



TOWN OF PALM BEACH

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

JULY 12, 2022

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 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 Thomas Parker for his Service on the Underground Utilities Task Force from October 2015 to June 2022

Danielle H. Moore, Mayor

VI. PRESENTATIONS

- A.** Scholarship Awards provided by the Palm Beach Country Club

Danielle H. Moore, Mayor

- B.** Scholarship Awards provided by Rotary Club of Palm Beaches Foundation Flags for Heroes

Riccardo Boehm, President-Elect, Rotary Club of Palm Beach Foundation

- C.** Scholarship Awards provided by the Palm Beach Civic Association and Citizens Association of Palm Beach

Palm Beach Civic Association and Dena Seigel, Citizens Association of Palm Beach

VII. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A.** Presentations by the Applicants and Appointments to the Recreation Advisory Commission

Page 9

Pat Gayle-Gordon, Acting Town Clerk

- B.** Presentations by the Applicants and Appointments to the Shore Protection Board.

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Pat Gayle-Gordon, Acting Town Clerk

VIII. COMMENTS OF MAYOR DANIELLE H. MOORE

IX. COMMENTS OF TOWN COUNCIL MEMBERS

X. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

XI. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. Town Council Meeting Minutes

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Pat Gayle-Gordon, Acting Town Clerk

a. June 14, 2022 Town Council Meeting Minutes

b. June 15, 2022 Town Council Development Review Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of June 29, 2022.

Page 115

Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 080-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2023-2024 Annual Funding Application to the Florida Department of Environmental Protection Beach Erosion Control Program. Page 125
H. Paul Brazil, P.E., Director of Public Works
2. RESOLUTION NO. 081-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Collection and Disposal of Commercial Solid Waste; Establishing the Estimated Assessed Cost Against the Properties that will be Benefitted Thereby; Directing the Town Manager to Prepare an Updated Solid Waste Assessment Roll; Establishing a Public Hearing to Consider Approval of the Assessment Roll and Reimposition of the Service Assessments and Their Collection Pursuant to the Uniform Assessment Collection Act; Directing the Provision of Notice; and Providing for an Effective Date. Page 130
H. Paul Brazil, P.E., Director of Public Works
3. RESOLUTION NO. 082-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating To The Peruvian Avenue Improvement Project; Establishing The Estimated Assessed Cost Against The Properties That Will Be Benefitted Thereby; Directing The Town Manager To Prepare Updated Assessment Rolls; Establishing A Public Hearing To Consider Approval Of The Assessment Rolls And Reimposition Of The Maintenance Assessments And Their Collection Pursuant To The Uniform Assessment Collection Act; Directing The Provision Of Notice; And Providing For An Effective Date. Page 150
Jane Le Clainche, Director of Finance
4. RESOLUTION NO. 083-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating To The Worth Avenue Improvement Project; Establishing The Estimated Assessed Cost Against The Properties That Will Be Benefitted Thereby; Directing The Town Manager To Prepare Updated Assessment Rolls; Establishing A Public Hearing To Consider Approval Of The Assessment Rolls And Reimposition Of The Maintenance Assessments And Their Collection Pursuant To The Uniform Assessment Collection Act; Directing The Provision Of Notice; And Providing For An Effective Date. Page 174
Jane Le Clainche, Director of Finance
5. RESOLUTION NO. 084-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-17, Architectural Services to Bridges, Marsh & Associates, Inc., CPZ Architects, Inc., and PGAL Inc. for a five-year contract based on Satisfactory Performance. Page 198
Dean Mealy, Procurement and Contract Manager
6. RESOLUTION NO. 085-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Page 205

the Award of ITB No. 2022-14, Purchase of Uniforms and Accessories for Fire Rescue to Seacoast Embroidery in the Annual Amount of \$65,000 and a Five-Year Contract in the Amount of \$325,000 Contingent Upon Satisfactory Performance and Budget Authorization.

Dean Mealy, Procurement and Contract Manager

7. RESOLUTION NO. 086-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-13, Emergency Medical Services for Third Party Billing to EMS Management & Consultants, Inc. in the Annual Amount of \$20,000 and Establishing a Five-Year Contract in the Amount of \$100,000 Contingent Upon Satisfactory Performance and Budget Authorization. Page 221

Dean Mealy, Procurement and Contract Manager

8. RESOLUTION NO. 087-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Proposal for the Public Works Building Renovation Design Services to Chen Moore and Associates in the Amount of \$64,145 and Establishing a Project Budget of \$73,766. Page 238

Dean Mealy, Procurement and Contract Manager

9. RESOLUTION NO. 089-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Contract for a Café at the Mandel Recreation Center to Seaview Café for an Initial Period of Three Years with the Option to Renew for Two Additional One Year Periods Contingent Upon Satisfactory Performance. Page 249

Dean Mealy, Procurement and Contract Manager

10. RESOLUTION NO. 096-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Proposal for Professional Engineering Services Related to Wastewater Pump Station A-39 Mechanical, Structural and Electrical Improvements to Kimley-Horn and Associates in the Amount of \$119,400 and Establishing a Project Budget of \$137,310. Page 285

Dean Mealy, Procurement and Contract Manager

C. OTHER

1. Request to Hold Preservation Foundation of Palm Beach Event in Bradley Park Page 293

Carolyn Stone, Assistant Town Manager

2. Request by the Rotary Club of Palm Beach Foundation on Behalf of the Main Street Palm Beach Business Association for a Special Event Permit for Flags for Heroes During the Veterans' Day Holiday. Page 321

Pat Gayle-Gordon, Acting Town Clerk

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. Town-Wide Undergrounding Project Page 331
H. Paul Brazil, P.E., Director of Public Works
 - a. Review of Project and Dashboard, Summary of Project Status
 - b. RESOLUTION NO. 090-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Proposal for Paving Oversight - Undergrounding Phase 2 South to Chen Moore and Associates in the Amount of \$98,350 and Establishing a Project Budget of \$113,102.
2. Water Feasibility Study Update Page 354
TIME CERTAIN: 2:00 PM
H. Paul Brazil, P.E., Director of Public Works
3. Evaluation of Alternatives to Relocate Garbage and Recycling Pickup at Lake Drive Park Page 362
H. Paul Brazil, P.E., Director of Public Works
4. Implementation Plan for Coastal Resiliency - Part Two Page 371
Wayne Bergman, Director of Planning, Zoning and Building

C. New Business

1. City of Riviera Beach Mooring Field Plan
TIME CERTAIN: 11:00 AM
John Sprague, Consultant
2. Expansion of Paid Parking Program Page 409
Nicholas Caristo, Chief of Police
3. Request for Delayed Start Date Regarding SR 704/Royal Park Bridge Painting Project Page 411
Kirk W. Blouin, Town Manager

XIII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend Chapter 46 Article III, Sections 46-67 and 46-68 to Modify the Fire Prevention Permit and Fire Prevention Fees Page 418

ORDINANCE NO. 011-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 46, Fire Prevention and Protection, at Article III, Fire Prevention Code, Sections 46-67, Permits, and 46-68, Annual Fire and Life Safety Inspections; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

B. First Reading

1. Proposed Ordinance to Amend Chapter 74, Parks and Recreation, to Modify Use of the Public Beaches Page 425

ORDINANCE NO. 012-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending The Town Code of Ordinances at Chapter 74, Parks and Recreation, Article II, Division 3., Regulation of Use of Public Beaches, Section 74-193, Drinking to Retitle Said Section to Read Drinking and Smoking so as to Prohibit Drinking of Intoxicating Beverages and Smoking of Cigarettes and any Tobacco Product upon the Public Beaches in the Town; Further, Creating a New Article VII Titled Smoking in Public Parks, Creating a New Section 74-284 Titled Prohibition of Smoking, so as to Prohibit the Smoking of Cigarettes and any Tobacco Product in the Public Parks in the Town; Providing a Penalty; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification and Providing an Effective Date.

Kirk W. Blouin, Town Manager

2. Proposed Ordinance to Amend Chapter 74, Parks and Recreation, to Modify Closures of Recreational Areas Page 429

ORDINANCE NO. 014-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 74, Parks and Recreation, by Creating New Article VI – Recreational Area Closures, and by Adding Sec. 74-282 and 74-283; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Nicholas Caristo, Chief of Police

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Wednesday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy

matter(s) which they address.

Note 2: The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.

Note 3: If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 888-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

Note 5: Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.

Note 6: All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

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

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

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

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

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

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Recreation Advisory Commission

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ❑ **Memorandum Dated July 6, 2022, from Pat Gayle-Gordon, Acting Town Clerk**
- ❑ **Attendance Record**
- ❑ **Status Sheet**
- ❑ **Member Roster**
- ❑ **Sample Ballot**
- ❑ **Application - Joan Parker Coenen**
- ❑ **Application - Timothy Cohan**
- ❑ **Application - David N. Missner**
- ❑ **Application - Devon Roush**
- ❑ **Application - Allison Wright**

TOWN OF PALM BEACH

Information for Town Council Meeting on July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Pat Gayle-Gordon, Acting Town Clerk

RE: Recreation Advisory Commission Appointment of One (1) Regular Member

DATE: July 6, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint one (1) regular member to the Recreation Advisory Commission. This member will fill the vacancy created due to the resignation of Kristen Schonwald-Vila.

GENERAL INFORMATION

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

1. Joan Parker Coenen – 44 Cocoanut Row, Palm Beach, FL;
2. Timothy Cohan – 270 Queens Lane, Palm Beach, FL;
3. David N. Missner – 400 S. Ocean Blvd., Palm Beach, FL
4. Devon J. Roush – 201 Via Linda, Palm Beach, FL;
5. Allison Wright – 235 Seaspray Avenue, Palm Beach, FL.

Attachments

cc: Mark Bresnahan, Director of Recreation

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

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

Commissioners Name	3/4/'20	6/3/'20	9/24/'20	12/3/'20	2/25/'21	5/5/'21	9/23/'21	12/16/'21	2/24/2022	5/12/2022				
Nicholas Coniglio	x	x	x	x	x	x	x	x	x	x				
John Hartz														
Ellen Howe	x	x	AB	x	x									
Pamela McIver	x	x	x	x	x	x	x	x	x					
Alexandra Woodfield	x	x	x	x	x									
Leslie Wyrzes	x	x	x	x	x	x	x	x	x					
Carla Termini Cove	x													
Amy Bahl	x	x	x	x										
Grier Pressly	x	x	AB	x	x	x	x	x	E	x				
Kristen Schonwald-Vila	x	x	x	x	AB	x	x	x	x	x				
Peter Harris	x	x	x	x	x	x	x	AB	x	x				
Millie Dayton										x				
Susan Watts						x	x	x	x	x				
Henry "Budge" Jamison										x				

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

RECREATION ADVISORY COMMISSION (RAC)

Next Appointment: **July 12, 2022 Town Council meeting**

Openings advertised via news release: **June 7, 2022**

Deadline to submit applications: **Friday, July 1, 2022, by 5:00 p.m.**

Number of openings: **1 regular member**

Applicants

<u>NAME</u>	<u>SEEKING</u>
Joan Parker Coenen	New Appointment
Timothy Cohan	New Appointment
David N. Missner	New Appointment
Devon Roush	New Appointment
Allison Wright	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Regular Members</u>	
Nicholas Coniglio, Chair	April 2023
Grier Pressly, Vice Chair	April 2025
Kristen Schonwald-Vila	Resigned
Henry "Budge" Jamison	April 2025
Peter E.W. Harris	April 2024
Millie Dayton	April 2025
Susan Watts	April 2024

Highlighted in yellow=term currently expiring/vacant

*=Applied for reappointment

**=Applied for appointment from alternate member to regular member

***=Termed out



RECREATION ADVISORY COMMISSION

NAME & ADDRESS	EMAIL /PHONE	APPOINTED	TERM EXPIRES
Nicholas Coniglio, Chair 201 El Dorado Lane Palm Beach, FL 33480	nfconiglio@hotmail.com 561-644-6950 (h) 561-655-3319 (o)	4/2020 4/2017 4/2016	4/2023 (Term 2, Reg. - Final Term) 4/2020 (Term 1, Reg.) 4/2019(Term 1, Alt.)
Millie Dayton 317 Garden Road Palm Beach, FL 33480	milliedayton@gmail.com 561-848-8364 (h) 561-281-9222 (c)	4/2022	4/2025 (Term 1, Reg)
Henry "Budge" Jamison 216 Monterey Rd Palm Beach, FL 33480	Hdj4@yahoo.com 561-312-9555 (h)	4/2022	4/2025 (Term 1, Reg.)
Grier Pressly Vice Chair 242 Seaspray Ave. Palm Beach, FL 33480	grier@pprplaw.com 561-307-7468 (h) 561-659-4040 (w)	4/2020 5/2017 5/2017	4/2025 (Term 2, Reg. - Final Term) 4/2019 (Term 1, Reg) 4/2019 (Term 1 – completing term, Alt)
Vacant			4/2023 (Term 1, Reg.)
Peter Harris 173 Peruvian Ave. Palm Beach, FL 33480	Pwharris88@gmail.com 781-540-9102 (c)	4/2021 3/2021 6/2019	4/2024 (Term 1, Reg) 4/2021 (Term 0, Reg- change to code, Promoted by MTC 4/2021 (Term 1, completing term, Alt)
Susan Watts 44 Coconut Row, Apt. 622A Palm Beach, FL 33480	sbwatts@yahoo.com 917-414-3617 (c)	4/2021	4/2024 (Term 1, Reg.)

Revised, 5/6/2022, MRP

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER(S)
TO THE **RECREATION ADVISORY COMMISSION (RAC)**
Town Council Meeting on **July 12, 2022**

Positions to be filled: 1 **Regular Member**

Please circle 1 from the list of names appearing below

Individuals Who Have Submitted Applications
(Listed Alphabetically)

Joan Parker Coenen

Timothy Cohan

David N. Missner

Devon Roush

Allison Wright

Signature of Town Council Member: _____
Town Council Member



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RECREATION ADVISORY COMMISSION

RECEIVED

JUN 10 2022

Town Clerk's Office

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

Name: JOAN PARKER COENEN Residence Address: 44 COCONUT ROW PALM BEACH

Mailing Address: 44 COCONUT ROW PALM BEACH Home Telephone: 917-669-6649
33480

E-mail Address: jparker2@netzero.net Work Telephone: X

I am a registered voter of the Town of Palm Beach JPC (please initial) [Signature]

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

1. Why do you wish to be appointed as a member of the Recreation Advisory Commission? (Please use additional pages if necessary). Aside from my dedication to Tennis (play 5 times a week) I
feel staying healthy is directly related to keeping physically
fit and the Board plays a role in creating opportunities. (More attached)
#1A

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

☐ 0 ☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5

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

Currently on the Advisory Board of the Salvation Army since
Sept 2019. Attended 99% of monthly meetings in person or sometimes
zoom

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

July AND August

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

Currently play Tennis at both Seaview and Phipps and on D6 Phipps Team
In past years attended evening French classes and cooking classes and
Morning exercise classes

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

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

7. Present occupation. Retired No. of years. 5

Employer. 20 years Marketing Director De Beers at J. Walter Thompson advertising

8. Past occupation(s). consultant luxury goods marketing No. of years. 5

Employer(s). Town Parker Publishing owner 10 years
Speaker on diamond industry (see clippings) (see attachment)
B

9. Please provide details regarding your educational background:

Grade School at Graham Ecker private Palm Beach school 3 years
Wood College Frederick Maryland
Tote' - Coburn School for fashion careers

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

Family Member Name	Relationship	Address	Occupation	Employer

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

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

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

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

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

RACE

☐ African American

☐ Native American

☐ Asian American

☒ Caucasian

☐ Hispanic American

☐ Not known

GENDER

☐ Male ☒ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

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

SIGNATURE: _____

Joan Parker Colner

DATE: _____

6/10/22

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

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

RECREATION ADVISORY COMMISSION

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

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

A attachment

I would hope to bring my extensive business and marketing experience to the recreation advisory Commission meetings. The Recreation Center is a very important part of the Palm Beach community and I would like to play a part in decisions that affect our residents.

H B
Attachment

JOAN PARKER/PARKER & ASSOCIATES

1960's Joan Parker establishes publicity agency specializing in luxury lifestyle, beauty, fashion.

1967 NW Ayer hires Parker as Director of Diamond Information Center (DIC).

1970's NW Ayer buys out Joan Parker publicity agency and names Parker PR Director for all NW Ayer's advertising clients. Parker appointed to Board of Directors.
Launch of Steuben jewelry and Asprey in Trump Tower become clients.

1995 DeBeers moves account from NW Ayer to JW Thompson with Parker and DIC staff.

2002 CEO of DeBeers LV joint venture hires Parker to launch the DeBeers retail brand in US.

2005 - Present

Parker becomes luxury lifestyle communications consultant. Tourneau Palm Beach retail store on Worth Avenue becomes client. Among other projects in art and fashion, retained by Tourneau Palm Beach Worth Avenue for two seasons.

Served on three Board of Directors.

Awards: Women's Economic Alliance Foundation for Directors Choice Awards (1990).
Women's Jewelry Association (WJA) Lifetime Achievement Award (2001).

Speaking engagements: Cosmopolitan Club NY, Four Arts Palm Beach, Litchfield Antiques Show.



***Palm Beach County
Advisory Board***

William Mikus, Chair

Rob Bailey, *Vice Chair*

David Ackerman

Max Ansbacher

Fred Broda

Marie Davis

Nan Gallagher

Tomell Dubose

Daniel Hanley

Kristin MacDermott

Adam Myron

David O'Malley

Joan Parker

Wilhelm "Bill" Schon

Houston Tate

Katherine M. Waldron

Beverly White-Yeager

***Women's Auxiliary
Chairs***

Maria Mamlouk

Margaret Vitale

***Palm Beach County
Area Commanders***

Major James Hall

Major Leisa Hall

***Palm Beach County
Officers***

Major Serge LaLanne

Major Celimene LaLanne

Lt. Denzell McClain

Lt. Erika McClain

Lt. Crystal Porter

Lt. Jeremy Porter

Friday, June 10, 2022

Recreation Advisory Commission
340 Seaview Avenue
Palm Beach, FL 33480

To Whom it May Concern,

I am writing in support of Town of Palm Beach resident Joan Parker's application to the **Recreation Advisory Commission**. Mrs. Parker is currently a treasured member of The Salvation Army of the Palm Beaches Advisory Board. Joan is one of our most effective board members. She is a natural organizer, passionate about her community, brings years of professional public relations and crisis management experience, and is kind, generous, thoughtful and considerate.

I know and respect Advisory Commission members Mr. Coniglio, Mr. Pressly, Mr. Jamison and Mrs. Watts, and couldn't imagine a better addition to this group than Mrs. Parker.

In the interest of full disclosure, Joan's love of tennis has imposed itself on my wife and there are occasions when I feel like a Tennis Widower, but this is burden I am willing to endure.

My thanks to the entire board for your efforts in keeping our island the paradise we love.

Sincerely,

William John Mikus
Chairman

Home Address: 3170 South Ocean Blvd., Penthouse N5, Palm Beach, FL 33480

The Salvation Army provided no goods or services in exchange for this donation.
KEEP FOR YOUR TAX RECORDS - THIS IS YOUR OFFICIAL DONOR RECEIPT

STYLELAND



Daily News Photo by Robert Janjigian

Joan Parker told a Society of the Four Arts audience on Wednesday that the popularity of diamonds has grown over the years, in large part thanks to celebrities.

Speaker shares sparkle of diamond industry

Joan Parker, the former spokeswoman for De Beers and a winter resident of Palm Beach, spoke Wednesday at The Society of the Four Arts about her adventures in the diamond trade.

Parker, who worked in advertising, marketing and public relations during her long career, pointed out that in the 1950s, when the De Beers campaign, "A Diamond Is Forever," first launched, the stones became ever-associated with love and marriage, but that the taste for diamonds among Hollywood stars at the same time was very important in terms of influencing popular taste and jewelry preferences throughout the world.

She mentioned Grace Kelly and Marilyn Monroe, of course.

"But no one has done more for diamonds than Elizabeth Taylor," said Parker of the famously bejeweled actress, who even called her perfume "White Diamonds," if you recall.

Parker and her crew came up with a name for what was referred to as a

diamond line bracelet after Chris Evert famously wore hers during matches.

Christened a tennis bracelet from that time forward, it has become one of the most popular diamond jewelry styles ever.

Parker said Jennifer Lopez was partly responsible for the "international desire for colored diamonds" when Ben Affleck, her fiancé at the time (before *Gigli* sorta ruined everything), presented her with a 6.1-carat Fancy Intense Pink diamond engagement ring.

And in terms of what actresses were wearing on the red carpet at this year's Oscars, Parker noted there's a bit of a challenge ahead for those interested in promoting big diamond necklaces today, as she did during the '90s and '00s.

"There were so many naked necks out there," she said.

— ROBERT JANJIGIAN

Read Robert Janjigian's *Styleland* blog at PalmBeachDailyNews.com.



DIAMONDS ARE FOREVER

Presentation on gemstone highlights gathering

PAGE A8



STYLISH NIGHT OUT

Hospice gala guests see fashion show

INSIDER, PAGE A10

Im Beach Daily News

THE SHINY SHEET

THE LEADER IN COVERING THE ISLAND

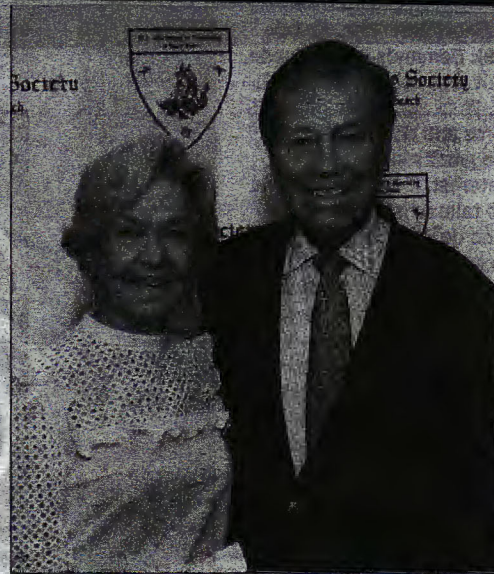
WEDNESDAY, JANUARY 30, 2019

\$2.00



Above: Lady Susan Reickert, Joan Parker and Susan Oyer.

(PHOTOS BY MELANIE BELL/PALMBEACHDAILYNEWS.COM)



Right: Maureen and Neil Hamilton.

Bling is the thing at speaker's dinner

By Shannon Donnelly
Daily News Society Editor

The buzz was all about the bling as the members of the St. George's Society gathered for its first black-tie dinner of 2019. The event took place Jan. 24 at The Chesterfield Pavilion. In addition to a cocktail reception and dinner, the evening

included a presentation by **Joan Parker** on "The Mystique of Diamonds."

Parker spent 25 years as director of the De Beers Diamond Information Center, after which she worked on the joint venture between De Beers and LVMH.

She touched on the advertising campaigns designed to encourage prospective

bridegrooms to purchase an engagement ring; the diamond-loving Grace Kelly, Marilyn Monroe and Elizabeth Taylor; and "celebrity" diamonds including the Hope (which is now on display at the Smithsonian Institution), the Krupp (purchased by Richard Burton for Taylor), and the 203 carat Millennium, which, when on display in

London, was the object of an attempted heist).

More than 40 people attended.

The next meeting of the St. George's Society will be a high tea at 4 p.m. Feb. 17 at The Chesterfield Pavilion, at 4:00 p.m.

Retired Col. **Bobby Spencer**, will give his insights about one of the most popular British Royals, **Prince Harry**.

Application for Service

Profile

Timothy

First Name

P

Middle Initial

Cohan

Last Name

270 QUEENS LN

Home Address

Suite or Apt

PALM BEACH

City

FL

State

33480

Postal Code

tpcohan@gmail.com

Email Address

Mobile: (917) 921-5372

Primary Phone

Alternate Phone

Question applies to multiple boards

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

TC

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 resident of the Town of Palm Beach (Initial below)

TC

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

Question applies to multiple boards

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Recreation Advisory Commission: Submitted

In what area of town do you live?

☒ North

Interests/Experience

Question applies to Recreation Advisory Commission

Why do you wish to be appointed as a member of the Recreation Advisory Commission?

My wife and I moved to Palm Beach several years ago and are so pleased with the wonderful recreation facilities the town has to offer. I am applying for the Advisory Board to offer my input and support to the Town on how the facilities can be improved and usage increased for the town. I have spent most of my career in the financial services sector but also in advertising, sales and marketing. I am now retired and would like to get involved in the community and feel I can offer some different perspectives to the board.

Question applies to Shore Protection Board

Why are you interested in serving on the Shore Protection Board?

I would like to get involved in the community and the issues around the shoreline are extremely important that will impact everyone in our community. I live in the north end not far from the Lake Trail and raising water levels will be an issue going forward (already an issue with King Tides).

Question applies to Recreation Advisory Commission

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

☒ 0

Question applies to Shore Protection Board

How many meetings of the Shore Protection 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.

I go north for the summer but available for phone/Zoom 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.

Given we are relatively new to town I have not served on any boards/commissions but have in CT. - Future5 Student Enrichment Program, Stamford, CT -8 years on the Advisory Board. Provided mentoring to high school students, job interviews, and hired several students at our office. -Horizons Student Enrichment Center, New Canaan, CT-6 years Board Member and involved with fundraising and mentoring. -Stanwich Club, Greenwich, CT,-4 years Board Member of golf club.

Question applies to Shore Protection Board

Please list your qualifications specifically relevant to shore protection, including any degrees or certifications you possess.

I do hold a BS in Geology so familiar with issues around shore protection. Beyond a real interest in issues that will effect our shoreline in the years to come I have a personal interest as we live in the north end and will be effected directly if steps are not taken to control water levels.

Question applies to Shore Protection Board

Please describe your experience with the design and/or construction of coastal protection projects.

I do not possess any specific experience in these areas but have attended a meeting of Palm Beach Civic Authority reviewing Level Up PB, read minutes of a number of recent meetings,

Question applies to Shore Protection Board

Please describe any particular knowledge or experience you may have regarding alternative or emerging shore protection technology or coastal management processes.

I have a BS in Geology so am familiar with the issues surrounding coastal management but no specific experience.

Question applies to Recreation Advisory Commission

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

We use the Rec Center gym 4-5 times a week and have found it a great facility. We have worked with Stephanie for personal training before her departure and now work with Daniel who is wonderful. The tennis facilities are amazing and have played the Par 3 which is a gem. I had have met Tony years ago while he ran Bedford Golf & Tennis Club and the town is fortunate to have someone of his caliber. I do not have children in any programs but happy to see all the activities going on during my visits.

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

- ☒ Palm Beach Civic Association
☒ Preservation Foundation of Palm Beach

Present Occupation

retired

No. of years

2 1/2

Past occupation(s)

-Investment Banking for 16 years at our own firm. We raised money for Private Equity funds globally which involved financial due diligence as well as preparing Private Placement Memorandums and introductions to large institutional clients. fin Essentially provided financial and marketing advice. -Morgan Stanley for 20 years in Fixed Income sales covering large institutional clients. -Young & Rubicom Advertising for 3 years -Vail Guides 2 years. Brought people fishing, hunting, river rafting, snowmobiling in Vail, Colorado

No. of years

45 in total working

Please provide details regarding your educational background:

St Lawrence University, BA Geology

[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.

Audrey McNiff -spouse. She recently joined the board of Preservation Society.

Demographics

Question applies to Shore Protection Board

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

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

RECREATION ADVISORY COMMISSION

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

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

Question applies to Shore Protection Board

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

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

SHORE PROTECTION BOARD

The Shore Protection Board acts in an advisory capacity and makes recommendations to the Town Council in matters relating to shore protection, coastal management, beach nourishment, coastal armoring, the sand transfer plant, and matters relating to the Town's Lake Worth lagoon shoreline. The scope of the Board shall include long term planning, budgeting, lobbying, public education, and intergovernmental coordination. Members of the Board shall possess knowledge of or interest in shore protection, coastal management, and/or beach nourishment. The Board shall be composed of seven members to be appointed by the Town Council. Members of the Board shall serve for terms of three years. Each member of the Board is required to be a resident of the Town of Palm Beach, except that one member of the Board may be a non-Town resident who possesses specific knowledge or skills directly related to shore protection, coastal management, and beach nourishment. The Board shall hold at least four meetings per year and more if deemed necessary.

Tim Cohan
270 Queens Lane
Palm Beach, FL 33480
917-921-5372

Work Experience

Stanwich Advisors LLC Stamford, Ct -July 04- Feb 20

Mr. Cohan joined Stanwich Advisors in 2004 and was responsible for distribution and relationship management in the Western & Eastern United States, the Middle East and Latin America. He also was actively involved in the firm's origination, due diligence and underwriting activities. Stanwich Advisors has been very active raising multiple LATAM funds and covers that region on both origination and distribution.

Morgan Stanley, N.Y., N.Y May 83- June 02

Mr. Cohan spent 20 years with Morgan Stanley in its Fixed Income Division, where he held several senior sales and management positions and was responsible for distributing a wide variety of domestic and international fixed income products. During his tenure at Morgan Stanley, Mr. Cohan had sales and relationship management responsibilities for many of Morgan Stanley's largest North American buy-side accounts. Prior to joining Morgan Stanley,

Young & Rubicam, NY, NY & Houston, TX, -July 1980-May 1982

Mr. Cohan was an Account Executive with Young and Rubicam, a large New York-based public relations and advertising firm. He worked on Johnson & Johnson and Gulf Oil accounts.

Hill Holiday Advertising, Boston, MA- January 1979-June 1980

Mr Cohan was an Assistant Account Executive working on Boston Globe, Spaulding Sporting Goods and Brigham's Restaurant accounts.

General Foods, Dedham, MA -June 1977-December 1978

He began his business career at General Foods Corp in the sales and marketing area.

Vail Guides, Vail, Co.- November 1975-April 1977

Prior to General Foods he spent 2 years in Vail Colorado working for Vail Guides.

Education

St Lawrence University, Canton, NY 1971-77, BS Geology

Town of Palm Beach

Submit Date: Feb 23, 2022

Application for Service

Profile

David N Missner
First Name Middle Initial Last Name

400 South Ocean Blvd
Home Address Suite or Apt

Palm Beach FL 33480
City State Postal Code

mizzner@icloud.com
Email Address

Mobile: (847) 804-0483
Primary Phone Alternate Phone

Question applies to multiple boards

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

Yes

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

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Recreation Advisory Commission: Submitted

In what area of town do you live?

☒ South

Interests/Experience

Question applies to Recreation Advisory Commission

Why do you wish to be appointed as a member of the Recreation Advisory Commission?

I am a lifelong tennis player. I am a lawyer for over 55 years and think I can use my abilities to promote sports in Palm Beach

Question applies to Recreation Advisory Commission

Please identify how many meetings of the Recreation Advisory Commission 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.

I am a Florida resident and am in Palm Beach 8 months of the year. Would be available the other four months on zoom.

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 Recreation Advisory Commission

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

Other than playing tennis and assisting Dan Minic with his proposal to be head professional, none

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

None Selected

Present Occupation

Attorney

No. of years

55 years

Past occupation(s)

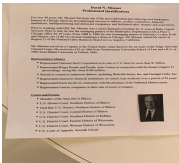
Attorney all of my professional life

No. of years

55

Please provide details regarding your educational background:

BA from Miami University (Ohio) in 1963. JD from Northwestern University School of Law in 1966.



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.

Only my wife, Barbara Fosco

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 Recreation Advisory Commission

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David N. Missner Professional Qualifications

For over 50 years, Mr. Missner has been one of the most influential and well-respected bankruptcy lawyers in Chicago where he provided legal services to debtors, creditor committees, financial institutions, underperforming and distressed companies, and facilitated sales, mergers and acquisitions.

Prior to working with DSL, Mr. Missner was a senior financial consultant for 11 years at Rally Capital Services. Prior to that, he was the managing partner of the Bankruptcy Department at DLA Piper's Chicago office for 19 years. From 1968 to 1989, he was a managing partner at Schwartz, Cooper, Kolb and Gaynor, one of the two premier bankruptcy firms in Chicago. Mr. Missner started his career at Region 21 of the National Labor Relations Board in Los Angeles, California.

Mr. Missner served as a Captain in the United States Army Reserve for six years in the Judge Advocate General Corps. He received a J.D. in 1966 from Northwestern University School of Law and a B.A. in 1963 from Miami University in Oxford, Ohio.

Representative Matters

- Represented National Steel Corporation in its sale to U.S. Steel for more than \$1 billion.
- Represented Roger Penske and Penske Auto Centers in connection with the Kmart Chapter 11 proceedings, saving the client \$100 million.
- Served as counsel to numerous debtors, including Wieboldt Stores, Inc. and Gaslight Clubs, Inc.
- Represented numerous financial institutions on various loan workouts over a period of 50 years.
- Represented Irwin Jacobs in connection with the purchase of the Outboard Marine assets.
- Represented various companies in their sale of assets or mergers.

Courts and Forums

- Member of the State Bar in Illinois
- U.S. District Court, Northern District of Illinois
- Trial Bar, U.S. District, Northern District of Illinois
- U.S. District Court, Central District of Illinois
- U.S. District Court, Northern District of Indiana
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. Court of Appeals, Seventh Circuit



Application for Service**Profile**

Devon

First Name

J

Middle Initial

Roush

Last Name

201 Via Linda

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

devonjulia@gmail.com

Email Address

Mobile: (772) 204-5938

Primary Phone

Alternate Phone

Question applies to multiple boards

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

DJR

Question applies to multiple boards

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Question applies to multiple boards

Verified - KMC 6/13/22

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Recreation Advisory Commission: Submitted

In what area of town do you live?☒ North**Interests/Experience**

Why do you wish to be appointed as a member of the Recreation Advisory Commission?

I wish to be appointed a member of the Recreation Advisory Commission because I am deeply immersed in the daily life of Rec Center, from park and soccer field fun with my three kids, ages 6, 5 and 2, to my passion for tennis. Sean Lee taught me how to play tennis about four years ago. I played on her Division 5 league and eventually progressed to Dan's Open Division team. My dedication to tennis reflects an ethos that defines how I live my life and parent my children. Commitment, hard work, learning, listening and most importantly, doing. My family and I spend a tremendous amount of our free time at the Rec Center (rainy days included!), and I know I can be a multi-faceted asset to the Rec Center. From enriching the children's activities to enhancing the tennis facilities to expanding the basketball programs, I am teeming with practical, impactful ideas.

Please identify how many meetings of the Recreation Advisory Commission 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.

I am a year-round Palm Beach resident, available from 9am-3pm Monday-Friday. Flexibility on the weekends too. I apologize for not attending previous meetings these past 2 years. The last two years of inconsistent schooling and childcare during the pandemic proved to be socially difficult for me. However, my kids are in school full time and no more difficulties should arise in that realm.

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 on the Tennis Committee at the Beach Club and the Pool & Cabana Committee at the Beach Club.

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

My 5-year-old son participates on the Perseverance Little Hoopsters basketball program every Saturday. My 6-year-old daughter will be joining the Perseverance team this year after watching my son enjoy himself so much. My 2-year-old daughter attends Moving and Grooving every Tuesday and Wednesday at the Rec Center and is a local celebrity with her uncanny dance moves. My 6-year-old daughter participated in both Story Time Soccer and youth tennis clinics. I take two tennis lessons a week with Armond. I take one tennis clinic a week with Sean. I am currently on the Seaview summer tennis league, and in the fall, I will be on the Open Division team.

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

None Selected

Present Occupation

Magazine writer

No. of years

10

Past occupation(s)

Advertising copywriter and proofreader

No. of years

7

Please provide details regarding your educational background:

University of Florida Bachelor of Science, Journalism

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.

My husband and children live in Palm Beach, but there are no familial ties to the Town of Palm Beach. I would like to note that we are in the process of moving back to our Via Linda residence after a long renovation. We have been renting on Atlantic Ave in Palm Beach, and my voter registration card does not reflect my updated address. I am waiting for the updated Via Linda card to arrive. I took a photo of my voter status on the website of the Supervisor of Elections in the meanwhile.

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 Recreation Advisory Commission

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

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

DEVON ROUSH



DEVONJULIA@GMAIL.COM



772-204-5938

SKILLS + ATTRIBUTES

Highly energetic

Advanced research skills

Mother of three young children with
a penchant for efficiency and
organization

Dedicated tennis player and sports
enthusiast

Animal and nature advocate

EXPERIENCE

LUXE INTERIORS + DESIGN MAGAZINE

2012 - Present

Writer for design magazine based in New York and Boca Raton.
Formerly full-time, I now work as a freelance writer for the publication.

Writing content covers all facets of the residential design industry,
including architecture, landscape architecture, interior design and home
building.

COTTON & COMPANY

2006 - 2012

Advertising writer, editor and proofreader for a real estate-based
marketing firm.

EDUCATION

BACHELOR OF SCIENCE, JOURNALISM

University of Florida

Application for Service

Profile

Allison

First Name

S

Middle Initial

Wright

Last Name

235 Seaspray Ave

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

allisonswright@verizon.net

Email Address

Mobile: (804) 357-9799

Primary Phone

Alternate Phone

Question applies to multiple boards

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

EASW

Question applies to multiple boards

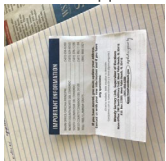
Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES 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



Upload a Voter Registration Card (Front)

Question applies to multiple boards



Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Recreation Advisory Commission: Submitted

In what area of town do you live?

☒ Midtown

Interests/Experience

Question applies to Recreation Advisory Commission

Why do you wish to be appointed as a member of the Recreation Advisory Commission?

I think a rec center should be a central place for members of the town to socialize and stay in shape and learn. A town is always better when citizens know each other and have a sense of belonging.

Question applies to Recreation Advisory Commission

Please identify how many meetings of the Recreation Advisory Commission 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.

Usually June, July and August

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.

In Richmond, Va Windsor Farms Garden Club - was one of the largest in the state. Historian for 2 years
Ridge Top Recreation Assoc. - Board ran the pool, tennis courts and playground. Facilities, staffing, capital improvements and programs. Lacrosse Board 7-8 years. With other parents started program for girls and boys in middle school through high school. Early years I coached, recruited, found practice fields, then hired coaches. Got the sport to county wide school sanctioned varsity and jv level.

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

Starting playing tennis when I came as a guest. After I moved to Town, I tried playing tennis on a team, but was turned away. From playing in the local league for the past several years and from talking with neighbors, I found I'm not alone. Tennis is very hard to participate in - limited court group activities and very expensive. Useful clinics, related to skill level and inclusive, are not offered. There weren't many available classes during Covid. The classes I looked into were at the wrong times for a "sporty" person. (Tennis and golf and outdoor Picketball are in the mornings.)

