE

Exhibit B

2023 Form 6 - Full and Public Disclosure of Financial Interests

General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS **PID SAMPLE**

County: SAMPLE COUNTY

AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

Net Worth

My Net Worth as of December 31, 2023 was $ [AMOUNT].

Assets

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds $1,000. This category includes any of the following, if not held for investment purposes: jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use, whether owned or leased.

The aggregate value of my household goods and personal effect is N/A.

ASSETS INDIVIDUALLY VALUED AT OVER $1,000:

Description of Asset	Value of Asset

E-FILING SAMPLE

Liabilities

LIABILITIES IN EXCESS OF $1,000:

Name of Creditor	Address of Creditor	Amount of Liability

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

Name of Creditor	Address of Creditor	Amount of Liability

Income

Identify each separate source and amount of income which exceeded $1,000 during the year, including secondary sources of income. Or attach a complete copy of your 2022 federal income tax return, including all W2s, schedules, and attachments. Please redact any social security or account numbers before attaching your returns, as the law requires these documents be posted to the Commission's website.

☐ I elect to file a copy of my 2023 federal income tax return and all W2s, schedules, and attachments.

PRIMARY SOURCES OF INCOME:

Name of Source of Income Exceeding $1,000	Address of Source of Income	Amount

SECONDARY SOURCES OF INCOME (Major customers, clients, etc. of businesses owned by reporting person):

Name of Business Entity	Name of Major Sources of Business Income	Address of Source	Principal Business Activity of Source

E-FILING SAMPLE

Interests in Specified Businesses

Business Entity # 1

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

Signature of Reporting Official or Candidate

Under the penalties of perjury, I declare that I have read the foregoing Form 6 and that the facts stated in it are true.

Digitally signed:

Filed with COE:

E-FILING SAMPLE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

CASE NO.

TOWN OF BRINY BREEZES, FLORIDA, a Florida municipal corporation;

CITY OF MIAMI SPRINGS, FLORIDA, a Florida municipal corporation;

CITY OF LIGHTHOUSE POINT, FLORIDA, a Florida municipal corporation;

TOWN OF PALM BEACH, FLORIDA, a Florida municipal corporation;

NORTH BAY VILLAGE, FLORIDA, a Florida municipal corporation;

TOWN OF GOLDEN BEACH, FLORIDA, a Florida municipal corporation;

VILLAGE OF INDIAN CREEK, FLORIDA, a Florida municipal corporation;

VILLAGE OF BAL HARBOUR, FLORIDA, a Florida municipal corporation;

CITY OF WESTON, FLORIDA, a Florida municipal corporation;

CITY OF DELRAY BEACH, FLORIDA, a Florida municipal corporation;

CITY OF SAFETY HARBOR, FLORIDA, a Florida municipal corporation;

COOPER CITY, FLORIDA, a Florida municipal corporation;

CITY OF CORAL SPRINGS, FLORIDA, a Florida municipal corporation;

CITY OF ST. AUGUSTINE, FLORIDA, a Florida municipal corporation;

CITY OF MARCO ISLAND, FLORIDA, a Florida municipal corporation;

VILLAGE OF KEY BISCAYNE, FLORIDA, a Florida municipal corporation;

CITY OF WILTON MANORS, FLORIDA, a Florida municipal corporation;

CITY OF MARGATE, FLORIDA, a Florida municipal corporation;

CITY OF DESTIN, FLORIDA, a Florida municipal corporation;

CITY OF LAUDERHILL, FLORIDA, a Florida municipal corporation;

CITY OF DEERFIELD BEACH, FLORIDA, a Florida municipal corporation;

CITY OF AVENTURA, FLORIDA, a Florida municipal corporation;

VILLAGE OF WELLINGTON, FLORIDA, a Florida municipal corporation;

VILLAGE OF PINECREST, FLORIDA, a Florida municipal corporation;

CITY OF NEW SMYRNA BEACH, FLORIDA, a Florida municipal corporation;

CITY OF SEBASTIAN, FLORIDA, a Florida municipal corporation;

PRESIDENT OF TOWN COUNCIL ELIZABETH A. LOPER, ALDERMAN KEITH J. BLACK, ALDERMAN KATHLEEN M. GROSS and ALDERMAN WILLIAM BIRCH, elected officials of the Town of Briny Breezes;

COUNCILMEMBERS WALTER FAJET and JACKY BRAVO, elected officials of Miami Springs, Florida;

COMMISSIONER PATRICIA PETRONE, an elected official of Lighthouse Point, Florida;

MAYOR DANIELLE H. MOORE, PRESIDENT OF TOWN COUNCIL MARGARET A. ZEIDMAN, COUNCIL MEMBER EDWARD A. COONEY, COUNCIL MEMBER LEWIS CRAMPTON, COUNCIL MEMBER JULIE ARASKOG and COUNCIL MEMBER BOBBIE LINDSAY, elected officials of the Town of Palm Beach, Florida;

MAYOR BRENT LATHAM, VICE MAYOR RICHARD CHERVONY, and COMMISSIONER ANDY ROTONDARO, elected officials of North Bay Village, Florida;

MAYOR GLENN SINGER, an elected official of the Town of Golden Beach, Florida;

MAYOR BERNARD KLEPACH, an elected official of Indian Creek, Florida;

MAYOR JEFFREY P. FREIMARK, VICE-MAYOR SETH E. SALVER, COUNCILMAN DAVID ALBAUM, and COUNCILMAN DAVID WOLF, elected officials of the Village of Bal Harbour, Florida;