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

- ☒ Preservation Foundation of Palm Beach
☒ Other

Present Occupation

No. of years

Past occupation(s)

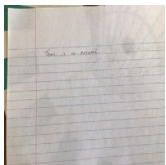
Internal bank auditor CBA Medical laboratory testing and research

No. of years

15

Please provide details regarding your educational background:

College BA from the University of Virginia



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

☒ Other

Gender

☒ Prefer not to say

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

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.

RECREATION ADVISORY COMMISSION

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

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

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Shore Protection Board.

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ❑ **Memorandum Dated July 6, 2022, from Pat Gayle-Gordon, Acting Town Clerk**
- ❑ **Attendance Record**
- ❑ **Status Sheet**
- ❑ **Member Roster**
- ❑ **Sample Ballot**
- ❑ **Application - Robb Allan**
- ❑ **Application - Timothy Cohan**
- ❑ **Application - Alfred Lucier**

TOWN OF PALM BEACH

Information for Town Council Meeting on July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Pat Gayle-Gordon, Acting Town Clerk

RE: Shore Protection Board Appointment of One (1) Regular Member

DATE: July 6, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint one (1) regular member to the Shore Protection Board. This member will fill the vacancy created due to the resignation of Vladimir Rapoport.

GENERAL INFORMATION

The Town Clerk's office has received three (3) applications seeking **NEW APPOINTMENT** from the following:

1. Rob Allan – 150 Bradley Place, Palm Beach, FL;
2. Timothy Cohan – 270 Queens Lane, Palm Beach, FL;
3. Alfred Lucier – 112 Caribbean Road, Palm Beach, FL

Attachments

cc: H. Paul Brazil, P.E., Director of Public Works
Rob Weber, Coastal Program Manager

SHORE PROTECTION BOARD ATTENDANCE RECORD 2022

MEMBERS	March 24, 2022	4/28/2022 Workshop																		
Clerked By:	Pat Gayle-Gordon	Lynne Menniti																		
Ceriale	P	P																		
Belmar	P	P																		
Matwiczuk	P	P																		
Matzner	P	P																		
Rapoport	EA	RESIGNED 4/22																		
Reickert	P	P																		
Rogers	P	P																		

SHORE PROTECTION BOARD

Next appointment: **July 12, 2022, Town Council meeting**

Openings advertised via news release: **6/7/2022**

Deadline to submit applications: **July 1, 2022, by 5:00 p.m.**

Number of openings: **1 Regular Member**

Applicants

<u>NAME</u>	<u>SEEKING</u>
Robb Allan	New Appointment
Timothy Cohan	New Appointment
Alfred Lucier	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Regular Members</u>	
Melissa Ceriale	December, 2022
Vladimir Rapoport	Resigned
Erick Reickert	December, 2022
Peter Matwiczuk	December, 2025
Ronald Matzner	December, 2025
Doug Rogers	December, 2025

Highlighted in yellow=term currently expiring

*=Applied for reappointment

**=Termed out

SHORE PROTECTION BOARD MEMBERS

Updated 01/27/2022
(appointed for 3 year terms)

<u>NAME AND ADDRESS</u>	<u>EMAIL</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>
Melissa Cerialo 230 S. Ocean Blvd. Palm Beach, FL 33480 CHAIR	msceriale@mac.com Home: 203-820-4608	12/2017 12/2019 3/24/2022	12/2019 (first partial term from Goldstein) 12/2022 – Term Expires
Warren Belmar 130 Sunrise Ave., Apt. 319 Palm Beach, FL 33480 VICE CHAIR	warrenbelmar@gmail.com Home: 561-833-1022 Work: 202-255-1586	12/2017 12/2019 3/24/2022	5/1/2020-first partial term 12/2021 – Term Expires Reappointed
Vladimir Rapoport 3300 S. Ocean Blvd, Apt. S205 Palm Beach, FL 33480	Vr20007@gmail.com Cell: 202-361-3658	12/2019	12/2022 – Term Expires 4/2022 - RESIGNED
Erick Reickert 3100 S. Ocean Blvd, PH 601S Palm Beach, FL 33480	ErickA5@aol.com Home: 561-547-1448	12/2019	12/2022 – Term Expires
Peter Matwiczky 1215 North Lake Way Palm Beach, FL 33480	pmatwiczky@bfmlaw.com Home: 561-844-6868 Work: 561-619-8419	1/2022	12/2025 – Term Expires
Ronald Matzner 3120 S Ocean Blvd, 2-102 Palm Beach, FL 33480	rfmatzner@gmail.com Home: 202-352-1667	1/2022	12/2025 – Term Expires
Doug Rogers 109 Atlantic Ave Palm Beach, FL 33480	sunnymeade2016@gmail.com Home: 561-833-3504 Cell: 917-355-5897	1/2022	12/2025 – Term Expires

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER(S)
TO THE **SHORE PROTECTON BOARD (SPB)**
Town Council Meeting on **July 12, 2022**

Positions to be filled: 1 Regular Member

Please circle 1 from the list of names appearing below

Individuals Who Have Submitted Applications
(Listed Alphabetically)

Rob Allan

Timothy Cohan

Alfred Lucier

Signature of Town Council Member: _____
Town Council Member

Application for Service

Profile

Robb

First Name

Aley

Middle Initial

Allan

Last Name

150 Bradley Place

Home Address

#410

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

robb@helical.com

Email Address

Mobile: (561) 628-8250

Primary Phone

Home: (561) 628-8250

Alternate Phone

Question applies to multiple boards

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

raa

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

Which Boards would you like to apply for?

Shore Protection Board: Submitted

In what area of town do you live?☒ Midtown

Interests/Experience

Question applies to Shore Protection Board

Why are you interested in serving on the Shore Protection Board?

I am concerned about the effects of climate change and sea level rise on coastal flooding.

Question applies to Shore Protection Board

How many meetings of the Shore Protection 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.

April and 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.

n/a

Question applies to Shore Protection Board

Please list your qualifications specifically relevant to shore protection, including any degrees or certifications you possess.

n/a

Question applies to Shore Protection Board

Please describe your experience with the design and/or construction of coastal protection projects.

n/a

Question applies to Shore Protection Board

Please describe any particular knowledge or experience you may have regarding alternative or emerging shore protection technology or coastal management processes.

n/a

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

☒ Palm Beach Civic Association

Present Occupation

family office executive

No. of years

30

Past occupation(s)

journalist

No. of years

8

Please provide details regarding your educational background:

BA, Columbia Univ.

[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.

Julie Desnick, cousin of wife.

Demographics

Question applies to Shore Protection Board

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

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 Shore Protection Board

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

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

SHORE PROTECTION BOARD

The Shore Protection Board acts in an advisory capacity and makes recommendations to the Town Council in matters relating to shore protection, coastal management, beach nourishment, coastal armoring, the sand transfer plant, and matters relating to the Town's Lake Worth lagoon shoreline. The scope of the Board shall include long term planning, budgeting, lobbying, public education, and intergovernmental coordination. Members of the Board shall possess knowledge of or interest in shore protection, coastal management, and/or beach nourishment. The Board shall be composed of seven members to be appointed by the Town Council. Members of the Board shall serve for terms of three years. Each member of the Board is required to be a resident of the Town of Palm Beach, except that one member of the Board may be a non-Town resident who possesses specific knowledge or skills directly related to shore protection, coastal management, and beach nourishment. The Board shall hold at least four meetings per year and more if deemed necessary.

Application for Service

Profile

Timothy

First Name

P

Middle Initial

Cohan

Last Name

270 QUEENS LN

Home Address

Suite or Apt

PALM BEACH

City

FL

State

33480

Postal Code

tpcohan@gmail.com

Email Address

Mobile: (917) 921-5372

Primary Phone

Alternate Phone

Question applies to multiple boards

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

TC

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 resident of the Town of Palm Beach (Initial below)

TC

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

Question applies to multiple boards

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Shore Protection Board: Submitted

In what area of town do you live?

☒ North

Interests/Experience

Question applies to Recreation Advisory Commission

Why do you wish to be appointed as a member of the Recreation Advisory Commission?

My wife and I moved to Palm Beach several years ago and are so pleased with the wonderful recreation facilities the town has to offer. I am applying for the Advisory Board to offer my input and support to the Town on how the facilities can be improved and usage increased for the town. I have spent most of my career in the financial services sector but also in advertising, sales and marketing. I am now retired and would like to get involved in the community and feel I can offer some different perspectives to the board.

Question applies to Shore Protection Board

Why are you interested in serving on the Shore Protection Board?

I would like to get involved in the community and the issues around the shoreline are extremely important that will impact everyone in our community. I live in the north end not far from the Lake Trail and raising water levels will be an issue going forward (already an issue with King Tides).

Question applies to Recreation Advisory Commission

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

☒ 0

Question applies to Shore Protection Board

How many meetings of the Shore Protection 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.

I go north for the summer but available for phone/Zoom 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.

Given we are relatively new to town I have not served on any boards/commissions but have in CT. - Future5 Student Enrichment Program, Stamford, CT -8 years on the Advisory Board. Provided mentoring to high school students, job interviews, and hired several students at our office. -Horizons Student Enrichment Center, New Canaan, CT-6 years Board Member and involved with fundraising and mentoring. -Stanwich Club, Greenwich, CT,-4 years Board Member of golf club.

Question applies to Shore Protection Board

Please list your qualifications specifically relevant to shore protection, including any degrees or certifications you possess.

I do hold a BS in Geology so familiar with issues around shore protection. Beyond a real interest in issues that will effect our shoreline in the years to come I have a personal interest as we live in the north end and will be effected directly if steps are not taken to control water levels.

Question applies to Shore Protection Board

Please describe your experience with the design and/or construction of coastal protection projects.

I do not possess any specific experience in these areas but have attended a meeting of Palm Beach Civic Authority reviewing Level Up PB, read minutes of a number of recent meetings,

Question applies to Shore Protection Board

Please describe any particular knowledge or experience you may have regarding alternative or emerging shore protection technology or coastal management processes.

I have a BS in Geology so am familiar with the issues surrounding coastal management but no specific experience.

Question applies to Recreation Advisory Commission

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

We use the Rec Center gym 4-5 times a week and have found it a great facility. We have worked with Stephanie for personal training before her departure and now work with Daniel who is wonderful. The tennis facilities are amazing and have played the Par 3 which is a gem. I had have met Tony years ago while he ran Bedford Golf & Tennis Club and the town is fortunate to have someone of his caliber. I do not have children in any programs but happy to see all the activities going on during my visits.

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

- ☒ Palm Beach Civic Association
☒ Preservation Foundation of Palm Beach

Present Occupation

retired

No. of years

2 1/2

Past occupation(s)

-Investment Banking for 16 years at our own firm. We raised money for Private Equity funds globally which involved financial due diligence as well as preparing Private Placement Memorandums and introductions to large institutional clients. fin Essentially provided financial and marketing advice. -Morgan Stanley for 20 years in Fixed Income sales covering large institutional clients. -Young & Rubicom Advertising for 3 years -Vail Guides 2 years. Brought people fishing, hunting, river rafting, snowmobiling in Vail, Colorado

No. of years

45 in total working

Please provide details regarding your educational background:

St Lawrence University, BA Geology

[Upload a Resume](#)

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

☐ Yes ☒ No

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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.

Audrey McNiff -spouse. She recently joined the board of Preservation Society.

Demographics

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Gender

☒ Male

Physically Disabled

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Question applies to Shore Protection Board

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Tim Cohan
270 Queens Lane
Palm Beach, FL 33480
917-921-5372

Work Experience

Stanwich Advisors LLC Stamford, Ct -July 04- Feb 20

Mr. Cohan joined Stanwich Advisors in 2004 and was responsible for distribution and relationship management in the Western & Eastern United States, the Middle East and Latin America. He also was actively involved in the firm's origination, due diligence and underwriting activities. Stanwich Advisors has been very active raising multiple LATAM funds and covers that region on both origination and distribution.

Morgan Stanley, N.Y., N.Y May 83- June 02

Mr. Cohan spent 20 years with Morgan Stanley in its Fixed Income Division, where he held several senior sales and management positions and was responsible for distributing a wide variety of domestic and international fixed income products. During his tenure at Morgan Stanley, Mr. Cohan had sales and relationship management responsibilities for many of Morgan Stanley's largest North American buy-side accounts. Prior to joining Morgan Stanley,

Young & Rubicam, NY, NY & Houston, TX, -July 1980-May 1982

Mr. Cohan was an Account Executive with Young and Rubicam, a large New York-based public relations and advertising firm. He worked on Johnson & Johnson and Gulf Oil accounts.

Hill Holiday Advertising, Boston, MA- January 1979-June 1980

Mr Cohan was an Assistant Account Executive working on Boston Globe, Spaulding Sporting Goods and Brigham's Restaurant accounts.

General Foods, Dedham, MA -June 1977-December 1978

He began his business career at General Foods Corp in the sales and marketing area.

Vail Guides, Vail, Co.- November 1975-April 1977

Prior to General Foods he spent 2 years in Vail Colorado working for Vail Guides.

Education

St Lawrence University, Canton, NY 1971-77, BS Geology

Application for Service

Profile

Alfred

First Name

Lucier

Last Name

Middle Initial

112 Caribbean Rd

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

fredlucier@gmail.com

Email Address

Mobile: (561) 758-0430

Primary Phone

Home: (561) 328-9816

Alternate Phone

Question applies to multiple boards

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

A.L.

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

Which Boards would you like to apply for?

Shore Protection Board: Submitted

In what area of town do you live?

☒ North

Interests/Experience

Question applies to Shore Protection Board

Why are you interested in serving on the Shore Protection Board?

I am interested in preserving the natural resources of Palm Beach in the most ecologically and economically sound manner that is available. Naturally I would also want to see these measures implemented through the most efficient means possible. I have been a resident of Palm beach for over 10 years and generally visit the beach/ocean on a daily basis. Prior to becoming a full time resident, I visited my families vacation house for my entire life. As such, the health and viability of the shoreline is extremely important to me, as i suspect it is to all residents in coastal communities. To that end I feel that my professional experience, while not directly linked to engineering or construction, would lend itself well to the helping the board achieve its goals of optimizing the health of the Palm Beach Shoreline. Having built and managed two private investment firms, i am currently in the process of building a third. Throughout that 15+ year period with my first two firms I have gained considerable practical experience in project management and operating in a complex and fluid regulatory environments. I have strong analytical, quantitative, and risk management skills. Risks which include Legal, Regulatory, Reputational, as well traditional financial risks.

Question applies to Shore Protection Board

How many meetings of the Shore Protection Board 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.

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 Shore Protection Board

Please list your qualifications specifically relevant to shore protection, including any degrees or certifications you possess.

-

Question applies to Shore Protection Board

Please describe your experience with the design and/or construction of coastal protection projects.

-

Question applies to Shore Protection Board

Please describe any particular knowledge or experience you may have regarding alternative or emerging shore protection technology or coastal management processes.

-

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

None Selected

Present Occupation

Banking

No. of years

1

Past occupation(s)

Banking

No. of years

20

Please provide details regarding your educational background:

MBA - Finance (Columbia Business School, NY) BA- Economics (Bucknell University, PA)

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.

Alfred and Joan Lucier (parents) 218 Jamaica Lane, Palm Beach 33480

Demographics

Question applies to Shore Protection Board

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

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

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

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

SHORE PROTECTION BOARD

The Shore Protection Board acts in an advisory capacity and makes recommendations to the Town Council in matters relating to shore protection, coastal management, beach nourishment, coastal armoring, the sand transfer plant, and matters relating to the Town's Lake Worth lagoon shoreline. The scope of the Board shall include long term planning, budgeting, lobbying, public education, and intergovernmental coordination. Members of the Board shall possess knowledge of or interest in shore protection, coastal management, and/or beach nourishment. The Board shall be composed of seven members to be appointed by the Town Council. Members of the Board shall serve for terms of three years. Each member of the Board is required to be a resident of the Town of Palm Beach, except that one member of the Board may be a non-Town resident who possesses specific knowledge or skills directly related to shore protection, coastal management, and beach nourishment. The Board shall hold at least four meetings per year and more if deemed necessary.

Alfred Lucier

- 26 years of financial services experience
- Axio Financial - Managing Partner 2017-2021
(sold to iCapital Networks in November 2021)
- Incapital LLC – Senior Managing Director 2006-2017
- MBA (finance) – Columbia Business School New York, NY 2001
- BA (economics) – Bucknell University, Lewisburg , PA 1996

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda Minutes

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

- a. June 14, 2022 Town Council Meeting Minutes
- b. June 15, 2022 Town Council Development Review Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **6/14/22 Town Council Meeting Minutes**
- ▣ **6/15/22 Town Council Development Review Meeting Minutes**



MINUTES OF THE TOWN COUNCIL MEETING HELD ON JUNE 14, 2022

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of June 14, 2022 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

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

III. MODIFICATIONS TO THE AGENDA

The following modifications were made to the agenda:

- (1) Item No. XI.C.1 Consideration of Scheduling a Closed Door Attorney/Client Session has been removed from the Agenda.
- (2) The following items were added under ANY OTHER MATTERS:
 - ARCOM Applications
 - House Bill 423

IV. APPROVAL OF AGENDA

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

V. COMMENTS OF MAYOR DANIELLE H. MOORE

VI. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog expressed concern over landscape workers working later than the ordinance allows. She also expressed concern over drivers speeding in the area of Royal Poinciana Way (Main Street) and the church.

Council President Zeidman spoke regarding the increase of positive COVID cases, which necessitates the wearing of masks in Council Chambers during the meeting. She announced that the Finance Department have distributed the Comprehensive Annual Financial Report. She spoke regarding the Council Agenda Backup and addressed large attachments. She asked the Town Council if they agree that certain back up materials are not necessary to be copied and distributed in hard copy to the Mayor and Council. Mayor Moore agreed that much of the back up does not need to be copied and spoke in support of having it available electronically and not necessarily in hard copy. Council Member Crampton spoke in support of staff using discretion with including documents in the back up. Council President Pro Tem Lindsay spoke in support of staff using discretion and used the Woods Hole item as an example. Council Member Cooney spoke in support of certain documents just being available online. He stated that he would be amenable to going to a digital packet. Council Member Araskog agreed that there are certain items that can be made electronically rather than hard copy. She spoke regarding the need to review certain contracts for accuracy. Council President Zeidman expressed support in staff having the discretion to decide what documents will be distributed in the Council book and what will be posted online only. Town Manager Blouin stated that staff would work on ensuring that the appropriate back up would be included in the Council books and if individuals wanted additional information that is available, they can either view them online or ask for a hard copy to be printed.

Council President Zeidman addressed that there are items that were discussed in previous meetings that were requested to be placed on the agenda, but were not placed on the agenda. She stated that the monthly update on code review will begin in July and stated that a discussion on white fly was handled on a staff level. She spoke regarding an item for discussion regarding private valets backing up on Worth Avenue will be placed on a future agenda prior to the beginning of season.

VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Diane Buhler, Friends of Palm Beach, spoke regarding the results of a study by Palm Beach Atlantic University on the origins of medical waste. She requested that the Council meetings have canned water rather than bottled water.

Lisa Interlandi, Everglades Law Center, spoke regarding a local funding initiative that would assist with supporting projects that would further help the lagoon and Loxahatchee River. She provided information on a general obligation bond that is being proposed to be on the November ballot. She distributed a presentation that had been presented on the proposed bond measure and outlined projects that are being proposed. She announced that it will be brought to the County Commission at an upcoming workshop meeting. She requested that the Town of Palm Beach support the measure to be placed on the ballot. She answered questions from Council Members. Council President Pro Tem Lindsay spoke in support of the projects and the measure being placed on the ballot and requested that a letter of support sending a letter to the County Commission. Mayor Moore inquired why there are certain County Commissioners who do not support the measure to which Ms. Interlandi responded. Mayor Moore spoke regarding staff reviewing a letter to be sent to

the County Commission in support of the bond measure. Council Member Crampton inquired if Ms. Interlandi felt that there were too many projects included in the bond, to which she responded. It was the consensus of the Council to review the letter prior to the Development Review meeting and discuss approval of sending it out at that meeting.

Gregg Beletsky, Founder of Turtle Tuesday and President of the Worth Avenue Association, who provided an update on last year's Turtle Tuesday and announced that the first one of the year will be held tonight. He expressed appreciation over the new paid parking on Worth Avenue.

VIII. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

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

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk
 - a. May 10, 2022 Town Council Meeting Minutes
 - b. May 11, 2022 Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of May 25, 2022.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 069-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-04, Historic Preservation Consulting Services to Murphy Stillings LLC in the Annual Amount of \$100,000 and a Proposed Five-Year Budget of \$500,000 Contingent Upon Satisfactory Performance and Budget Authorization.
Dean Mealy, Procurement and Contract Manager
3. RESOLUTION NO. 070-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-16, Coastal Resiliency Consultant to Woods Hole Group for Initial Five-Year Award and Provide an Option for an Additional Five-Year Award Based on Satisfactory Performance to Provide Continuity of Efforts for the Program.
Dean Mealy, Procurement and Contract Manager

4. RESOLUTION NO. 071-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2022-12, North Ocean Seawall Repair and Painting to Lambert Brothers, Inc. in the Amount of \$229,700 and Establishing a Project Budget of \$264,155.
Dean Mealy, Procurement and Contract Manager
5. RESOLUTION NO. 072-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Piggyback Contract Award of the Southeast Florida Governmental Purchasing Cooperative Group for Unleaded Gasoline and Diesel Fuel, RFP E-03-22 for a Five-Year Contract Award in the Annual Amount of \$250,000 and a Proposed Five-Year Award of \$1,250,000 Based on Satisfactory Performance and Budget Authorization.
Dean Mealy, Procurement and Contract Manager

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Retirement Board of Trustees
Ed Carter, Vice Chair

Chair Carter provided the annual report of the Retirement Board of Trustees and spoke regarding the financial performance of the fund and the current economic environment. He explained the Unfunded Liability and spoke regarding the Town's contributions and liabilities. Discussion ensued regarding smoothing and the Town's future liabilities. Mr. Carter explained the plan's portfolio and performance and spoke regarding the impact of current economic conditions, specifically the increase in interest rates from the Federal Reserve and recession. Council President Zeidman expressed appreciation to Mr. Carter and the Board's work on the plan's portfolio, especially in light of the current economy. Discussion ensued regarding the plan's performance and strength of the portfolio.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve the Annual Report of the Retirement Board of Trustees. On roll call, the Motion passed unanimously.

The Town Council meeting recessed at 10:58 a.m. and reconvened at 11:10 a.m.

X. COMMITTEE REPORTS

- A. Report of the Public Works Committee Meeting Held on May 24, 2022.
Bobbie Lindsay, Chair

Chair Lindsay provided an update on a discussion regarding research that is being done by the Town to address the water issue. She spoke regarding the importance of continuing to analyze the various options. She spoke regarding a memo from

Public Works Director, Paul Brazil, that lists options on which the committee will provide further analysis provide once the Council gives direction. Director Brazil addressed the feasibility of a desalinization plant. Council President Pro Tem Lindsay spoke regarding a discussion the committee had requesting staff to analyze the feasibility of a new backbone distribution pipe being installed by the Town and the feasibility of the Town establishing its own water utility. In response to a question by Council President Zeidman, Director Brazil addressed the research into the pipes. Ms. Lindsay outlined the other items to be studied and spoke regarding the importance of pursuing a system with membrane technology. Director Brazil answered a question from Council President Zeidman regarding a cost estimate for replacing the aging infrastructure. Council President Zeidman requested that staff narrow down the options and present the financial piece of the options to the Finance Committee once three alternatives had been agreed to by the Council. Chair Lindsay stated that the items need to be sent back to staff for further analysis in order for Council to eliminate certain options. Council Member Araskog requested financial information on Kimley Horn further studying these issues as well as questions regarding the agreement with West Palm Beach and the costs of repairs and replacements for infrastructure, to which Mr. Brazil responded. She spoke in support of the report and expressed concern over the aging infrastructure. Council Member Crampton expressed concern over the limits of getting water from the aquifer. Discussion ensued over drawing water from the aquifers. Chair Lindsay provided clarification of what the options for water sources are and spoke regarding the importance of using membrane technology, which would make the source less important. Mayor Moore spoke regarding the City of West Palm Beach monitoring what the Town is planning to do. Council Member Cooney expressed appreciation to Council President Zeidman for putting in place an organized structure for discussion and decision making. He also expressed gratitude to Chair Lindsay for the in depth report she provided. In response to Ms. Araskog, Mr. Brazil addressed costs for Kimley Horn to conduct further research on the options. Council President Zeidman and Chair Lindsay provided further clarification on the process and expending additional cost.

Motion was made by Council Member Araskog and seconded by Council Member Cooney to approve the Report of the Public Works Committee meeting held on May 24, 2022. On roll call, the Motion passed unanimously.

The following item was heard out of order of the agenda at 11:50 a.m.

B. Old Business

2. Phipps Ocean Park Master Plan Update TIME CERTAIN: 11:30 AM
Carolyn Stone, Assistant Town Manager

Assistant Town Manager Stone introduced Amanda Skier, Executive Director of the Preservation Foundation, who provided a timeline for the Plan approvals and project construction and spoke regarding the financial

commitments of the Preservation Foundation and the Town. She introduced Guy Champin, Raymond Jungles, Inc., who presented the Master Plan Update, including background on the current park and an overview of future park updates. He spoke regarding outreach opportunities that they have undertaken in order to gain feedback from the community. He explained security improvements, potential future uses for the park and the sponsorship opportunities.

Council Member Araskog expressed concern over the proposed temporary structures and the possibility of items being blown away during storms. Assistant Town Manager Stone provided further information on the temporary items. Ms. Araskog spoke regarding the importance of each stairway having railings. She also spoke regarding the Donor Rocks. She requested if gates could be put into place to ensure that no one enters the park at night. She expressed concern over the park being a destination for tourists and was concerned for overall security issues, such as the rock garden.

Mayor Moore stated that the rock garden reminded her of the Ann Norton Sculpture Garden outdoor classroom. She inquired about the Donor Rocks and the concession area, to which Ms. Skier responded. Ms. Skier spoke regarding the concept of temporary food vendors. Mayor Moore spoke regarding certain European countries having wheelchair accessibility that is very creative. In response to a question by Mayor Moore regarding liability, Town Manager Blouin replied. Ms. Moore commended the Preservation Foundation on the plan.

Council Member Crampton spoke in support of the project. He expressed concern over the screening and requested that there be communication to the neighbors on the screening. He spoke in support of gates being put in place. He addressed the issue of liability and the Town Manager's office working with the Town's Risk Management and insurance company, which will provide feedback on items that might increase liability. He spoke regarding the revenue potential for parking and concessions to offset the maintenance costs. He addressed the concern over the park becoming a destination and spoke regarding residents in the South end appreciating improvements to that park.

Council President Pro Tem Lindsay spoke regarding the revenue being generated by beach parking at Phipps Park, but stated that she believes that revenue will increase once the improvements are made. She spoke in support of gates being installed to ensure that the park is closed to A1A at sunset, as well as installing taller gates at the beach accesses. She spoke regarding Macarthur State Beach Park and Lost, that had undergone similar updates. She spoke in support of extending the hours for lifeguards on the beach, especially during daylight savings time. She spoke regarding

security and enforcement of park hours and other rules. She spoke regarding adding a paid parking area for e-bikes, motorcycles and golf carts. Ms. Skier and Town Manager Blouin provided further information on security measures and enforcement. Mr. Blouin addressed the issues of liability and an increase of visitors to the Town.

Council Member Cooney spoke in support of the project and spoke regarding this park being underutilized since the Town has received it and addressed the concern over visitors coming to the Town. He spoke in support of the project and stated that he believes it will be positive for the Town. He addressed the concern over liability and spoke regarding the maintenance costs and the revenue for parking.

Mayor Moore spoke in support of increasing the educational opportunities for children in the new park.

Council Member Cooney spoke regarding the expectations for special events.

Council President Zeidman expressed appreciation for Phipps Park to be undergoing this renovation. She expressed concern over security and enforcement. She spoke regarding the rocks for the rock sculpture garden. She spoke in support of the concession area. She spoke in opposition to special events being held in the park.

Council Member Araskog inquired about the park upgrades not being in compliance with the comprehensive plan, to which Town Attorney Randolph responded. She spoke regarding the playground moving away from the 2100 building. She spoke in opposition to allowing special events at the park. She expressed concern over having multiple school buses arriving to the park at the same time, to which Ms. Skier responded. She spoke in support of security between the beach and the park.

Council Member Crampton spoke regarding this providing an opportunity for an increase in Recreation programs at the park. He spoke regarding looking at the policy for events at this park and spoke regarding the park's unique nature. He spoke in support of the Town Council having a process where it engages the residents to provide feedback on holding special events at the park.

Susan Lerner, Preservation Foundation, addressed the invasive species issue at the park and provided information on green iguanas. She recommended that the iguana removal begin with two visits a week from an iguana removal company. She spoke regarding the invasive plant species status and a recommendation for removal, including projected costs.

Council President Pro Tem Lindsay spoke regarding the importance for removing the invasives and expressed appreciation for getting this information early in the process. In response to a question by Ms. Lindsay, Public Works Director Brazil addressed the invasive removal and stated that staff could return back to Town Council with estimated costs for the budget.

In response to Mayor Moore, Ms. Skier clarified that the costs for invasive removal is being requested to be paid for by the Town.

Council Member spoke in support of getting financial information from Public Works on the removal of the invasive species.

Jeff Koons, 2275 S. Ocean Blvd., spoke in support of Phipps Ocean Park and the proposed upgrades. He spoke in support of a crosswalk being installed that had been proposed previously. He spoke regarding the removal of an Australian pine hedge and spoke in support of the Town working with The Reef on the removal. He spoke regarding working with the Town on communication on the project, as well as the next beach restoration project.

Ronald Matzner, on behalf of the Citizens Association, spoke in support of the proposed project and thanked the Preservation Foundation for their work.

Doug Nelson, 2275 S. Ocean Blvd., emphasized the need for a crosswalk adjacent to the park. He also spoke in support of adding a sidewalk in front of the park.

Town Manager Blouin addressed the request for a crosswalk adjacent to the park. Director Brazil stated that FDOT would be willing to look at adding a crosswalk if there is a significant improvement to the park.

The Town Council Meeting recessed at 1:26 p.m. and reconvened at 2:15 p.m.

XI. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. Town-wide Undergrounding Project:
H. Paul Brazil, P.E., Director of Public Works]

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

Town Engineer, Patricia Strayer, provided the project status and the dashboard. She spoke regarding demonstration chicanes being installed in Phase 7 south and spoke regarding the proposed GMP costs for Phase 6 and presented a chart of the costs in relation to the estimates from 2019.

Mayor Moore expressed appreciation that the costs have only increased 4% from 2019 prices.

Council Member Crampton spoke regarding the initial estimates of the project being \$90 million.

- b. RESOLUTION NO. 073-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Guaranteed Maximum Price (GMP) to Burkhardt Construction Inc. for Phase 6 North in the Amount of \$7,867,296 and Establishing a Project Budget of \$8,117,296.

Town Engineer Strayer read the title of the resolution.

Council President Pro Tem Lindsay expressed concern over the impact of inflation and increased interest rates on the Town's budget.

Council Member Araskog spoke regarding the 4% is over \$120 million project cost, but the original cost was estimated to be \$90 million.

Council President Zeidman spoke regarding the history of the project estimates. Director Brazil provided further clarification of the original estimate vs. the estimate that was updated in 2019.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve Resolution No. 073-2022. On roll call, the Motion passed unanimously.

RESOLUTION NO. 074-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Guaranteed Maximum Price (GMP) to Burkhardt Construction Inc. for Phase 6 South in the Amount of \$8,149,565 and Establishing a Project Budget of \$8,400,000.

Town Engineer Strayer read the title of the resolution.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve Resolution No. 074-2022. On roll call, the Motion passed unanimously.

At the request of Council President Zeidman, Director Brazil spoke regarding Guaranteed Maximum Price contracts.

- c. RESOLUTION NO. 075-2022 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 the Town-wide Undergrounding of Utilities Project, Phase 6 North Construction Phase Services in the Amount of \$344,177 and Establishing a Project Budget of \$395,800.

Town Engineer Strayer read the title of the resolution.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to approve Resolution No. 075-2022. On roll call, the Motion passed unanimously.

RESOLUTION NO. 076-2022 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 the Townwide Undergrounding of Utilities Project, Phase 6 South Construction Phase Services in the Amount of \$344,007 and Establishing a Project Budget of \$395,600.

Town Engineer Strayer read the title of the resolution.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to approve Resolution No. 076-2022. On roll call, the Motion passed unanimously.

Town Engineer Strayer and Director Brazil provided background information on the following three items.

Mayor Moore expressed support for delegating the approval for these types of requests to Town staff.

Council Member Araskog spoke in support of these types of requests to be brought before Town Council when possible, but stated that she would support staff's approval in urgent cases.

d. Utility Construction Services Work Hours

e. Approve Request by Florida Power & Light (FPL) for Road Closure of Seaview Avenue

f. Approve Request by Florida Power & Light (FPL) for Road Closure of Mediterranean Road

Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve work in right-of-way for utility construction and road closure of Seaview Avenue and Mediterranean Road by Florida Power and Light (FPL). On roll call, the Motion passed unanimously.

2. Phipps Ocean Park Master Plan Update TIME CERTAIN: 11:30 AM
Carolyn Stone, Assistant Town Manager

This item was heard out of order at 11:50 a.m.

C. New Business

1. Consideration of Scheduling a Closed-door attorney client session pursuant to Section 286.011(8) to discuss the following matter: In Re South Atlantic Regional Center, LLC – Case Number 19-257-BKC-EPK Chapter 7 (Converted), pursuant to the request for advice by the Town Attorney. The session shall commence immediately following this Council meeting in the conference room behind Town Council Chambers, second floor, 360 South County Road with the following persons in attendance; Danielle H. Moore, Mayor, Council Members: Margaret A. Zeidman, President; Bobbie Lindsay, President Pro Tem; Julie Araskog, Ted Cooney, Lew Crampton; Kirk Blouin, Town Manager, Town Attorneys John C. Randolph and Robert W. Wilkins; and Court Reporter From Pleasanton & Marsaa Court Reporting.
John C. Randolph, Town Attorney

This item was removed from the agenda.

2. Consideration of Foreclosure of Code Enforcement Board liens on 226 and 287 Pendleton Avenue.
John C. Randolph, Town Attorney

Mayor Moore recused herself from the item due to the proximity of her home to the properties.

Town Attorney Randolph provided background information on the item.

Jackie Miller, on behalf of Susan Gibson, requested that the memorandums of law and affidavit be included in the record for this agenda item. She spoke in opposition to foreclosure on both properties. She clarified the homestead exemption issue and provided further information on the case.

Alan Ciklin 260 Pendleton, provided additional information on the history of the code enforcement on the homes and the lack of compliance for the past 15 years on one house and 15 years on the other. He spoke regarding

the alternative to foreclosing on the properties, which is to file a lawsuit in order to force compliance and recuperate the fees owed to the Town.

Ms. Miller responded to Mr. Ciklin's comments regarding a lack of efforts to comply with the code enforcement citations. She spoke regarding Ms. Gibson's efforts to comply.

Mr. Ciklin responded to Ms. Miller's comments.

Council President Zeidman spoke regarding the fact that the residents on the street have been dealing with the code enforcement issues with these homes for many years.

Town Manager Blouin expressed concern over continuing the discussion due to the fact that there will most likely be litigation. Discussion ensued regarding whether or not photos from Ms. Miller will be shown and distributed to the Town Council.

Council Member Araskog spoke in support of giving the Town Attorney discretion to file foreclosure after the court proceedings.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to authorize the Town Attorney to use his discretion to file foreclosure proceedings on one, both or neither properties after the court ruling. On roll call, the Motion passed unanimously.

3. Essential Town Services Work Hours
H. Paul Brazil, P.E., Director of Public Works

Director Brazil requested clarification from Town Council on ensuring that Public Works staff is complying with services work hours. He provided background information on essential Town services that occur earlier than the recently approved work hours.

Council Member Araskog spoke in support of the Town staff providing essential services at earlier hours as long as it doesn't disturb any residents.

The Town Council provided consensus for Public Works to continue their services at the times they currently work.

4. Consider Shore Protection Board Recommendation To Create Videos For Public Communication
H. Paul Brazil, P.E., Director of Public Works

Rob Weber, Coastal Program Manager, provided background information on the item.

Council Member Cooney spoke in support of the item and spoke regarding using video as a means of communicating with residents. He inquired about what the deliverables would be for the cost, to which Mr. Weber responded.

Council Member Araskog spoke in opposition to doing videos due to the cost, and stated that she would prefer staff doing PowerPoints at this point.

Council President Zeidman spoke in opposition to doing PowerPoints and spoke in support of the importance of doing something to increase public participation and communication in order to provide accurate information to the public. She spoke in support of the interviews and trying out the videos.

Council Member Crampton spoke in support of the project as long as staff supports it. He spoke regarding having a full communications plan from the Shore Protection Board to ensure that the public is made aware of the videos.

Council President Pro Tem expressed concern that this issue is complex, but spoke in support of trying the videos. She recommended having a way to track the views of the video to determine a return on investment.

Council President Zeidman spoke regarding using footage to show the difference that the beach restoration has made.

In response to a question from Council Member Cooney, Mr. Brazil clarified that a subcontractor who specializes in this type of video will be doing this work.

Council Member Araskog spoke regarding asking Tim Alloy to assist with the videos due to his experience.

Mayor Moore stated that the videos would be worth the cost, in her opinion.

Diane Buhler, Friends of Palm Beach, spoke in support of posting both the videos and PowerPoint because some people may prefer the PowerPoints to video.

Antonette Fabrizi, read a question from a Zoom public comment speaker named Leah, regarding opening the item to other video companies. Mr. Brazil responded to the question.

The Town Council provided consensus for the Shore Protection Board to create videos.

5. Review of Sea Turtle Nesting
H. Paul Brazil, P.E., Director of Public Works

Rob Weber, Coastal Program Manager, provided background information on the item.

Council President Pro Tem Lindsay spoke regarding the Town fought hard to use the sand from the dredging project on the beach restoration. She requested that Mr. Weber address the scheduling of the project, to which Mr. Weber and Mr. Brazil responded. Director Brazil expressed concern over residents not granting easements to the project if work will be occurring during the holidays.

In response to a question from Council Member Crampton, Mr. Brazil and Mr. Weber spoke regarding Reach 8 and working with different agencies on the project.

Dragana Connaughton, Marine Road, spoke in opposition to doing beach restoration project during sea turtle season because the turtles are federally protected. She read a letter into the record pertaining to the beach being tilled after the beginning of turtle season and the disruption to the sea turtle nests due to work that was done by the Army Corps of Engineers during the dredging project. She requested better signage and enforcement of sea turtle protections.

Diane Buhler, Friends of Palm Beach, spoke regarding the improvement of sand that's being used for the beach restoration projects. She expressed concern over activity that is occurring that negatively impacts the sea turtle nests.

Council President Pro Tem Lindsay spoke regarding the importance of striking a balance between protecting the sea turtles and having the appropriate type and amount of sand on the beach in which the turtles can nest. She spoke in support of increasing educational signage for the public regarding sea turtle protection.

Council Member Araskog spoke regarding creating a video on sea turtle protection and how to treat the beaches.

Mr. Weber spoke regarding the beach sea turtle and biological monitoring and physical surveys on the beach that are occurring. Town Manager Blouin spoke regarding the efforts that the Town has made to ensure that sea turtles and their nests are not being harmed.

Council Member Crampton spoke regarding the beach monitors being responsible in their activities and stated that he believes that the work is being done correctly.

John McGrindy, North end of Palm Beach, spoke regarding him witnessing the ATV riders not being responsible on the beach.

Mr. Weber addressed the protocol that is being done by the monitors on the ATVs.

Council President Zeidman spoke regarding the sea turtles now having a habitat due to the beach restoration.

Mr. Weber stated that there were three nests lost the past year due to weather, which is less than normal. At the request of Council, he stated that he would bring back historical data from previous years. The Town Council also requested to have educational signage be brought forward to a future Council meeting.

The Town Council Meeting recessed at 4:24 p.m. and reconvened at 4:35 p.m.

6. Discussion Regarding Possible Bradley Park and Lake Trail Closure Hours
Nicholas Caristo, Chief of Police

Chief Caristo provided background information on the item.

Mayor Moore expressed concern over the hours starting at 10:00 p.m. She spoke regarding safety issues and spoke in support of doing anything that makes the Town's residents and visitors safer.

Mr. Caristo clarified that local residents to the trail and Bradley Park special event permit holders will not be restricted access.

Council Member Araskog spoke in support of making the hours of closures sunrise to sunset due to safety issues after dark.

Council Member Cooney stated that sunset is too early to close the Lake Trail and spoke in support of closing it later due to individuals walking their dogs.

Town Manager Blouin clarified that there aren't any immediate crime issues in that area, but the Police Department is trying to be proactive.

Council President Pro Tem Lindsay spoke regarding property owners on the Trail still being allowed to be on the Trail after hours. She stated that she no longer walks alone on the Trail at night.

Council Member Crampton expressed appreciation to the Police Department for being proactive. He spoke in support of using cameras in the area as well. He spoke regarding going with whatever time the Police Department wishes.

Police Chief Caristo stated that 11:00 p.m. would be acceptable.

Mayor Moore spoke regarding there being restaurant workers who ride their bikes on the Trail at 10:30 at night and advocated for 11:00 p.m.

The Town Council provided consensus for staff to return with an ordinance with the hours for closing the Lake Trail and Bradley Park.

Council President Zeidman expressed concern over an article in the newspaper regarding enforcement on the beaches. In response to a request from Council President Zeidman, Chief Caristo provided an update on the Police Department's response to calls for service at the beach in mid-town and proactive measures they are taking, specifically installing cameras. He spoke regarding the number of unfounded calls that had been made.

Council President Lindsay expressed concern over there not being specific hours for the beach and the confusion that it causes.

Town Attorney Randolph explained the legal issues with closing all of the beaches in Town. He spoke regarding only being able to close the beaches where the Town owns the upland property. There was further clarification that the Town can post signs at the accesses, but not the beaches in the sovereign lands. Discussion ensued regarding the areas that can be closed.

Council President Pro Tem Lindsay stated that she has been told that the issues that had occurred at Root Trail have improved by 75% since it is being locked at night. She spoke regarding placing taller gates on the Town's beach accesses. Chief Caristo spoke in support of placing surveillance cameras at the access.

Council President Zeidman spoke regarding individuals being on the sovereign lands and ensuring that they are not conducting illegal activities.

Town Manager Blouin addressed the concern regarding illegal activities and spoke regarding the Police Department continuing to monitor and patrol the area.

Council Member Crampton expressed concern over the article and the lawsuit and spoke regarding the Town's enforcement being appropriate.

Town Attorney Randolph stated that the Town feels that they are doing everything they can do to appropriately address the problem.

Council President Zeidman stated that she believes that the Police Department is always responsive and has responded appropriately in this regard.

Town Manager Blouin and Town Attorney Randolph addressed the lawsuit and the Police Department's response to the complaints.

Council Member Araskog spoke regarding getting complaints the day after a situation. She stated that she believes that the Police Department has been appropriately responsive and stated that the only way to increase enforcement is to have 24/7 security on-site.

Chief Caristo and Town Manager Blouin addressed the issue of residents having guests who have a right to be in certain areas. Town Manager Blouin spoke regarding having private security in certain areas.

Council Member Araskog spoke regarding there not being the serious crimes occurring in that area and Town Manager Blouin clarified that the same types of crimes occur throughout the Town and it's no worse in that area.

7. Review of a Stop Work Order Due to the Three Strike Rule at 315 Cocoanut Row
Wayne Bergman, Director of Planning, Zoning and Building

Director Bergman provided background information on the item.

Brad McPherson, attorney on behalf of the owner, provided the contractor's and owner's defense of the violations. He spoke regarding there being one subcontractor who was responsible for the violations and stated that there have been staffing changes and the fines have been paid.

Gary Maresca, GM Construction, spoke regarding having discussions with the subcontractor regarding the hours, but they did not follow the hours. He spoke regarding having staffing changes and explained how he is addressing the issue.

Council Member Cooney stated that he believes that the lessons have been learned.

Council Member Araskog requested clarification on the violations, to which Mr. Maresca responded. She stated that she is supportive of the lift the stop work order.

Mayor Moore spoke in support of allowing the work to continue.

Melissa Shore, 315 Cocoanut Row, requested if they could start from the beginning because the subcontractor has been fired.

Council President Zeidman spoke regarding not allowing this in the past and that she believes the Town Council needs to be consistent in these requests.

Director Brazil extended an invitation to the general contractor and owner to reach out to the Public Works Department to work on a schedule.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to direct staff to lift the Stop Work Order and waive the third strike upon payment of all outstanding fines regarding 315 Cocoanut Row. On roll call, the Motion passed unanimously.

8. Review of a Stop Work Order Due to the Three Strike Rule at 171 Via Bellaria
Wayne Bergman, Director of Planning, Zoning and Building

Director Bergman provided background information on the item.

Dan Swanson, Addison Development, explained how the violations occurred and stated that they are a week away from certificate of occupancy.

Director Brazil stated that he has spoken with Mr. Swanson on how to finish this project.

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to direct staff to lift the Stop Work Order, waive the third strike and provide permission to issue right-of-way permits upon payment of all outstanding fines regarding 171 Via Bellaria. On roll call, the Motion passed unanimously.

Council President Zeidman inquired about whether there is a remedy for contractors who cannot obtain parking permits, to which Mr. Brazil responded.

Council Member Araskog spoke in support of the “closeout” process be included in the contractor’s packet and/or brochure.

9. Protection of Construction Sites During Storm Events
Julie Araskog, Town Council Member

Council Member Araskog provided background information on the item. She expressed concern over many sites not being secured during the last time there was a storm that was threatening the area.

Town Manager Blouin spoke regarding the requirements for job sites to secure their sites during storm events. He spoke regarding Code Enforcement working with the construction site monitors to ensure the sites are secure.

Ms. Araskog spoke regarding the ordinance stating that once a tropical storm watch is called, then they must secure their sites.

Director Bergman spoke regarding the process for alerting construction sites at this point and stated that they will work on alerting the sites earlier.

Ms. Araskog stated that she had wanted to notify residents and contractors of the ordinance requirement.

XII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend Chapter 42 Article V, Section 42-228 to Modify the Decibel level in Area 4 of the Town

ORDINANCE NO. 008-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 42, Environmental at Article V, Noise at Section 42-228, Nonvehicular Noise Amending the Maximum Level, dba Measurement In Geographic Area 4 to be Consistent with the Measurements in Geographic Areas 1 and 3, I.E., 61 Decibels During the Day and 55 Decibels at Night; Providing for Repeal of Ordinances or Parts of Ordinances in Conflict Herewith, Providing for Severability; Providing for Codification; Providing an Effective Date.

Nicholas Caristo, Chief of Police

Town Attorney Randolph read the title of the ordinance.

Motion was made by Council Member Araskog and seconded by Council Member Crampton adopt Ordinance No. 008-2022 on second reading. On roll call, the Motion passed unanimously.

B. First Reading

1. Proposed Ordinance to Amend Chapter 46 Article III, Sections 46-67 and 46-68 to Modify the Fire Prevention Permit and Fire Prevention Fees

ORDINANCE NO. 011-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 46, Fire Prevention and Protection, at Article III, Fire Prevention Code, Sections 46-67, Permits, and 46-68, Annual Fire and Life Safety Inspections; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Darrel Donatto, Fire Rescue Chief

Town Attorney Randolph read the title of the ordinance.

Marty DeLoach, Fire Marshal, provided background information on the item.

Motion was made by Council Member Lindsay and seconded by Council Member Crampton approve on first reading Ordinance No. 011-2022. On roll call, the Motion passed unanimously.

XIII. ANY OTHER MATTERS

- ARCOM Applications

Council Member Araskog spoke regarding proposed changes, including adding the rendering with notices; codifying 14 days for revisions; and including elevations chosen by staff. She requested this item be placed on the agenda in July.

- House Bill 423

Council Member Cooney recommended that this item be moved to the June 15 Development Review Meeting agenda.

XIV. ADJOURNMENT

Motion was made by Council Member Cooney and seconded by Council Member Lindsay__ to adjourn the Town Council Meeting of June 14, 2022, at 6:05 PM. On roll call, the Motion passed unanimously.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Date



TOWN OF PALM BEACH

Minutes of the Development Review
Town Council Meeting
Held on June 15, 2022

I. CALL TO ORDER AND ROLL CALL

The Development Review Town Council Meeting was called to order June 15, 2022 at 9:34 a.m. On roll call, all elected officials were found to be present, with Council Member Araskog participating on Zoom.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Deputy Town Clerk Churney gave the invocation. Council President Zeidman led the Pledge of Allegiance.

III. COMMENTS OF MAYOR DANIELLE H. MOORE

The Mayor introduced Palm Beach County Property Appraiser Dorothy Jacks.

At this time, Ms. Jacks made her presentation located under item VII. Presentations.

Mayor Moore asked the Town Council to review the letter regarding the proposed Clean Water Bond. She indicated if the letter was acceptable, she would sign and send it to the Palm Beach County Commission.

IV. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Zeidman addressed the day's schedule and mentioned that the Code Reform item will be placed on the July agenda. She spoke regarding items to be placed under Other, such as a request for discussion of FAR; and a discussion of House Bill 423. Council President Pro Tem Lindsay spoke regarding an item coming to Council in July regarding options for water resources.

- V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE
No one indicated a desire to speak.

VI. APPROVAL OF AGENDA

Director of Planning, Zoning and Building Bergman read the following requested modifications:

Withdrawal of Permit Extension for 114 Seaspray Avenue

Deferral of ZON-22-017, 1237 N. Lake Way to the July 13, 2022 meeting

Deferral of ZON-22-033, 108 El Mirasol to the July 13, 2022 meeting

Deferral of ZON-22-037, 60-70 Blossom Way to the July 13, 2022 meeting

Deferral of ZON-22-059, 2219 Ibis Isle Road to the July 13, 2022 meeting

Deferral of ZON-22-046, 1160 N. Ocean Blvd. to the July 13, 2022 meeting

Withdrawal of ZON-22-063, 220 Arabian Road

Deferral of ZON-22-065, 360 El Brillo Way to the July 13, 2022 meeting

Deferral of ZON-22-070, 241 Seaview Avenue to the July 13, 2022 meeting

Deferral of ZON-22-071, 124 Cocconut Row to the July 13, 2022 meeting

Deferral of ZON-22-073, 143 Reed Road to the July 13, 2022 meeting

Deferral of ZON-22-083, 965 N. Ocean Blvd. to the July 13, 2022 meeting

Motion made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve the agenda as amended. Motion carried unanimously, 5-0.

Mayor Moore inquired about the number of deferrals and wondered about the reason for the deferral. Mr. Bergman stated that these projects were deferred because they had not yet been approved by ARCOM or LPC.

Council Member Cooney added that the deferrals are still on the agenda due to the notice requirements.

VII. PRESENTATIONS

- A. Presentation from Palm Beach County Property Appraiser Dorothy Jacks

Dorothy Jacks, Palm Beach County Property Appraiser, presented an overview on the Town's market value, taxable value, and the impact of assessment caps and homestead and other exemptions. She spoke regarding home values and sales during

the past year and the outlook of the real estate market in the upcoming year.

Council President Pro Tem Lindsay inquired about the number of homestead exemptions filed. Ms. Jacks responded and discussed the number of exemptions filed each year.

Council Member Crampton inquired if a person could obtain two homestead exemptions, specifically when a property is inherited. Ms. Jacks discussed how the homestead exemptions are filed.

Council President Zeidman asked when a homeowner could apply for the exemption. Ms. Jacks discussed the process of filing a homestead exemption and explained portability.

Council Member Araskog inquired about the program for reduced taxes for senior citizens, widows/widowers, and disabled citizens, to which Ms. Jacks responded.

Mayor Moore expressed appreciation to Ms. Jacks for her presentation and requested that she return with another presentation when she had her annual report.

VIII. DISCUSSION ITEMS

A. Add On to Construction Projects

Council President Zeidman spoke regarding an issue of the addition of smaller construction projects to a large construction project, which increases the timeline for the project. Director of Planning, Zoning and Building Bergman provided further background on the issue and explained a problem with the department's software that allowed this extension of projects. He spoke regarding new software that will be implemented and answered Council Members' questions.

Mayor Moore spoke in support of waiting until the new software is implemented to see if it solves the problem. Council President Zeidman expressed concern that it will not catch the issue of additional permits being issued. Discussion ensued regarding the new software's capabilities and the timeline for the new software's implementation.

B. Landmarks Preservation Commission Calendar

Margaret A. Zeidman, Town Council President

Council President Zeidman stated that the Landmarks Commission requested not to have a meeting in August 2023. She stated it was a hardship for some of them that had second homes up north and indicated that it was not required by the Code for the LPC to meet every month. She wanted to make sure that the Town would continue to meet the needs of the residents but wanted to ask the Town Council their thoughts on the matter.

Mr. Bergman spoke regarding this being feasible for LPC for 2023, because the calendar for projects can be scheduled to exclude August. He stated that ARCOM is required by Code to hold monthly meetings, therefore changing that schedule

would require an ordinance.

Council Member Cooney was hesitant to change the process and was not in favor for the potential delay it would cause the residents. He stated if both Commissions took a break in the month of August and it was a Town-wide initiative, he could support the request.

Council Member Araskog stated that she would support the change if it were for both LPC and ARCOM.

Council President Pro Tem Lindsay spoke regarding the possibility of doubling up of projects to catch up from a month off.

Council Member Crampton stated that the strength of the program was to ensure that projects are being addressed in a timely manner and spoke in support of the request if proper notice is made. Discussion ensued regarding allowing both commissions to have a hiatus as of August 2023.

Council Member Araskog recommended that staff review requests for demolitions during the hiatus.

Anne Metzger, 277 Esplanade Way, stated that the Landmarks Preservation Commission unanimously approved requesting the break.

Council Member Crampton spoke regarding looking at allowing the Town Council to deduct the cost of their travel costs. Mayor Moore stated that that kind of change would need to be passed by referendum. Discussion ensued regarding attempting a charter change to pay Town Council and/or the quasi-judicial boards.

Pat Segraves, Landmarks Preservation Commissioner, stated that he would not be in favor of delaying any projects due to a hiatus. He spoke regarding quorum being four members.

Council President Zeidman stated that she is not in favor of relying on a quorum and stated that if elected or appointed, the expectation was for the members to be present during the meeting.

Caroline Forrest, MHK Architecture, discussed the process of getting a project approved through one of the commissions and spoke regarding the delay if the Commissioners did not meet in August.

In response to Council Member Crampton, Mr. Bergman addressed the project approval process. Discussion ensued regarding the burden on the professional community and the connection between LPC and ARCOM. Council President

Zeidman spoke regarding LPC being able to make this decision themselves, but ARCOM would need to be changed by ordinance.

Council Member Araskog stated that LPC is now reviewing historic buildings in addition to their former responsibilities. She suggested sending the item to ORS, to which Council President Zeidman stated that she feels that the Town Council should make this decision.

Council President Pro Tem Lindsay stated that she thought that the decision should be applicable for both ARCOM and LPC. Council President Zeidman spoke regarding the necessity to speak with the members of ARCOM on their desire to also take a break and stated that the Council will need to review this issue further prior to making a decision.

Sue Patterson, Chair of the Landmarks Preservation Commission, spoke in support of a month hiatus in the summer.

The consensus of Town Council was to review this item further, speak with ARCOM regarding this issue and bring back to a future Council meeting.

Council Member Araskog spoke regarding the current process as opposed to the former process.

Please note: A short break was taken at 11:02 a.m. The meeting resumed at 11:16 a.m.

IX. DEVELOPMENT REVIEWS

A. Appeals

1. ARCOM Appeal of ARC-21-101 425 Chilean Avenue

Deputy Town Clerk Churney administered the oath at this time and throughout the meeting as needed.

Council Member Cooney, Council President Zeidman, Council President Pro Tem Lindsay and Mayor Moore declared ex parte communications.

Frank Lynch, attorney for the applicant, provided an overview of the approval from ARCOM, the issues that his client had with the property, the changes that were made without an approval and his attempt to obtain an approval from ARCOM.

Mr. Bergman provided staff comments.

Mr. Lynch displayed a video of the items he presented and reiterated the issue. He answered Council Members' questions.

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

Council Member Cooney, Mayor Moore and Council President Pro Tem Lindsay spoke in opposition to the appeal. Council Member Araskog spoke regarding the ARCOM meeting where the item was heard.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to deny the ARCOM appeal of ARC-21-101, 425 Chilean Avenue, on the basis that there was competent substantial evidence to support ARCOM's decision. Motion carried unanimously, 5-0.

B. Time Extensions and Waivers

1. Request for Permit Extension for 114 Seaspray Avenue
This item was withdrawn at the approval of the agenda.

C. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **ZON-21-006 (ARC-21-040) 164 SEASPRAY AVENUE (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW AND VARIANCES** The applicant, Hayati Banastey, has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review for the construction of new two story residence on 2 platted lots deficient in lot width and lot area, including the following variances (1) a variance to reduce the required side (east) yard setback to 10 ft in lieu of 15 feet required for 2 story structure; (2) a variance to reduce the required side (west) yard setback to 10 ft in lieu of 12.5 feet required for the 1 story portion; (3) a variance to reduce the required side (west) yard setback to 10 feet in lieu of 15 feet required for the 2 story portion. [The Architectural Review Commission approved the project with a condition related to the architecture will return on June 29, 2022. Carried 6-1.]

Council Members Cooney and Araskog declared ex parte communications.

Maura Ziska, attorney for the applicant, provided an overview of the project and presented the zoning requests. She indicated that they had reduced their request and were building in the same footprint of the previous home.

Pat Segraves, SKA Architect + Planner, presented the architectural plans proposed for the new residence.

Council Member Cooney confirmed that without the SPR, the applicant

could not build on the lot. Ms. Ziska provided confirmation. Mr. Cooney spoke in support of the project.

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

Motion made by Council Member Cooney and seconded by Council Member Araskog that Special Exception ZON-21-006 shall be granted, based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met 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. Motion carried unanimously, 5-0.

Motion made by Council Member Cooney and seconded by Council Member Araskog that Site Plan ZON-21-006 be approved, based upon the finding that the approval of the site plan will not adversely affect the public interest and that the Council certified that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329, items 1 through 11. Motion carried unanimously, 5-0.

- b. **ZON-22-017 (ARC-22-032) 1237 N LAKE WAY (COMBO) - VARIANCES & SITE PLAN REVIEW** The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Town Council review of and approval of Site Plan Review for the construction of a new two-story residence on a lot with less width than required in the RB district, and including variances (1) to allow a two-story accessory structure on a lot less than 20,000SF in lot area, and (2) to exceed the point of measurement. ARCOM will perform design review of the application. [Architectural Review Commission Recommendation: Implementation for the proposed variance for the second story will cause negative architectural impact to the subject property. Carried 4-3. Implementation for the proposed variance, which addressed the point of measurement, will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission deferred the project to the June 29, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

- c. **ZON-22-033 (ARC-22-001) 108 EL MIRASOL (COMBO) - VARIANCES** The applicant, ANK Palm Beach LLC (Anand “Andy”

Khubani, Managing Member), has filed an application requesting Town Council review and approval for a variance to allow a basement in a North side-yard setback for basement vehicular access in relation to the construction of a new single family residence. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the June 29, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

- d. **ZON-22-037 (ARC-22-040) 60-70 BLOSSOM WAY (COMBO) - SITE PLAN REVIEW** The applicant, Blossom Way Holdings LLC and Providencia Partners LLC (Maura Ziska, Authorized Representative), has filed an application requesting Town Council Site Plan Review as required for the installation of a generator with an output capacity over 100kW, in conjunction with the construction of a new single-family residence. ARCOM will perform design review of the application. [The Architectural Review Commission deferred the project to the June 29, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

- e. **ZON-22-044 (ARC-22-054) 333 SUNSET AVE (COMBO) - SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES** The applicant, Royal Poinciana South LLC (Arthur Pergament) has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review and Variances (1) to exceed the maximum lot coverage, (2 & 3) to reduce required setbacks, (4) to expand an existing nonconforming 7 story building, (5 & 6) to allow pool equipment where not permitted, (7) to exceed the maximum building height and (8) to exceed the maximum allowable amount of equipment in a front yard. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 6-1.] [The Architectural Review Commission approved the project with conditions relating to the architecture. Carried 5-2.]

Council Member Cooney and Mayor Moore declared ex parte communications.

Maura Ziska, attorney for the applicant, introduced Arthur Pergament, who owns the building.

Mr. Pergament thanked the Town Council and explained the renovations to the building.

Ms. Ziska provided an overview of the project and presented the zoning requests.

Natalia Livian, Wannemacher Jensen Architects, Inc., presented the plans proposed for the renovations to the existing condominium.

Mr. Murphy provided staff comments.

Council Member Araskog inquired if the mechanical equipment would affect the neighbor, to which Mr. Murphy responded.

Council Member Crampton inquired if staff supported the changes. Mr. Murphy stated that staff had a good working relationship with the team and did support the changes.

Council Member Cooney inquired about the color of the shade structure. Ms. Livian stated that it would be white.

Council Member Lindsay spoke in support of the project.

Mayor Moore reminded the owner that there was no work allowed on the weekends. She requested that the owner stop any weekend work.

Council Member Araskog asked about the material to be used for the hedge. Ms. Livian responded and stated the hedge in question was on the neighbors' property. Mr. Pergament stated he planned on planting another hedge in front of the existing hedge to screen the property.

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

Motion made by Council Member Crampton and seconded by Council Member Cooney that Special Exception ZON-22-044 shall be granted, based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met 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. Motion carried unanimously, 5-0.

Motion made by Council Member Crampton and seconded by Council Member Cooney that Site Plan ZON-22-044 be approved, based upon the finding that the approval of the site plan will not adversely affect the public interest and that the Council certified that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329, items 1 through 11. Motion carried unanimously, 5-0.

Motion made by Council Member Crampton and seconded by Council Member Cooney that Variance ZON-22-044 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. Motion carried unanimously, 5-0.

Mayor Moore requested that staff reach out to the Biltmore about the condition of their hedge. Mr. Bergman stated he would address the issue.

- f. **ZON-22-045 (HSB-22-008) 426 SEAPRAY AVE (COMBO) - VARIANCES** The applicant, 426 Seaspray Avenue Trust (Maura Ziska, TR) has filed an application requesting Town Council approval for Variances (1) to exceed the maximum cubic content ratio (CCR), (2) to exceed the maximum lot coverage, and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 2.27' NAVD and 4.06' NAVD in lieu of the required 7' NAVD, in conjunction with renovations and a two-story additions to an existing nonconforming historically significant building. The Landmarks Preservation Commission will perform design review of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the historically significant building. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

Council Member Cooney, Council President Zeidman and Mayor Moore declared ex parte communications.

Maura Ziska, attorney for the applicant, provided an overview of the project and presented the variance request.

Caleb Laux, FCS Design LLC, presented the architectural plans proposed for the renovations and additions to the existing residence.

Mr. Murphy provided staff comments.

Council President Pro Tem Lindsay spoke in support of the project.

Council Member Cooney spoke in support of the project.

Council Member Crampton requested to see the home in context with the neighboring homes. Mr. Laux showed the Council photographs of the streetscape.

Mayor Moore inquired if the home had a garage. Mr. Laux responded and indicated the removal of the existing carport.

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

Motion made by Council President Pro Tem Lindsay and seconded by Council Member Cooney that Variance ZON-22-045 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 and Chapter 50 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. Motion carried unanimously, 5-0.

- g. **ZON-22-059 (ARC-22-086) 2219 IBIS ISLE RD (COMBO) - SITE PLAN REVIEW** The applicant, GLOBAL ONE INVESTMENT GROUP LLC (Alfredo Borges), has filed an application requesting Town Council review and approval for Site Plan Review to allow the construction of a residence on a non-conforming platted lot which is 90 feet in width in lieu of the 100 foot minimum width required in the R-B Zoning District. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the June 29, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

2. New Business

- a. **ZON-22-046 (ARC-22-063) 1160 N OCEAN BLVD (COMBO) - SPECIAL EXCEPTION W/ SITE PLAN REVIEW** The applicant, Paul & Cythlen Maddock, has filed an application requesting Town Council review and approval for Special Exception w/ Site Plan Review for the construction of a 500 SF beach cabana in the BA zoning district. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the June 29, 2022 meeting.

Carried 7-0.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

- b. **ZON-22-052 (ARC-22-076) 425 WORTH AVE, PH-B (COMBO) - SPECIAL EXCEPTION W/ SITE PLAN REVIEW & VARIANCES** The applicant, Mary Randolph Ballinger, has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review and Variances for (1) to exceed maximum building height, (2) to expand the nonconforming 6th floor, and (3) to reduce existing nonconforming rear (north) yard setbacks, in conjunction with a 58 SF addition to an existing 6th floor penthouse. The Architectural Commission will perform design review of the application.

Mayor Moore declared ex parte communications.

Jessica Shapiro, attorney for the applicant, provided an overview of the project and presented the variance request.

Kyle Fant, Bartholemew + Partners, presented the architectural plans proposed for the addition to the existing condominium.

Mr. Murphy provided staff comments.

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

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Variance ZON-22-052 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. Motion carried unanimously, 5-0.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Special Exception ZON-22-052 shall be granted, based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. Motion carried unanimously, 5-0.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Site Plan ZON-22-052 be approved, based upon the finding that the approval of the site plan will not adversely affect the public interest and that the Council certified that the specific zoning requirements governing the individual use have been met and that

satisfactory provision and arrangement has been made concerning Section 134-329, items 1 through 11. Motion carried unanimously, 5-0.

- c. **ZON-22-054 (HSB-22-004) 324 BARTON AVE (COMBO) - VARIANCES** The applicants, Leverett and Linda Miller, have filed an application requesting Town Council review and approval for a Variances to (1) reduce the required side (east) yard setback, (2) for the expansion of a nonconforming accessory structure, and (3) from Chapter 50 for the required floor elevation for the new ground floor addition on a historically significant building to construct a ground floor addition with a finished floor of 5.34' NAVD in lieu of the required 7' NAVD, in conjunction with one story additions to a Historically Significant building two-story main house and one story additions to an existing two-story accessory structure. The Landmarks Preservation Commission will perform design review of the application. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the historically significant building. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

Council President Zeidman and Mayor Moore declared ex parte communications.

Maura Ziska, attorney for the applicant, provided an overview of the project and presented the variance request.

Jackie Albarran, SKA Architect + Planner, presented the architectural plans proposed for the addition to the existing residence.

Mr. Murphy provided staff comments.

Mr. Cooney stated that he was thrilled the owner was participating in the Historically Significant Building program.

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

Motion made by Council Member Cooney and seconded by Council Member Crampton that Variance ZON-22-054 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 and Chapter 50 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. Motion carried unanimously, 5-0.

- d. **ZON-22-063 (ARC-22-074) 220 ARABIAN RD (COMBO) - SPECIAL EXCEPTION W/ SITE PLAN REVIEW** The applicant, Richard Carlino, has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review for the construction of new two- story residence on portions of platted lots deficient in lot width. The Architectural Commission will perform design review of the application. [The Architectural Review Commission denied the project at the May 25, 2022 meeting. Carried 4-3.] Staff Recommends a Withdrawal of the Project.

This item was withdrawn at the approval of the agenda.

- e. **ZON-22-065 (ARC-22-099) 360 EL BRILLO WAY (COMBO) - VARIANCES** The applicant, El Brillo Way Trust u/a/d September 24, 2021 (David Klein trustee), has filed an application requesting Town Council review for Variance (1) to exceed the building height plane for a new two-story residence, (2) to reduce the required front setback for a new pool, (3) to exceed the angle of vision in order to construct a detached cabana in the required yard area, and (4) for swimming pool equipment to exceed the maximum distance from water's edge.. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the June 29, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

- f. **ZON-22-066 520 ISLAND DR - VARIANCES** The applicant, has filed an application requesting Town Council review and approval for variances to (1) exceed by 18 ft the maximum dimension of 6 ft west of the bulkhead line to install 3 mooring piles 24 ft westward , (2) to exceed by 51 (33%) the maximum width of 45 ft (30% of 150 ft wide lot) to install a 96 ft (63%) wide dock, (3) to reduce the required north side yard setback by 7' to install mooring piles at 18' where 25' is required, (4) To exceed the maximum dock width of 10' for a dock (east) further than 6' from bulkhead and (5) to exceed the maximum number of docks allowed on a property from one to two for a property with water frontage on east and west sides of Everglades Island.

Mayor Moore declared ex parte communications.

Maura Ziska, attorney for the applicant, provided an overview of the project and presented the variance request.

Matt Butler, Isiminger & Stubbs Engineering, Inc., presented the plans proposed for the addition of two docks.

Council President Pro Tem Lindsay asked for clarification of the locations proposed for the boat lifts and platforms. Ms. Ziska responded. Ms. Lindsay spoke regarding this new type of lift becoming the norm and inquired to Mr. Bergman if the ordinance regarding boat lifts in the intercoastal be amended to address these new types of lifts, to which he responded that he agreed that the ordinance should be reviewed for revision.

Mayor Moore inquired if there would be a large boat docked on the east side. Mr. Butler responded and discussed the capacity limit of the dock and the conditions of the area. Mayor Moore expressed concern over how the neighbors would feel about seeing a boat on the west side of the street.

Council Member Araskog inquired about the proposed usage for the dock, to which Mr. Butler responded. Council Member Araskog stated that she would like to ensure the dock would be used for vessels only.

Council Member Cooney stated that he did not have any objections but had trouble visualizing the new docks. He spoke in support of re-visiting the ordinance. Discussion ensued regarding the new types of docks being installed and Mr. Butler answered questions.

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

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Variance ZON-22-066 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. Motion carried unanimously, 5-0.

Council President Zeidman asked if the issue should be discussed by ORS. Council President Pro Tem Lindsay stated that it should be discussed by the Planning and Zoning Commission.

The Town Council recessed at 12:57 p.m. and reconvened at 1:50 p.m.

- g. **ZON-22-067 (ARC-22-104) 281 MONTEREY RD (COMBO) - SPECIAL EXCEPTION W/ SITE PLAN REVIEW** The applicant, Adam Demark, has filed an application requesting Town Council review for Special Exception with Site Plan Review for the construction of a new two-story residence on portions of non-platted lots deficient in lot width. The Architectural Commission will perform design review of the application. [The Architectural Review Commission approved the project with a condition related to the landscape at the May 25, 2022 meeting. Carried 7-0]

Council Member Cooney and Council President Zeidman declared ex

parte communications.

Jack Rice, attorney for the applicant, provided an overview of the project and presented the variance request.

Caroline Forrest, MHK Architecture & Planning, presented the architectural plans proposed for the new residence and answered questions.

Council Member Cooney spoke in support of the project and added that the professional was approved at the first presentation at ARCOM.

Council Member Araskog inquired about the location of the A/C unit. Ms. Forrest stated that they worked through the concerns for the mechanical unit with the neighbor. Discussion ensued about the location of the units.

Council President Pro Tem Lindsay inquired about the additional hedge to be added near the garage, to which Ms. Forrest responded. Ms. Lindsay inquired if the neighbors were in favor of the plan and Ms. Forrest replied. Council President Zeidman spoke in support of the project. In response to a question by Ms. Zeidman, Ms. Forrest explained the roof height and design.

Mr. Bergman provided staff comments.

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

Motion made by Council Member Cooney and seconded by Council Member Crampton that Special Exception ZON-22-067 shall be granted, based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. Motion carried unanimously, 5-0.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Site Plan ZON-22-067 be approved, based upon the finding that the approval of the site plan will not adversely affect the public interest and that the Council certified that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329, items 1 through 11. Motion carried 4-1, with Council Member Araskog dissenting.

- h. **ZON-22-068 (COA-22-024) 238 PHIPPS PLZ (COMBO) - VARIANCES** The applicant, Phipps Plaza Properties Partners LLC, has filed an application requesting Town Council review and approval for

variances to (1) reduce by 4'11" the required side (west) setback of 5' to place a 6' tall air-conditioning unit at 1" to the property line and to (2) reduce by 2'-2" required rear (south) setback of 5' to place the equipment at 2'-10" to the property line, (3) to forgo equipment screening requirement, and (4) for a variance from Chapter 50 for the required elevation for a new AC equipment on a landmarked building to install at 4.0' NAVD in lieu of the required 8' NAVD. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

Council President Zeidman declared ex parte communications.

Maura Ziska, attorney for the applicant, provided an overview of the project and presented the variance request.

Nelo Freijomel, Spina O'Rourke + Partners, presented the architectural plans proposed for the modifications to the existing residence.

Mr. Murphy provided staff comments.

Council Member Cooney stated that he thought that the proposal was acceptable since there was a site wall in the rear of the property, and it faced the bank parking lot. He believed that the request was reasonable. Council President Zeidman called for public comment. No one indicated a desire to speak.

Council Member Araskog requested the hardship for the variance. Ms. Ziska responded and stated the hardship for the request.

Motion made by Council President Pro Tem Lindsay and seconded by Council Member Crampton that Variance ZON-22-068 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. Motion carried unanimously, 5-0.

- i. **ZON-22-069 146 SEASPRAY AVE - VARIANCES** The applicant, Michael and Michelle Fries, has filed an application requesting Town Council review and approval for variances to (1) reduce by 4.4' the required rear setback of 10' in order to construct a 128 SF addition at 5.6' to match the existing nonconforming rear (south) setback and (2) for the expansion of a nonconforming accessory structure. The Architectural Commission approved the project on 08/25/21, pursuant to ARC- 21-015.

Council Member Crampton, Council President Zeidman, and Council Member Cooney declared ex parte communications.

Jack Rice, attorney for the applicant, provided an overview of the project and presented the variance request.

Pat Segraves, SKA Architect + Planner, presented the architectural plans proposed for the addition to the existing residence.

Mr. Murphy provided staff comments.

Council Member Cooney stated that he thought the addition was minor and expressed appreciation that the neighbors had worked out a solution.

Council Member Araskog inquired about the hardship for the request, to which Mr. Rice responded. She expressed appreciation for the owner and neighbors finding a resolution.

Council President Zeidman spoke in support of the project.

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

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Variance ZON-22-069 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 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. Motion carried unanimously, 5-0.

- j. **ZON-22-070 (COA-22-026) 241 SEAVIEW AVE (COMBO) - SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, Palm Beach Day Academy Inc., has filed an application requesting Town Council review and approval for a modification to a previously approved Special Exception with Site Plan Review for the installation of a surface parking lot for 34 cars, new parking gates and lighting plan, and to replace a portion of the west lawn. The applicant is also seeking to modify the existing Declaration of Use related to the number of times parking can be used. The Landmarks Preservation Commission will perform design review of the application. [The Landmarks Preservation Commission deferred the project to their June 22, 2022 meeting. Carried 5- 2.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

- k. **ZON-22-071 (ARC-22-105) 124 COCOANUT ROW (COMBO)**

- **VARIANCES** The applicant, Nedim Soylemez and Rebecca Ann Soylemez, has filed an application requesting Town Council review for a variance (1) to exceed maximum cubic content ratio (CCR), (2) to exceed maximum building height, and (3) to exceed maximum overall building height, in conjunction with the construction of a new two-story residence. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the June 29, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

1. **ZON-22-073 (ARC-22-043) 143 REEF RD (COMBO) - VARIANCES** The applicant, John K. Criddle, has filed an application requesting Town Council review and approval for variances (1) to exceed the maximum amount of fill and (2) to exceed the maximum Cubic Content Ratio (CCR) in conjunction with the construction of a new two-story single-family house. The Architectural Commission will perform design review of the application. [The Architectural Review Commission deferred the project to the June 29, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

- m. **ZON-22-083 (ARC-22-072) 965 N OCEAN BLVD (COMBO) - SITE PLAN REVIEW** The applicant, 965 North Ocean Boulevard, LLC (Matthew Sellick), has filed an application requesting Town Council review and approval for Site Plan Review for the installation of a 150 kW generator in conjunction with the construction of a new residence. ARCOM will perform design review of the application. [The Architectural Review Commission deferred the project to the June 29, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the July 13, 2022 Meeting.

This item was deferred to the July 13, 2022 meeting at the approval of the agenda.

X. **ORDINANCES**

A. **Second Reading**

1. Proposed Ordinance to Amend Chapter 18 of the Town Code to Modify the Language regarding Floodplain Management, to incorporate new FEMA and FL DEM requirements, and to acknowledge the Town's current CRS

classification.

ORDINANCE NO. 009-2022 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 18, Buildings And Building Regulations, Specifically At Article I, In General, Section 18-1, Datum Plane Adopted; And At Article IV, Florida Building Code, Division 2, Florida Building Code Technical Amendments For Flooding, Section 18-244, Amendments; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Randolph read the title of the ordinance.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Ordinance No. 009-2022 on second reading. Motion carried unanimously, 5-0.

2. Proposed Ordinance to Amend Chapter 50 of the Town Code to Modify the Language regarding Floodplain Management, to incorporate new FEMA and FL DEM requirements, and to acknowledge the Town's current CRS classification.