MAYOR MARGARET BROWN, COMMISSIONER MARY MOLINA-MACFIE, COMMISSIONER CHRIS EDDY, COMMISSIONER HENRY MEAD, and COMMISSIONER BYRON L. JAFFE, elected officials of the City of Weston, Florida;

MAYOR SHELLY PETROLIA, VICE-MAYOR RYAN BOYLSTON, DEPUTY VICE-MAYOR ROB LONG, COMMISSIONER ADAM FRANKEL, and COMMISSIONER ANGELA BURNS, elected officials of the City of Delray Beach, Florida;

MAYOR JOSEPH AYOUB, COMMISSIONER ANDY STEINGOLD, COMMISSIONER

CARLOS DIAZ, COMMISSIONER NANCY J. BESORE, and COMMISSIONER CLIFF MERZ, elected officials of the City of Safety Harbor, Florida;

COMMISSIONER JEREMY KATZMAN, an elected official of Cooper City, Florida;

MAYOR SCOTT J. BROOK, VICE-MAYOR SHAWN CERRA, COMMISSIONER JOSHUA SIMMONS, COMMISSIONER JOY CARTER, and COMMISSIONER NANCY METAYER BOWEN, elected officials of the City of Coral Springs, Florida;

VICE-CHAIR ERIK BRECHNITZ, an elected official of the City of Marco Island, Florida;

VICE MAYOR ARLENE SCHWARTZ, COMMISSIONER ANTONIO V. ARSERIO, COMMISSIONER JOANNE SIMONE, and COMMISSIONER ANTHONY N. CAGGIANO, elected officials of the City of Margate, Florida;

MAYOR ROBERT T. WAGNER, COUNCIL MEMBER JOHN STEPHENS III, COUNCIL MEMBER TORY CJ GEILE, COUNCIL MEMBER JAMES B. BAGBY, and COUNCIL MEMBER TERESA R. HEBERT, elected officials of the City of Destin, Florida;

MAYOR KENNETH R. THURSTON, COMMISSIONER MELISSA P. DUNN, and COMMISSIONER SARAI “RAY” MARTIN, elected officials of the City of Lauderhill, Florida,

MAYOR BILL GANZ, VICE-MAYOR BERNIE PARNESS, COMMISSIONER BEN PRESTON, and COMMISSIONER MICHAEL HUDAK, elected officials of the City of Deerfield Beach, Florida;

VICE-MAYOR PAUL A. KRUSS and COMMISSIONER RACHEL FRIEDLAND, elected officials of the City of Aventura, Florida;

VICE-MAYOR MICHAEL NAPOLEONE, COUNCILWOMAN TANYA SISKIND, COUNCILMAN JOHN T. MCGOVERN, and COUNCILMAN MICHAEL DRAHOS, elected officials of the Village of Wellington;

MAYOR FRED CLEVELAND, elected official of the City of New Smyrna Beach, Florida;

COUNCILMEMBER JENNIFER ANDREU, elected official of the City of Plantation, Florida;

COUNCILMEMBER KEM E. MASON, elected official of the Town of Lantana, Florida, and

MAYOR CHARLES EDWARD DODD, VICE MAYOR KELLY DIXON, COUNCIL MEMBER FREDERICK B. JONES, COUNCIL MEMBER BOB MCPARTLAN, AND COUNCIL MEMBER CHRISTOPHER NUNN, elected officials of the City of Sebastian, Florida,

Plaintiffs,

vs.

ASHLEY LUKIS, in her official capacity as Chair of the Florida Commission on Ethics; MICHELLE ANCHORS, in her official capacity as Vice Chair of the Florida Commission on Ethics; WILLIAM P. CERVONE, in his official capacity as a Member of the Florida Commission on Ethics; TINA DESCOVICH, in her official capacity as Member of the Florida Commission on Ethics; FREDDIE FIGGERS, in his official capacity as a Member of the Florida Commission on Ethics; LUIS M. FUSTE, in his official capacity as a Member of the Florida Commission on Ethics; and WENGAY M. NEWTON, SR., in his official capacity as a Member of the Florida Commission on Ethics,

Defendants.

COMPLAINT

Plaintiffs bring this action against Defendants for declaratory and injunctive relief, and state as follows:

OVERVIEW

1. This is an action by a large number of Florida municipalities and elected municipal officials challenging a recently enacted law ("SB 774") that requires municipal elected officials in office as of January 1, 2024, to disclose quintessentially private, highly personal financial information, including, among other things, the exact amount of their net worth and income, the total dollar value of their household goods, and the precise value of every asset and amount of every liability in excess of $1,000, on or before July 1, 2024, or otherwise face significant fines, civil penalties, and even potential removal from office.

2. SB 774 amended, among other statutes, sections 112.3144, and 99.061, Florida Statutes, and renders elected municipal officials and candidates subject to the financial disclosure requirements of article II, section 8(j) of the Florida Constitution.

3. Prior to the enactment of SB 774, elected municipal officials and candidates were required to provide financial disclosures via a document called "Form 1," pursuant to section 112.3145, Florida Statutes, but were not subject to the requirements of article II, section 8(j). However, sections 112.3144 and 99.061, as amended by SB 774 in 2023, make all elected municipal officers and candidates subject to the filing requirements of "Form 6," which demands much more intrusive financial disclosures as outlined in the Florida Constitution and section 112.3144. A copy of Form 1 is attached as Exhibit A, and a copy of Form 6 is attached as Exhibit B.

4. Forcing municipal elected officials and candidates to publicly disclose such private information impairs their right to privacy under the Floria Constitution. Because the right to privacy is enumerated as a fundamental right, any such impairment is impermissible unless it is the least restrictive means of achieving a compelling state interest.

5. Rather than being the ***least restrictive*** means of accomplishing a compelling state interest, the new financial disclosure requirements imposed on municipal officials and candidates through SB 774 are the ***most restrictive*** means available—stricter and more onerous than those required of federal elected officials (including the President of the United States) and of elected officials in other states throughout the country.

6. The additional financial information required to be disclosed by Form 6 (*e.g.*, the exact net worth, exact income, and precise values of household goods and other assets and liabilities), as compared to Form 1, has little bearing, if any, on an elected official's municipal service, does not prevent conflicts of interest or public corruption, and does not increase public confidence in government.

7. Form 1 is a less restrictive alternative means of accomplishing the same governmental interests, as would be the less onerous disclosure forms used by the federal government or any of the other states in the United States.

8. Indeed, municipal elected officials and candidates operated under the requirements of Form 1 for decades, and nothing in the Legislature's enactment of the new Form 6 requirement reflected that Form 1 was insufficient and necessitated a change.

9. As such, this action seeks an order (i) declaring the 2023 amendments to sections 112.3144 and 99.061, Florida Statutes, related to elected municipal officials and candidates and any penalties arising therefrom, including those in section 112.317, Florida Statutes, violate Article

1, Section 23 of the Florida Constitution, and (ii) enjoining Defendants from enforcing the disclosure requirements.

JURISDICTION AND VENUE

10. This is an action for declaratory relief, pursuant to Chapter 86, Florida Statutes, seeking to declare that the 2023 amendments to sections 112.3144 and 99.061, Florida Statutes, and any penalties arising therefrom, including those in section 112.317, Florida Statutes, are unconstitutional and invalid. The Court has jurisdiction to grant declaratory relief. *See* §§ 86.011, 86.021, 86.101, Fla. Stat. The Court further has jurisdiction to grant supplemental relief, including injunctive relief. § 86.061, Fla. Stat.

11. Venue is proper in Leon County because Defendants are all members of the Commission on Ethics, which is located and conducts business in Leon County, Florida. In addition, any enforcement of the Form 6 requirement would take place in Leon County, Florida.

12. All conditions precedent to the institution of this lawsuit have been, or will be, satisfied or waived.

THE PARTIES

13. The Plaintiffs in this action consist of Florida municipalities and current elected officials of Florida municipalities.

A. The Municipal Plaintiffs

14. The Florida municipal plaintiffs, each of which is an incorporated municipality existing under the laws of the State of Florida (collectively, "Municipal Plaintiffs"), consist of:

a. Town of Briny Breezes, located in Palm Beach County, Florida;

b. City of Miami Springs, located in Miami-Dade County, Florida;

c. City of Lighthouse Point, located in Broward County, Florida;

d. Town of Palm Beach, located in Palm Beach County, Florida;

e. North Bay Village, located in Miami-Dade County, Florida;

f. Town of Golden Beach, located in Miami-Dade County, Florida;

g. Village of Indian Creek, located in Miami-Dade County, Florida;

h. Village of Bal Harbour, located in Miami-Dade County, Florida;

i. City of Weston, located in Broward County, Florida;

j. City of Delray Beach, located in Palm Beach County, Florida;

k. City of Safety Harbor, located in Pinellas County, Florida;

l. Cooper City, located in Broward County, Florida;

m. City of Coral Springs, located in Broward County, Florida;

n. City of St. Augustine, located in St. Johns County, Florida;

o. City of Marco Island, located in Collier County, Florida;

p. Village of Key Biscayne, located in Miami-Dade County, Florida;

q. City of Wilton Manors, located in Broward County, Florida;

r. City of Margate, located in Broward County, Florida;

s. City of Destin, located in Okaloosa County, Florida;

t. City of Lauderhill, located in Broward County, Florida;

u. City of Deerfield Beach, located in Broward County, Florida;

v. City of Aventura, located in Miami-Dade County, Florida;

w. Village of Wellington, located in Palm Beach County, Florida;

x. Village of Pinecrest, located in Miami-Dade County, Florida;

y. City of New Smyrna Beach, located in Volusia County, Florida, and

z. City of Sebastian, located in Indian River County, Florida.

15. As a result of SB 774, as of January 1, 2024, each elected member of, and candidate for, the governing body of every Municipal Plaintiff herein is required to file a Form 6.

16. The Municipal Plaintiffs each have a strong interest in having qualified people run for, and continue to serve in, municipal elected office. The Form 6 requirement will deter qualified people from running for and serving in elected office in the Municipal Plaintiffs. In fact, the Florida League of Cities has advised that, throughout Florida, over 100 municipal elected officials have already resigned rather than be subjected to the filing of a Form 6 financial disclosure, significantly disrupting the operations of those municipalities.

17. For example, in plaintiff Briny Breezes, former Mayor Gene Adams, former Council President Christina Adams, and former Alderman and Council President Sue Thaler all resigned in December 2023 because of the Form 6 requirement. As a result of resignations, municipalities, including Municipal Plaintiffs, have been (and/or will be) forced to expend significant public funds for filling vacancies, including temporary appointments and special elections. In addition, the vacancies have disrupted municipal operations.

18. In addition, pursuant to section 112.3144(9), a municipal elected official can be subject to "an order recommending that the officer or employee be removed from his or her public office" for refusing to file the Form 6, potentially creating even more vacancies, disrupting Municipal Plaintiffs' operations, and causing the additional expenditure of public funds to fill those vacancies.