ORDINANCE NO. 010-2022 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 50, Floods, By Amending Article III, Definitions And Article IV, Flood Resistant Development, To Provide For Accessory Structures In Flood Hazard Areas And To Specify Elevation Of Manufactured Homes In Flood Hazard Areas; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Randolph read the title of the ordinance.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Ordinance No. 010-2022 on second reading. Motion carried unanimously, 5-0.

XI. ANY OTHER MATTERS

1. House Bill 423

Town Attorney Randolph explained House Bill 423, which is restricting municipalities from preventing the demolition of homes within certain communities and provided an overview of potential Code changes to address this.

Council Member Cooney spoke regarding the potential negative impact of this law to landmarking of historic homes and spoke regarding the process becoming more of an administrative process.

Council President Pro Tem Lindsay wondered whether other historic towns in

Florida were also upset about this bill and spoke in support of working with these other towns to approach the legislature and the Governor that this bill negatively impacts historic designations and request that there would be some grandfathering or reversal for already designated homes. Discussion ensued regarding the issue that this item was not brought to municipalities' attention.

Mayor Moore recommended speaking with the Town's lobbyist to see how this bill was not brought to the Town's attention.

Town Attorney Randolph answered Council Members' questions.

Council Member Araskog expressed concern that this bill was not brought to the Town's attention and expressed concern for the bill's assault on home rule.

Assistant Director Murphy spoke regarding the Town of Palm Beach being one of four municipalities in the state that were the focus of the bill and spoke regarding what Miami Beach is doing to approach this bill.

Mayor Moore spoke in support of the Town Attorney drafting a letter to the Governor in opposition to this bill.

Council President Zeidman expressed concern that the Town is a target of this bill. Mr. Bergman provided further information on the requirements of the bill.

2. Discussion regarding FAR

Council Member Araskog discussed the complications of calculating CCR. She requested to have a discussion be added to the July agenda about using FAR and the direct calculation from CCR to FAR. Director Bergman spoke regarding using FAR as opposed to CCR.

Council President Pro Tem Lindsay spoke in support of 35% being the average and Mr. Bergman explained the recommendation.

Council President Zeidman expressed concern over what is being discussed because FAR would need to be added to the zoning ordinance and spoke regarding needing to have the right information on what average to approve.

Council Member Cooney spoke in support of waiting to see what the zoning consultants recommend on this issue.

Council Member Crampton spoke regarding trusting the process for making this change.

Council Member Araskog spoke regarding the desire to have an equal conversion in the meantime. In response to Council Member Araskog, Mr. Bergman spoke regarding the possibility of using a CCR-FAR conversion. Discussion ensued regarding moving forward with a temporary conversion until the zoning code review is complete.

Council President Pro Tem Lindsay spoke in support of asking the zoning consultants when the FAR will be addressed.

Mayor Moore spoke in support of holding a discussion without the professionals

present. Further discussion ensued regarding bringing forward a discussion of having a temporary conversion to address large scale homes being built without staff being able to check the CCR. Mr. Bergman stated that staff and the zoning consultant will bring this issue to the July Town Council meeting during the zoning update.

XII. ADJOURNMENT

Motion made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to adjourn the meeting at 3:24 p.m. on June 15, 2022, without the benefit of a roll call.

APPROVED:

Margaret Zeidman, Town Council President

ATTEST:

Kelly Churney, Deputy Town Clerk

Date: _____

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of June 29, 2022.

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated June 30, 2022 from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **Action Minutes of the Architectural Review Commission Meeting of June 29, 2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 13, 2022

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 Minutes of June 29, 2022

Date: June 30, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of June 29, 2022.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items that were considered at the regularly scheduled meeting of June 29, 2022.

GENERAL INFORMATION

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

Attachment

kmc



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

ACTION MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, JUNE 29, 2022

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

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF THE MINUTES FROM THE MAY 25, 2022 MEETING**
ACTION: APPROVED
- 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 COMMISSION MEMBERS**
- VIII. **DISCUSSION ITEM**
 1. Project Designation Manual Matrix
ACTION: NONE
- IX. **PROJECT REVIEW**
 - A. **CONSENT AGENDA OF MINOR PROJECTS**
 1. **ARC-21-040 (ZON-21-006) 164 SEASPRAY AVE. (COMBO) – VARIANCES** The applicant, Hayati Banastey, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story home designed in the Classical Style and related site improvements, including variances for side yard setbacks as they pertain to the new residence on a nonconforming lot. Town Council shall review the variance portion of the application. The application will require special

exception and site plan reviewed by Town Council.

ACTION: PULLED FROM CONSENT

2. **ARC-22-097 142 PERUVIAN AVE.** The applicant, Susan & Robert Taylor, has filed an application requesting Architectural Commission review and approval for the replacement of two pedestrian courtyard gates on a two-story condominium building.

ACTION: PULLED FROM CONSENT

3. **ARC-22-109 854 S. COUNTY RD.** The applicant, Todd Glaser, has filed an application requesting Architectural Commission review and approval for the demolition of an existing two-story residence.

ACTION: APPROVED ON CONSENT

4. **ARC-22-110 221 EL VEDADO RD.** The applicant, Singer Addition Land Trust Denning Alexandra C TR, has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing two-story residence.

ACTION: APPROVED ON CONSENT

5. **ARC-22-112 1464 N. OCEAN BLVD.** The applicant, Evan and Manuel Castelo, have filed an application requesting Architectural Commission review and approval for an additional driveway entry and modification to previously approved pool entry steps.

ACTION: PULLED FROM CONSENT

6. **ARC-22-124 124 AUSTRALIAN AVE.** The applicants, William and Angela Cruger, have filed an application requesting Architectural Commission review and approval for exterior alterations to an existing single-family residence and landscape and hardscape improvements.

ACTION: APPROVED ON CONSENT

7. **ARC-22-128 258 LIST RD.** The applicant, Beth Martignetti, has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing one-story residence including a new entry portico.

ACTION: APPROVED ON CONSENT

B. ITEMS PULLED FROM CONSENT

1. **ARC-21-040 (ZON-21-006) 164 SEASPRAY AVE. (COMBO) – VARIANCES** The applicant, Hayati Banastey, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story home designed in the Classical Style and related site improvements, including variances for side yard setbacks as they pertain to the new residence on a nonconforming lot. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

ACTION: APPROVED AS PRESENTED

2. **ARC-22-097 142 PERUVIAN AVE.** The applicant, Susan & Robert Taylor, has filed an application requesting Architectural Commission review and approval for the replacement of two pedestrian courtyard gates on a two-story condominium building.
ACTION: DEFERRED TO JULY 27, 2022
3. **ARC-22-112 1464 N. OCEAN BLVD.** The applicant, Evan and Manuel Castelo, have filed an application requesting Architectural Commission review and approval for an additional driveway entry and modification to previously approved pool entry steps.
ACTION: PULLED FROM CONSENT

C. MAJOR PROJECTS – OLD BUSINESS

1. **B-065-2021 7 OCEAN LN.** The applicant, 7 Ocean Lane LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with pool, hardscape, and landscape on a vacant site.
ACTION: APPROVED AS PRESENTED
2. **ARC-22-001 (ZON-22-033) 108 EL MIRASOL (COMBO)** The applicant, ANK Palm Beach LLC (Anand “Andy” Khubani, Managing Member), has filed an application requesting Architectural Commission review and approval of a new two-story residence designed in Contemporary Classicism style containing 15,446 SF and a 6,750 SF below grade basement/parking garage, and landscaping. Town Council to review the variance portion of the application.
ACTION: WITHDRAWN
3. **ARC-22-029 411 BRAZILIAN AVE.** The applicant, Holy Union PB Limited (Sean Sheridan), has filed an application requesting Architectural Commission review and approval for the construction of a new approximately 3700 SF two story residence designed in a mix of modern and classical style architecture.
ACTION: DEFERRED TO JULY 27, 2022
4. **ARC-22-032 (ZON-22-017) 1237 N. LAKE WAY (COMBO)** The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Architectural Commission review and approval for construction of a new 5800 SF two story residence and two-story accessory structure in the modern/classical style of architecture including variances for a two-story accessory structure to replace an existing two-story residence to be demolished. The variance portion of the application will be reviewed by Town Council.
ACTION: DEFERRED TO JULY 27, 2022
5. **ARC-21-038 (ZON-21-002) 218 ROYAL PALM WAY (COMBO)** The applicant, 218 Holdings LLC (Susan Hudson, Manager) has filed an application requesting Architectural Commission review and approval for the expansion of a third floor to an existing three-story building including

variances from the parking, generator and wall height, and setback requirements. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

ACTION: DEFERRED TO JULY 27, 2022

6. **ARC-22-040 (ZON-22-037) 60-70 BLOSSOM WAY (COMBO)** The applicant, Blossom Way Holdings LLC, and Providencia Partners LLC (Maura Ziska, Authorized Representative), has filed an application requesting Architectural Commission review and approval for construction of a combined 50,000+ sq. ft two-story main house and two-story guest house with associated hardscape, landscape, and site improvements. Town Council will perform Site Plan Review for the installation of a generator.

ACTION: DEMOLITION APPROVAL RENEWED FOR 10 AND 70 BLOSSOM WAY; PROJECT APPROVED AS PRESENTED

7. **ARC-22-075 301 POLMER PARK RD., LOT B** The applicant, 301 Polmer Park LLC (Richard True, Managing Member) has filed an application requesting Architectural Commission review and approval for a new two-story residence with landscape, hardscape, and pool.

ACTION: APPROVED AS PRESENTED

8. **ARC-22-086 (ZON-22-059) 2219 IBIS ISLE RD. (COMBO)** The applicant, GLOBAL ONE INVESTMENT GROUP LLC (Alfredo Borges), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence designed in the Cape Dutch style containing 4100 SF and with new landscaping and hardscape on vacant site. Town Council will review the site plan review portion of the application.

ACTION: APPROVED WITH FOLLOWING CONDITIONS: THE SECOND PROJECTING HIP ROOF SHALL BE ELIMINATED AND SIMPLIFIED, AND THE WOOD CORBELS OVER THE FRONT WINDOW WILL BE REPLACED WITH THE MASONRY ARCADE AS PREVIOUSLY PROPOSED.

9. **ARC-22-091 256 MOCKINGBIRD TR.** The applicant, M2B Properties LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new single-family residence designed in a "Cottage" style, with associated pool, hardscape, and landscape improvements.

ACTION: APPROVED WITH THE FOLLOWING CONDITIONS: THE FRONT DOOR SHALL BE PAINTED, THE SIDELIGHTS SHALL BE ENLARGED, THE FREE BOARD ABOVE THE FRONT DOOR SHALL BE RAISED, AND THE BOTTOM PANEL ON THE FRONT DOOR SHALL BE INCREASED.

10. **ARC-22-043 (ZON-22-073) 143 REEF RD. (COMBO)** The applicant, John K. Criddle, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with

associated landscape and hardscape, with variances to exceed maximum amount of fill and to exceed maximum allowed Cubic Content Ratio (CCR). Town Council will review the variance portion of the application.

ACTION: IMPLEMENTATION OF THE VARIANCES WILL CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY; APPROVED WITH THE FOLLOWING CONDITION: THE DESIGN MUST MEET ALL ZONING CODES

11. **ARC-22-063 (ZON-22-046) 1160 N. OCEAN BLVD. (COMBO)** The applicant, Paul & Cythlen Maddock, has filed an application requesting Architectural Commission review and approval for the construction of a new 500 SF beach cabana in the BA zoning district. The application will require Special Exception with Site Plan Review by Town Council.

ACTION: APPROVED WITH FOLLOWING CONDITIONS: THE FENESTRATION SHALL BE CHANGED TO A 3 TO 5 RATIO WITH 6/1 DIVIDED LIGHT PATTERNS, OPERATIONAL SHUTTERS SHALL BE ADDED, AND ADDITIONAL PLANTS SHALL BE ADDED TO THE SOUTH.

12. **ARC-22-072 (ZON-22-083) 965 N. OCEAN BLVD. (COMBO)** The applicant, 965 North Ocean Boulevard, LLC (Matthew Sellick), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with a basement exceeding 10,000 sq ft with associated landscape and hardscape improvements. Site Plan Review for 150 kW generator will be performed by Town Council.

ACTION: DEFERRED TO JULY 27, 2022

13. **ARC-22-089 315 CLARKE AVE.** The applicant, PB Island LLC (Jean-Francois Benoist D'Etiveaud), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence exceeding 10,000 sq ft with associated landscape and hardscape improvements.

ACTION: APPROVED WITH CAVEAT THAT THE FRONT ENTRY FAÇADE WILL BE RESTUDIED, THE HEIGHT OF THE ARCHES ON THE WEST ELEVATION SHALL BE LOWERED, AND THESE CHANGES SHALL BE APPROVED BY STAFF IN COORDINATION WITH THE CHAIR.

14. **ARC-22-095 2270 IBIS ISLE RD.** The applicant, W Ibis Isle, LLC. (Christina Bamann) has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related hardscape and landscape improvements.

ACTION: APPROVED WITH FOLLOWING CONDITIONS: THE OVERALL EAVE HEIGHT SHALL BE LOWERED, THE PROJECTION OF THE ROOF OVER THE BALCONY SHALL BE A CONTINUATION OF THE BROKEN SLOPE ROOFLINE AND 6 INCHES SHALL BE ADDED TO THE WIDTH OF THE MAIN BODY OF THE HOME.

15. **ARC-22-099 (ZON-22-065) 360 EL BRILLO WAY (COMBO)** The applicant, El Brillo Way Trust u/a/d September 24, 2021 (David Klein, trustee), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence over 10,000 sq ft including variances from the angle of vision, front setback for a pool, and building height plane, with related sitework, landscape and hardscape improvements. Town Council will review Variance portion of the application.
ACTION: DEFERRED TO JULY 27, 2022
16. **ARC-22-105 (ZON-22-071) 124 COCOANUT ROW (COMBO)** The applicant, Nedim Soylemez and Rebecca Ann Soylemez, has filed an application requesting Architectural Commission review and approval for the demolition of an existing two-story residence and the construction of a new two-story residence including variances from the cubic content ratio (CCR), height and overall height, with related landscape and hardscape improvements. Town Council will review the variance portion of the applications.
ACTION: DEFERRED TO JULY 27, 2022

Please note: At this time, ARC-22-129, 515 N. Lake Way was heard out of order.

D. MAJOR PROJECTS – NEW BUSINESS

1. **ARC-22-129 (ZON-22-089) 515 N LAKE WAY (COMBO)** The applicant, Roberto and Joanne DeGuardiola (Contract Purchaser), has filed an application requesting Architectural Commission review and approval for the partial demolition, enlargement and second floor addition to an existing one-story residence, including (1-5) to reduce setback requirements, (6) to exceed the angle of vision, (7) to exceed site wall height, and (8) to exceed the maximum Cubic Content Ratio (CCR) allowance. Town Council will review the variance portion of the application.
ACTION: DEFERRED TO JULY 27, 2022
2. **ARC-22-022 (ZON-22-021) 160 SEAVIEW AVE. (COMBO)** The applicant, Coral Beach Corporation (Angela Feldman, President) (160 Seaview Ave) and Seaview Holdings, Inc. (David Feldman, Director) (170 Seaview Ave), has filed an application requesting Architectural Commission review and approval of the construction of a new two-story guest house including variances from setback and point of measurement requirements on a unified site of 160 and 170 Seaview Avenue. Town Council will review the variance portion of the application.
ACTION: DEFERRED TO AUGUST 24, 2022
3. **ARC-22-116 (ZON-22-082) 1338 N. LAKE WAY (COMBO)** The applicant, Sailfish Club of Florida, Inc. (Ryan Barry, General Manager), has filed an application requesting Architectural Commission review and approval for window replacement, awning system and new site lighting. Town Council will perform review of the special exception with site plan review portion of the application.

ACTION: APPROVED WITH THE FOLLOWING CONDITIONS: THE PROPOSED LIGHTING WILL MATCH THE TEMPERATURE OF THE LIGHTING IN THE NORTH LOT, AND THE LIGHTING SHALL BE PLACED ON A DIMMER.

4. **ARC-22-117 (ZON-22-075) 102 FLAGLER DR. (COMBO)** The applicant, FDPB Holding Company LLC (Adam Seligman), has filed an application requesting Architectural Commission review and approval for a new folly structure, new skylights, and 2nd floor walkway, including variances to reduce street side yard and side yard setback requirements and to exceed the allowable Cubic Content Ratio (CCR). The variance portion of the application shall be reviewed by Town Council.

ACTION: IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY; APPROVED AS PRESENTED.

5. **ARC-22-121 (ZON-22-077) 304 GARDEN RD. (COMBO)** The applicant, 304 GARDEN RD LCC, has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing two-story residence including the addition of a new covered loggia internal to the site, including a variance to exceed the lot coverage requirements. The variance portion of the application shall be reviewed by Town Council.

ACTION: WITHDRAWN

6. **ARC-22-122 239 EMERALD LN.** The applicant, Buck House Limited, has filed an application requesting Architectural Commission review and approval to construct a new two-story addition to the west and rear of the existing two-story residence, and for alterations including new windows and doors, hardscape, and landscape modifications.

ACTION: DEFERRED TO JULY 27, 2022

7. **ARC-22-127 234 LIST RD.** The applicant, Valley Property Management, LLC. (Phil Cambo), has filed an application requesting Architectural Commission review and approval for the demolition of the existing one-story residence and the construction of a new one-story residence with related landscape and hardscape improvements.

ACTION: DEFERRED TO JULY 27, 2022

8. **ARC-22-131 (ZON-22-090) 225 INDIAN RD. (COMBO)** The applicant, White Oak, LLC, a Wyoming LLC, as Trustee for 225 Trust u/a/d 12/13/2019 (Dennis Walsh, Trust Officer), has filed an application requesting Architectural Commission review and approval for a stair addition to an existing loggia including a variance from the setback requirements and new roof extension of existing structure. Town Council will review the variance portion of the application.

ACTION: IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY; APPROVED AS PRESENTED.

E. MINOR PROJECTS – OLD BUSINESS

1. **ARC-22-101 249 WORTH AVE.** The applicant, Holbrook Real Estate, LLC. (Jane Holzer), has filed an application requesting Architectural Commission review and approval for storefront alterations to an existing commercial space.

ACTION: DEFERRED TO JULY 27, 2022

F. MINOR PROJECTS – NEW BUSINESS

1. **ARC-22-113 (ZON-22-074) 133 GULFSTREAM RD. (COMBO)** The applicant, Elena Arredondo, has filed an application requesting Architectural Commission review and approval for the installation of a vehicular driveway gate including a variance from the backup/queuing distance requirement. The variance portion of the application shall be reviewed by Town Council.

ACTION: IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY; APPROVED WITH THE FOLLOWING CONDITIONS: THE GATES AND PIERS WILL BE REDUCED TO A WIDTH NO LARGER THAN 14 FEET, AND THE GATE WILL BE PLACED NO CLOSER THAN 2 FEET TO THE FRONT PROPERTY LINE.

X. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public
2. Staff
3. Commission

XI. NEXT MEETING DATE: Wednesday, July 27, 2022

XII. ADJOURNMENT

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 080-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2023-2024 Annual Funding Application to the Florida Department of Environmental Protection Beach Erosion Control Program.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated June 29, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 080-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Submittal of Annual Local Government Funding Request to Florida Department of Environmental Protection
Resolution No. 080-2022

DATE: June 29, 2022

STAFF RECOMMENDATION

Town staff recommends Town Council approve Resolution No. 080-2022, expressing the Town's intent to provide the necessary local funding share for the projects listed in the Florida Department of Environmental Protection (FDEP) FY 2023 - FY 2024 budget which begins on July 1, 2023.

GENERAL INFORMATION

Annually, the Town prepares a ten (10) year cost estimate for the Town's Coastal Management Program. This document is submitted to FDEP as a funding request for State cost sharing under their Beach Management Funding Assistance (BMFA) Program. The funding request document is submitted annually to FDEP in preparation for the State's fiscal year planning which starts on July 1st of the following year. The FDEP BMFA Program allows up to 50% cost sharing on the non-Federal portion of beach and dune, and nourishment projects for eligible shorelines, based on public accessibility. Through 62B-36.003, Florida Administrative Code (F.A.C.), inlet sediment bypassing and the adjacent shorelines impacted by inlets are eligible for up to 75% cost sharing through the BMFA program and do not have to provide for public access.

The percentage of participation is calculated using guidelines contained in 62B-36, F.A.C. Despite applicability to the State's Strategic Beach Management Plan, there are no guarantees that Town coastal projects will receive State funding until a grant agreement is in place. FDEP utilizes all the information contained in the local government submittals to determine a ranking of project priorities for either beach projects or inlet related projects. Only after appropriations by State Legislature for the BMFA Program are approved will FDEP know how many projects, if any, can be cost shared. Please note that this is a budget planning document and does not obligate the Town financially until we enter into a contract with FDEP for a specific project. The annual funding request is consistent with the projects initially identified within Town Council's adopted 10-Year Coastal Management Plan in 2013.

Submitted tasks within this year's Town funding request include the various physical, biological, and sea turtle nesting monitoring efforts as required by the Town's Palm Beach Island Beach Management Agreement (BMA) with FDEP, and any remaining eligible reimbursement for recent

construction of the 2020 Federal Mid-Town Beach Nourishment Project and construction of the 2021 Phipps Ocean Park Beach Nourishment Project. As a result of the last four (4) local government funding requests submitted by the Town to FDEP, the Town has received cost-share grants to reimburse all eligible State funding for monitoring and construction of both the 2015 Mid-Town and 2016 Phipps Ocean Park beach nourishment projects totaling over \$15 million.

A full copy of the Town's submittal will be available for public viewing in the Town Manager's office and in the Public Works Department. In summary, the FY 2021-2023 funding request includes:

Lake Worth Inlet Section, including Reaches 1 & 2

Non-federal cost share anticipated at 75% State and 25% Town, consistent with 62B-36.003 for inlet management activities related to mitigating a critically eroded beach along an eligible shoreline. Total task costs of \$697,000 consists of the various required monitoring efforts including physical, sea turtle nesting, biological, as well as tilling and escarpment removal. The Town will request 75% reimbursement for these tasks in the amount of more than \$500,000.

Mid-Town Section, including Reaches 3 & 4

Cost share percentage is based on existing public accessibility and the project limits, as defined in the BMA. Mid-Town is currently eligible for 40.95% State cost sharing of any non-federal cost. The Town is planning a sand search to locate and develop offshore borrow areas to support the Mid-Town and Phipps projects. The estimated cost of the two-year effort is \$1,450,000. Splitting this effort between the two projects, the Town will request 40.95% of half of the project which could result in reimbursement of nearly \$300,000. Due to recent public accessibility changes, the eligible shoreline percentage is currently being reviewed by FDEP and may be adjusted accordingly.

Phipps Ocean Park Section, including Reach 7

The Phipps shoreline is eligible for 39% State cost sharing of any non-federal cost. With respect to a sand search, the Town will request 39% of half of the project which could result in reimbursement of nearly \$280,000.

FUNDING/FISCAL IMPACT

As required within 62B-36.005(d), F.A.C., a Resolution is presented for consideration which states "The Town Council hereby expresses its commitment to provide the necessary local funding share for the projects requested for State FY 2022-FY 2023" (Section 3, Resolution 077-2021).

Once a contract is executed for a particular project, the Town is obligated to front the full funding for the project and then be reimbursed after the fact for the State cost share. State reimbursement payments replenish the Town's Coastal Capital Fund balance and reduce the amount of future year requests for transfers from the General Fund.

TOWN ATTORNEY REVIEW

This Resolution has been reviewed and approved by the Town Attorney for legal form and sufficiency.

cc: Shore Protection Board
Jane Le Clainche, Director of Finance
Dean Mealy, Purchasing Manager
Robert Weber, Coastal Program Manager

RESOLUTION NO. 080-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FISCAL YEAR 2023-2024 ANNUAL FUNDING APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION BEACH EROSION CONTROL PROGRAM.

WHEREAS, America's beaches provide vital economic, recreational, storm damage reduction, and environmental benefits to the Nation; and

WHEREAS, the Town Council has approved a Comprehensive Coastal Management Plan for the Town of Palm Beach; and

WHEREAS, the Town desires to pursue implementation of the Plan; and

WHEREAS, the Town is authorized to act as a local sponsor; and

WHEREAS, the Florida Department of Environmental Protection (FDEP) provides State cost sharing via its FDEP Beach Erosion Control Program; and

WHEREAS, the Town intends to provide the Local Cost Share for the projects included within the Town's Local Governmental Funding Request for State Fiscal Year 2023/2024; and

WHEREAS, the Town annually secures funds through ad valorem revenues to specifically support the feasibility, design, engineering, permitting, construction, and monitoring of projects identified within the Comprehensive Coastal Management Plan; and

WHEREAS, this Resolution shall go into effect immediately upon Town Council approval and signature authentication.

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 FY 2023/2024 funding request of state cost-sharing for the Town's Comprehensive Coastal Management Plan is hereby approved for application submittal to the Florida Department of Environmental Protection.

Section 3. The Town Council hereby expresses its commitment to provide the necessary local funding share for the project requested for FY 2023/2024 subject to the Town and FDEP entering into a contract relating to said projects.

Section 4. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to submit a completed application to FDEP for cost-sharing for the Town's Comprehensive Coastal Management Plan.

PASSED AND ADOPTED in a regular, adjourned session of Town Council of the Town of Palm Beach assembled this 12th day of July 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro-Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 081-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Collection and Disposal of Commercial Solid Waste; Establishing the Estimated Assessed Cost Against the Properties that will be Benefitted Thereby; Directing the Town Manager to Prepare an Updated Solid Waste Assessment Roll; Establishing a Public Hearing to Consider Approval of the Assessment Roll and Reimposition of the Service Assessments and Their Collection Pursuant to the Uniform Assessment Collection Act; Directing the Provision of Notice; and Providing for an Effective Date.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated June 29, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 081-2022**

TOWN OF PALM BEACH

Information for Special Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Non-Ad Valorem Assessment Rates for Commercial Solid Waste Collection and Disposal - Adoption of Assessment Roll and Service Assessments for FY23
Resolution No. 081-2022

DATE: June 29, 2022

STAFF RECOMMENDATION

Town staff recommends Town Council adopt Resolution No. 081-2022, which is the Preliminary Assessment Resolution for the proposed Non-Ad Valorem Service Assessments for the Commercial Solid Waste Collection and Disposal rates for FY23.

GENERAL INFORMATION

The Non-Ad Valorem Assessment process that causes special assessments implemented by the Town to appear on a property owner's property tax bill, dovetails with the statewide budget and millage rate adoption schedule. Accordingly, it is time to begin the formal steps of implementing the FY23 proposed service assessments for the collection and disposal of commercial solid waste that will appear on a property owner's tax bill mailed on or about November 1, 2022.

By adopting Resolution No. 081-2022, you will be initiating a process whereby each affected property owner will be advised of the amount of their proposed service assessment and the date, time, and place of the public hearing to adopt the final assessment, and associated assessment roll on the Property Appraiser's TRIM notice, and by letter from the Town issued in late August of this year.

The Commercial Solid Waste Collection for FY23 Non-Ad Valorem Assessment uses a rate analysis methodology using the Palm Beach County Solid Waste Authority's reporting and is calculated as follows:

Cost Description	Amount
Service for 5-day customers	\$361,072
Service for 7-day customers	\$341,175
Service for apartments	<u>\$119,158</u>
Total Assessment Revenues	\$821,405
Total Direct Cost for Commercial Solid Waste Collection	\$483,359
Disposal Cost (\$42/ton collected)	<u>\$301,360</u>
Total Net Cost	784,719

To employ a defensible assessment methodology to ensure that property owners are only paying costs in proportion to the benefits they derive from the services or costs related to the services, we again used the methodology developed in 2003 which was previously found by the Town Council to provide benefits from the services that were/are in proportion to the assessments to be allocated to each benefitted property and that the apportionment of the special benefits to each benefitted property is fair and reasonable. This methodology was again validated and reviewed recently with the original consultant.

In order to place assessments on the property tax bill, which virtually assures that the Town will receive payment and avoid having to create an internal billing and collection function, a number of steps are required to be taken in coordination with the Tax Collector and Property Appraiser. The Tax Collector charges a fee for the work they undertake on the Town's behalf that is one percent (1%) of the value of the assessments. These costs are passed on to a property owner being assessed. In addition, since a property owner can receive a four percent (4%) discount for early payment of their property tax bill in November of each year, the assessments have to be adjusted upward by like amount to ensure the sum needed to pay expenses is realized in full. All totaled, for every \$100 in assessments the Town needs to collect, the assessment will be approximately \$105 in order to net the \$100 needed.

The additional five percent (5%) is attributable as follows:

- Tax Collector – 1%
- Potential early property tax bill payment discount – 4%
- Total – 5%

The Town's proposed FY23 net assessment of \$784,719 is derived by reducing the required gross total assessment of \$821,405 by these factors.

Resolution No. 081-2022 formally initiates the process to implement the intended assessments for FY23. The Resolution describes the property to be assessed, the services to be provided, determines the estimated cost to be assessed for the fiscal year commencing on October 1, delineates which properties will be assessed, and, among other things, directs staff to take certain required steps to effectuate the assessment process. The final public hearing will begin at 5:01 p.m. in the Town Hall Council Chambers on September 14, 2022.

Resolution No. 081-2022 is attached hereto. The FY23 Preliminary Assessment Roll and estimated assessments for this service are indicated in Appendix C of Resolution No. 081-2022. These estimates are subject to change as all items associated with the assessment are finalized for the property owner's notice and Final Assessment Resolution to be considered in September. Resolution No. 081-2022 sets rates from which the assessment can be calculated for each property.

The notices that property owners will receive from the Town prior to the final public hearing via first class mail and the TRIM notice provided by the Property Appraiser alerts the property owner to their right to object or call to the Town's attention any mistakes that they believe may have been made in applying the assessment formula to any given property. The law recognizes the difficulties that can exist in the assessment process and creates a check and balance into the process whenever an assessment is proposed for the first time, or there is an increase in the cost or method in calculating the assessment.

Non-Ad Valorem Assessment rates for commercial solid waste collection are established as follows, with a comparison to the prior year's rate:

	<u>FY22</u>	<u>FY23</u>
1. Apartments	\$ 12.80/Unit/Month	\$ 13.10/Unit/Month
2. Low Volume (5 day)	\$ 0.029/SF/Year	\$ 0.029/SF/Year
3. Medium Volume (5 day)	\$ 0.190/SF/Year	\$ 0.191/SF/Year
4. High Volume (5 day)	\$ 0.832SF/Year	\$ 0.837/SF/Year
5. Low Volume (7 day)	\$ 0.035/SF/Year	\$ 0.035/SF/Year
6. Medium Volume (7 day)	\$ 0.235/SF/Year	\$ 0.238/SF/Year
7. High Volume (7 day)	\$ 1.030/SF/Year	\$ 1.041/SF/Year

FUNDING/FISCAL IMPACT

This is a "zero-sum" initiative, in that revenues are intended to balance/offset the costs. It is anticipated that this action will provide and generate the requisite funding. All direct costs borne by the Town to accomplish this service are paid for by the properties benefitting, as opposed to all property owners in Town.

TOWN ATTORNEY REVIEW

This Resolution has been reviewed by the Town Attorney for legal form and sufficiency. This Resolution was developed and prepared by the law firm of Nabors, Giblin, and Nickerson, who previously prepared the Town's ordinances that established Chapter 90 of the Town Code pertaining to Special Assessments.

Attachment

cc: Jane Le Clainche, Director of Finance
Eric B. Brown, P.E., Assistant Director of Public Works
John C. Randolph, Town Attorney
Chester Purves, Services Division Manager
Dean Mealy, Purchasing Manager

RESOLUTION NO. 081-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF COMMERCIAL SOLID WASTE; ESTABLISHING THE ESTIMATED ASSESSED COST AGAINST THE PROPERTIES THAT WILL BE BENEFITTED THEREBY; DIRECTING THE TOWN MANAGER TO PREPARE AN UPDATED SOLID WASTE ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER APPROVAL OF THE ASSESSMENT ROLL AND REIMPOSITION OF THE SERVICE ASSESSMENTS AND THEIR COLLECTION PURSUANT TO THE UNIFORM ASSESSMENT COLLECTION ACT; DIRECTING THE PROVISION OF NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the provisions of Chapter 90, Article II, of the Town of Palm Beach Code of Ordinances (the "Code"), the Initial Assessment Resolution (Resolution No. 25-03), the Final Assessment Resolution (Resolution No. 44-03), Article VIII, Section 2, Florida Constitution, the Town of Palm Beach Charter, Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS.

(A) This Resolution constitutes the Preliminary Rate Resolution, as designated in the Code, and initiates the annual process for updating the Solid Waste Assessment Roll and directing the reimposition of Solid Waste Service Assessments within the Town of Palm Beach for the Fiscal Year beginning October 1, 2022.

(B) All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Code, Section 102-1 of the Town of Palm Beach Code of Ordinances,

the Initial Assessment Resolution, the Final Assessment Resolution, and the Preliminary Rate Resolution (Resolution No. 107-2017) adopted in 2017. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

SECTION 3. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 4. FINDINGS. The legislative determinations embodied in the Code, the Initial Assessment Resolution, the Final Assessment Resolution, and Resolution No. 107-2017, are affirmed and incorporated herein by reference.

SECTION 5. SOLID WASTE COLLECTION AND DISPOSAL SERVICES.

(A) Upon the imposition of the Solid Waste Service Assessments for Solid Waste collection and disposal services, facilities, and programs against Assessed Property located within the incorporated areas of the Town, the Town shall cause Solid Waste collection and disposal services, facilities, and programs to be provided to such Assessed Property. All or a portion of the Solid Waste Cost shall be paid from proceeds of the Solid Waste Service Assessments.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property has been and will continue to be benefited by the Town's provision of Solid Waste collection and disposal services, facilities and programs in an amount not less than the Solid Waste Service Assessment upon such parcel computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 6. DETERMINATION OF SOLID WASTE COST; ESTABLISHMENT OF SOLID WASTE SERVICE ASSESSMENTS.

(A) The Solid Waste Cost to be assessed and apportioned among benefited parcels for the Fiscal Year commencing October 1, 2022, is estimated to be \$821,405.

(1) \$119,158 of the Solid Waste Cost is allocated to Apartments in accordance with the methodology set forth in the Assessment Report.

(2) \$702,247 of the Solid Waste Cost is allocated to Commercial Property in accordance with the methodology set forth in the Assessment Report.

(3) The approval of this Preliminary Rate Resolution determines the amount of the Solid Waste Cost. The remainder of the Town's budget for Solid Waste collection and disposal services, facilities, and programs shall be funded from available Town revenue other than Solid Waste Service Assessments.

(B) For the Fiscal Year commencing October 1, 2022, in which Solid Waste Service Assessments for Solid Waste collection and disposal services, facilities and programs are imposed, the Solid Waste Cost shall be allocated among all Tax Parcels of Apartments and Commercial Property within the Town in accordance with the method of apportionment provided in Section 6 of Resolution No. 107-2017, as described in more detail in the Assessment Report.

(C) The following rates of assessment for Solid Waste collection and disposal services, facilities, and programs are hereby approved for the Fiscal Year beginning October 1, 2022:

Property and Service Type	Annual Assessment Rate	Billing Unit
Apartments	\$156.00	Per Dwelling Unit
Commercial Property – 5 Day Service		
Low Volume	\$0.029	Per Square Foot
Medium Volume	\$0.191	Per Square Foot
High Volume	\$0.837	Per Square Foot
Commercial Property – 7 Day Service		
Low Volume	\$0.035	Per Square Foot
Medium Volume	\$0.238	Per Square Foot
High Volume	\$1.041	Per Square Foot

(D) The rate of the Solid Waste Service Assessments established in this Preliminary Rate Resolution shall be the rates applied by the Town Manager in the preparation of the initial Assessment Roll for the Fiscal Year commencing October 1, 2022, as provided in Section 7 of this Preliminary Rate Resolution.

SECTION 7. SOLID WASTE ASSESSMENT ROLL.

(A) The Town Manager is hereby directed to prepare, or cause to be prepared, an updated Solid Waste Assessment Roll for the Fiscal Year beginning October 1, 2022, in the manner provided in Section 90-63 of the Code.

(B) Such updated Solid Waste Assessment Roll shall contain the following:

1. a summary description of all Assessed Property within the Town conforming to the description contained on the Tax Roll,

2. the name and address of the owner of record of each Tax Parcel as shown on the Tax Roll, and

3. the amount of the initial Solid Waste Service Assessment for Solid Waste collection and disposal services, facilities, and programs attributable to each Tax Parcel.

(C) The updated Solid Waste Assessment Roll shall be open to public inspection. The foregoing shall not be construed to require that the initial Solid Waste Assessment Roll be in printed form if the amount of the Solid Waste Service Assessment for each Tax Parcel of Assessed Property can be determined by use of a computer terminal available to the public.

(D) It is hereby ascertained, determined, and declared that the foregoing method of determining the Solid Waste Service Assessments for Solid Waste collection and disposal services, facilities, and programs is a fair and reasonable method of apportioning the Solid Waste Cost among parcels of Assessed Property.

SECTION 8. PUBLIC HEARING. There is hereby established a public hearing to be held by the Town Council at 5:01 p.m. on September 14, 2022, in the Town of Palm Beach Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida, to consider reimposition of the Solid Waste Service Assessments, approval of the Assessment Roll, and collection of the Assessments pursuant to the Uniform Assessment Collection Act.

SECTION 9. NOTICE BY PUBLICATION. Upon completion of the updated Solid Waste Assessment Roll, the Town Manager shall publish a notice of the public hearing authorized by Section 8 hereof in the manner and the time provided in Section 90-64 of the Code. Such notice shall be in substantially the form attached hereto as Appendix A. The notice shall be published no later than August 24, 2022.

SECTION 10. NOTICE BY MAIL.

(A) If Section 90-68(c) of the Town Code so requires, upon completion of the updated Solid Waste Assessment Roll, the Town Manager shall, at the time and in the manner specified in Section 90-65 of the Town Code, provide first class mailed notice of the public hearing authorized by Section 8 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll. Such notice shall be in substantially the form attached hereto as Appendix B. For Tax Parcels with exempt "home addresses" pursuant to Section 119.071(4), Florida Statutes, the Town Manager shall work with the Property Appraiser and/or Tax Collector for provision of notice. The notices shall be mailed no later than August 24, 2022.

(B) In accordance with Chapter 92-264, Laws of Florida, as amended, a special act relating to the Property Appraiser, the Town Council shall provide additional notice of the Solid Waste Service Assessment as part of the notice of proposed property taxes under Section 200.069, Florida Statutes, the truth-in-millage notification.

(C) If the Town Council determines that the notice provided under Paragraph (B) of this Section 10 also fulfills the requirements of Paragraph (A) of this Section 10, then the separate mailing requirement described in Paragraph (A) will be deemed to be fulfilled by the notice described in Paragraph (B).