19. The Florida Legislature has expressly recognized the strong interest of the Municipal Plaintiffs to attract qualified candidates to run for and hold office, and the importance of ensuring that ethics laws not deter people from seeking municipal elected office:

> It is also essential that government attract those citizens best qualified to serve. Thus, the law against conflict of interest must be so designed as not to impede

> unreasonably or unnecessarily the recruitment and retention by government of those best qualified to serve. Public officials should not be denied the opportunity, available to all other citizens, to acquire and retain private economic interests except when conflicts with the responsibility of such officials to the public cannot be avoided.

§ 112.311, Fla. Stat. The application of the Form 6 disclosure requirement does precisely what the law says it is not to do, to the detriment of the Municipal Plaintiffs: it "impede[s] unreasonably or unnecessarily the recruitment and retention by government of those best qualified to serve." Indeed, its impact is particularly felt at the municipal level where local legislators volunteer to serve their fellow residents, often with little or no compensation.

20. The Municipal Plaintiffs thus have a statutorily recognized interest in ensuring that qualified candidates run for office and remain in office and thus have a substantial interest in this action.

B. The Elected Official Plaintiffs

21. The "Elected Official Plaintiffs" consist of the following, each of whom is currently serving as a municipal elected official:

a. Town of Briny Breezes President of Town Council Elizabeth A. Loper;

b. Town of Briny Breezes Alderman Keith J. Black;

c. Town of Briny Breezes Alderman Kathleen M. Gross;

d. Town of Briny Breezes Alderman William Birch;

e. City of Miami Springs Councilmember Walter Fajet;

f. City of Miami Springs Councilmember Jacky Bravo;

g. City of Lighthouse Point Commissioner Patricia Petrone;

h. Town of Palm Beach Mayor Danielle H. Moore;

i. Town of Palm Beach President of Town Council Margaret A. Zeidman;

j. Town of Palm Beach Council Member Edward A. Cooney;

k. Town of Palm Beach Council Member Lewis Crampton;

l. Town of Palm Beach Council Member Julie Araskog;

m. Town of Palm Beach Council Member Bobbie Lindsay;

n. North Bay Village Mayor Brent Latham;

o. North Bay Village Vice Mayor Richard Chervony;

p. North Bay Village Commissioner Andy Rotondaro;

q. Golden Beach Mayor Glenn Singer;

r. Indian Creek Mayor Bernard Klepach;

s. Village of Bal Harbour Mayor Jeffrey P. Freimark ;

t. Village of Bal Harbour Vice-Mayor Seth E. Salver;

u. Village of Bal Harbour Councilman David Albaum;

v. Village of Bal Harbour Councilman David Wolf;

w. City of Weston Mayor Margaret Brown;

x. City of Weston Commissioner Mary Molina-Macfie;

y. City of Weston Commissioner Chris Eddy;

z. City of Weston Commissioner Henry Mead;

aa. City of Weston Commissioner Byron L. Jaffe;

bb. City of Delray Beach Mayor Shelly Petrolia;

cc. City of Delray Beach Vice Mayor Ryan Boylston;

dd. City of Delray Beach Deputy Vice-Mayor Rob Long;

ee. City of Delray Beach Commissioner Adam Frankel;

ff. City of Delray Beach Commissioner Angela Burns;

gg. City of Safety Harbor Mayor Joseph Ayoub;

hh. City of Safety Harbor Commissioner Andy Steingold;

ii. City of Safety Harbor Commissioner Carlos Diaz;

jj. City of Safety Harbor Commissioner Nancy J. Besore;

kk. City of Safety Harbor Commissioner Cliff Merz;

ll. Cooper City Commissioner Jeremy Katzman;

mm. City of Coral Springs Mayor Scott J. Brook;

nn. City of Coral Springs Vice Mayor Shawn Cerra;

oo. City of Coral Springs Commissioner Joshua Simmons;

pp. City of Coral Springs Commissioner Joy Carter;

qq. City of Coral Springs Commissioner Nancy Metayer Bowen;

rr. City of Marco Island Vice-Chair Erik Brechnitz;

ss. City of Margate Vice-Mayor Arlene Schwartz;

tt. City of Margate Commissioner Antonio V. Arserio;

uu. City of Margate Commissioner Joanne Simone;

vv. City of Margate Commissioner Anthony N. Caggiano;

ww. City of Destin Mayor Robert T. Wagner;

xx. City of Destin Council Member John Stephens III;

yy. City of Destin Council Member Torey CJ Geile;

zz. City of Destin Council Member James B. Bagby;

aaa. City of Destin Council Member Teresa R. Hebert;

bbb. City of Lauderhill Mayor Kenneth R. Thurston;

ccc. City of Lauderhill Commissioner Melissa P. Dunn;

ddd. City of Lauderhill Commissioner Sarai “Ray” Martin;

eee. City of Deerfield Beach Mayor Bill Ganz;

fff. City of Deerfield Beach Vice-Mayor Bernie Parness;

ggg. City of Deerfield Beach Commissioner Ben Preston;

hhh. City of Deerfield Beach Commissioner Michael Hudak;

iii. City of Aventura Vice-Mayor Paul A. Kruss;

jjj. City of Aventura Commissioner Rachel Friedland;

kkk. Village of Wellington Vice-Mayor Michael Napoleone;

lll. Village of Wellington Councilwoman Tanya Siskind;

mmm. Village of Wellington Councilwoman John T. McGovern;

nnn. Village of Wellington Councilwoman Michael Drahos;

ooo. City of New Smyrna Beach Mayor Fred Cleveland;

ppp. City of Plantation Councilmember Jennifer Andreu;

qqq. Town of Lantana Councilmember Kem E. Mason;

rrr. City of Sebastian Mayor Charles Edward Dodd;

sss. City of Sebastian Vice Mayor Kelly Dixon;

ttt. City of Sebastian Council Member Frederick B. Jones;

uuu. City of Sebastian Council Member Bob McPartlan; and

vvv. City of Sebastian Council Member Christopher Nunn.