SECTION 11. METHOD OF COLLECTION. The Assessments shall be collected pursuant to the Uniform Assessment Collection Act.

SECTION 12. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of July, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

APPENDIX A

FORM OF NOTICE TO BE PUBLISHED

APPENDIX A

FORM OF NOTICE TO BE PUBLISHED

To Be Published by August 24, 2022

NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR COLLECTION OF SOLID WASTE SERVICE ASSESSMENTS

Notice is hereby given that the Town Council of the Town of Palm Beach will conduct a public hearing to consider reimposing non-ad valorem special assessments for the provision of solid waste collection and disposal services, facilities, and programs against commercial property and apartments within the boundaries of the Town of Palm Beach for the Fiscal Year beginning October 1, 2022.

The hearing will be held at 5:01 p.m. on September 14, 2022, in the Town of Palm Beach Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida, for the purpose of receiving public comment on the proposed special non-ad valorem assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice.

Pursuant to section 286.0105, Florida Statutes, if you decide to appeal any decision made by the Town Council with respect to any matter considered at the hearing or at any subsequent meeting to which the Town Council has continued its deliberations, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Manager's Office at (561) 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) business days prior to the date of the hearing.

The assessment for your property will be based all or in part, on the type of commercial designation assigned, including apartments and the number of apartments located on a specific parcel, frequency of solid waste collection service, square footage of the property and volume of solid waste (using commercial land use volume generation rates as determined by the Solid Waste Authority of Palm Beach County) and approved by the Town Council of the Town of Palm Beach, as these values were assigned upon the initiation of the assessment program with the adoption of the Initial Assessment Resolution (No. 25-03) and as amended by subsequent official Town

modification of assessment criteria for those commercial properties assessed or added to the Commercial Customer Solid Waste Collection Services program since its inception.

The rates of assessment for the fiscal year commencing on October 1, 2022, are as follows:

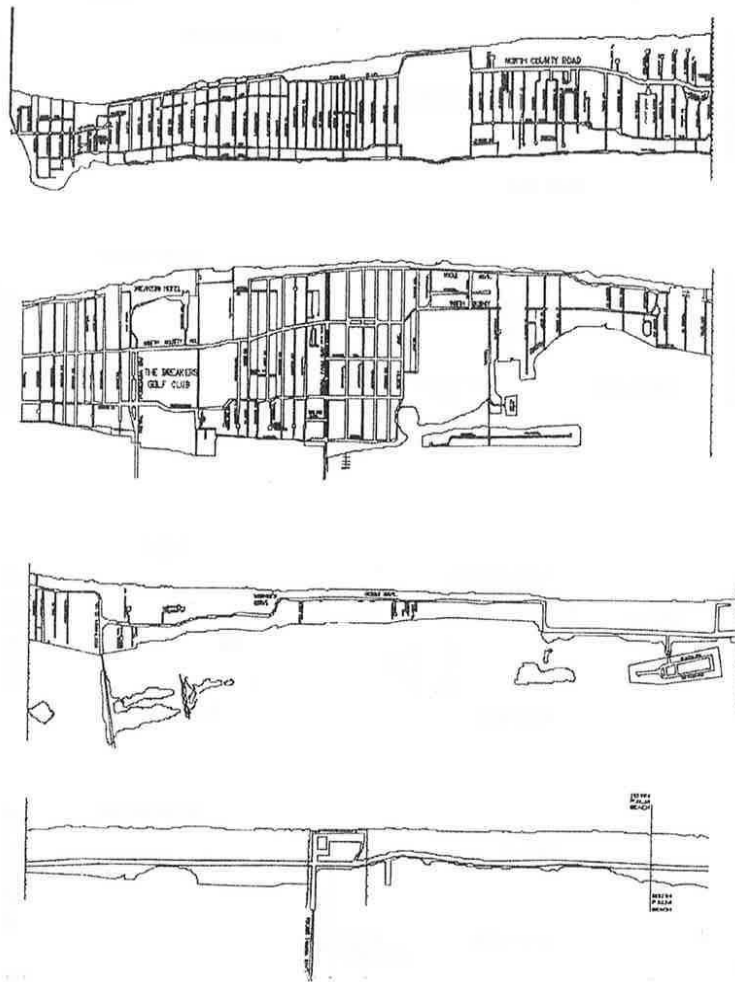
Property and Service Type	Annual Assessment Rate	Billing Unit
Apartments	\$156.00	Per Dwelling Unit
Commercial Property – 5 Day Service		
Low Volume	\$0.029	Per Square Foot
Medium Volume	\$0.191	Per Square Foot
High Volume	\$0.837	Per Square Foot
Commercial Property – 7 Day Service		
Low Volume	\$0.035	Per Square Foot
Medium Volume	\$0.238	Per Square Foot
High Volume	\$1.041	Per Square Foot

A more specific description of the services and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution (Resolution No. 25-03), the Final Assessment Resolution (Resolution No. 44-03), and the Preliminary Rate Resolution for FY 22-23 (Resolution No. 081-2022). Copies of Chapter 90, Article II of the Town Code, the above referenced resolutions, and the updated Solid Waste Assessment Roll for the upcoming fiscal year are available for inspection at the office of the Town Manager, located at Town Hall, 360 South County Road, Palm Beach, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2019, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the Town Manager's Office at (561) 838-5410, Monday through Friday between 8:30 a.m. and 5:00 p.m.

MAP OF ASSESSMENT AREA



APPENDIX B

FORM OF NOTICE TO BE MAILED

APPENDIX B

FORM OF NOTICE TO BE MAILED

**Town Council of the
Town of Palm Beach, Florida
Address
Town of Palm Beach, FL**

TOWN OF PALM BEACH, FLORIDA
NOTICE OF HEARING TO IMPOSE AND PROVIDE
FOR COLLECTION OF NON-AD VALOREM
ASSESSMENTS

NOTICE DATE: AUGUST 24, 2022

**Owner Name
Address
City, State Zip**

Tax Parcel #: _____
Legal Description: _____
Sequence #: _____

As required by Section 197.3632, Florida Statutes, notice is given by the Town Council of the Town of Palm Beach, Florida, that an annual assessment for commercial solid waste collection and disposal services, facilities, and programs using the tax bill collection method, may be levied on your property for the fiscal year October 1, 2022 - September 30, 2023, and future fiscal years. The purpose of this assessment is to fund solid waste collection and disposal services, facilities, and programs benefiting apartments and commercial property within the incorporated area of the Town. The use of an annual special assessment to fund commercial solid waste collection and disposal services, facilities, and programs benefiting property classified as commercial and apartments and receiving Town of Palm Beach solid waste collection and disposal services is a fair, efficient and effective means of funding these needed services.

The total annual solid waste assessment revenue to be collected within the Town, is estimated to be \$821,405 for the Fiscal Year 2022-23. The assessment for your property will be based all or in part, on the type of commercial designation assigned, including apartments and the number of apartments located on a specific parcel, frequency of solid waste collection service, square footage of the property and volume of solid waste (using commercial land use volume generation rates as determined by the Solid Waste Authority of Palm Beach County) and approved by the Town Council of the Town of Palm Beach.

A more specific description of the services and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution (Resolution No. 25-03), the Final Assessment Resolution (Resolution No. 44-03), and the Preliminary Rate Resolution for FY 22-23 (Resolution No. 081-2022). Copies of Chapter 90, Article II of the Town Code, the above referenced resolutions, and the updated Solid Waste Assessment Roll for the upcoming fiscal year are available for inspection at the office of the Town Manager, located at Town Hall, 360 South County Road, Palm Beach, Florida.

The following information applies to the above parcel:

Property classification and service type: [i.e. Apartment, Low Volume 5-Day Commercial]

Number and type of assessment units: [i.e. 30 dwelling units, 10,000 square feet]

Total Solid Waste Service Assessment: \$ _____

The maximum annual Solid Waste Service Assessment for the above parcel for the fiscal year commencing on October 1, 2022, and future fiscal years: \$ _____.

A public hearing will be held at 5:01 p.m. on September 14, 2022, in the Town of Palm Beach Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida, for the purpose of receiving public comment on the proposed Solid Waste Service Assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice. Pursuant to section 286.0105, Florida Statutes, if you decide to appeal any decision made by the Town Council with respect to any matter considered at the hearing or at any subsequent meeting to which the Town Council has continued its deliberations, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Manager's Office at (561) 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) business days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Town Council action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Both the non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill mailed in November 2022. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions regarding your assessment, please contact the Town Manager's Office at (561) 838-5410, Monday through Friday between 8:30 a.m. and 5:00 p.m.

*** * * * * THIS IS NOT A BILL * * * * ***

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 082-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating To The Peruvian Avenue Improvement Project; Establishing The Estimated Assessed Cost Against The Properties That Will Be Benefitted Thereby; Directing The Town Manager To Prepare Updated Assessment Rolls; Establishing A Public Hearing To Consider Approval Of The Assessment Rolls And Reimposition Of The Maintenance Assessments And Their Collection Pursuant To The Uniform Assessment Collection Act; Directing The Provision Of Notice; And Providing For An Effective Date.

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Memorandum dated June 30, 2022, from Jane Le Clainche, Director of Finance**
- ▣ **Resolution No. 082-2022**

TOWN OF PALM BEACH

Information for Special Town Council Meeting on: July 12, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Finance Director

Re: Peruvian Avenue 400 Block Streetscape Project Underground Assessment Area –
Adoption of Estimated Assessment Roll for FY2023
Resolution No. 082-2022

Date: June 30, 2022

STAFF RECOMMENDATION

Staff recommends Town Council adopt Resolution No. 082-2022, which is the preliminary assessment resolution for the proposed improvement (debt service) and maintenance assessments for the Peruvian Avenue 400 Block Streetscape Project Assessment Area in FY2023.

GENERAL INFORMATION

The non-ad valorem assessment process that causes special assessments implemented by the Town to appear on a property owner's property tax bill dovetails with the statewide budget and millage rate adoption schedule. Accordingly, it is time to begin the formal steps of implementing the FY2023 proposed debt service and maintenance assessments for the Peruvian Avenue 400 Block Streetscape Project Assessment Area that will appear on a property owner's tax bill mailed on or about November 1. By adopting Resolution No. 082-2022 you will be initiating a process whereby each affected property owner will be advised of the amount of their proposed improvement and maintenance assessments and the date, time, and place of the public hearing to adopt the final assessment and associated assessment roll on the Property Appraiser's TRIM notice and by letter from the Town issued in late August of this year.

The Peruvian Avenue 400 Block Streetscape Project net improvement and maintenance assessment for FY2023 has been calculated as follows:

Cost Description	Amount
Original Principal	\$1,224,759.00
Outstanding Principal	\$184,333.24
Anticipated Funding Agreement Required Principal Payment	\$92,172.04
Estimated Interest Payment (Rate @ 0.5%, adjusted for undercharge in FY22)	\$1,751.19

Interest Rate Surcharge @ 1.0%	\$1,843.33
Maintenance Expenses from 10/01/22 to 09/30/23	\$ 27,000.00
Estimated Attorney Fees	\$1,000.00
Estimated Postage (\$.53 x 134 properties)	\$71.00
Estimated PB Post Ad	\$1,000.00
Property Appraiser Administrative Fees	\$150.00
Est. Tax Collector Administrative Fees	N/A - Covered by 1% Assessment Denominator Explained Below
Estimated Preliminary FY 2023 Total Net Assessment	\$124,987.56

To employ a defensible assessment methodology to ensure that property owners are only paying costs in proportion to the benefits they derive from the improvements, we used the most common methodology in use throughout Florida called the Linear Front Footage method of assessment. Resolution No. 082-2022 confirms the continued use of the Linear Front Footage methodology and finds that the project improvements will provide a special benefit to all Tax Parcels located within the Peruvian Avenue Assessment Area.

In order to place assessments on the property tax bill, which virtually assures that the Town will receive payment and avoid having to create an internal billing and collection function, a number of steps are required to be taken in coordination with the Tax Collector and Property Appraiser. The Tax Collector charges a fee for the work they undertake on the Town's behalf that is 1% of the value of the assessments. The Property Appraiser fee for FY2023 is \$150.00, which has been included as shown above. These costs are passed on to a property owner being assessed. In addition, since a property owner can receive a 4% discount for early payment of their property tax bill in November of each year, the assessments have to be adjusted upward by like amount to ensure the sum needed to pay expenses is realized in full. All totaled, for every \$100 in assessments the Town needs to collect, the assessment will be approximately \$105 in order to net the \$100 needed.

The additional 5 percent is attributable as follows:

- Tax Collector = 1%
- Potential early property tax bill payment discount = 4%
- Total = 5%

After adding these multipliers to the Town's proposed FY2023 net assessment of \$124,987.56 and incorporating the accumulated rounding adjustment of (\$1.19), the gross total assessment is \$131,235.76.

Resolution No. 082-2022 formally initiates the process to implement the intended assessments for FY2023. The resolution describes the property to be assessed, the improvements and related services provided, determines the estimated cost to be assessed for the fiscal year commencing on

October 1, delineates which properties will be assessed, and, among other things, directs staff to take certain required steps to effectuate the assessment process. The final public hearing will begin at 5:01 p.m. in the Town Hall Council Chambers on September 14, 2022.

Resolution No. 082-2022 is attached hereto. The FY2023 Preliminary Assessment Roll and estimated assessments for this project are indicated in Appendix C of Resolution No. 082-2022. These estimates are subject to change as all items associated with the assessment are finalized for the property owner notice and Final Assessment Resolution to be considered in September.

The notices that property owners will receive from the Town prior to the final public hearing via first class mail and the TRIM notice provided by the Property Appraiser alerts the property owner to their right to object or call to the Town's attention any mistakes that they believe may have been made in applying the assessment formula to any given property. The law recognizes the difficulties that can exist in the assessment process and creates a check and balance into the process whenever an assessment is proposed for the first time or there is an increase in the cost or method in calculating the assessment.

FUNDING/FISCALIMPACT

All direct costs borne by the Town to accomplish this project are paid for by the property owners whose properties benefit from the project improvements as opposed to all property owners in Town.

TOWN ATTORNEY REVIEW

Resolution No. 082-2022 was prepared by Heather Encinosa, Esq., of the law firm Nabors, Giblin & Nickerson. Ms. Encinosa focuses her practice on assessments and special districts and previously prepared the Town's ordinance that established Chapter 90 of the Town Code pertaining to special assessments.

Attachments

cc: Paul Brazil, Director of Public Works
Heather Encinosa, Esq.

RESOLUTION NO. 082-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RELATING TO THE PERUVIAN AVENUE IMPROVEMENT PROJECT; ESTABLISHING THE ESTIMATED ASSESSED COST AGAINST THE PROPERTIES THAT WILL BE BENEFITTED THEREBY; DIRECTING THE TOWN MANAGER TO PREPARE UPDATED ASSESSMENT ROLLS; ESTABLISHING A PUBLIC HEARING TO CONSIDER APPROVAL OF THE ASSESSMENT ROLLS AND REIMPOSITION OF THE MAINTENANCE ASSESSMENTS AND THEIR COLLECTION PURSUANT TO THE UNIFORM ASSESSMENT COLLECTION ACT; DIRECTING THE PROVISION OF NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the provisions of Chapter 90, Article II, of the Town of Palm Beach Code of Ordinances (the "Code"), the Initial Assessment Resolution (Resolution No. 099-2014), the Final Assessment Resolution (Resolution No. 148-2014), Article VIII, Section 2, Florida Constitution, sections 166.021 and 166.041, Florida Statutes, the Town of Palm Beach Charter, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS.

(A) This resolution initiates the annual process for updating the Improvement and Maintenance Assessment Rolls and directing the continued imposition of Improvement Assessments and reimposition of Maintenance Assessments within the Peruvian Avenue Assessment Area for the Fiscal Year beginning October 1, 2022 (hereinafter the "Preliminary Rate Resolution").

(B) All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance, the Initial Assessment Resolution, and the Final Assessment Resolution.

Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

SECTION 3. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 4. FINDINGS. The legislative determinations embodied in the Code, the Initial Assessment Resolution and the Final Assessment Resolution are affirmed and incorporated herein by reference.

SECTION 5. PUBLIC HEARING. There is hereby established a public hearing to be held by the Town Council at 5:01 p.m. on September 14, 2022, in the Town of Palm Beach Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida, to consider reimposition of the Maintenance Assessments, approval of the Improvement Assessment Roll and Maintenance Assessment Roll, and collection of the Improvement Assessments and Maintenance Assessments pursuant to the Uniform Assessment Collection Act.

SECTION 6. NOTICE BY PUBLICATION. Upon completion of the updated Improvement Assessment Roll and the updated Maintenance Assessment Roll, the Town Manager shall publish a notice of the public hearing authorized by Section 5 hereof in the manner and the time provided in Sections 90-64 and 90-84 of the Code. Such notice shall be in substantially the form attached hereto as Appendix A. The notice shall be published no later than August 24, 2022.

SECTION 7. NOTICE BY MAIL.

(A) If sections 90-68(c) or 90-88(b) of the Town Code so require, upon completion of the updated Improvement Assessment Roll and the updated Maintenance Assessment Roll, the Town Manager shall, at the time and in the manner specified in Sections 90-65 and 90-85 of the Town Code, provide first class mailed notice of the public hearing authorized by Section 5 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll. Such notice shall be in substantially the form attached hereto as Appendix B. For Tax Parcels with exempt "home addresses" pursuant to Section 119.071(4), Florida Statutes, the Town Manager shall work with the Property Appraiser and/or Tax Collector for provision of notice. The notices shall be mailed no later than August 24, 2022.

(B) In accordance with Chapter 92-264, Laws of Florida, as amended, a special act relating to the Property Appraiser, the Town Council shall provide additional notice of the Assessment as part of the notice of proposed property taxes under Section 200.069, Florida Statutes, the truth-in-millage notification.

(C) If the Town Council determines that the notice provided under paragraph (B) of this Section 7 also fulfills the requirements of paragraph (A) of this Section 7, then the separate mailing requirement described in paragraph (A) will be deemed to be fulfilled by the notice described in paragraph (B).

IMPROVEMENT ASSESSMENTS

SECTION 8. ANNUAL ASSESSMENTS TO FUND PERUVIAN AVENUE IMPROVEMENT PROJECT.

(A) The Tax Parcels included in the updated Improvement Assessment Roll are hereby found to be specially benefited by construction of the Peruvian Avenue Improvement Project in the

amount of the maximum annual Improvement Assessment set forth in the Improvement Assessment Roll. The methodology for computing annual Improvement Assessments described in the Initial Assessment Resolution is confirmed.

(B) The Improvement Assessments shall continue to be imposed against all property located within the Peruvian Avenue Assessment Area for each Fiscal Year in which Obligations are outstanding in the amount of the maximum annual Improvement Assessment and shall be computed in accordance with this Preliminary Rate Resolution. The Improvement Assessments for each Fiscal Year constitute a lien upon the Tax Parcels located in Peruvian Avenue Assessment Area pursuant to Section 90-50 of the Code.

SECTION 9. UPDATED IMPROVEMENT ASSESSMENT ROLL.

(A) The Town Manager is hereby directed to prepare the updated Improvement Assessment Roll in the manner provided in Section 90-83 of the Code. The Town Manager shall apportion the Project Cost among the parcels of real property within Peruvian Avenue Assessment Area as reflected on the Tax Roll in conformity with the Initial Assessment Resolution.

(B) The updated Improvement Assessment Roll shall be maintained on file in the office of the Town Manager and be open to public inspection. The updated Improvement Assessment Roll is attached hereto as Appendix C and incorporated herein by reference. Additionally, even though certain Tax Parcels with exempt “home addresses” may not be described in the Improvement Assessment Roll due to the provisions of pursuant to Section 119.071(4), Florida Statutes, all Tax Parcels within the Peruvian Avenue Assessment Area are included on the Improvement Assessment Roll.

SECTION 10. APPLICATION OF IMPROVEMENT ASSESSMENT PROCEEDS. Proceeds from the Improvement Assessments received during each Fiscal Year shall

be applied by the Town for payment of the Improvement Assessment Collection Costs, payment of any Transaction Costs not funded from proceeds of the Obligations, payment of interest due on the Obligations, and payment of principal due on the Obligations.

MAINTENANCE ASSESSMENTS

SECTION 11. ESTIMATED MAINTENANCE COST.

(A) The estimated Maintenance Cost for the Peruvian Avenue Improvement Project is \$27,000.00 for the Fiscal Year beginning on October 1, 2022.

(B) The Maintenance Cost will be funded through the imposition of Maintenance Assessments against property located in Peruvian Avenue Assessment Area.

SECTION 12. ANNUAL MAINTENANCE ASSESSMENTS.

(A) The Tax Parcels included in the updated Maintenance Assessment Roll are hereby found to be specially benefited by the maintenance of the Peruvian Avenue Improvement Project in the amount of the estimated annual Maintenance Assessment set forth in the Maintenance Assessment Roll.

(B) The Maintenance Assessments shall be imposed against all property located within the Peruvian Avenue Assessment Area for each Fiscal Year and shall be computed in accordance with this Preliminary Rate Resolution. When imposed, the Maintenance Assessments for each Fiscal Year shall constitute a lien upon the Tax Parcels located in Peruvian Avenue Assessment Area pursuant to Section 90-50 of the Code.

SECTION 13. COMPUTATION OF MAINTENANCE ASSESSMENTS. The annual Maintenance Assessments shall be computed for each Tax Parcel located in Peruvian Avenue Assessment Area in the manner set forth in Section 5.03 of the Initial Assessment Resolution, which is hereby affirmed and incorporated herein by reference.

SECTION 14. UPDATED MAINTENANCE ASSESSMENT ROLL.

(A) The Town Manager is hereby directed to prepare the updated Maintenance Assessment Roll in the manner provided in Section 90-63 of Code. The Town Manager shall apportion the Maintenance Cost among the parcels of real property within Peruvian Avenue Assessment Area as reflected on the Tax Roll in conformity with this Preliminary Rate Resolution.

(B) The estimate of Maintenance Cost and the updated Maintenance Assessment Roll shall be maintained on file in the office of the Town Manager and be open to public inspection. The updated Maintenance Roll is attached hereto as Appendix C and incorporated herein by reference. Additionally, even though certain Tax Parcels with exempt “home addresses” may not be described in the Maintenance Assessment Roll due to the provisions of pursuant to Section 119.071(4), Florida Statutes, all Tax Parcels within the Peruvian Avenue Assessment Area are included on the Maintenance Assessment Roll.

GENERAL

SECTION 15. METHOD OF COLLECTION. The Assessments shall be collected pursuant to the Uniform Assessment Collection Act.

SECTION 16. SEVERABILITY. If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 17. REVISIONS TO ASSESSMENTS. If any Assessment or exemption made under the provisions of this Preliminary Rate Resolution is either in whole or in part annulled, vacated, or set aside by the judgment of any court, or if the Town Council is satisfied that any such Assessment or exemption is so irregular or defective that the same cannot be enforced or collected,

or if the Town Council has failed to include or omitted any property on the Assessment Roll which property should have been so included, the Town Council may take all necessary steps to impose a new Assessment against any property benefited by the Peruvian Avenue Improvement Project, following as nearly as may be practicable, the provisions of the Code and in case such second Assessment is annulled, vacated, or set aside, the Town Council may obtain and impose other Assessments until a valid Assessment is imposed.

SECTION 18. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of July, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

APPENDIX A

FORM OF NOTICE TO BE PUBLISHED

APPENDIX A
FORM OF NOTICE TO BE PUBLISHED

To Be Published by August 24, 2022

**NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR COLLECTION
OF SPECIAL ASSESSMENTS IN THE PERUVIAN AVENUE ASSESSMENT AREA TO
PROVIDE FOR THE PERUVIAN AVENUE IMPROVEMENT PROJECT AND OTHER
RELATED SERVICES**

Notice is hereby given that the Town Council of the Town of Palm Beach will conduct a public hearing to consider reimposing non-ad valorem special assessments for the provision of maintenance of the Peruvian Avenue Improvement Project within the boundaries of the Peruvian Avenue Assessment Area for the Fiscal Year beginning October 1, 2022, and future fiscal years, and approval of the non-ad valorem capital assessment roll for the construction of the Peruvian Avenue Improvement Project.

The hearing will be held at 5:01 p.m. on September 14, 2022, in the Town of Palm Beach Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida, for the purpose of receiving public comment on the special assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice.

Pursuant to section 286.0105, Florida Statutes, if you decide to appeal any decision made by the Town Council with respect to any matter considered at the hearing or at any subsequent meeting to which the Town Council has continued its deliberations, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Manager's Office at (561) 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) business days prior to the date of the hearing.

The assessment for each parcel of property is based on the lineal front feet along Peruvian Avenue where the Peruvian Avenue Improvement Project was installed that were attributed to the Tax Parcel at the time of the adoption of the Initial Assessment Resolution (Resolution No. 099-2014). A more specific description of the improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution (Resolution

No. 099-2014). Copies of Chapter 90, Article II of the Town Code, the Initial Assessment Resolution, the Final Assessment Resolution (Resolution No. 148-2014), the Preliminary Rate Resolution, and the updated Assessment Roll for the upcoming fiscal year are available for inspection at the office of the Town Manager, located at Town Hall, 360 South County Road, Palm Beach, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2022, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. The Town Council intends to collect the capital assessments in ten (10) annual installments, the first of which was included on the ad valorem tax bill mailed in November 2014. The Town Council intends to impose and collect the maintenance assessments on an annual basis.

If you have any questions, please contact the Town Manager's Office at (561) 838-5410, Monday through Friday between 8:30 a.m. and 5:00 p.m.

MAP OF ASSESSMENT AREA



**TOWN COUNCIL OF
THE TOWN OF PALM BEACH, FLORIDA**

APPENDIX B

FORM OF NOTICE TO BE MAILED

APPENDIX B

FORM OF NOTICE TO BE MAILED

**Town Council of the
Town of Palm Beach, Florida
Address
Town of Palm Beach, FL**

TOWN OF PALM BEACH, FLORIDA
NOTICE OF HEARING TO IMPOSE AND PROVIDE
FOR COLLECTION OF NON-AD VALOREM
ASSESSMENTS

NOTICE DATE: AUGUST 24, 2022

**Owner Name
Address
City, State Zip**

Tax Parcel #: _____
Legal Description: _____
Sequence #: _____

As required by section 197.3632, Florida Statutes, and the direction of the Town Council of the Town of Palm Beach, Florida, notice is given by the Town of Palm Beach that an annual assessment for the design, construction, and installation of the Peruvian Avenue Improvement Project has been imposed on your property and an accompanying annual assessment for maintenance of the Peruvian Avenue Improvement Project using the tax bill collection method may be levied on your property contained within the Peruvian Avenue Assessment Area for the fiscal year October 1, 2022 - September 30, 2023 and future fiscal years. You are receiving this notice due to changes in the rate of assessment or changes in the assignment of assessment units to your property. The use of an annual special assessment to fund improvements and services benefiting improved property located within the Peruvian Avenue Assessment Area is a fair, efficient and effective means of funding these needed improvements and services. The total annual assessment revenue related to the Improvement Assessment to be collected within the Peruvian Avenue Assessment Area is estimated to be \$_____. The total annual assessment revenue related to the Maintenance Assessment to be collected within the Peruvian Avenue Assessment Area is estimated to be \$_____. The annual assessment will include your fair share of the principal, interest, administration, project and maintenance costs related to the Peruvian Avenue Improvement Project and amounts related to collection of assessments.

The assessment for your property is based on the lineal front feet along Peruvian Avenue where the Peruvian Avenue Improvement Project was installed that were attributed to the Tax Parcel upon the initiation of the assessment program with the adoption of the Initial Assessment Resolution (No. 099-2014). A more specific description of the improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution (Resolution No. 099-2014). Copies of Chapter 90, Article II of the Town Code, the Initial Assessment Resolution (Resolution No. 099-2014), the Final Assessment Resolution (Resolution No. 148-2014), the Preliminary Rate Resolution and the updated Assessment Roll for the upcoming fiscal year are available for inspection at the office of the Town Manager, located at Town Hall, 360 South County Road, Palm Beach, Florida.

The total Front Feet assigned to the above parcel is _____.

The maximum annual Improvement Assessment for the above parcel is \$ _____ for the fiscal year commencing on October 1, 2022, and future fiscal years.

The annual Maintenance Assessment for the above parcel is \$ _____ for the fiscal year commencing on October 1, 2022, and future fiscal years.

A public hearing will be held at 5:01 p.m. on September 14, 2022, in the Town of Palm Beach Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida, for the purpose of receiving public comment on the special assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice. Pursuant to section 286.0105, Florida Statutes, if you decide to appeal any decision made by the Town Council with respect to any matter considered at the hearing or at any subsequent meeting to which the Town Council has continued its deliberations, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Manager's Office at (561) 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) business days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Town Council action at the above hearing (including the method of

apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Both the non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill mailed in November 2022. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. The Town has issued debt to finance this project. This will permit the cost attributable to your property to be amortized and collected as an Improvement Assessment over a period of 10 years beginning in 2014; however, if there are no significant defaults in payments of the assessments, all or part of the last payments may be made from any reserve accounts funded by the bonds. The maintenance assessments will be levied annually.

If there is a mistake on this notice, it will be corrected. If you have any questions regarding your assessment, please contact the Town Manager's Office at (561) 838-5410, Monday through Friday between 8:30 a.m. and 5:00 p.m.

*** * * * * THIS IS NOT A BILL * * * * ***



TOWN OF PALM BEACH, FLORIDA
Improvement Assessment Roll and Maintenance Assessment Roll
for the Peruvian Avenue 400 Block Streetscape Project Assessment Area
Fiscal Year 2023

<u>Property</u>	<u>Assessment #</u>	<u>Service Address</u>	<u>Balance Due</u>
50-43-43-23-05-012-0190	002ps-0001	421 PERUVIAN AVE	\$5,139.29
50-43-43-23-05-012-0211	002ps-0002	417 PERUVIAN AVE	\$1,631.71
50-43-43-23-05-012-0212	002ps-0003	417 PERUVIAN AVE	\$1,692.75
50-43-43-23-05-012-0213	002ps-0004	417 PERUVIAN AVE	\$1,814.83
50-43-43-23-05-012-0231	002ps-0005	417 PERUVIAN AVE	\$1,679.64
50-43-43-23-05-012-0232	002ps-0006	417 PERUVIAN AVE	\$1,094.95
50-43-43-23-05-012-0233	002ps-0007	417 PERUVIAN AVE	\$2,364.73
50-43-43-23-05-012-0251	002ps-0008	417 PERUVIAN AVE	\$1,160.11
50-43-43-23-05-012-0252	002ps-0009	417 PERUVIAN AVE	\$1,546.82
50-43-43-23-05-012-0253	002ps-0010	417 PERUVIAN AVE	\$440.85
50-43-43-23-05-012-0254	002ps-0011	417 PERUVIAN AVE	\$773.41
50-43-43-23-05-012-0255	002ps-0012	417 PERUVIAN AVE	\$386.71
50-43-43-23-05-012-0256	002ps-0013	417 PERUVIAN AVE	\$386.71
50-43-43-23-05-012-0257	002ps-0014	417 PERUVIAN AVE	\$444.71
50-43-43-23-05-013-0100	002ps-0015	439 WORTH AVE	\$5,139.29
50-43-43-27-39-000-1010	002ps-0016	401 PERUVIAN AVE	\$608.63
50-43-43-27-39-000-1030	002ps-0017	401 PERUVIAN AVE	\$1,000.20
50-43-43-27-39-000-1040	002ps-0018	401 PERUVIAN AVE	\$493.71
50-43-43-27-39-000-1050	002ps-0019	401 PERUVIAN AVE	\$506.48
50-43-43-27-39-000-2010	002ps-0020	401 PERUVIAN AVE	\$608.63
50-43-43-27-39-000-2020	002ps-0021	401 PERUVIAN AVE	\$94.58
50-43-43-27-39-000-2030	002ps-0022	401 PERUVIAN AVE	\$493.71
50-43-43-27-39-000-2040	002ps-0023	401 PERUVIAN AVE	\$92.20
50-43-43-27-39-000-2050	002ps-0024	401 PERUVIAN AVE	\$506.48



TOWN OF PALM BEACH, FLORIDA
Improvement Assessment Roll and Maintenance Assessment Roll
for the Peruvian Avenue 400 Block Streetscape Project Assessment Area
Fiscal Year 2023

<u>Property</u>	<u>Assessment #</u>	<u>Service Address</u>	<u>Balance Due</u>
50-43-43-27-39-000-3010	002ps-0025	401 PERUVIAN AVE	\$608.63
50-43-43-27-39-000-3020	002ps-0026	401 PERUVIAN AVE	\$94.58
50-43-43-27-39-000-3030	002ps-0027	401 PERUVIAN AVE	\$92.20
50-43-43-27-39-000-3040	002ps-0028	401 PERUVIAN AVE	\$493.71
50-43-43-27-39-000-3050	002ps-0029	401 PERUVIAN AVE	\$506.48
50-43-43-27-39-000-4010	002ps-0030	401 PERUVIAN AVE	\$706.52
50-43-43-27-39-000-4020	002ps-0031	401 PERUVIAN AVE	\$872.53
50-43-43-27-39-000-4030	002ps-0032	401 PERUVIAN AVE	\$872.53
50-43-43-27-45-000-2010	002ps-0033	401 WORTH AVE	\$1,178.99
50-43-43-27-45-000-2020	002ps-0034	401 WORTH AVE	\$1,014.43
50-43-43-27-45-000-2030	002ps-0035	401 WORTH AVE	\$1,178.99
50-43-43-27-45-000-3010	002ps-0036	401 WORTH AVE	\$1,178.99
50-43-43-27-45-000-3020	002ps-0037	401 WORTH AVE	\$189.44
50-43-43-27-45-000-3030	002ps-0038	401 WORTH AVE	\$1,178.99
50-43-43-27-63-000-1010	002ps-0039	389 S LAKE DR	\$1,204.19
50-43-43-27-63-000-1020	002ps-0040	389 S LAKE DR	\$279.42
50-43-43-27-63-000-1030	002ps-0041	389 S LAKE DR	\$1,162.61
50-43-43-27-63-000-1040	002ps-0042	389 S LAKE DR	\$1,063.17
50-43-43-27-63-000-2010	002ps-0043	389 S LAKE DR	\$1,204.19
50-43-43-27-63-000-2020	002ps-0044	389 S LAKE DR	\$279.42
50-43-43-27-63-000-2030	002ps-0045	389 S LAKE DR	\$1,162.61
50-43-43-27-63-000-2040	002ps-0046	389 S LAKE DR	\$1,063.17
50-43-43-27-63-000-2050	002ps-0047	389 S LAKE DR	\$1,070.40
50-43-43-27-63-000-2060	002ps-0048	389 S LAKE DR	\$1,079.43



TOWN OF PALM BEACH, FLORIDA
Improvement Assessment Roll and Maintenance Assessment Roll
for the Peruvian Avenue 400 Block Streetscape Project Assessment Area
Fiscal Year 2023

<u>Property</u>	<u>Assessment #</u>	<u>Service Address</u>	<u>Balance Due</u>
50-43-43-27-63-000-2070	002ps-0049	389 S LAKE DR	\$1,137.29
50-43-43-27-63-000-2080	002ps-0050	389 S LAKE DR	\$1,140.90
50-43-43-27-63-000-3010	002ps-0051	389 S LAKE DR	\$1,204.19
50-43-43-27-63-000-3020	002ps-0052	389 S LAKE DR	\$1,496.21
50-43-43-27-63-000-3030	002ps-0053	389 S LAKE DR	\$1,162.61
50-43-43-27-63-000-3040	002ps-0054	389 S LAKE DR	\$1,063.17
50-43-43-27-63-000-3050	002ps-0055	389 S LAKE DR	\$1,070.40
50-43-43-27-63-000-3060	002ps-0056	389 S LAKE DR	\$1,079.43
50-43-43-27-63-000-3070	002ps-0057	389 S LAKE DR	\$1,137.29
50-43-43-27-63-000-3080	002ps-0058	389 S LAKE DR	\$1,140.90
50-43-43-27-63-000-4010	002ps-0059	389 S LAKE DR	\$1,204.19
50-43-43-27-63-000-4020	002ps-0060	389 S LAKE DR	\$1,496.21
50-43-43-27-63-000-4030	002ps-0061	389 S LAKE DR	\$1,162.61
50-43-43-27-63-000-4040	002ps-0062	389 S LAKE DR	\$1,063.17
50-43-43-27-63-000-4050	002ps-0063	389 S LAKE DR	\$1,070.40
50-43-43-27-63-000-4060	002ps-0064	389 S LAKE DR	\$1,079.43
50-43-43-27-63-000-4070	002ps-0065	389 S LAKE DR	\$1,137.29
50-43-43-27-63-000-4080	002ps-0066	389 S LAKE DR	\$213.06
50-43-43-27-63-000-5010	002ps-0067	389 S LAKE DR	\$224.88
50-43-43-27-63-000-5020	002ps-0068	389 S LAKE DR	\$1,496.21
50-43-43-27-63-000-5030	002ps-0069	389 S LAKE DR	\$1,162.61
50-43-43-27-63-000-5040	002ps-0070	389 S LAKE DR	\$1,063.17
50-43-43-27-63-000-5050	002ps-0071	389 S LAKE DR	\$1,070.40
50-43-43-27-63-000-5060	002ps-0072	389 S LAKE DR	\$1,079.43



TOWN OF PALM BEACH, FLORIDA
Improvement Assessment Roll and Maintenance Assessment Roll
for the Peruvian Avenue 400 Block Streetscape Project Assessment Area
Fiscal Year 2023