22. The Elected Official Plaintiffs are each elected Mayors or members of the governing bodies of incorporated municipalities existing under the laws of the State of Florida, who are currently in office.

23. As a result of the passage of SB 774, as of January 1, 2024, each Elected Official Plaintiff is subject to the Form 6 financial disclosure requirements of section 8, article II of the Florida Constitution, and section 112.3144, Florida Statutes, and are further subject to the fines, penalties and other enforcement mechanisms outlined therein and in sections 112.317 and 112.324, Florida Statutes, if they do not timely file Form 6 financial disclosures.

24. Each Elected Official Plaintiff is therefore required to file the requisite Form 6 (rather than the prior Form 1) on or before July 1, 2024.

25. The failure of any municipal elected official to file a Form 6, including each Elected Official Plaintiff, subjects him or her to a daily fine of $25 per day up to a maximum of $1,500 and, following an investigation and public hearing, a potential civil penalty of up to $20,000 and, among other things, a potential recommendation of removal from office. *See* §§ 112.3144(8)(f), 112.324(4), 112.317, Fla. Stat.

26. The Elected Official Plaintiffs now face the Hobson's choice of either sacrificing their constitutionally protected right to privacy by filing a Form 6 on or before the imminent deadline of July 1, 2024, as now required by section 112.3144, or face fines, penalties, and other enforcement, including the possible removal from office. Throughout Florida, more than 100 municipal elected officials have resigned rather than agree to surrender their constitutionally protected privacy. The Elected Official Plaintiffs strongly desire to continue to serve the public and have therefore not yet resigned, but instead have chosen to challenge the new requirement.

27. Accordingly, the Elected Official Plaintiffs each has a significant interest in this action.

C. The Defendants

28. Defendant, Ashley Lukis ("Lukis") is the Chair and a Member of the Florida Commission on Ethics ("Commission"), a commission existing pursuant to article II, section 8(h)(1) of the Florida Constitution and section 112.320, Florida Statutes. Lukis is sued in her official capacity as Chair of the Commission.

29. Defendant, Michelle Anchors ("Anchors") is the Vice Chair and a Member of the Commission. Anchors is sued in her official capacity as Vice Chair of the Commission.

30. Defendant, William P. Cervone ("Cervone") is a Member of the Commission. Cervone is sued in his official capacity as Member of the Commission.

31. Defendant Tina Descovich ("Descovich") is a Member of the Commission. Descovich is sued in her official capacity as Member of the Commission.

32. Defendant, Freddie Figgers ("Figgers") is a Member of the Commission. Figgers is sued in his official capacity as Member of the Commission.

33. Defendant, Luis Fuste ("Fuste") is a Member of the Commission. Fuste is sued in his official capacity as Member of the Commission.

34. Defendant, Wengay M. Newton, Sr. ("Newton") is a Member of the Commission. Newton is sued in his official capacity as Member of the Commission.

35. Lukis, Anchors, Cervone, Descovich, Figgers, Fuste, and Newton, collectively, comprise the Commission.

36. "The Agency Head is the entire Commission, which is responsible for final agency action." *See* Statement of Organization and Operation of the Commission on Ethics, https://www.ethics.state.fl.us/Documents/Ethics/statement%20of%20org.pdf?cp=2024127, last accessed February 12, 2024.

37. The Commission, through each Defendant, is charged with implementing and enforcing the State's financial disclosure laws, including, among many other things, the receipt of the Form 6 disclosure forms, training regarding Form 6, investigating alleged violations regarding Form 6 filings, imposing fines for failure to file Form 6, holding enforcement hearings regarding failure to file Form 6, making recommendations of removal from office for failure to file Form 6, and rendering legally binding advisory opinions regarding Form 6. *See* Art II, § 8(g), Fla. Const.; §§ 112.3144, 112.317, 112.320, Fla. Stat.

38. The Commission is also required to identify every person required to file Form 6, provide notice of said requirements to each person subject to these disclosures, and ensure compliance with the disclosure requirements by each person subject thereto. *See* Art II, § 8(g), Fla. Const.; §§ 112.3144, 112.317, 112.320, Fla. Stat.

39. In addition, the Commission's 2022 Annual Report (as well as previous annual reports) expressly requested that the Legislature enact legislation to require municipal elected officials to complete Form 6, rather than Form 1, leading to the enactment of SB 774. *See* Annual Report to the Florida Legislature for Calendar Year 2022, p. 23, https://ethics.state.fl.us/Documents/Publications/2022%20Annual%20Report.pdf?cp=202425 (last accessed February 12, 2024). The only justification given by the Commission for its recommendation was:

> Elected municipal officials are very important and administer vast amounts of public resources. For these, and other reasons, their disclosure should be on par with that of county officials and others who file Form 6, rather than Form 1. The Commission believes the enhanced disclosure should be applied to all elected municipal officials regardless of the population or revenue of the municipality.

40. Nowhere in its report did the Commission conclude that there has been an increase in the need to oppose corruption or conflicts of interest at the municipal level or that Form 1 in any

way was insufficient to the task of guarding against those governmental ills. In short, the Commission justified its recommendation merely by noting that municipal officials should have to disclose the same information others already disclose, without regard to the municipality's population, revenue, annual budget, or any elected municipal compensation amount, if any.

41. Plaintiffs bring this action against the state officers (namely, the members of the Commission) who have the responsibility to enforce the Form 6 requirement against municipal elected officials (including the Elected Official Plaintiffs) and seek only declaratory and injunctive relief to end the continuing violations of Article 1, Section 23 of the Florida Constitution. Plaintiffs do not seek damages in this action.

BACKGROUND

A. History of Ethical Standards in Florida

42. Beginning in the late 1960s, the Florida Legislature has enacted numerous laws regulating ethical conduct for Florida's elected officials, including laws related to the solicitation or acceptance of gifts, unauthorized compensation, misuse or abuse of public position, disclosure of certain information, doing business with one's agency, conflicting employment, lobbying restrictions, dual public employment, anti-nepotism, conflicts of interest, and financial disclosure. *See generally* Chapter 112, Fla. Stat.

43. The interests that the financial disclosures are intended to serve are stated by the Commission: "Financial disclosure is required of public officials and employees because it enables the public to evaluate potential conflicts of interest, deters corruption, and increases public confidence in government." *See* Florida Commission on Ethics, Financial Disclosure Information, www.ethics.state.fl.us/FinancialDisclosure/Index.aspx, last accessed February 12, 2024.

44. In 1976, the Florida Constitution was amended to require that all elected state constitutional officers annually file a full and public disclosure of their financial interests, which is done through the state-adopted Form 6, which requires the disclosure of highly personal financial information. *See* Art. II, § 8, Fla Const.; § 112.3144, Fla. Stat. *See also* Exh. B.

45. The Form 6 requirement did not apply to elected municipal officials or candidates for elected municipal office prior to 2024.

B. The Change from Form 1 to Form 6 For Elected Municipal Officials

46. Instead, until 2024, elected municipal officials have been required to make a more limited financial disclosure that nevertheless provides sufficient information to satisfy the interest of preventing conflicts of interest and public corruption and increasing public confidence in government. *See* § 112.3145, Fla. Stat. The elected municipal officials' financial disclosure has for years been accomplished through the use of Form 1. *See* Exh. A.

47. In the 2023 legislative session, the Florida Legislature duly enacted (and the Governor signed) SB 774, which was codified at Laws of Florida 2023-09, and which amended (in relevant part) sections 99.061, 112.3144 and 112.317, Florida Statutes to change the financial disclosure requirements to now require that all elected municipal mayors and elected members of the governing board (and candidates for such offices) file a Form 6 financial disclosure, rather than the previously required Form 1. *See* S.B. 774; § 112.3144, Fla. Stat. (2023).

C. Comparison of Form 6 to Form 1

48. Form 6 represents a highly intrusive and extreme level of required financial disclosure, mandating the disclosure of private financial information unrelated to any official duties and unnecessary to satisfy the interest of preventing conflicts of interest and public corruption or increasing public confidence in government.

49. Specifically, Form 6 requires that the official disclose:

> (a) the official's exact net worth, to the penny, (b) the exact aggregate value of all household goods and personal effects, (c) the precise value of every other asset individually valued at over $1,000 (including a description of the asset), (d) the exact outstanding amount of all liabilities in excess of $1,000, including the name and address of the creditor, (e) every primary source of income that exceeded $1,000 during the year, including the name and address of the source of income and the precise amount of income, (f) every secondary source of income in excess of $1,000 from any business of which the official owns more than 5%, including the name of the business entity, the major sources of business income (namely, any that account for 10% or more of the business's revenue), and the address and principal business activity or source, and (g) any interest in certain specified types of businesses.

See Exh. A.

50. In contrast, Form 1 requires that the official disclose:

> (a) the name, address and principal business active for every primary sources of income in excess of $2,500 (but not the amount), (b) every secondary source of income in excess of $5,000 from any business of which the official owns more than 5%, including the name of the business entity, the major source of business income (any that account for 10% or more of the business's revenue), and the address and principal business activity or source, (c) a description of all real property (but not the value) of which the official had more than a 5% ownership interest, (d) a description (but not the value) of intangible property owned by the official and valued at more than $10,000, (e) the name and address of each creditor to whom the official owed more than $10,000 (but not the amount owed), and (f) any interest in certain specified types of businesses.

See Exh. B.

51. The information in Form 1 and Form 6 of each filer is made publicly available through the Commission's website.

D. The Applicable Constitutional Protection

52. In 1980, the voters of Florida amended the Florida Constitution by adopting Article 1, Section 23, the "Right to Privacy," which states that "[e]very natural person has the right to be let alone and free from governmental intrusion into the person's private life except as otherwise

provided herein." The *only* limitation on this right codified in the Florida Constitution is that the right "shall not be construed to limit the public's right of access to public records and meetings as provided by law." Art. I, § 23, Fla. Const.

53. Because the right to privacy is a fundamental right within Florida's constitution, the Florida Supreme Court has required that any law intruding on that right is presumptively unconstitutional and must be justified by a "compelling state interest" which the law serves or protects through the "least restrictive means." *See, e.g., Winfield v. Div. of Pari-Mutuel Wagering*, 477 So. 2d 544 (Fla. 1985).