<u>Property</u>	<u>Assessment #</u>	<u>Service Address</u>	<u>Balance Due</u>
50-43-43-27-63-000-5070	002ps-0073	389 S LAKE DR	\$1,137.29
50-43-43-27-63-000-5080	002ps-0074	389 S LAKE DR	\$1,140.90
50-43-43-27-63-000-6010	002ps-0075	389 S LAKE DR	\$1,809.91
50-43-43-27-63-000-6020	002ps-0076	389 S LAKE DR	\$2,208.59
50-43-43-27-63-000-6030	002ps-0077	389 S LAKE DR	\$1,634.53
50-43-43-27-63-000-6040	002ps-0078	389 S LAKE DR	\$306.77
50-43-43-27-63-000-6050	002ps-0079	389 S LAKE DR	\$338.00
50-43-43-27-64-000-1010	002ps-0080	455 WORTH AVE	\$480.25
50-43-43-27-64-000-2010	002ps-0081	455 WORTH AVE	\$678.23
50-43-43-27-64-000-2020	002ps-0082	455 WORTH AVE	\$94.49
50-43-43-27-64-000-2030	002ps-0083	455 WORTH AVE	\$89.42
50-43-43-27-64-000-2040	002ps-0084	455 WORTH AVE	\$758.97
50-43-43-27-64-000-2050	002ps-0085	455 WORTH AVE	\$93.29
50-43-43-27-64-000-2060	002ps-0086	455 WORTH AVE	\$499.55
50-43-43-27-64-000-2070	002ps-0087	455 WORTH AVE	\$682.51
50-43-43-27-64-000-2080	002ps-0088	455 WORTH AVE	\$682.51
50-43-43-27-64-000-2090	002ps-0089	455 WORTH AVE	\$499.55
50-43-43-27-64-000-2100	002ps-0090	455 WORTH AVE	\$88.62
50-43-43-27-64-000-3010	002ps-0091	455 WORTH AVE	\$678.23
50-43-43-27-64-000-3020	002ps-0092	455 WORTH AVE	\$505.99
50-43-43-27-64-000-3030	002ps-0093	455 WORTH AVE	\$478.83
50-43-43-27-64-000-3040	002ps-0094	455 WORTH AVE	\$758.97
50-43-43-27-64-000-3050	002ps-0095	455 WORTH AVE	\$499.55
50-43-43-27-64-000-3060	002ps-0096	455 WORTH AVE	\$499.55



TOWN OF PALM BEACH, FLORIDA
Improvement Assessment Roll and Maintenance Assessment Roll
for the Peruvian Avenue 400 Block Streetscape Project Assessment Area
Fiscal Year 2023

<u>Property</u>	<u>Assessment #</u>	<u>Service Address</u>	<u>Balance Due</u>
50-43-43-27-64-000-3070	002ps-0097	455 WORTH AVE	\$682.51
50-43-43-27-64-000-3080	002ps-0098	455 WORTH AVE	\$682.51
50-43-43-27-64-000-3090	002ps-0099	455 WORTH AVE	\$984.81
50-43-43-27-64-000-4010	002ps-0100	455 WORTH AVE	\$1,663.04
50-43-43-27-64-000-4040	002ps-0103	455 WORTH AVE	\$758.97
50-43-43-27-64-000-4050	002ps-0104	455 WORTH AVE	\$499.55
50-43-43-27-64-000-4060	002ps-0105	455 WORTH AVE	\$499.55
50-43-43-27-64-000-4070	002ps-0106	455 WORTH AVE	\$682.51
50-43-43-27-64-000-4080	002ps-0107	455 WORTH AVE	\$682.51
50-43-43-27-64-000-4090	002ps-0108	455 WORTH AVE	\$93.29
50-43-43-27-64-000-4100	002ps-0109	455 WORTH AVE	\$474.55
50-43-43-27-68-000-2010	002ps-0110	425 WORTH AVE	\$382.39
50-43-43-27-68-000-2020	002ps-0111	425 WORTH AVE	\$326.79
50-43-43-27-68-000-2030	002ps-0112	425 WORTH AVE	\$1,606.70
50-43-43-27-68-000-2040	002ps-0113	425 WORTH AVE	\$1,606.70
50-43-43-27-68-000-2050	002ps-0114	425 WORTH AVE	\$1,749.89
50-43-43-27-68-000-2060	002ps-0115	425 WORTH AVE	\$2,047.65
50-43-43-27-68-000-3010	002ps-0116	425 WORTH AVE	\$382.39
50-43-43-27-68-000-3020	002ps-0117	425 WORTH AVE	\$1,749.89
50-43-43-27-68-000-3030	002ps-0118	425 WORTH AVE	\$300.05
50-43-43-27-68-000-3040	002ps-0119	425 WORTH AVE	\$300.05
50-43-43-27-68-000-3050	002ps-0120	425 WORTH AVE	\$1,749.89
50-43-43-27-68-000-3060	002ps-0121	425 WORTH AVE	\$382.39
50-43-43-27-68-000-4010	002ps-0122	425 WORTH AVE	\$382.39



TOWN OF PALM BEACH, FLORIDA
Improvement Assessment Roll and Maintenance Assessment Roll
for the Peruvian Avenue 400 Block Streetscape Project Assessment Area
Fiscal Year 2023

<u>Property</u>	<u>Assessment #</u>	<u>Service Address</u>	<u>Balance Due</u>
50-43-43-27-68-000-4020	002ps-0123	425 WORTH AVE	\$1,749.89
50-43-43-27-68-000-4030	002ps-0124	425 WORTH AVE	\$1,606.70
50-43-43-27-68-000-4040	002ps-0125	425 WORTH AVE	\$1,606.70
50-43-43-27-68-000-4050	002ps-0126	425 WORTH AVE	\$326.79
50-43-43-27-68-000-4060	002ps-0127	425 WORTH AVE	\$2,047.65
50-43-43-27-68-000-5010	002ps-0128	425 WORTH AVE	\$382.39
50-43-43-27-68-000-5020	002ps-0129	425 WORTH AVE	\$1,749.89
50-43-43-27-68-000-5030	002ps-0130	425 WORTH AVE	\$1,606.70
50-43-43-27-68-000-5040	002ps-0131	425 WORTH AVE	\$300.05
50-43-43-27-68-000-5050	002ps-0132	425 WORTH AVE	\$326.79
50-43-43-27-68-000-5060	002ps-0133	425 WORTH AVE	\$2,047.65
50-43-43-27-68-000-6010	002ps-0134	425 WORTH AVE	\$567.91
50-43-43-27-68-000-6020	002ps-0135	425 WORTH AVE	\$3,041.07
50-43-43-27-68-000-6030	002ps-0136	425 WORTH AVE	\$567.91
			\$131,235.76

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 083-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating To The Worth Avenue Improvement Project; Establishing The Estimated Assessed Cost Against The Properties That Will Be Benefitted Thereby; Directing The Town Manager To Prepare Updated Assessment Rolls; Establishing A Public Hearing To Consider Approval Of The Assessment Rolls And Reimposition Of The Maintenance Assessments And Their Collection Pursuant To The Uniform Assessment Collection Act; Directing The Provision Of Notice; And Providing For An Effective Date.

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Memorandum dated June 30, 2022, from Jane Le Clainche, Director of Finance**
- ▣ **Exhibit A - Worth Avenue Maintenance Budget FY23**
- ▣ **Resolution No. 083-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Director of Finance

Re: Worth Avenue Commercial District Assessment Area – Adoption of Assessment Roll
and Improvement and Maintenance Assessments for FY 2023
Resolution No. 083-2022

Date: June 30, 2022

STAFF RECOMMENDATION

Staff recommends Town Council adopt Resolution No. 083-2022, which is the preliminary assessment resolution for the proposed improvement (debt service) and maintenance assessments for the Worth Avenue Commercial District Assessment Area in FY2023.

GENERAL INFORMATION

The non-ad valorem assessment process that causes special assessments implemented by the Town to appear on a property owner's property tax bill dovetails with the statewide budget and millage rate adoption schedule. Accordingly, it is time to begin the formal steps of implementing the FY2023 proposed capital and maintenance assessments for the Worth Avenue Commercial District Assessment Area that will appear on a property owner's tax bill mailed on or about November 1. By adopting Resolution No. 083-2022 you will be initiating a process whereby each affected property owner will be advised of the amount of their proposed improvement and maintenance assessments and the date, time, and place of the public hearing to adopt the final assessment and associated assessment roll on the Property Appraiser's TRIM notice and by letter from the Town issued in late August of this year.

The Worth Avenue Commercial District net improvement and maintenance assessment for FY2023 has been calculated as follows:

Cost Description	
Original Principal	\$ 14,770,000.00
Outstanding Principal	9,535,000.00
Scheduled Principal Payment	375,000.00
Scheduled Interest Payment	346,013.00
Bond Compliance Reporting Fees	2,500.00
Estimated Maintenance Expenses 10/1/22-9/30/23	375,189.00
Estimated Attorney Fees	1,000.00
Estimated Postage	100.00
Estimated PB Post Advertisement	1,000.00
Property Appraiser Administrative Fees	150.00
Offsetting Revenue (\$5K Garden Club, \$500 Interest)	(5,500.00)
FY2023 Total Net Assessment	\$ 1,095,452.00

To employ a defensible assessment methodology to ensure that property owners are only paying costs in proportion to the benefits they derive from the improvements or costs related to the improvements, we again used the methodology developed in 2010 by Special District Services which was previously found by the Town Council to provide benefits from the improvements that were/are in proportion to the assessments to be allocated to each benefitted property and that the apportionment of the special benefits to each benefitted property is fair and reasonable.

In order to place assessments on the property tax bill, which virtually assures that the Town will receive payment and avoid having to create an internal billing and collection function, a number of steps are required to be taken in coordination with the Tax Collector and Property Appraiser. The Tax Collector charges a fee for the work they undertake on the Town's behalf that is 1% of the value of the assessments. The Property Appraiser fee for FY2023 is \$150.00, which has been included as shown above. These costs are passed on to a property owner being assessed. In addition, since a property owner can receive a 4% discount for early payment of their property tax bill in November of each year, the assessments have to be adjusted upward by like amount to ensure the sum needed to pay expenses is realized in full. All totaled, for every \$100 in assessments the Town needs to collect, the assessment will be approximately \$105 in order to net the \$100 needed.

The additional 5 percent is attributable as follows:

- Tax Collector – 1%
- Potential early property tax bill payment discount – 4%
- Total – 5%

After adding these multipliers to the Town's proposed FY2023 net assessment of \$1,095,452.00 and incorporating the accumulated rounding adjustment of \$40.20, the gross total assessment is \$1,150,266.79.

Resolution No. 083-2022 formally initiates the process to implement the intended assessments for FY2023. The resolution describes the property to be assessed, the improvements and related services to be provided, determines the estimated cost to be assessed for the fiscal year commencing on October 1, delineates which properties will be assessed, and, among other things, directs staff to take certain required steps to effectuate the assessment process. The final public hearing will

begin at 5:01 p.m. in the Town Hall Council Chambers on September 14, 2022.

Resolution No. 083-2022 is attached hereto. The FY2023 Preliminary Assessment Roll and estimated assessments for this project are indicated in Appendix C of Resolution No. 083-2022. These estimates are subject to change as all items associated with the assessment are finalized for the property owner notice and Final Assessment Resolution to be considered in September. For your information, the proposed maintenance budget, upon which a portion of the proposed assessments are based, is attached hereto as Exhibit A.

The notices that property owners will receive from the Town prior to the final public hearing via first class mail and the TRIM notice provided by the Property Appraiser alerts the property owner to their right to object or call to the Town's attention any mistakes that they believe may have been made in applying the assessment formula to any given property. The law recognizes the difficulties that can exist in the assessment process and creates a check and balance into the process whenever an assessment is proposed for the first time or there is an increase in the cost or method in calculating the assessment.

FUNDING/FISCAL IMPACT

All direct costs borne by the Town to accomplish this project are paid for by the properties benefitting from the project improvements as opposed to all property owners in Town.

TOWN ATTORNEY REVIEW

Resolution No. 083-2022 was prepared by Heather Encinosa, Esq., of the law firm Nabors, Giblin & Nickerson. Ms. Encinosa focuses her practice on assessments and special districts and previously prepared the Town's ordinance that established Chapter 90 of the Town Code pertaining to special assessments.

Attachments

cc: Paul Brazil, Director of Public Works
Heather Encinosa, Esq.

Worth Avenue Commercial District Proposed Maintenance Budget - FY 2023					
EXPENSES					
	Budget 2019	Budget 2020	Budget 2021	Budget 2022	Proposed 2023
Facilities and Landscaping Maintenance					
Base Fee - Landscape Contractor	\$85,120	\$75,500	\$77,800	\$81,690	\$85,775
Tri weekly cleaning, turf maintenance, general clean up and weekly irrigation system control check					
Pressure Cleaning and Sealing	\$33,270	\$18,600	\$19,200	\$20,160	\$22,170
Pressure cleaning twice per year and sealing once					
Annuals	\$9,250	\$19,000	\$19,600	\$20,580	\$21,610
Plantings four times per year					
Plant and Tree Replacement	\$9,500	\$10,000	\$10,300	\$10,815	\$15,000
Replacements as needed					
Fertilization	\$21,520	\$22,145	\$22,810	\$23,951	\$25,150
Trees and plants					
Ornamental Tree Trimming	\$0	\$0	\$0	\$0	
Trimming twice per year					
Palm Tree Trimming	\$7,260	\$7,480	\$8,400	\$8,820	\$10,620
Trimming two times per year					
Verticutting Lawn	\$6,060	\$4,182	\$4,308	\$4,523	\$4,750
Once per year					
Top Dressing of Turf Areas	\$2,170	\$2,040	\$2,105	\$2,210	\$2,325
Once per year					
Bulb Replacement	\$250	\$250	\$260	\$275	\$290
As needed					
Street Light Re-Lamping	\$1,100	\$1,100	\$1,135	\$1,190	\$1,250
Misc. bulbs and ballasts					
Sprinkler Head Replacement & inspections	\$2,335	\$2,940	\$3,050	\$3,202	\$3,362
Replacement of heads and misc. minor repairs as needed					
Major Irrigation repairs			\$5,000	\$5,250	\$5,515
Large Irrigation Repairs					
G-Sky Living Wall Maintenance	\$29,400	\$29,770	\$30,675	\$32,208	\$33,819
Complete maintenance services					
Lethal Yellowing Inoculations	\$2,232	\$2,300	\$2,480	\$2,604	\$2,735
All palms inoculated three per year					
Clock Tower Maintenance	\$0	\$0	\$0	\$0	\$0
Maintenance contract for the clocks					
Landscape and Streetscape Maintenance	\$19,920	\$61,900	\$63,760	\$66,948	\$70,296
Bougainvillea trimming [\$7,783], bed cleaning [\$45,036], shrub/ornamental trimming [\$5,189] and ground cover trimming [\$3,892]					
Sidewalk Repairs		\$7,000	\$7,210	\$5,000	\$5,500
Other Repairs and Maintenance	\$7,500				
Sub-Total	\$236,887	\$264,207	\$278,093	\$289,426	\$310,167
Utilities					
Electric					
259 Worth Ave Meter	\$4,000	\$3,500	\$3,605	\$3,785	\$5,800
205 Worth Ave Meter	\$1,800	\$1,900	\$1,960	\$2,058	\$3,100
Water					
170 Worth Ave Meter	\$16,900	\$18,000	\$18,055	\$18,957	\$21,450
412 Hibiscus Meter	\$600	\$700	\$725	\$761	\$720
Gas					
FPU Gas Service	\$700	\$650	\$670	\$703	\$785
Sub-Total	\$24,000	\$24,750	\$25,015	\$26,264	\$31,855
Other Expenses					
Contingency:	\$13,044	\$13,210	\$14,000	\$14,700	\$16,000
Maintenance contract for the clocks	\$895	\$0	\$0	\$0	\$0
Media blasting of all tabby sidewalk and crosswalks		\$0	\$0	\$0	\$0
Worth Ave Assoc - Palm Tree Light Extension Fee	\$0	\$0	\$0	\$0	\$0
Painting of utility boxes		\$780	\$805	\$845	\$900
Porter service		\$13,220	\$13,620	\$14,301	\$15,016
Replacement plants in Vaso and Succulent Pots on Hibiscus Ave		\$1,100	\$1,135	\$1,191	\$1,251
Tabby sidewalk media blasting & resealing					\$0
Tabby sidewalk replacements					\$0
Asphalt parking stalls - mill, resurface, & restripe					\$0
Sub-Total	\$13,939	\$28,310	\$29,560	\$31,037	\$33,167
Total Expenditures	\$274,826	\$317,267	\$332,668	\$346,727	\$375,189

RESOLUTION NO. 083-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RELATING TO THE WORTH AVENUE IMPROVEMENT PROJECT; ESTABLISHING THE ESTIMATED ASSESSED COST AGAINST THE PROPERTIES THAT WILL BE BENEFITTED THEREBY; DIRECTING THE TOWN MANAGER TO PREPARE UPDATED ASSESSMENT ROLLS; ESTABLISHING A PUBLIC HEARING TO CONSIDER APPROVAL OF THE ASSESSMENT ROLLS AND REIMPOSITION OF THE MAINTENANCE ASSESSMENTS AND THEIR COLLECTION PURSUANT TO THE UNIFORM ASSESSMENT COLLECTION ACT; DIRECTING THE PROVISION OF NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the provisions of Chapter 90, Article II, of the Town of Palm Beach Code of Ordinances (the "Code"), the Initial Assessment Resolution (Resolution No. 74-10), the Final Assessment Resolution (Resolution No. 98-10), Article VIII, Section 2, Florida Constitution, sections 166.021 and 166.041, Florida Statutes, the Town of Palm Beach Charter, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS.

(A) This resolution initiates the annual process for updating the Improvement and Maintenance Assessment Rolls and directing the continued imposition of Improvement Assessments and reimposition of Maintenance Assessments within the Worth Avenue Assessment Area for the Fiscal Year beginning October 1, 2022 (hereinafter the "Preliminary Rate Resolution").

(B) All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance, the Initial Assessment Resolution, and the Final Assessment Resolution.

Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

SECTION 3. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 4. FINDINGS. The legislative determinations embodied in the Code, the Initial Assessment Resolution and the Final Assessment Resolution are affirmed and incorporated herein by reference.

SECTION 5. PUBLIC HEARING. There is hereby established a public hearing to be held by the Town Council at 5:01 p.m. on September 14, 2022, in the Town of Palm Beach Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida, to consider reimposition of the Maintenance Assessments, approval of the Improvement Assessment Roll and Maintenance Assessment Roll, and collection of the Improvement Assessments and Maintenance Assessments pursuant to the Uniform Assessment Collection Act.

SECTION 6. NOTICE BY PUBLICATION. Upon completion of the updated Improvement Assessment Roll and the updated Maintenance Assessment Roll, the Town Manager shall publish a notice of the public hearing authorized by Section 5 hereof in the manner and the time provided in Sections 90-64 and 90-84 of the Code. Such notice shall be in substantially the form attached hereto as Appendix A. The notice shall be published no later than August 24, 2022.

SECTION 7. NOTICE BY MAIL.

(A) If sections 90-68(c) or 90-88(b) of the Town Code so require, upon completion of the updated Improvement Assessment Roll and the updated Maintenance Assessment Roll, the Town Manager shall, at the time and in the manner specified in Sections 90-65 and 90-85 of the Town Code, provide first class mailed notice of the public hearing authorized by Section 5 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll. Such notice shall be in substantially the form attached hereto as Appendix B. For Tax Parcels with exempt "home addresses" pursuant to Section 119.071(4), Florida Statutes, the Town Manager shall work with the Property Appraiser and/or Tax Collector for provision of notice. The notices shall be mailed no later than August 24, 2022.

(B) In accordance with Chapter 92-264, Laws of Florida, as amended, a special act relating to the Property Appraiser, the Town Council shall provide additional notice of the Assessment as part of the notice of proposed property taxes under Section 200.069, Florida Statutes, the truth-in-millage notification.

(C) If the Town Council determines that the notice provided under paragraph (B) of this Section 7 also fulfills the requirements of paragraph (A) of this Section 7, then the separate mailing requirement described in paragraph (A) will be deemed to be fulfilled by the notice described in paragraph (B).

IMPROVEMENT ASSESSMENTS

SECTION 8. ANNUAL ASSESSMENTS TO FUND WORTH AVENUE IMPROVEMENT PROJECT.

(A) The Tax Parcels included in the updated Improvement Assessment Roll are hereby found to be specially benefited by construction of the Worth Avenue Improvement Project in the

amount of the maximum annual Improvement Assessment set forth in the Improvement Assessment Roll. The methodology for computing annual Improvement Assessments described in the Initial Assessment Resolution is confirmed.

(B) The Improvement Assessments shall continue to be imposed against all property located within the Worth Avenue Assessment Area for each Fiscal Year in which Obligations are outstanding in the amount of the maximum annual Improvement Assessment and shall be computed in accordance with this Preliminary Rate Resolution. The Improvement Assessments for each Fiscal Year constitute a lien upon the Tax Parcels located in Worth Avenue Assessment Area pursuant to Section 90-50 of the Code.

SECTION 9. UPDATED IMPROVEMENT ASSESSMENT ROLL.

(A) The Town Manager is hereby directed to prepare the updated Improvement Assessment Roll in the manner provided in Section 90-83 of the Code. The Town Manager shall apportion the Project Cost among the parcels of real property within Worth Avenue Assessment Area as reflected on the Tax Roll in conformity with the Initial Assessment Resolution.

(B) The updated Improvement Assessment Roll shall be maintained on file in the office of the Town Manager and be open to public inspection. The updated Improvement Assessment Roll is attached hereto as Appendix C and incorporated herein by reference. Additionally, even though certain Tax Parcels with exempt “home addresses” may not be described in the Improvement Assessment Roll due to the provisions of pursuant to Section 119.071(4), Florida Statutes, all Tax Parcels within the Worth Avenue Assessment Area are included on the Improvement Assessment Roll.

SECTION 10. APPLICATION OF IMPROVEMENT ASSESSMENT PROCEEDS. Proceeds from the Improvement Assessments received during each Fiscal Year shall

be applied by the Town for payment of the Improvement Assessment Collection Costs, payment of any Transaction Costs not funded from proceeds of the Obligations, payment of interest due on the Obligations, and payment of principal due on the Obligations.

MAINTENANCE ASSESSMENTS

SECTION 11. ESTIMATED MAINTENANCE COST.

(A) The estimated Maintenance Cost for the Aesthetic Infrastructure Improvements and the Basic Infrastructure Improvements is \$371,941.44 for the Fiscal Year beginning on October 1, 2022.

(1) The estimated EVU Maintenance Cost allocated to the Aesthetic Infrastructure Improvements is \$300,146.77.

(2) The estimated Land Area Maintenance Cost allocated to the Basic Infrastructure Improvements is \$71,794.67.

(B) The Maintenance Cost will be funded through the imposition of Maintenance Assessments against property located in Worth Avenue Assessment Area.

SECTION 12. ANNUAL MAINTENANCE ASSESSMENTS.

(A) The Tax Parcels included in the updated Maintenance Assessment Roll are hereby found to be specially benefited by the maintenance of the Worth Avenue Improvement Project in the amount of the estimated annual Maintenance Assessment set forth in the Maintenance Assessment Roll.

(B) The Maintenance Assessments shall be imposed against all property located within the Worth Avenue Assessment Area for each Fiscal Year and shall be computed in accordance with this Preliminary Rate Resolution. When imposed, the Maintenance Assessments for each Fiscal

Year shall constitute a lien upon the Tax Parcels located in Worth Avenue Assessment Area pursuant to Section 90-50 of the Code.

SECTION 13. COMPUTATION OF MAINTENANCE ASSESSMENTS. The annual Maintenance Assessments shall be computed for each Tax Parcel located in Worth Avenue Assessment Area in the manner set forth in Section 5.03 of the Initial Assessment Resolution, which is hereby affirmed and incorporated herein by reference.

SECTION 14. UPDATED MAINTENANCE ASSESSMENT ROLL.

(A) The Town Manager is hereby directed to prepare the updated Maintenance Assessment Roll in the manner provided in Section 90-63 of Code. The Town Manager shall apportion the Maintenance Cost among the parcels of real property within Worth Avenue Assessment Area as reflected on the Tax Roll in conformity with this Preliminary Rate Resolution.

(B) The estimate of Maintenance Cost and the updated Maintenance Assessment Roll shall be maintained on file in the office of the Town Manager and be open to public inspection. The updated Maintenance Roll is attached hereto as Appendix C and incorporated herein by reference. Additionally, even though certain Tax Parcels with exempt “home addresses” may not be described in the Maintenance Assessment Roll due to the provisions of pursuant to Section 119.071(4), Florida Statutes, all Tax Parcels within the Worth Avenue Assessment Area are included on the Maintenance Assessment Roll.

GENERAL

SECTION 15. METHOD OF COLLECTION. The Assessments shall be collected pursuant to the Uniform Assessment Collection Act.

SECTION 16. SEVERABILITY. If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining

portion of said Resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 17. REVISIONS TO ASSESSMENTS. If any Assessment or exemption made under the provisions of this Preliminary Rate Resolution is either in whole or in part annulled, vacated, or set aside by the judgment of any court, or if the Town Council is satisfied that any such Assessment or exemption is so irregular or defective that the same cannot be enforced or collected, or if the Town Council has failed to include or omitted any property on the Assessment Roll which property should have been so included, the Town Council may take all necessary steps to impose a new Assessment against any property benefited by the Worth Avenue Improvement Project, following as nearly as may be practicable, the provisions of the Code and in case such second Assessment is annulled, vacated, or set aside, the Town Council may obtain and impose other Assessments until a valid Assessment is imposed.

SECTION 18. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of July, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

APPENDIX A

FORM OF NOTICE TO BE PUBLISHED

APPENDIX A

FORM OF NOTICE TO BE PUBLISHED

To Be Published by August 24, 2022

NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR COLLECTION OF SPECIAL ASSESSMENTS IN THE WORTH AVENUE ASSESSMENT AREA TO PROVIDE FOR THE WORTH AVENUE IMPROVEMENT PROJECT AND OTHER RELATED SERVICES

Notice is hereby given that the Town Council of the Town of Palm Beach will conduct a public hearing to consider reimposing non-ad valorem special assessments for the provision of maintenance of the Worth Avenue Improvement Project within the boundaries of the Worth Avenue Assessment Area for the Fiscal Year beginning October 1, 2022, and future fiscal years, and approval of the non-ad valorem capital assessment roll for the construction of the Worth Avenue Improvement Project.

The hearing will be held at 5:01 p.m. on September 14, 2022, in the Town of Palm Beach Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida, for the purpose of receiving public comment on the special assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice.

Pursuant to section 286.0105, Florida Statutes, if you decide to appeal any decision made by the Town Council with respect to any matter considered at the hearing or at any subsequent meeting to which the Town Council has continued its deliberations, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Manager's Office at (561) 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) business days prior to the date of the hearing.

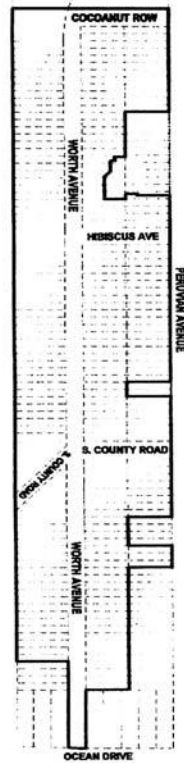
The assessment for each parcel of property will be based in part on the amount of Land Area on the Tax Parcel and in part on the Taxable Value of the Tax Parcel as these were assigned at the initiation of the assessment program at the time of the adoption of the Initial Assessment Resolution (Resolution No. 74-10). A more specific description of the improvements and the method of

computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution (Resolution No. 74-10). Copies of Chapter 90, Article II of the Town Code, the Initial Assessment Resolution, the Final Assessment Resolution (Resolution No. 98-10), the Preliminary Rate Resolution, and the updated Assessment Roll for the upcoming fiscal year are available for inspection at the office of the Town Manager, located at Town Hall, 360 South County Road, Palm Beach, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2022, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. The Town Council intends to collect the capital assessments in thirty (30) annual installments, the first of which was included on the ad valorem tax bill to be mailed in November 2010. The Town Council intends to impose and collect the maintenance assessments on an annual basis.

If you have any questions, please contact the Town Manager's Office at (561) 838-5410, Monday through Friday between 8:30 a.m. and 5:00 p.m.

MAP OF ASSESSMENT AREA



**TOWN COUNCIL OF
THE TOWN OF PALM BEACH, FLORIDA**

APPENDIX B
FORM OF NOTICE TO BE MAILED

APPENDIX B

FORM OF NOTICE TO BE MAILED

**Town Council of the
Town of Palm Beach, Florida
Address
Town of Palm Beach, FL**

TOWN OF PALM BEACH, FLORIDA
NOTICE OF HEARING TO IMPOSE AND PROVIDE
FOR COLLECTION OF NON-AD VALOREM
ASSESSMENTS
NOTICE DATE: AUGUST 24, 2022

**Owner Name
Address
City, State Zip**

Tax Parcel #: _____
Legal Description: _____
Sequence #: _____

As required by section 197.3632, Florida Statutes, and the direction of the Town Council of the Town of Palm Beach, Florida, notice is given by the Town of Palm Beach that an annual assessment for the design, construction and installation, of the Worth Avenue Improvement Project has been imposed on your property and an accompanying annual assessment for maintenance of the Worth Avenue Improvement Project using the tax bill collection method may be levied on your property contained within the Worth Avenue Assessment Area for the fiscal year October 1, 2022 - September 30, 2023 and future fiscal years. You are receiving this notice due to changes in the rates of assessment or changes in the assessment units assigned to your property. The use of an annual special assessment to fund improvements and services benefiting improved property located within the Worth Avenue Assessment Area is a fair, efficient and effective means of funding these needed improvements and services. The total annual assessment revenue related to the Improvement Assessment to be collected within the Worth Avenue Assessment Area is estimated to be \$ _____. The total annual assessment revenue related to the Maintenance Assessment to be collected within the Worth Avenue Assessment Area is estimated to be \$ _____. The annual assessment will include your fair share of the principal, interest, administration, project and maintenance costs related to the Worth Avenue Improvement Project and amounts related to collection of assessments.

The assessment for your property will be based in part of the amount of Land Area on the Tax Parcel and in part on the Taxable Value of the Tax Parcel, as these values were assigned upon the initiation of the assessment program with the adoption of the Initial Assessment Resolution (No. 74-10). A more specific description of the improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution (Resolution No. 74-10). Copies of Chapter 90, Article II of the Town Code, the Initial Assessment Resolution (Resolution No. 74-10), the Final Assessment Resolution (Resolution No 98-10), the Preliminary Rate Resolution and the updated Assessment Roll for the upcoming fiscal year are available for inspection at the office of the Town Manager, located at Town Hall, 360 South County Road, Palm Beach, Florida.

The total Land Area assigned to the above parcel was _____.

The total number of EVUs (value) assigned to the above parcel was _____.

The maximum annual Improvement Assessment for the above parcel is \$ _____ for the fiscal year commencing on October 1, 2022, and future fiscal years.

The annual Maintenance Assessment for the above parcel is \$ _____ for the fiscal year commencing on October 1, 2022, and future fiscal years.

A public hearing will be held at 5:01 p.m. on September 14, 2022, in the Town of Palm Beach Town Council Chambers, Town Hall, 360 South County Road, Palm Beach, Florida, for the purpose of receiving public comment on the special assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice. Pursuant to section 286.0105, Florida Statutes, if you decide to appeal any decision made by the Town Council with respect to any matter considered at the hearing or at any subsequent meeting to which the Town Council has continued its deliberations, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Manager's Office at (561) 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) business days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Town Council action at the above hearing (including the method of

apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Both the non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill mailed in November 2022. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. The Town has issued debt to finance this project. This will permit the cost attributable to your property to be amortized and collected as an Improvement Assessment over a period of 30 years beginning in 2010; however, if there are no significant defaults in payments of the assessments, all or part of the last payments may be made from any reserve accounts funded by the bonds. The maintenance assessments will be levied annually.

If there is a mistake on this notice, it will be corrected. If you have any questions regarding your assessment, please contact the Town Manager's Office at (561) 838-5410, Monday through Friday between 8:30 a.m. and 5:00 p.m.

*** * * * * THIS IS NOT A BILL * * * * ***

APPENDIX C

ASSESSMENT ROLL



TOWN OF PALM BEACH, FLORIDA
Improvement Assessment Roll and Maintenance
Assessment Roll for the Worth Avenue Assessment Area
Fiscal Year 2023

<u>Property</u>	<u>Assessment #</u>	<u>Service Address</u>	<u>Balance Due</u>
50-43-43-23-05-014-0010	00250-0001	347 WORTH AVE	26,324.67
50-43-43-23-05-014-0031	00250-0002	9 VIA PARIGI	230.58
50-43-43-23-05-014-0241	00250-0003	400 HIBISCUS AVE	14,067.66
50-43-43-23-05-014-0242	00250-0004	301 WORTH AVE	37,991.69
50-43-43-23-05-014-0331	00250-0005	309 WORTH AVE	22,276.35
50-43-43-23-05-014-0391	00250-0006	325 WORTH AVE	9,969.46
50-43-43-23-05-014-0430	00250-0007	331 WORTH AVE	9,051.60
50-43-43-23-05-015-0010	00250-0008	405 HIBISCUS AVE	56,435.12
50-43-43-23-05-015-0280	00250-0010	205 WORTH AVE	43,154.66
50-43-43-23-05-015-0340	00250-0011	219 WORTH AVE	25,764.72
50-43-43-23-05-015-0380	00250-0012	225 WORTH AVE	28,603.04
50-43-43-23-05-015-0420	00250-0013	235 WORTH AVE	12,597.50
50-43-43-23-05-015-0440	00250-0014	237 WORTH AVE	26,628.29
50-43-43-23-05-015-0480	00250-0015	247 WORTH AVE	25,696.67
50-43-43-23-05-016-0010	00250-0017	401 S COUNTY RD	31,474.78
50-43-43-23-05-016-0130	00250-0018	151 WORTH AVE	70,327.97
50-43-43-23-05-016-0380	00250-0019	125 WORTH AVE	73,597.70
50-43-43-23-05-016-0600	00250-0020	411 S COUNTY RD	31,018.86
50-43-43-23-05-017-0010	00250-0086	150 WORTH AVE	175,459.23
50-43-43-23-05-018-0010	00250-0022	256 WORTH AVE	32,642.69
50-43-43-23-05-018-0050	00250-0023	224 WORTH AVE	90,985.22
50-43-43-23-05-018-0170	00250-0024	222 WORTH AVE	18,682.28
50-43-43-23-05-018-0190	00250-0025	216 WORTH AVE	22,964.77
50-43-43-23-05-018-0212	00250-0026	212 WORTH AVE	6,562.81
50-43-43-23-05-018-0230	00250-0027	204 WORTH AVE	61,677.71
50-43-43-23-05-019-0010	00250-0028	350 WORTH AVE	23,496.09
50-43-43-23-05-019-0200	00250-0029	312 WORTH AVE	8,748.75
50-43-43-23-05-019-0220	00250-0030	306 WORTH AVE	27,035.25
50-43-43-26-14-000-0010	00250-0031	175 WORTH AVE	12,836.21
50-43-43-26-14-000-0020	00250-0032	175 WORTH AVE	7,502.40
50-43-43-26-14-000-0030	00250-0033	175 WORTH AVE	6,744.63
50-43-43-27-62-000-0010	00250-0034	329 WORTH AVE	3,906.01
50-43-43-27-62-000-0020	00250-0035	329 WORTH AVE	3,536.98
50-43-43-27-62-000-0030	00250-0036	329 WORTH AVE	4,010.31
50-43-43-27-62-000-0040	00250-0037	329 WORTH AVE	905.98
50-43-43-27-62-000-0050	00250-0038	329 WORTH AVE	1,464.90
50-43-43-27-62-000-0060	00250-0039	329 WORTH AVE	1,907.65
50-43-43-27-62-000-0070	00250-0040	329 WORTH AVE	1,403.00
50-43-43-27-69-000-0010	00250-0041	250 WORTH AVE	2,525.10
50-43-43-27-69-000-0020	00250-0042	250 WORTH AVE	2,502.14



TOWN OF PALM BEACH, FLORIDA
Improvement Assessment Roll and Maintenance
Assessment Roll for the Worth Avenue Assessment Area
Fiscal Year 2023

<u>Property</u>	<u>Assessment #</u>	<u>Service Address</u>	<u>Balance Due</u>
50-43-43-27-69-000-0030	00250-0043	250 WORTH AVE	1,830.22
50-43-43-27-69-000-0040	00250-0044	250 WORTH AVE	3,287.20
50-43-43-27-71-001-1010	00250-0048	339 WORTH AVE	3,960.32
50-43-43-27-71-001-1020	00250-0049	341 WORTH AVE	2,570.64
50-43-43-27-71-001-1030	00250-0050	343 WORTH AVE	2,301.05
50-43-43-27-71-001-1040	00250-0051	345 WORTH AVE	2,384.62
50-43-43-27-71-001-1050	00250-0052	7 VIA MIZNER	768.97
50-43-43-27-71-001-1060	00250-0053	8 VIA MIZNER	752.82
50-43-43-27-71-001-1070	00250-0054	9 VIA MIZNER	768.97
50-43-43-27-71-001-1080	00250-0055	14 VIA MIZNER	1,915.28
50-43-43-27-71-001-1090	00250-0056	14 VIA MIZNER	908.29
50-43-43-27-71-001-1100	00250-0057	23 VIA MIZNER	757.30
50-43-43-27-71-001-1110	00250-0058	21 VIA MIZNER	1,223.12
50-43-43-27-71-001-1120	00250-0059	5 VIA MIZNER	617.97
50-43-43-27-71-001-1140	00250-0060	28 VIA MIZNER	986.24
50-43-43-27-71-001-1150	00250-0061	32 VIA MIZNER	1,809.09
50-43-43-27-71-001-1160	00250-0062	33 VIA MIZNER	1,444.57
50-43-43-27-71-001-1170	00250-0063	34 VIA MIZNER	1,837.33
50-43-43-27-71-001-1180	00250-0064	333 WORTH AVE	3,109.54
50-43-43-27-71-001-1190	00250-0065	335 WORTH AVE	2,486.37
50-43-43-27-71-001-1200	00250-0066	337 WORTH AVE	2,475.98
50-43-43-27-71-001-2080	00250-0067	16 VIA MIZNER	3,685.28
50-43-43-27-71-001-2160	00250-0068	38 VIA MIZNER	4,180.99
50-43-43-27-71-002-1010	00250-0071	60 VIA MIZNER	750.14
50-43-43-27-71-002-1020	00250-0072	64 VIA MIZNER	679.93
50-43-43-27-71-002-1030	00250-0073	64 VIA MIZNER	835.88
50-43-43-27-71-002-1040	00250-0074	66 VIA MIZNER	499.94
50-43-43-27-71-002-1050	00250-0075	66 VIA MIZNER	542.26
50-43-43-27-71-002-1060	00250-0076	87 VIA MIZNER	1,400.70
50-43-43-27-71-002-1070	00250-0077	87 VIA MIZNER	877.90
50-43-43-27-71-002-1080	00250-0078	87 VIA MIZNER	732.48
50-43-43-27-71-002-1090	00250-0079	88 VIA MIZNER	2,053.78
50-43-43-27-71-002-1100	00250-0080	90 VIA MIZNER	2,492.10
50-43-43-27-71-002-1110	00250-0081	92 VIA MIZNER	1,243.19
50-43-43-27-71-002-1120	00250-0082	96 VIA MIZNER	586.13
50-43-43-27-71-002-1140	00250-0083	99 VIA MIZNER	498.79
50-43-43-27-71-002-1150	00250-0084	99 VIA MIZNER	1,533.80
50-43-43-27-71-002-2010	00250-0085	64 VIA MIZNER	1,408.96
50-43-43-27-88-000-0010	00250-0090	259 WORTH AVE	12,678.61
50-43-43-27-88-000-0020	00250-0091	415 HIBISCUS AVE	12,678.61



TOWN OF PALM BEACH, FLORIDA
Improvement Assessment Roll and Maintenance
Assessment Roll for the Worth Avenue Assessment Area
Fiscal Year 2023

Property

Assessment #

Service Address

Balance Due

\$1,150,266.79

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 084-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-17, Architectural Services to Bridges, Marsh & Associates, Inc., CPZ Architects, Inc., and PGAL Inc. for a five-year contract based on Satisfactory Performance.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated June 26, 2022 from Dean Mealy, Procurement and Contract Manager**
- ▣ **Resolution No. 084-2022**
- ▣ **Scope of Solicitation**
- ▣ **Selection Committee Scoring**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

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

RE: Approve the Award of RFQ No. 2022-17, Architectural Services to Bridges, Marsh & Associates, Inc., CPZ Architects Inc., and PGAL Inc. for a Five-Year Contract Contingent Upon Satisfactory Performance - **Resolution No. 084-2022**

DATE: June 26, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council Approve the Award of RFQ No. 2022-17, Architectural Services to Bridges, Marsh & Associates, Inc., CPZ Architects Inc., and PGAL Inc. for a Five-Year Contract Contingent Upon Satisfactory Performance.