E. The Impact of the Change from Form 1 to Form 6 for Municipal Elected Officials

54. The imposition of the Form 6 disclosure requirements at the municipal level (a) represents an unwarranted intrusion into the privacy of municipal elected officials, most of whom receive little or no compensation for their service; (b) unnecessarily risks the safety of such officials (making them targets of, among other things, robbery, identity theft, and extortion); and (c) will deter many otherwise qualified and interested citizens from running for local office.

55. The Florida League of Cities has indicated that over 100 elected municipal officials resigned on or before December 31, 2023, stating that they did not want to be subject to the Form 6 filing requirement (which applies to municipal elected officials in office beginning on January 1, 2024).

56. Requiring that uncompensated (or minimally compensated) municipal elected officials disclose their precise net worth, income and assets does not serve (let alone constitute the least restrictive means of serving) any compelling interest. Form 1 disclosures have for years provided sufficient transparency to inform the public of potential conflicts, prevent corruption, and create public confidence in government.

COUNT I

VIOLATION OF RIGHT TO PRIVACY UNDER FLORIDA CONSTITUTION

57. The Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 1 through 56, inclusive, as if fully set forth herein.

58. This count is an action for declaratory judgment, pursuant to sections 86.011, *et. seq.*, Florida Statutes, seeking a declaration from the Court that the requirement in section 112.3144, Florida Statutes, that municipal elected officials file Form 6 financial disclosures violates article I, section 23 of the Florida Constitution, and is therefore unconstitutional and invalid, and to enjoin the enforcement thereof.

59. Any law that intrudes on Florida's Constitutional right to privacy under article 1, section 23 is presumptively unconstitutional and must be justified by a "compelling state interest" which the law serves or protects through the "least restrictive means."

60. Form 6 requires the disclosure of highly private and confidential financial information that the Elected Official Plaintiffs have kept private and desire to continue to keep private.

61. Once disclosure occurs through the filing of Form 6 with the Commission, the highly private financial information will be readily available on the Internet by anyone for many years to come and will be readily associated with the individual filer.

62. Although Plaintiffs recognize the government's interest in preventing conflicts of interest and deterring corruption, SB 774's expansion of section 112.3144 and the requirements of Form 6 to municipal elected officials and candidates is not narrowly tailored to achieve this interest.

63. The highly intrusive disclosures required by Form 6 (as opposed to Form 1 or the forms used by the federal government and every other state in the United States) are not the least restrictive means to accomplish any compelling government purpose.

64. An actual controversy exists between Plaintiffs and Defendants, who have adverse legal interests of sufficient immediacy to warrant the issuance of a declaratory judgment and injunctive relief.

65. All elements necessary to support a cause of action for declaratory relief are present:

a. There is a bona fide, actual, present need for a declaration that the requirement in section 112.3144, Florida Statutes, that municipal elected officials file Form 6 financial disclosures violates article I, section 23 of the Florida Constitution.
b. The declaration sought deals with a present controversy as to an ascertainable set of facts.
c. Plaintiffs' constitutionally protected rights and privileges are dependent upon the law applicable to the facts.
d. The Plaintiffs and the Defendants have an actual, present, adverse, and antagonistic interest in the subject matter of this Complaint.
e. The antagonistic and adverse interests are all before this Court.
f. The relief sought is not merely the giving of legal advice or providing the answer to a question propounded from curiosity, but stems from an actual controversy.

Prayer for Relief

WHEREFORE, the Plaintiffs respectfully request that judgment be entered in their favor:

A. Declaring that the requirement in section 112.3144, Florida Statutes, that municipal elected officials (including the Elected Official Plaintiffs) and candidates file Form 6 financial disclosures violates Article I, Section 23 of the Florida Constitution.

B. Pursuant to the Court's power to grant supplemental relief under section 86.061, Florida Statutes, temporarily and permanently enjoining the Defendants from enforcing section 112.3144 (including the imposition of any fines, penalties, or other enforcement) arising from the failure of any of the Elected Official Plaintiffs or candidates or elected official of any of the Municipal Plaintiffs, for the failure to file a Form 6.

C. Awarding Plaintiffs their costs incurred in bringing this action, and

D. Granting such other relief as this Court deems just and proper.

Dated this 15th day of February, 2024.

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
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Fort Lauderdale, FL 33301
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Co-Counsel for City of Destin, Florida

Exhibit A

General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS

PID SAMPLE

County: SAMPLE COUNTY

AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over $2,500) (Major sources of income to the reporting person)
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity

E-FILING SAMPLE

Secondary Sources of Income

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write “none” or “n/a”)

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source

Real Property

REAL PROPERTY (Land, buildings owned by the reporting person)
(If you have nothing to report, write “none” or “n/a”)

Location/Description

Intangible Personal Property

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over $10,000)
(If you have nothing to report, write “none” or “n/a”)

Type of Intangible	Business Entity to Which the Property Relates

E-FILING SAMPLE

Liabilities

LIABILITIES (Major debts valued over $10,000):
(If you have nothing to report, write “none” or “n/a”)

Name of Creditor	Address of Creditor

Interests in Specified Businesses

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)
(If you have nothing to report, write “none” or “n/a”)

Business Entity # 1

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

E-FILING SAMPLE

Signature of Filer

Digitally signed:

Filed with COE:

E-FILING SAMPLE

Exhibit B

General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS **PID SAMPLE**

County: SAMPLE COUNTY

AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

Net Worth

My Net Worth as of December 31, 2023 was $ [AMOUNT].

Assets

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds $1,000. This category includes any of the following, if not held for investment purposes: jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use, whether owned or leased.

The aggregate value of my household goods and personal effect is N/A.