GENERAL INFORMATION

The existing contract for Architectural Services has no additional options for renewal. The Public Works Department indicated a continued use for these services.

Anticipated work includes providing Architectural Services for the recently awarded Engineering Study of the Town Facilities in addition to other projects as they may arise. Entering into a contract with a consultant does not obligate the Town to issue any purchase orders with the successful consultant.

PROCUREMENT AND CONTRACT BACKUP

Town Procurement and Contracts advertised this project nationally through DemandStar to 1,143 firms. The solicitation was also advertised through the Town website and the Palm Beach Post. The solicitation was advertised for thirty days. Five firms responded to the RFP.

The Selection Committee consisted of the following voting and non-voting members:

<u>Voting</u>	<u>Non-Voting</u>
Wayne Bergman	Paul Brazil, P.E.
Jason Debrincat, PE	Patricia Strayer, P.E.
Eric Brown, P.E.	Dean Mealy and Ryan Canterbury (facilitators)

The Town received proposals from:

- Bridges, Marsh & Associates, Inc.
- CPZ Architects, Inc.
- PGAL, Inc.
- REG Architects Inc.
- Song and Associates Inc.

The Selection Committee conducted oral interviews for this solicitation. After the presentations, the Selection Committee recommended that the following three firms be awarded:

- Bridges, Marsh & Associates, Inc.
- CPZ Architects, Inc.
- PGAL, Inc.

FUNDING/FISCAL IMPACT

Funding for this award will be from each respective awarded project budget.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by the Public Works Department and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 084-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF RFQ NO. 2022-17,
ARCHITECTURAL SERVICES TO BRIDGES, MARSH &
ASSOCIATES, INC., CPZ ARCHITECTS, INC., AND PGAL
INC. FOR A FIVE-YEAR CONTRACT BASED ON
SATISFACTORY PERFORMANCE**

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. 084-2022, approving the Award of RFQ No. 2022-17, Architectural Services to Bridges, Marsh & Associates, Inc., CPZ Architects Inc., and PGAL Inc. for a Five-Year Contract Contingent Upon Satisfactory Performance.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of July, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member



Town of Palm Beach

RFQ No. 2022-17

Architectural Services

1 INTRODUCTION

The Town of Palm Beach desires to engage one or more professional architectural services consultants on a continuing basis to perform design services, preparation of technical specifications, detailed design plans, construction observation, studies, landscape architectural and other professional architectural services.

Anticipated work includes design of new buildings, renovations to existing buildings, upgrades to building infrastructure, improvements to site plans, master plans, landscape architecture, feasibility studies and related surveying and architectural services. The Town will require the consultant to provide complete professional architectural services including detailed design plans and technical specifications that meet projects scope of work both electronically and in hard copy format.

2 SCOPE OF WORK

The categories of the Architectural Services that may be required are as follows:

1. New buildings
2. Renovations of existing buildings
3. Upgrades to building infrastructure
4. Site Plan development
5. Landscape Architecture
6. Related surveying and permitting services
7. Improvements within the Capital Improvement Program
8. Other architectural services

Specific projects anticipated are as follows:

1. Public Works Facility renovations
2. Police Facility renovations
3. Lifeguard Facilities renovations
4. Old Police and Old Purchasing Facilities renovations
5. Town Facilities roof replacements
6. Pinewalk Transfer Facility renovations/upgrades
7. Improvements as may be set forth in written Capital Improvement Program

The Town may require other architectural related projects necessary to continue to provide a high level of service to Town residents.

The Services that may be required are as follows:

1. Project liaison services
2. Cost estimating
3. Development of easement configurations
4. Utilities (electric, CATV, telecommunications) associated with design plans
5. Preparation of design plans and specifications
6. Contractor evaluation services
7. Construction management services
8. Development of project as-builts
9. Surveying
10. Development of landscape plans



Town of Palm Beach

RFQ No. 2022-17

Architectural Services

11. Building Department Review, Committee Presentations (ARCOM, Landmark, Zoning, etc.)
12. Other work as mutually agreed upon

3 APPROACH TO THE PROJECT

The proposal shall include a description of the proposed service, with any exhibits or documentation deemed essential, addressing the following phases of the proposed service:

1. Overall approach and methods used to achieve a fully functional Project
2. Methodology for development of design plans and technical specifications
3. Describe involvement of Town staff
4. Describe the current workload

4 TOWN CONTRACT COORDINATOR

The Town will assign a Contract Coordinator for this project. After the Notice to Proceed/Purchase Order is issued, all communications and correspondence shall be directed to the Contract Coordinator at Town of Palm Beach, 951 Okeechobee Road, West Palm Beach, FL 33401 with copies of the correspondence to the Purchasing Division at 951 Old Okeechobee Road, Suite "D", West Palm Beach, FL 33401.

5 DESIGNATED PERSONNEL

The Applicant Firm shall designate the personnel to be assigned specifically to the performance of this work. At the time of negotiation for entry into a formal contract, the Town shall have the right to specify those key project personnel for whom the Applicant Firm shall not be allowed to substitute other personnel without prior written permission of the Town.

RFQ No. 2022-17 Architectural Services						
Summary of Ordinal Scoring						
Companies						
Selection Committee	Bridges, Marsh & Associates, Inc.	CPZ Architects, Inc.	PGAL, Inc.	REG Architects Inc.	Song + Associates, Inc.	
	Eric Brown	1	2	3	4	5
	Jason Debrincat	1	2	3	4	5
	Wayne Bergman	1	3	2	4	4-5
	TOTAL	3	7	8	12	14-15

RSK DEN
RSK DEN

Date: 06/10/2022

Witness: _____

[Signature]

NOTE: The lowest score is the highest ranked company etc.

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 085-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2022-14, Purchase of Uniforms and Accessories for Fire Rescue to Seacoast Embroidery in the Annual Amount of \$65,000 and a Five-Year Contract in the Amount of \$325,000 Contingent Upon Satisfactory Performance and Budget Authorization.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated June 26, 2022 from Dean Mealy, Procurement and Contract Manager**
- ▣ **Resolution No. 085-2022**
- ▣ **Scope of Solicitation**
- ▣ **Price Sheet**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

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

RE: Approve the Award of ITB No. 2022-14, Purchase of Uniforms and Accessories for Fire Rescue to Seacoast Embroidery in the Annual Contract Amount of \$65,000 and a Five-Year Contract Award in the Amount of \$325,000 Contingent Upon Satisfactory Performance and Budget Authorization - **Resolution No. 085-2022**

DATE: June 26, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council Approve the Award of ITB No. 2022-14, Purchase of Uniforms and Accessories for Fire Rescue to Seacoast Embroidery in the Annual Contract Amount of \$65,000 and a Five-Year Contract Award in the Amount of \$325,000 Contingent Upon Satisfactory Performance and Budget Authorization.

GENERAL INFORMATION

The existing contract for Fire Rescue Uniforms has no additional options for renewal. Fire Rescue indicated a continued use for these services.

PROCUREMENT AND CONTRACTS BACKUP

Town Procurement and Contracts advertised this project nationally through DemandStar to 79 firms and 272 firms through the Town's e-bidding system. The solicitation was also advertised through the Palm Beach Post. The solicitation was advertised for thirty days. Twelve firms responded to the ITB.

Seacoast Embroidery submitted the best pricing for the requested bid items. Seacoast is also the current vendor of record and has had good vendor evaluations.

FUNDING/FISCAL IMPACT

This contract will be funded by Fire Rescue General Operating Budget.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by Fire Rescue and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 085-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF ITB NO. 2022-14, PURCHASE
OF UNIFORMS AND ACCESSORIES FOR FIRE RESCUE TO
SEACOAST EMBROIDERY IN THE ANNUAL AMOUNT OF
\$65,000 AND A FIVE-YEAR CONTRACT IN THE AMOUNT OF
\$325,000 CONTINGENT UPON SATISFACTORY
PERFORMANCE AND BUDGET AUTHORIZATION**

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. 085-2022, approving the Award of ITB No. 2022-14, Purchase of Uniforms and Accessories for Fire Rescue to Seacoast Embroidery in the Annual Contract Amount of \$65,000 and a Five-Year Contract Award in the Amount of \$325,000 Contingent Upon Satisfactory Performance and Budget Authorization.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of July 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

BID No. 2022-14

PURCHASE OF UNIFORMS AND ACCESSORIES FOR FIRE RESCUE

PURPOSE OF SOLICITATION

The sole purpose and intent of this Invitation for Bid (Bid) is to secure a full-service CONTRACTOR who can supply professional look garments, accessories, shoes and has a full time seamstress on staff to provide sizing, alterations, and embroidery.

Part 1: General

Contractor shall provide all necessary labor, management, supervision and any other materials and equipment necessary to provide Uniforms for the Palm Beach Fire Department to the Town of Palm Beach.

- The Fire Department will supply the vendor with patches for specific garments. Patches will be sewn through one garment thickness only, and will be sewn level and centered in the appropriate location designated by the Town's Fire Department. The successful vendor may choose to embroider the patch design onto the garment. All uniform pricing shall include the application of the patches as directed by the Fire Department.
- The F.O.B. point shall be destination, Fire Department, 300 North County Road, Palm Beach, FL 33480 or designated location. No shipping or handling charges shall be paid by the Town. Exact delivery points will be indicated on the blanket purchase order.
- Pricing shall include all fees, (set up, screening etc.)
The Fire Department will provide art work to awarded vendor for screen printing or other application process. Attachment 'A' shows these designs.
- Part 3. Technical Specifications includes detailed descriptions of each uniform garment requested. These descriptions are intended to be descriptive of the quality and style of uniforms desired by the Town. No deviations from these specifications shall be allowed. No "or equal brands" shall be considered and samples of these shall be requested to insure quality and color correctness. Samples of these items may be requested to insure quality and color correctness. The Bidder shall supply requested samples at no charge to the Town. If requested, the samples shall be returned at no cost to the Town.
- The garments listed in Part 3, Technical Specifications are typical garments (Core Items) worn by the Town's Fire Department. The Town may decide to purchase other uniform garments and accessories, or select other colors, not defined in this attachment. For these items the TOWN may choose to purchase items not included in the Core Items, but contained in the CONTRACTOR's catalog, availability list, on their website at catalog prices, or their dynamic (live) catalog, less the fixed discount percentage as listed on the Price Proposal Pages for that manufacturer. The CONTRACTOR'S catalog shall be the same manufacturer as the Core Item manufacturer.
- Refer to Attachment A for placement of emblems and embroidery.

SPECIFICATIONS

Part 2. Services to be provided

1. Uniform measurements: It shall be the responsibility of the Contractor to supply services to measure individual employees to insure proper fit of all garments. All employees requiring uniforms shall be measured by the vendor to ensure that the correct sizes are provided. The vendor shall maintain a record of sizes for all uniform users and new replacement uniforms shall be furnished in the correct size. The Town requires that uniform measurements be taken at the designated Fire station. At the Town's option, measurements may be taken at the awarded vendor's store (vendor location) located within a forty (40) mile radius of the Town of Palm Beach (33480).

The Town requires a full-service CONTRACTOR who can supply professional look garments, accessories, shoes and has a full time seamstress on staff to provide sizing, alterations, and embroidery.

The CONTRACTOR shall provide a full-service store:

- A. A store which is centrally located within a forty (40) mile radius of the Town's Fire station located at 345 S. County Rd, Palm Beach, 33480. If not already in existence, the store shall be established within six (6) months of contract award.
 - B. Hours of operation shall begin with a minimum of five (5) days per week and a minimum of eight (8) hours per day.
 - C. The ability for the store to be utilized for measuring employees for proper sizes, alterations/sizing, embroidering, applying patches, retrieval of items ordered, and/or exchange of items.
 - D. A mutually agreed upon supply of items in stock that is necessary for normal operations and in the event of an emergency. Any reduction in supply shall be agreed upon, in writing, by the Town.
2. The successful bidder shall provide service for the fitting of new employees. The vendor shall schedule appointments for fitting within 48 hours of request. Add on or size changes during the contract shall be delivered within ten (10) working days after measurements.

Successful bidder **shall** be required to provide, at no additional charge, simple alterations/hemming. Simple alterations are defined as shortening length or adjusting the waste. Additional alterations are at a cost.
 3. Town logo patches will be applied by the vendor as specified by the Fire Department.
 4. The vendor shall have an established quality control process and shall provide, upon request, all forms and information detailing their quality control policies and procedures.

NO IRREGULAR CUTS OR SECONDS WILL BE ACCEPTED BY THE TOWN

5. There shall be no set up charges, no specialty delivery charges, no fuel surcharges, no environmental surcharges and no measuring charges.
6. The vendor shall provide a secure password protected on-line store with capabilities of up to 80 employees to access and order specific items set forth in the bid.

This computerized on-line store shall already be in existence and used successfully by the CONTRACTOR at the time the proposal is submitted.

At minimum the computerized inventory system shall:

- A. Maintain information on each Fire Department employee who receives an item, including, but not limited to, assigned location; delivery location; size; type and quantity of items distributed, and date distributed.
 - B. Track individual items including the date distributed, person distributed to, and the cost of the item.
 - C. The CONTRACTOR shall coordinate with the Town to develop an order form to be used by Town employees when requesting uniforms via online ordering.
 - D. Generate quarterly reports for the Town that shows individual and statistical information on usage, costs, billings, and payments.
7. The vendor shall have embroidery services located within 20 miles of the Town of Palm Beach (33480)
 8. The vendor shall provide delivery of items set forth in the bid on a semi-monthly basis if requested.

NO SUBSTITUTIONS ALLOWED

Because the style, color, and performance are critical to the Town of Palm Beach Fire Rescue Department, no manufacturer, brand, or Item number substitution will be allowed.

Samples of these items may be requested to insure quality and color correctness. The Bidder shall supply requested samples at no charge to the Town.

Part 3. Technical Specifications

1. Men's Short Sleeve Polo Shirts:

Tru-Spec 24-7 Item No. 4338
Color: Grey
Sizes Small-4XLarge

2. Women's Short Sleeve Polo Shirts:

Tru-Spec 24-7 Item No. 4397
Color: Grey
Sizes Small-4XLarge

3. Short Sleeve Polo Shirts:

Tru-Spec 24-7 Item No. 4326
Color: White

Sizes Xsmall-4XLarge

4. Men's Long Sleeve Polo Shirts

Tru-Spec 24-7 Item No. 4356

Color: Grey

Sizes: Small – 4XL

5. Women's Long Sleeve Polo Shirts

Tru-Spec 24-7 Item No. 4400

Color: Grey

Sizes: Small – XXXL

6. Long Sleeve Polo Shirts

Tru-Spec 24-7 Item No. 4359

Color: White

Sizes: XSmall – 4XL

7. T Shirts Long Sleeve

Gildan Preshrunk

100% Cotton 6.1 oz. Ultra Cotton

Color: 2400 Ash grey

Sizes: All sizes

8. T Shirts Short Sleeve

Gildan Preshrunk

100% Cotton 6.1 oz. Ultra Cotton

Color: 2400 Ash grey

Sizes: All sizes

9. Men's' Long Sleeve Dress Shirt

Tact Squad No. 8003W

Color: White

Sizes Small – 4XLarge

10. Women's' Long Sleeve Dress Shirt

Tact Squad No. 8003WW

Color: White

Sizes Small – 4XLarge

11. Men's Short Sleeve Dress Shirt

Tact Squad No. 8013W

Color: White

Sizes: Small – 4XLarge

12. Women's Short Sleeve Dress Shirt

Tact Squad No. 8013WW

Color: White

Sizes: Small – 4XLarge

13. Men's Pants

Tru Spec 24-7 Series – Item No. 1061

Color: Navy
Sizes: All Sizes (Hem to appropriate length)

14. Women's Pants

Tru Spec 24-7 Series – Item No. 1097
Color: Navy
Sizes: All Sizes (Hem to appropriate length)

15. Men's Pants

Tact Squad 7012N (Poly Cotton)
Color: Navy
Sizes: All Sizes (Hem to appropriate length)

16. Women's Pants

Tact Squad 7012NW (Poly Cotton)
Color: Navy
Sizes: All Sizes (Hem to appropriate length)

17. Men's Class A Pants

Blauer 8650 (Polyester)
Color: Black
Sizes: All Sizes (Hem to appropriate length)

18. Women's Class A Pants

Blauer 8650W (Polyester)
Color: Black
Sizes: All Sizes (Hem to appropriate length)

19. Tactical Jumpsuit:

Topps Safety PC04-1605
● Short sleeves with 1" Scotchlite® lime yellow trim on cuffs
● Pleated bi-swing back with elasticized waist
● Suit back has 1" Scotchlite® lime yellow reflective trim across the back placed 4" above the waistband
Color: Navy
Sizes Small – 4XLarge Regular and Medium – XLarge Long (Hem to appropriate length)

20. Job Shirt

R Heroes Style 805
Color: RH 805 Navy
Sizes: All sizes

21. Winter Jacket

511 Style 48026 Big Horn
Color: Navy
Sizes: All sizes

22. Workout Short

5.11 Tactical 43061

Color: Navy
Sizes: All

23. Booney Hat

Fahrenheit Aussie Sun Hat 679
Size: One size fits all; Color: Navy

24. Ball Cap

FlexFit Pro-Formance 6580 Cap
Sizes: All sizes
Color: Navy

25. Blackhawk Belt

CQB/Riggers Belt
Sizes: All sizes
Color: Black

26. No Scratch Belt (1.5" Hook and Loop Tipped)

Boston Leather 6530
●10-12 ounce, full grain leather
●No buckle
Sizes: All sizes

27. Dress Belt (Traditional 1.5" Off duty belt)

Boston Leather 6582
Gold and Silver Buckles
Sizes: All sizes

28. Black High Shine Academy Oxford Shoes (Men and Women)

Thorogood 834-6041
Sizes: All sizes

29. Black High Gloss Academy Oxford Shoes (Men and Women)

Thorogood 831-6031
Sizes: All Sizes

30. Thorogood Boots 8" side zipper, Black (Men and Women)

Size: All Sizes, option for (with or without Safety toe)

31. Rocky Boots 10" side zipper, Black (Men and Women)

FQ0002090
Size: All Sizes, option for (with or without Safety toe)

32. Bates Boots 6" side zipper, Black (Men and Women)

E06606
Size: All Sizes, option for (with or without Safety toe)

33. Port Company - Core Blend Tee. PC55 _S-XL

34. Port Company - Core Blend Tee. PC55 _2X

35. Port Company - Core Blend Tee. PC55 _3X

36. Port Company - Core Blend Tee. PC55 _4X

37. Port Company - Core Blend Tee. PC55 _5X

38. Port Company - Core Blend Tee. PC55 _6X

39. Port Company Tall Core Blend Tee. PC55T_LT-XLT

40. Port Company Tall Core Blend Tee. PC55T_2XLT
 41. Port Company Tall Core Blend Tee. PC55T_3XLT
 42. Port Company Tall Core Blend Tee. PC55T_4XLT

Part 4. Estimated Quantities

The Town estimates that it will use approximately the number of types and styles of garments listed below. These estimated quantities are based upon the best available information. The Town reserves the right to increase or decrease the quantity by any amount deemed necessary to meet its needs without any adjustments in the quoted price. The chart below represents current estimated quantities per year.

Item	Quantity
Short Sleeve Polo Shirts	200
Long Sleeve Polo Shirts	80
Tactical Jumpsuits	30
Long Sleeve Dress Shirts	50
Short Sleeve Dress Shirt	30
EMS Tactical Pants	200
Dress Pants Blue	20
Class A Pants Black	50
T Shirts Short Sleeve	250
T Shirts Long Sleeve	150
Job Shirts	30
Winter Jacket	12
Workout Short	100
Ball Cap	120
Booney Hat	50
Tactical Belt	40
Dress Belt	20
Formal Belt	12
Port Company - Core Blend Tee	60
Port Company Tall Core Blend Tee	30

OPTION

ADDITIONAL ITEMS

The TOWN, from time to time, may choose to issue items not included in the Core Items, but contained in the CONTRACTOR's catalog, availability list or on their website at catalog prices, less the fixed discount percentage as listed on the Price Proposal Pages for that manufacturer. The CONTRACTOR'S catalog shall be the same manufacturer as the Core Item manufacturer that the CONTRACTOR bid on.

The Town may purchase uniform garments and accessories, or select other colors, not defined in this bid document. For those products shown in the following chart, include the percentage of discount from your published price list that will be offered to the Town:

Bates Footwear - Discount from Published Price List _____ %
Rocky Boots - Discount from Published Price List _____ %
Weinbrenner Shoe Company, Thorogood Boots and Shoes - Discount from Published Price List..... _____ %
Boston Leather - Discount from Published Price List _____ %
Blackhawk CQB – Discount from Published Price List _____ %
Flexfit - Discount from Published Price List _____ %
Fahrenheit Headwear & Jackets - Discount from Published Price List _____ %
5.11 Inc. - Discount from Published Price List _____ %

R Heroes Inc. - Discount from Published Price List _____ %
Gildan - Discount from Published Price List _____ %
Blauer Manufacturing Co. Inc. - Discount from Published Price List _____ %
Tact Squad - Discount from Published Price List _____ %
Tru Spec - Discount from Published Price List _____ %
Topps Safety Apparel, Inc. -Discount from Published Price List _____ %
Bates Footwear - Discount from Published Price List _____ %

Description	Quantity	Price	Total
Tru Spec 24-7 Series Short Sleeve Polo Shirts Item No. 4338 Color: Grey Sizes Small to Extra Large	100	\$37.99	\$3,799.00
Tru Spec 24-7 Series Short Sleeve Polo Shirts Item No. 4338 Color: Grey Plus Sizes	40	\$39.99	\$1,599.60
Tru Spec Series 24-7 Series Long Sleeve Item No. 4359 Polo Shirts: White Sizes Small to Extra Large	65	\$39.99	\$2,599.35
Tru Spec Series 24-7 Series Long Sleeve Item No. 4359 Polo Shirts: White Plus Sizes	15	\$42.99	\$644.85
Tru Spec Series 24-7 Series Long Sleeve Item No. 4356 Polo Shirts: Grey Sizes Small to Extra Large	65	\$39.99	\$2,599.35
Tru Spec Series 24-7 Series Long Sleeve Item No. 4356 Polo Shirts: Grey Plus Sizes	15	\$42.99	\$644.85
Topps Safety PC04-1605 Color: Navy Sizes Small – 4XLarge Regular	20	\$156.75	\$3,135.00
Topps Safety PC04-1605 Color: Navy Sizes Medium – XLarge Long Includes Reflective Striping	10	\$175.55	\$1,755.50
Tact Squad Long Sleeve Dress Shirt Item No. 8003W Color: White Regular Sizes	40	\$25.00	\$1,000.00
Tact Squad Long Sleeve Dress Shirt Item No. 8003W Color: White Plus Sizes	10	\$27.00	\$270.00
Tact Squad Short Sleeve Dress Shirt Item No. 8013W Color: White Regular Sizes	25	\$24.00	\$600.00
Tact Squad 8013W Short Sleeve Dress Shirt Item 8013W Color: White Plus Sizes	5	\$26.00	\$130.00
Tru Spec 24-7 Series Men's Pants – Item No. 1061 All Sizes	200	\$41.00	\$8,200.00
Tac Squad Men's Pants Item - Item No. 7012N All Sizes	20	\$28.00	\$560.00
Blauer Men's Class A Pants Item No. 8650	50	\$54.00	\$2,700.00
Gildan Preshrunk 100% Cotton 6.1 oz. Ultra Cotton T Shirt Short Sleeve Color: 2400 Ash Grey Regular Sizes	200	\$13.75	\$2,750.00

Gildan Preshrunk 100% Cotton 6.1 oz. Ultra Cotton T Shirt Short Sleeve Color: 2400 Ash Grey Plus Sizes	50	\$16.25	\$812.50
Gildan Preshrunk 100% Cotton 6.1 oz. Ultra Cotton T Shirt Long Sleeve Color: 2400 Ash Grey Regular Sizes	100	\$15.75	\$1,575.00
Gildan Preshrunk 100% Cotton 6.1 oz. Ultra Cotton T Shirt Long Sleeve Color: 2400 Ash Grey Plus Sizes	50	\$17.75	\$887.50
R Heroes Job Shirt Style 805 Color: RH 806 Navy Regular Sizes	20	\$51.00	\$1,020.00
R Heroes Job Shirt Style 805 Color: RH 806 Navy Plus sizes	10	\$53.00	\$530.00
5.11 Winter Jacket Style 48026 Big Horn Color: Navy Regular Sizes	8	\$88.00	\$704.00
5.11 Winter Jacket Style 48026 Big Horn Color: Navy Plus Sizes	4	\$92.00	\$368.00
5.11 Tactical43061 Workout Shorts Color: Navy Regular Sizes	80	\$33.00	\$2,640.00
5.11 Tactical 43061 Workout Shorts Color: Navy Plus Sizes	20	\$37.00	\$740.00
Fahrenheit Aussie Sun Hat 679 Color: Navy Size: One size fits all	50	\$21.00	\$1,050.00
FlexFit Pro-Formance 6580 Cap Color Navy All Sizes	120	\$14.25	\$1,710.00
Blackhawk CQB/Riggers Belt Color: Black All Sizes	40	\$38.99	\$1,559.60
Boston Leather No Scratch Belt 6530 All Sizes	12	\$26.56	\$318.72
Boston Leather Dress Belt 6582 All Sizes	6	\$24.00	\$144.00
Black High Shine Academy Oxford Shoes Thorogood 834-6301 Sizes: All sizes	10	\$65.50	\$655.00

Black High Gloss Academy Oxford Shoes Thorogood 831-6031 Sizes: All Sizes	60	\$65.50	\$3,930.00
Thorogood Boots 8" side zipper, Black Size: All Sizes, option for (with or without Safety toe)	20	\$115.75	\$2,315.00
Rocky Boots 10" side zipper, Black FQ0002090 Size: All Sizes, option for (with or without Safety toe)	20	\$115.00	\$2,300.00
Bates Boots 6" side zipper, Black E06606 Size: All Sizes, option for (with or without Safety toe)	20	\$105.00	\$2,100.00
Port Company - Core Blend Tee. PC55_S-XL	20	\$12.50	\$250.00
Port Company - Core Blend Tee. PC55_2X	10	\$14.50	\$145.00
Port Company - Core Blend Tee. PC55_3X	10	\$15.50	\$155.00
Port Company - Core Blend Tee. PC55_4X	10	\$16.50	\$165.00
Port Company - Core Blend Tee. PC55_5X	10	\$17.50	\$175.00
Port Company - Core Blend Tee. PC55_6X	10	\$20.50	\$205.00
Port Company Tall Core Blend Tee. PC55T_LT-XLT	10	\$13.50	\$135.00
Port Company Tall Core Blend Tee. PC55T_2XLT	10	\$15.50	\$155.00
Port Company Tall Core Blend Tee. PC55T_3XLT	10	\$17.50	\$175.00
Port Company Tall Core Blend Tee. PC55T_4XLT	10	\$18.50	\$185.00
Total			\$60,091.82

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 086-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-13, Emergency Medical Services for Third Party Billing to EMS Management & Consultants, Inc. in the Annual Amount of \$20,000 and Establishing a Five-Year Contract in the Amount of \$100,000 Contingent Upon Satisfactory Performance and Budget Authorization.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Resolution No. 086-2022**
- ▣ **Scope of Solicitation**
- ▣ **Selection Committee Scoring**

RESOLUTION NO. 086-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF RFP NO. 2022-13, EMERGENCY
MEDICAL SERVICES FOR THIRD PARTY BILLING TO EMS
MANAGEMENT AND CONSULTANTS, INC. IN THE ANNUAL
AMOUNT OF \$20,000 AND ESTABLISHING A FIVE-YEAR
CONTRACT IN THE AMOUNT OF \$100,000 CONTINGENT
UPON SATISFACTORY PERFORMANCE AND BUDGET
AUTHORIZATION**

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. 086-2022, approving the Award of RFP No. 2022-13, Emergency Medical Services for Third Party Billing Services to EMS Management & Consultants, Inc. in the Annual Amount of \$20,000 and Establishing a Five-Year Contract in the Amount of \$100,000 Contingent Upon Satisfactory Performance and Budget Authorization.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of July 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

RFP No. 2022-13 Emergency Medical Services Third Party Billing Services

Introduction: The Town of Palm Beach seeks proposals from qualified firms to provide Emergency Transport Services Billing for the Town of Palm Beach, Florida. This is a request for interested firms to submit their credentials and qualifications to the Town for consideration to provide annual services.

Contract Term: The purpose of the RFP is to enter into an agreement to provide Emergency Transport Services Billing, beginning with two (2) year period with options to renew for up to three (3) additional annual periods, for a total potential contract term of five (5) years.

Renewal of Contract: The option for renewal will only be exercised upon written mutual agreement and with all original terms, conditions and pricing (adjustments may be made to pricing based on the Consumer Price Index at the time of renewal) with no other deviations. Price adjustments upon renewal shall be based on the percent change in the Consumer Price Index, All Urban Consumers, for the Miami-Fort Lauderdale Region from June to June of each prior and renewal year respectively, as published by the United States Department of Labor. Any renewal will be subject to appropriation of funds by the Town Council.

Insurance: CURRENT TOWN REQUIREMENTS

Licenses: Proposers, both corporate and individual must be fully licensed in the State of Florida at the time of RFP submittal. The proposal of any Proposer that is not fully licensed and certified shall be rejected.

PURPOSE AND INTENT

The Town of Palm Beach, Florida, (hereinafter known as "Town") is hereby requesting sealed bids from qualified bidders for the comprehensive Emergency Transport Services Billing(EMSB) – Third-Party Billing Services. The successful Proposer shall be required to provide the TOWN EMERGENCY MEDICAL TRANSPORT SERVICES (Emergency Transport) billing services.

BACKGROUND

The Town of Palm Beach, Florida provides Basic Life Support (BLS) and Advanced Life Support (ALS) emergency medical services (EMS) and transportation to the citizens and visitors of the Town of Palm Beach. Since October 1, 2002, the Town of Palm Beach has been billing for transportation services rendered by the Palm Beach Fire Rescue Services Department. The TOWN currently utilizes a software product licensed by Documed Systems International but intends to transition to Imagetrend for the billing/ePCR called Emergency Pro Version 4.1, Electronic Patient Care Reporting Software. Town of Palm Beach is open to new proposals, which would meet new data reporting requirements and/or compliance standards by years end. As authorized by

Town Resolution No.104-2015, Palm Beach Fire Rescue charges a fee for transport services.

The successful Proposer shall provide and perform all the necessary tasks associated with a comprehensive billing for all billable emergency services and transports provided by the Town of Palm Beach Fire Rescue Department.

The successful Proposer shall coordinate and transition the services from the Town to its system within a timeframe to be agreed upon between the TOWN and the successful Proposer. All data from previous and current billings must be downloaded by the successful Proposer into its database. The successful Proposer shall not receive compensation for this transition and shall be limited to the fees provided in the Price Schedule.

Copies of the Palm Beach Fire Rescue EMS Billing Data are attached as Exhibit A.

SCOPE OF WORK

The successful Proposer shall perform all services and work necessary to complete the following tasks and/or provide the following items:

1. Billing Services

- a) **Provide billing and accounts receivable management services**
The successful Proposer shall provide billing and accounts receivable management services to TOWN for emergency medical transportation services rendered by the TOWN. The successful Proposer shall file required claims documentation and agreements with payors (e.g. Medicare, Medicaid, private insurance companies).
- b) **Electronic Receipt of Billing Information from the TOWN** – The successful Proposer must have the capability to receive all billing information from the The TOWN currently utilizes a software product licensed by Documed Systems International but intends to transition to Imagetrend for the billing/ePCR called Emergency Pro Version 4.1, Electronic Patient Care Reporting Software. The successful Proposer shall provide and maintain a secure FTP site or other secure similar interface for the TOWN to access reports as identified herein in accordance with HIPPA rules and regulations. The successful Proposer shall provide an interface for the Documed Emergency Pro Software or any replacement software application utilized by the TOWN to perform the data transfer necessary to perform the services identified herein. The successful Proposer is responsible for all costs to acquire and maintain the interface.

NOTE : Town currently use Document Systems which has a generic xml/NEMSIS

based extract which a billing company can interface with but intends to transition to Electronic Patient Care Reporting Software (EPCR) TBD. Documed Systems considers the NEMSIS extract their standard Generic interface. It mirrors almost exactly the NEMSIS standard. The software may may not be data reporting or HIPPA compliant by years end. The contact for Documed Systems International Inc. is Chris Haas, (904)-233-8311. The proposed software must be able to interface with compliant software.

- c) **Invoice patients or other third parties responsible for payment of services** - The successful Proposer shall invoice the transported individual, Medicare, Medicaid, private insurance companies or other appropriate third party payors for services provided by TOWN in accordance with time frames as stated herein. Rates shall be subject to change at the TOWN'S discretion at any time throughout the term of the agreement. TOWN agrees to notify the successful Proposer a minimum of seven (7) days prior to any rate change.
- d) **Forms, Filings, and Postage** - The successful Proposer shall be responsible for the invoicing, collection, generation of any and all insurance forms and filings, record maintenance and reports and postage for the mailing of all said invoices, and forms. The successful Proposer shall provide patients with a comprehensive statement/invoice, HIPPA form and a courtesy return payment envelope. The front of the statement shall describe all charges and payments. The reverse side of the statement shall have clearly marked entry blocks for information needed to file insurance claims.
- e) **Credit Card Payments** - The successful Proposer shall have an efficient method for processing and reporting payments made by credit card. The successful Proposer shall clearly detail how credit card payments are processed, including ability to process at successful Proposer's facility. The successful Proposer will be responsible for the merchant transaction fees related to the credit card transactions.
- f) **Reports** – The successful Proposer shall provide the TOWN's Fire Rescue Services Department and/or Financial Services Department with all monthly reports as stated herein. A listing of the required reports is identified in Section 3, Reports.
- g) **Accuracy** – The successful Proposer must be able to process billings and provide reports accurately. The TOWN will not accept an accuracy rate below ninety-nine percent (99%).
- h) **Previously Billed Accounts** – The successful Proposer must have the ability to access and resume service on previously billed accounts

- i) **Electronic Claims Submission** – The successful Proposer must have the capability to transmit and submit claims electronically to Medicare, Medicaid, and commercial insurance carriers.
- j) **Patient Information** – The successful Proposer shall make every effort to locate and correct any incorrect billing address or insurance data for billable patients. The Proposer must take action to obtain any necessary information that may not be in the initial account file. The Contractor shall enter into a business associate agreement with area hospitals and shall have direct electronic access to obtain patient information in accordance with Health Insurance Portability & Accountability Act. The Proposer shall contact the US Post Office's National Change of Address (NCOA) files or other similar services to obtain the correct billing addresses and phone numbers for patients that have left the area, or whom have invalid information.
- k) **Insurance Reviews** – The successful Proposer shall perform all necessary insurance follow-up to assure maximum collection on claims.
- l) **Medicare/Medicaid** – The successful Proposer shall comply with all Medicare, Medicaid, and Health Insurance Portability & Accountability Act (HIPPA) rules and regulations. The successful Proposer shall enter into a business associate agreement with the TOWN.

This shall include keeping abreast of all Medicare, Medicaid, insurance, and other health care issues which may affect payments to the TOWN for emergency transports.

- m) **Crossover Eligibility** – The successful Proposer is responsible for identifying and securing payments due to crossover eligibility, co-insurance, deductibles, etc.
- n) **Timely Billings** – The successful Proposer shall bill emergency transport patients and/or file patient insurance within seven (7) days upon receiving transport information from the TOWN. The successful Proposer shall perform specific services with the principal goal of recovering the maximum amount of fees in the shortest possible time frame and recover the largest total amount with minimized cost to recover.
- o) **Follow-up Billings and Procedures** – The successful Proposer shall have a detailed plan and procedure for claim follow-up to assure maximum collection. The successful Proposer shall re-bill emergency transport patients and/or patients' insurance claims on unpaid balances. This invoice shall reflect detailed account activity, including but not limited to, original billing amount, detailed payment

information, and account balance. The Proposer will be required to mail monthly invoices or statements for each account with an outstanding balance until the account is satisfied or turned over to a collection agency of the TOWN's choosing, including pre collection and collection notices.

- p) **Modified payment schedules** - The successful Proposer agrees to negotiate and arrange modified payment schedules for those individuals unable to pay the full amount when billed in accordance with the TOWN policy
- q) **Redundancy** - The successful Proposer shall maintain on a computer system, all invoices, transaction records, billing activities and financial reports. The computer system shall be equipped with a reliable backup system that will ensure complete record recovery in the event of a computer system failure regardless of cause.
- r) **Segregation of Duties** - The successful Proposer shall insure a segregation of duties, whereby the same individual must not be able to enter billing information, adjust billings, post payments, nor deposit funds; and maintain the necessary levels of security in their automated billing system to protect TOWN from loss.
- s) **Current Database** – The successful Proposer must be able to merge current open accounts from the incumbent vendor's billing system, using one or more industry standard data format. The successful Proposer shall identify which standard it utilizes, i.e., ASCII, DBF, etc.
- t) **Refunds** – The successful Proposer must establish a systematic plan for determining over-payments and assuring refunds to patients or third-party payers. A copy of this plan shall be included in the proposal. The successful Proposer shall have a processing charge of fifty dollars (\$50.00) deducted from the successful Proposer's monthly payment for each refund check issued by the TOWN as a result of the successful Proposer's error. A monthly report of these transactions is required from the proposer to the TOWN.
- u) **Write-offs** - The successful Proposer shall provide the TOWN with information to allow for alternate collection methods or write-off of uncollected receivables at the discretion of the TOWN, no sooner than 12 months from date of initial billing. The Town requires an annual report by October 10th of each year for presentation to the Town Council at the November Town Council Meeting.
- v) **Patient Account Code** – All account numbers must be cross-referenced with the Fire Rescue incident number. This number is in a calendar-year / incident number / patient number format, i.e., the first

incident on January 1, 2003, would be 03-000001-01.