ASSETS INDIVIDUALLY VALUED AT OVER $1,000:

Description of Asset	Value of Asset

E-FILING SAMPLE

Liabilities

LIABILITIES IN EXCESS OF $1,000:

Name of Creditor	Address of Creditor	Amount of Liability

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

Name of Creditor	Address of Creditor	Amount of Liability

Income

Identify each separate source and amount of income which exceeded $1,000 during the year, including secondary sources of income. Or attach a complete copy of your 2022 federal income tax return, including all W2s, schedules, and attachments. Please redact any social security or account numbers before attaching your returns, as the law requires these documents be posted to the Commission's website.

☐ I elect to file a copy of my 2023 federal income tax return and all W2s, schedules, and attachments.

PRIMARY SOURCES OF INCOME:

Name of Source of Income Exceeding $1,000	Address of Source of Income	Amount

SECONDARY SOURCES OF INCOME (Major customers, clients, etc. of businesses owned by reporting person):

Name of Business Entity	Name of Major Sources of Business Income	Address of Source	Principal Business Activity of Source

E-FILING SAMPLE

Interests in Specified Businesses

Business Entity # 1

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

Signature of Reporting Official or Candidate

Under the penalties of perjury, I declare that I have read the foregoing Form 6 and that the facts stated in it are true.

Digitally signed:

Filed with COE:

E-FILING SAMPLE

TOWN OF PALM BEACH

Town Council Meeting on: March 12, 2024

Section of Agenda
Ordinances - First Reading

Agenda Title
Proposed Ordinance to Amend the Town Code Relative to the Deferred Retirement Option Program (DROP)

ORDINANCE NO. 010-2024 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 Of The Town Code Of Ordinances Relating To Personnel, At Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision IV, Police Officers, By Amending Section 82-119, Deferred Retirement Option Program For Police Officers; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Presenter
Joanne O'Connor, Town Attorney

ATTACHMENTS:

- **Memorandum Dated March 1, 2024, from Joanne O'Connor, Town Attorney**
- **Ordinance No. 010-2024**

Memo

To: Mayor Moore, Town Council Members and Kirk Blouin, Town Manager
From: Joanne M. O'Connor
Date: March 1, 2024
Re: Extension of Town Manager's Period of DROP Participation
Ordinance No. 010-2024

GENERAL INFORMATION

This ordinance amends the Town of Palm Beach Retirement System ("Plan") to extend the Town Manager's period of DROP participation an additional two years for a total of twelve years.

Prior to his appointment in 2018, Town Manager Blouin had entered the DROP. Pursuant to Section 5 of the Professional Employment Agreement for Town Manager entered on February 13, 2018, it was agreed that following the execution of the Agreement, the Town would amend the DROP ordinance to extend the Town Manager's period of DROP participation by five years to a maximum period of up to ten years. The specific language in the contract is as follows;

> Employee currently participates in the Town's deferred retirement option program (DROP) for police officers. The parties have agreed that Employee will be required to maintain his Florida certification as a law enforcement officer pursuant to section 943.1395, Florida Statutes, and perform law enforcement supervisory duties as Town Manager. Accordingly, Employee may continue to participate in police DROP while serving as Town Manager. It is further agreed that following the execution of this Agreement, the Town will amend the DROP ordinance to extend Employee's period of DROP participation by five years to a maximum period of up to ten years if Employee is still employed by the Town at the end of the current DROP period. All provisions of the DROP will apply to Employee during the term of this Agreement. Employee shall not be entitled to any additional benefits under the Town's retirement system for his service as Town Manager, beyond his participation in the DROP as set forth herein.

By Ordinance No. 06-2019, the Town Council amended Section 82-119 of the Plan to create a new subsection (j) that extended the Town Manager's participation in the DROP by five years to a maximum period of up to ten years from the date of DROP entry.

The Town Manager's DROP participation period is scheduled to end on July 31, 2024.

At its February 13, 2024 meeting, the Town Council reappointed Town Manager Blouin for another one-year term commencing February 14, 2024.

Under the proposed ordinance, Town Manager Blouin will be permitted to extend his participation in the DROP by two years to a maximum period of up to twelve years if still employed by the Town at the end of the current DROP period.

FUNDING/FISCAL IMPACT

An impact statement will be prepared before the second reading of the Ordinance.

TOWN ATTORNEY REVIEW

This Ordinance has been prepared and reviewed by the Town's Pension Attorneys. The Town Attorney has also reviewed the documents.

Attachment

cc: Robert Miracle, Deputy Town Manager Finance & Administration
Gillian Barth, Director of People & Culture

#4080382 v1 13156-00008

ORDINANCE NO. 010-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 82 OF THE TOWN CODE OF ORDINANCES RELATING TO PERSONNEL, AT ARTICLE II, EMPLOYEE BENEFITS, DIVISION 2, RETIREMENT SYSTEM; AMENDING SUBDIVISION IV, POLICE OFFICERS, BY AMENDING SECTION 82-119, DEFERRED RETIREMENT OPTION PROGRAM FOR POLICE OFFICERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision IV. – Police Officers; by amending Section 82-119 to read as follows:

Sec. 82-119. – Deferred retirement option program for police officers.

* * *

(j) Notwithstanding any other provision of this section, for any member who is appointed town manager while participating in the DROP, participation in the DROP may not exceed a maximum of ~~120~~ 144 months from the date of DROP entry, and any application or other document concerning such member's DROP participation shall be revised accordingly.

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 12th day of March, 2024, and for second and final reading on this 9th day of April, 2024.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie D. Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

ATTEST:

Kelly Churney, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member