- w) **Records Retention** – The successful Proposer shall retain all appropriate records in accordance with Florida records retention requirements.
- x) **Audit** – On an annual basis, The successful Proposer shall ensure the completion and submission of SAS 70 Audit to the TOWN.
- y) **Compliance with Federal, State, and local laws** - The successful Proposer shall comply with all applicable Federal, State, and local laws as they apply to the services being provided, such as but not limited to the Federal Debt Collection Practices Law. This further includes all requirements to maintain confidentiality for all medical and patient information as related in state and local laws or rules and regulations as well as the Health Insurance Portability and Accountability Act of 1996. The successful Proposer shall facilitate proper security of confidential information and proper shredding of all disposed materials containing such proprietary information in accordance with Florida Law regarding records retention privacy act. The successful Proposer shall provide HIPAA privacy practice requirements to all patients transported in accordance with current regulatory requirements.
- z) The successful Proposer shall limit the use, release, and distribution of confidential patient records, billing and/or collections record(s), and any such information that may be utilized in any public or private legal action(s), business dispute(s), or competitive bidding processes. The contractor shall be solely responsible for the distribution and misuse of the same. All records that are to be included are all records of medical care and/or medical treatment of patient(s), billing and/or collections record(s), or any such information that may be utilized in any public or private legal action(s), business dispute(s), or competitive bidding processes. Only records that are required for disputes regarding billing services with the Town of Palm Beach, and those utilized solely for the purpose of providing patient care information to Town of Palm Beach and/or the receiving hospital(s), and the processing or collection of financial claims may be utilized for use, release, or distribution.
- aa) The successful Proposer will authorization to sign, on behalf of TOWN, the following types of standard forms and correspondence, as designated and approved by the TOWN's Director of Public Safety: probate filings, letters to patients or their representative verifying that an account is paid in full, forms verifying the tax exempt status of the TOWN, and insurance filings and related forms. The proposer acknowledges and agrees that it has no authority to sign any

documents that impose any liability on the TOWN or legally binds the TOWN to third parties.

2. Receipt of Funds

- a) **Lock Box** – The successful Proposer shall establish a “Lock Box” for all receipts under this agreement and shall be responsible for paying all fees associated with the lock box. The successful Proposer shall work closely with the TOWN to secure a Lock Box with an institution of the TOWN’s choice. All customer and third-party receipts are to be mailed to the designated Lock Box for accounting of deposits. The successful Proposer must arrange to have copies of all deposits and back up forwarded to it from the financial institution.

NOTE: The TOWN’s financial institution will be identified to the recommended successful Proposer upon execution of the contract.

- b) **Receipt Posting** – The routine function of posting charges, receipts, account balances, etc., shall not exceed three (3) working days from receipt. Copies of all deposits and back-up information shall be provided to the TOWN within three (3) working days of deposit.

3. Reports

- a) All reports shall be accessible via an FTP or similar secure interface in an excel file format. The acceptable formats are as follows:
 - .xlsx – Excel 2013 format
 - .xlsx – Excel 2016 format
- b) **Monthly Reports** – On a monthly basis, the successful Proposer shall submit to the TOWN, at a minimum, the following:
 - **Schedule of Transport Charges and Collections** – This report shall include a summary of the following: number of transports, gross charges, adjustments, net charges, receipts, balance due, and percentages showing gross collections, net collections, and percent of paying patients – all classified by transport-by- transport month/year.
 - **Collection Schedule** – This report shall include deposit date, number of items, what was collected for today/each day, what was collected month-to-date, collected fiscal year-to-date, and collected cumulative.
 - **Monthly Billing and Collection Summary** – This report shall include transport month/year, total gross billing, less

gross adjustments, collections this month, collections to date, collected gross amount over fifty percent (50%).

NOTE: This report shall be provided to the Palm Beach Finance Department for payment of invoices and shall provide calculations of monthly fees for the third-party billing company.

- **Collection by Financial Class** – This report shall provide a summary for each transport month/year broken down by account type (self-pay, Medicaid, Medicare, private insurance). The report shall include billed amount, amount collected, percent collected, number of accounts, number of not billable collections, gross unbillable collections, total accounts, and the gross amount billed.
- **Ambulance Billing Adjustments-Write-Offs-Reversals** – This report shall include patient number, patient name, incident date, adjustment amount, adjustment or reversal, and type of adjustment.
- **Accounts Receivable by Payer Class** – This report shall include patient number, patient name, incident date, file date, payer class, amount billed, adjustment amounts, amount paid, and amount due. This report shall also include summary totals by fiscal year and payer class.
- **Report by Incident Date (in Numerical Order by Date)** – This report shall include patient number, patient name, street address, city/state, incident date, total charges (amount billed), adjustment amount, amount paid, and amount due.
- **Accounts Receivable Aged Trial Balance** – This report shall include final totals as well as the number of accounts aged for the following categories: current, over thirty (30) days, over sixty (60) days, over one hundred twenty (120) days, over one hundred fifty (150) days, and the balance.
- **Ambulance Payment Report** – This report includes patient number, patient's name, street address, city/state, incident date, check number, check amount, and payment type.

NOTE: This report shall provide the summary (as well as detail) of the total amount collected for the month with a total number of accounts and the amount collected broken down by classification of payment.

- **Report of Accounts Receivable (A/R)** – This report shall provide dollar amount as well as the number of gross billings less what was removed from A/R for the month, less payments, less adjustments/write-offs, less reversals to give the balance of A/R.
- **Insurance Receivable Report** – This report shall include transport month/year and balances, number of accounts broken down by insurance type, last page provides totals by category.
- **Ambulance Unit Report by Incident Month** – This report shall include the number of calls, gross billing, amount received, and percent of gross broken down by transport month/year and unit numbers.
- **Ambulance New Billing Report** – This report shall include the patient number, patient's name, incident date, base amount, mileage amount, total billed, call classification (ALS/BLS, etc.) for all new billings.

NOTE: At the discretion of the TOWN, some of the above reports may only need to be produced quarterly.

- **Ad Hoc Reports** – While the successful Proposer shall provide the monthly reports specified above on a routine basis, the successful Proposer may be required to generate and provide ad hoc reports, as needed by the TOWN. This may include additional monthly reports not listed above. These reports would be limited to information available in the successful Proposer's database.
- **Annotated Log Reports** – The successful Proposer shall maintain an annotated log by patient account for all contacts with the patient/customer. This shall include any insurance, billing, or collection activity. This information shall be provided when requested by the TOWN.

4. Other Services or Provisions

- a) **Commission Fees** – The successful Proposer shall be entitled to fees on all collections for billings during the contract term, and up to three (3) months after expiration or termination of the contract. The TOWN shall be entitled to a refund of fees due to refunds on collections for billing during the contract term, and up to one (1) year after expiration or termination of the contract. The successful Proposer shall provide a

monthly invoice for any fees generated during that month.

- b) **Patient Calls** – The successful Proposer will provide a toll-free telephone number by which patients may contact the successful Proposer anywhere in the Continental United States. This number shall be published on all correspondence and letterheads generated by the successful Proposer.
- c) **Patient/Customer Communications** – The successful Proposer shall provide a designated liaison for patient/payor concerns. All written or verbal communications between the successful Proposer and the patient/customer (patient or legal guardian) shall be conducted in a professional and courteous manner, and all complaints shall be investigated. The successful Proposer shall never, in any way, represent themselves in a way that might be interpreted as intimidating or threatening. All patient/customer contact, whether written, verbal, or otherwise, shall be posted to the annotated logs.
- d) **Account Representative** - The successful Proposer shall designate an account representative that is assigned to the TOWN's account for inquiries from the TOWN.
- e) **Quarterly Meeting** – During the contract term, the successful Proposer shall meet quarterly with designated TOWN personnel at a TOWN designated site for in-service training of TOWN Fire Rescue Administrative personnel and to address contractual, managerial, and/or administrative issues pertinent to the contract. During the quarterly meetings, the proposer shall provide professional assistance to TOWN in evaluating billing policies and fee schedules.
- f) **Education** – The successful Proposer shall provide in-service training to the TOWN Fire Rescue Administrative personnel on all Medicare, Medicaid, and HIPAA rules and regulations. The training shall include providing TOWN staff with all informational updates that are deemed pertinent to emergency medical services third-party billing and reporting services. Successful Proposer shall provide training in an online format via an education link for all personnel.
- g) **Request for Information** – All requests to the TOWN for Fire Rescue transport records are to be made in writing, conform Public Records Law and HIPAA regulations. Verbal requests will be denied.

5. Performance Standards

- a) The following Performance Standards will be used by the TOWN to establish the acceptability of the services provided by the

CONTRACTOR. Failure to meet may result in cancellation of the agreement.

- Average net collection rate. The benchmark for Average Net Collection Rate is measured as total collections for accounts as a percent of amount billed as measured twelve (12) months from date of service.
 - Collection Cycle. The Average Net Collection Rate for each month's billings shall meet or exceed seventy-five (75%) or more of the Average Net Collection Rate benchmark measured twelve (12) months from date of service.
- b) A report on all performance standards will be provided by the CONTRACTOR on a quarterly basis with each report due within 15 days after the quarterly reporting period. Failure to meet or exceed any or all of the performance standards for two (2) consecutive quarterly reports or for two (2) reports of the last four (4) will be considered grounds for termination of the agreement, at the sole discretion of the TOWN. All time periods shall be measured from the date transports are entered into the billing system.
- c) In addition to the performance standards designated above, CONTRACTOR will also be evaluated by TOWN staff on a regular basis regarding the quality of daily service, the timeliness of data exchange and CONTRATORS response to inquiries from TOWN staff, which shall include:
- Response to any TOWN inquiries or questions within two (2) business days.
 - The CONTRACTOR'S response to an emergency request for information within four (4) business hours.
 - Receipt of all required reports by the fifteenth (15) calendar day of the subsequent month. Performance Standards may be modified or updated on an annual basis by mutual agreement of TOWN and CONTRACTOR.
- d) For the purposes of this Request for Proposals, the following definitions apply to this section related to performance standards:
- Transport month means month in which patient is transported for any given incident.
 - Gross Amount Billed means amount initially billed for the accumulation of charges for all services provided for a given

incident, before any adjustments or write-offs.

- Net Collection Rate means Receipts/Gross Amount Billed (minus adjustments for allowances and unbillables.)
- Historical Collection Rates means collection rates defined in (C) for transport months, twelve months or more past incident month. For instance: “Historical Collection Rate” means (Receipts minus adjustments)/Gross Amount Billed for accounts nine months or older.
- Transport Fee means the TOWN approved amount for charge of specific transport services provided to patients for all incidents billed.

6. Responsibilities of the Town of Palm Beach

The TOWN shall:

- a) Provide CONTRACTOR with patient encounter information on a timely basis and in sufficient detail to support diagnosis and procedure coding. When possible, TOWN will also provide patient demographic information necessary for accurate patient identification including name, address, social security number, date of birth and telephone number. Where possible, TOWN will obtain and provide contractor with patient's health insurance, auto insurance, or other insurance information.
- b) Provide an electronic file transmission via a software product known as “Emergency Pro” created and provided by Documed Systems International, Inc., of the Florida DOH EMS Report, or other incident reporting software that meets data reporting and HIPAA compliance regulations, which may be changed with notice to the Contractor, for each EMS transport. The TOWN currently utilizes a software product licensed by Documed Systems International but intends to transition to Imagetrend for the billing/ePCR called Emergency Pro Version 4.1, Electronic Patient Care Reporting Software.
- c) EMS staff will attempt to obtain patient billing and insurance coverage information, either on the scene or at the hospital to which the patient is transported, to obtain a medical release of records information signature from the patient, if possible, or from the receiving facility and to provide copies of such information for billing purposes. PLEASE NOTE: The TOWN is responsible to provide the transmission; the CONTRACTOR will be responsible for cost incurred to receive the transmission in an acceptable format. The

TOWN will comply with all Federal, State and local laws, rules and regulations as applicable to the services being contracted for.

- d) Provide CONTRACTOR with TOWN'S approved billing policies and procedures including fee schedules and collection protocols as stated herein. Any changes to these policies and procedures will be provided in writing and delivered to CONTRACTOR. TOWN will be responsible for engaging any third party collection service for uncollectible accounts after CONTRACTOR has exhausted its collection efforts. CONTRACTOR to follow TOWN policy guidelines as stated in **Exhibit A**, which may be modified by the TOWN.
- e) Be responsible for the review and approval for all write-offs and refunds. For refunds, TOWN shall be responsible for generating required check for payment. The Town is currently under contract with Security Collection Agency. Dollars spent \$246,265.20.

PROPOSER: EMS Management & Consultants, Inc.

Evaluation Criteria	%	Sean Baker		Stephanie Mavigliano		Melissa Ladd		Avg. Totals
		Rating	Totals	Rating	Totals	Rating	Totals	
Qualifications/Experience of Firm	25%	5.00	1.25	5.00	1.25	5.00	1.25	1.25
Technical abilities and approach to Scope of Work	30%	4.00	1.20	5.00	1.50	5.00	1.50	1.40
Workload and Scheduling	15%	4.00	0.60	5.00	0.75	5.00	0.75	0.70
Cost Consideration	15%	4.94	0.74	4.94	0.74	4.94	0.74	0.74
Financial/Other	5%	5.00	0.25	5.00	0.25	5.00	0.25	0.25
		4.04		4.49		4.49		4.34

PROPOSER: Credit Bureau Systems

Evaluation Criteria	%	Sean Baker		Stephanie Mavigliano		Melissa Ladd		Avg. Totals
		Rating	Totals	Rating	Totals	Rating	Totals	
Qualifications/Experience of Firm	25%	4.00	1.00	3.00	0.75	4.00	1.00	0.92
Technical abilities and approach to Scope of Work	30%	3.00	0.90	3.00	0.90	4.00	1.20	1.00
Workload and Scheduling	15%	4.00	0.60	3.00	0.45	3.00	0.45	0.50
Cost Consideration	15%	5.00	0.75	5.00	0.75	5.00	0.75	0.75
Financial/Other	5%	3.00	0.15	3.00	0.15	3.00	0.15	0.15
		3.40		3.00		3.55		3.32

PROPOSER: Captivate Billing

Evaluation Criteria	%	Sean Baker		Stephanie Mavigliano		Melissa Ladd		Avg. Totals
		Rating	Totals	Rating	Totals	Rating	Totals	
Qualifications/Experience of Firm	25%	3.00	0.75	2.00	0.50	3.00	0.75	0.67
Technical abilities and approach to Scope of Work	30%	1.00	0.30	2.00	0.60	3.00	0.90	0.60
Workload and Scheduling	15%	1.00	0.15	2.00	0.30	3.00	0.45	0.30
Cost Consideration	15%	3.95	0.59	3.95	0.59	3.95	0.59	0.59
Financial/Other	5%	4.00	0.20	4.00	0.20	4.00	0.20	0.20
			1.99		2.19		2.89	
								2.36

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 087-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Proposal for the Public Works Building Renovation Design Services to Chen Moore and Associates in the Amount of \$64,145 and Establishing a Project Budget of \$73,766.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated June 26, 2022 from Dean Mealy, Procurement and Contract Manager**
- ▣ **Resolution No. 087-2022**
- ▣ **Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

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

RE: Approve the Award of the Proposal for the Public Works Building Renovation Design Services to Chen Moore and Associates. in the Amount of \$64,145 and Establish a Project Budget in the Amount of \$73,766 - **Resolution No. 087-2022**

DATE: June 26, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council Approve the Award of the Proposal for the Public Works Building Renovation Design Services to Chen Moore and Associates (CMA) in the Amount of \$64,145 and Establish a Project Budget in the Amount of \$73,766.

GENERAL INFORMATION

Public Works has requested Design Services for the Public Works Building's Renovation of restrooms, locker room and general meeting room which has been budgeted in the FY23 proposed budget. The building is over fifty years old and requires updates to common areas.

The Scope of Services is comprised of the following tasks:

Task 1 – Programming / Schematic Design
Task 2 – Design Documents: 60%, 90%, Permitting Set with Specification
Task 3 – Construction Documents
Task 3 – Permitting Services
Task 5 – Bidding Assistance

The primary design work will be completed by CMA's Subconsultant, PGAL Inc. with assistance by their subconsultants Jezerinac Group, and JLRD, Inc. CMA will also provide all the civil design services. It should be noted that PGAL Inc. is being awarded as one of the three firms to provide architectural services to the Town.

PROCUREMENT AND CONTRACT BACKUP

Procurement and Contracts has verified satisfactory work by CMA for past work experience and for their subconsultant, PGAL, Inc. Procurement vetted the proposal with the Public Works Director and was found to be acceptable for the scope.

FUNDING/FISCAL IMPACT

Funding for this award will be from the Capital Improvement Fund.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by the Public Works Department and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 087-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF PROPOSAL FOR THE PUBLIC
WORKS BUILDING RENOVATION DESIGN SERVICES TO
CHEN MOORE AND ASSOCIATES IN THE AMOUNT OF
\$64,145 AND ESTABLISHING A PROJECT BUDGET OF \$73,766**

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. 087-2022, approving the Award of the Proposal for the Public Works Building Renovation Design Services to Chen Moore and Associates (CMA) in the Amount of \$64,145 and Establishing a Project Budget in the Amount of \$73,766.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of July, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member



May 17, 2022

SENT VIA EMAIL
(dmealy@townofpalmbeach.com)

Dean Mealy
Purchasing Manager
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Subject: **Public Works Building Renovation**
CMA Proposal: P22.431.43

Dear Mr. Colby:

Chen Moore and Associates (CMA) is pleased to submit the following proposal for professional assistance with the Public Works Building Renovation located at 951 Old Okeechobee Road, West Palm Beach Florida. The primary design work will be completed by CMA's Subconsultant, PGAL with assistance by their sub-consultants Jezerinac Group, and JLRD, Inc. CMA will also provide all the civil design services.

I. SCOPE OF SERVICES

The Scope of Services is comprised of the following tasks:

- Task 1 – Programming / Schematic Design
- Task 2 – Design Documents: 60%, 90%, Permitting Set with Specification
- Task 3 – Construction Documents
- Task 3 – Permitting Services
- Task 5 – Bidding Assistance

Below is a description of the services included with each of these essential tasks:

Task 1 – Preliminary Design

The Consultant Team will, based on the previous prepare a preliminary plan and site visit provide two preliminary designs with multiple vignettes of individual spaces (meeting room, gym, lockers, waiting, restrooms). It is assumed that a selected design will be agreed upon within 4 design meetings.

Task 2 – Design Documents

Once the preliminary design has been agreed on by the Town of the Preliminary Design. The Consultant Team will be preparing a 60% submittal review set, 90% review set, and a permit set with specification.

Task 3 – Permitting Services

Once the design documents have been accepted by the Town. The Consultant will submit a permitting package and respond to comments from the reviewing agencies. For the purpose of this proposal the permitting agency that will be submitted to include The City of West Palm Beach Building Department.

Task 4 – Construction Documents

Once the permitting design documents have been accepted by the Town. The Consultant will be preparing the approved drawings, specification, and permits for bid solicitation by the Town.

Task 5 – Bidding Assistance

The Consultant will address requests for information from the bidders and draft a letter recommending the award of contract.

II. EXCLUSIONS

The services outlined below are not included as part of the scope of work, although additional service agreements can be executed to assist the Town with these services if necessary:

1. Environmental or geotechnical engineering
2. Civil engineering service within the right of way
3. Engineering services during construction or construction administration.
4. Public outreach or meetings

II. COMPENSATION AND SCHEDULE

The work is proposed to be compensated on a lump sum basis for a proposed total fee of \$64,145.00. The work is anticipated to be completed within 33 weeks of issuance of Notice To Proceed (NTP). Below is a breakdown of the fee and schedule by task.

Task	Description	CMA Fee	PGAL Fee	Total Fee	Weeks from NTP
1	Preliminary Design	\$2,720	\$17,740	\$20,460.00	8
2	Design Documents	\$2,720	\$14,080	\$16,800.00	16
3	Permitting Services	\$680	\$17,660	\$18,340.00	22
4	Construction Documents	\$680	\$5,204	\$5,884.00	31
5	Bidding Assistance	\$1,360	\$1,301	\$2,661.00	37
Total		\$6,800	\$55,985	\$64,145.00	37



Should you have any questions, I can be reached via email at dcowan@chenmoore.com.

Respectfully submitted,



David Cowan Jr., PE
Senior Engineer
Chen Moore and Associates

EXHIBIT A - FEE PROPOSAL
Town of Palm Beach
Public Works Building Renovation

Chen Moore and Associates Project # P21.431.43

Hourly Rate	CMA		PGAL Architect (LS)	Total
	Project Manager \$180.00	Project Engineer \$160.00		
TASK 1 – Programming / Schematic Design				
1.1 Space Planning & Meetings	8	8	\$ 17,740.00	
Task 1 Total	\$1,440	\$1,280	\$17,740	\$20,460.00
TASK 2 – Design Development				
2.1 60%, 90%, Permitting Set with Specification	8	8	\$ 14,080.00	
Task 2 Total	\$1,440	\$1,280	\$14,080	\$16,800.00
TASK 3 – Construction Documents				
3.1 Construction Drawings with Specification	2	2	\$ 17,660.00	
Task 3 Total	\$360	\$320	\$17,660	\$18,340.00
TASK 4 – Permitting				
4.1 Town of Palm Beach	2	2	\$ 5,204.00	
Task 4 Total	\$360	\$320	\$5,204	\$5,884.00
TASK 5 – Bidding Assistance				
5.1 Coordinate RFIs and Award Letter	4	4	\$ 1,301.00	
Task 5 Total	\$720	\$640	\$1,301	\$2,661.00
TOTAL FEE	\$3,600.00	\$3,200.00	\$55,985.00	\$64,145.00



May 2, 2022 - revised May 11, 2022

Mr. David Cowan, Jr. P.E.
Senior Engineer
Chen Moore and Associates
500 S Australian Avenue, Suite 850
West Palm Beach, Florida 33401

Re: Town of Palm Beach

**Public Works Building Renovation
951 Okeechobee Road, Suite A
West Palm Beach, Florida, 33401
PGAL Project number 1006604**

ALEXANDRIA
ATLANTA
AUSTIN
BOCA RATON
CHICAGO
DALLAS/FORT WORTH
DENVER
HOBOKEN
HOUSTON
LAS VEGAS
LOS ANGELES
SALT LAKE CITY
SAN DIEGO

David,

Thank you for the opportunity to provide this proposal for the renovation of the existing Town of Palm Beach Public Works Building. Our proposal includes an interior renovation and incorporates architectural services as well as structural, mechanical, electrical, fire sprinkler and plumbing engineering.

Scope:

Provide design and documentation services for a renovation of the existing Public Works Building. The renovation scope of work is as follows:

1. Split the existing Meeting Room into two separate rooms with an operable partition
2. Replace the existing meeting room windows with impact resistant windows to match other recent replacements in the building
3. Add an Audio/Visual closet in the space outside the meeting rooms
4. Create a waiting area in the space outside the meeting rooms
5. Upgrade the finishes in the meeting rooms
6. Upgrade the finishes and exhaust in the existing restrooms
7. Convert the existing locker room and part of the electrician work area/office to an employee gym
8. Add a new locker room
9. Utilize small portion of space from the shop if necessary to accommodate the new program components
10. Reconfigure the electrician work area/office to accommodate 3 employees
11. Provide new epoxy floors throughout meeting/corridor/waiting space of the renovation area
12. Address acoustical concerns in wall construction between meeting rooms and adjacent office area
13. Include two layout options with multiple vignettes of individual spaces

Project tasks and Anticipated Schedule:

- I. Prepare two preliminary designs with multiple vignettes of individual spaces (meeting room, gym, lockers, waiting, restrooms) (8 weeks)
 - a. Attend 4 design meetings
- II. Design Development (6 weeks)
 - a. Specify finishes and products
 - b. Coordinate MEP design
- III. Construction Documents (6 weeks)
 - a. Prepare drawings and detailing for permit set
 - b. Prepare specifications
- IV. Permitting (anticipated 2 months)
 - a. Address permitting comments
- V. Bidding assistance (anticipated 1 month)
 - a. Address bidding RFI's
- VI. Construction Administration (anticipated 4 months)
 - a. 8 architectural construction meetings
 - b. 3 MEP construction site visits
 - c. Review submittals
 - d. Respond to RFI's
 - e. Punch list including 2 architectural punch list site visits and 1 MEP punch list site visit.

Design Team:

Architectural: PGAL, Inc.
Structural: Jezerinac Group
MEP: JLRD, Inc.

Proposed Fees:

We propose to complete the work with our consulting team for the following fee (not including reimbursables):

Total Fee \$ 75,860

The Total Fee is broken down as follows:

Programming/Schematic Design	Architectural	\$ 13,500
	Structural	\$ 540
	MEP	\$ 3,700
Design Development	Architectural	\$ 9,660
	Structural	\$ 720
	MEP	\$ 3,700
Construction Documents	Architectural	\$ 9,000
	Structural	\$ 1,260
	MEP	\$ 7,400

Permit & Bidding	Architectural	\$ 5,400
	Structural	\$ 180
	MEP	\$ 925
Construction Administration	Architectural	\$ 10,800
	Structural	\$ 720
	MEP	\$ 2,405
Punch List	Architectural	\$ 5,400
	Structural	\$ 180
	MEP	\$ 370

Items excluded from scope of work that may be added in for an hourly additional service:

1. Modifications to the Clinic Area
2. Furniture selection

Hourly Rates:

Project Manager:	\$ 225.00
Senior Designer / Senior Architect	\$ 195.00
Project Designer / Project Architect	\$ 150.00
Technical / CAD Drafting	\$ 135.00
Administration	\$ 90.00

Reimbursable Expenses:

Printing, Postage (Courier) and Mileage will be billed at 1.10 of actual invoices with a not-to-exceed, for budgeting purposes, of \$500.00.

If you have any questions, please do not hesitate to call.

Sincerely,



Samuel J. Ferreri, AIA
Principal

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 089-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Contract for a Café at the Mandel Recreation Center to Seaview Café for an Initial Period of Three Years with the Option to Renew for Two Additional One Year Periods Contingent Upon Satisfactory Performance.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated June 29, 2022 from Dean Mealy, Procurement and Contract Manager**
- ▣ **Resolution No. 089-2022**
- ▣ **Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

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

RE: Approve the Award of a Contract for a Café at the Mandel Recreation Center to Seaview Café for an Initial Period of Three Years with Option to Renew for Two Additional One Year Periods Contingent Upon Satisfactory Performance - **Resolution No. 089-2022**

DATE: June 29, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council Approve the Award of a Contract for a Café at the Mandel Recreation Center to Seaview Café for an Initial Period of Three Years with Option to Renew for Two Additional One Year Periods Contingent Upon Satisfactory Performance.

GENERAL INFORMATION

Town Procurement and Contracts have issued two separate solicitations for a Food Service/Café/Snack Bar at the Mandel Recreation Center. The first solicitation was issued in 2019 and the single submittal was not considered responsive to the solicitation. The second solicitation was issued in 2021 that also received one submittal that went on to redraw their proposal.

During this period, the Town has utilized Global Vending Services to provide a variety of ready-made sandwiches and salads in addition to cooler drinks of various kinds.

The Town received an unsolicited Business Plan and Proposal from Seaview Café in late Spring 2022. At this point, the previous selection committee was reconvened which consisted of:

Voting

Mark Bresnahan, Director Recreation
Melissa Ladd, Budget Analyst
Eric Quinones, Recreation

Non-Voting

Dean Mealy and Duke Basha (facilitators)

The Selection Committee met to discuss the proposed Business Plan, to include menu choices, and fee structure as proposed by Seaview Café. The Selection Committee was satisfied with the presentation of menu and proposed setup of the Café.

A counter off was proposed for the fee structure as follows:

0-6 months - 0% on total sales
6-12 months - 4% on total sales
13-36 months - 8% on total sales

After the first year, if gross sales exceed \$200,000, the amount greater than \$200,000 will be calculated at 9%.

PROCUREMENT AND CONTRACT BACKUP

Procurement and Contracts has reviewed that the proposer can meet the Town Insurance's requirements.

FUNDING/FISCAL IMPACT

The contract award will be revenue producing.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by the Recreation Department and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 089-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF A CONTRACT FOR A CAFÉ AT
THE MANDEL RECREATION CENTER TO SEAVIEW CAFÉ
FOR AN INITIAL PERIOD OF THREE YEARS WITH THE
OPTION TO RENEW FOR TWO ADDITIONAL ONE YEAR
PERIODS CONTINGENT UPON SATISFACTORY
PERFORMANCE**

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. 089-2022, approving the Award of a Contract for a Café at the Mandel Recreation Center to Seaview Café for an Initial Period of Three Years with Option to Renew for Two Additional One Year Periods Contingent Upon Satisfactory Performance.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12TH day of *July* 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

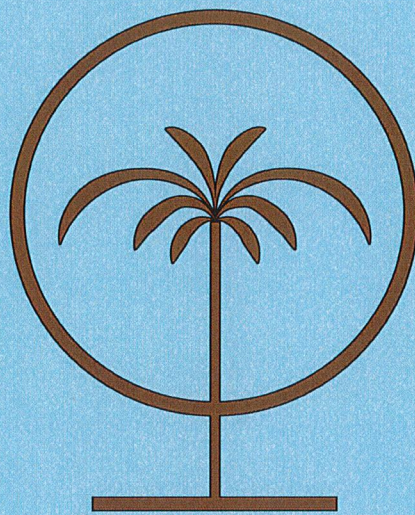
Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member



SEAVIEW CAFE

SEAVIEW CAFE

PROPOSAL

ABOUT US

We are two friends both born and raised in Serbia; Vanja Turanjanin and Monika Meic Capin. Having grown up on organic and healthy foods from our grandparents gardens, good quality of produce was standard and normal for us.

After moving to the US we noticed the difference in quality of fresh produce, which was something unfamiliar to us. Exploring local farms with organic produce we could taste our childhood and recognize the same quality that we grew up on. Since we met, our dream was to open little cafe with healthy, organic and locally sourced food. The quality of our lives and our children's health depends on the quality of food we consume and we believe in providing that level quality.

It would be a dream come true for us to support REC center and their mission to have strong and healthy community.

CONCEPT

We envision a small cafe providing the REC center community with healthy nutrition and high quality fresh products with local-sourced ingredients. Having in mind that lots of people and children have dietary restrictions and allergies, we would provide nut-free, gluten-free, and dairy-free options.

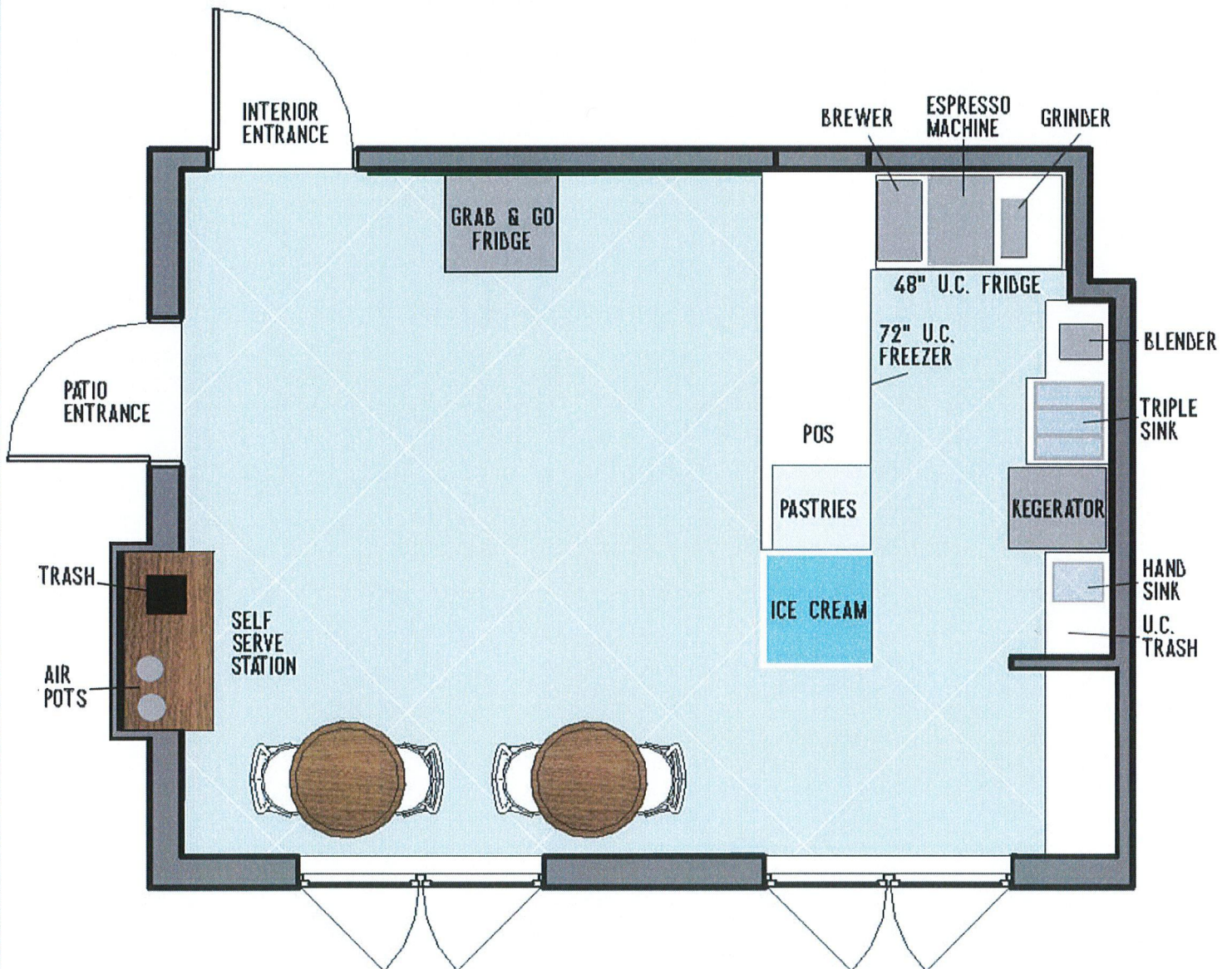
We believe in good food and good energy. Our priority is giving the best service and providing the best quality products and food that will support REC center vision of healthy lifestyle and well being of the community.

The Seaview Cafe would be a convenient spot where someone could get a fresh juice or smoothie after a workout, a class, or tennis match; or where a parent could get a cup of coffee while waiting for the kids to finish their sports activity; or a staff member to get quick lunch or pick-me-up coffee in the middle of the day; or kids from the schools and playground can get a nutritional lunch or scoop of ice cream.

SEAVIEW CAFE

PROPOSAL

MOCK FLOOR PLAN



SEAVIEW CAFE

PROPOSAL

3D VISUAL - Interior



SEAVIEW CAFE

PROPOSAL

3D VISUAL - Exterior



Seaview Cafe

FINANCIAL STATEMENTS

INCOME STATEMENT	2022	2023
Revenue Total	207,000	207,000
Cost of Goods Sold (COGS) Total	62,100	62,100
Gross Profit	144,900	144,900
Salaries Exp	19,200	19,968
Sales and Marketing	15,800	10,560
Other Fixed Costs	36,079	56,529
EBITDA	65,800	107,697
Interest Exp	576	523
Depreciation & Amortization	4,100	4,100
EBT	61,700	103,597
Taxes	9,255	15,540
Net Income	68,275	88,057

BALANCE SHEET	2022	2023
Cash	72,393	149,547
Fixed Assets	23,900	19,800
Total Assets	96,293	169,347
Liabilities	18,259	16,464
Total Liabilities	18,259	16,464
Equity Capital	20,000	78,034
Less Drawings	-10,241	-13,209
Retained Earnings	68,275	88,057
Shareholder's Equity	78,034	152,883
Total Liabilities & Shareholder's Equity	96,293	169,347

Check

0

0

CASH FLOW STATEMENT	2022	2023
Opening Balance	0	72,393
Net Income	68,275	88,057
Plus: Depreciation & Amortization	4,100	4,100
Add Interest Exp	576	523
Operating Cash Flow	72,951	92,681
Equipment	20,000	
Leasehold Improvements	10,000	
Licences and permits	3,000	
Investing Cash Flow	33,000	0
Capital	20,000	
Loan	20,000	
Loan Repayment	-2,317	-2,317
Drawings(Owner)	-10,241	-13,209
Financing Cash Flow	27,441	-15,526
Net Change in Cash Flow	72,393	149,547

Seaview Cafe

ASSUMPTIONS

M Backup

Startup Costs												
Name		Head										Amount
Equipment						PPE						\$ 20,000.00
Inventory						Inventory						\$ 5,000.00
Leasehold Improvements						PPE						\$ 10,000.00
Licences and permits						Intangible Assets						\$ 3,000.00
Total Cost												\$ 38,000.00

Total Revenue & COS (FY 2022)

Item	Sep-2022	Oct-2022	Nov-2022	Dec-2022	Jan-2023	Feb-2023	Mar-2023	Apr-2023	May-2023	Jun-2023	Jul-2023	Aug-2023
Total Revenue	13,500	13,500	22,500	22,500	22,500	22,500	22,500	13,500	13,500	13,500	13,500	13,500
Cost of sales	4,050	4,050	6,750	6,750	6,750	6,750	6,750	4,050	4,050	4,050	4,050	4,050
Gross Profit	9,450	9,450	15,750	15,750	15,750	15,750	15,750	9,450	9,450	9,450	9,450	9,450

Item	Sep-2022	Oct-2022	Nov-2022	Dec-2022	Jan-2023	Feb-2023	Mar-2023	Apr-2023	May-2023	Jun-2023	Jul-2023	Aug-2023
Total Revenue	13,500	13,500	22,500	22,500	22,500	22,500	22,500	13,500	13,500	13,500	13,500	13,500
Cost of sales	4,050	4,050	6,750	6,750	6,750	6,750	6,750	4,050	4,050	4,050	4,050	4,050
Gross Profit	9,450	9,450	15,750	15,750	15,750	15,750	15,750	9,450	9,450	9,450	9,450	9,450

Total Revenue & COS(FY 2023)

Item	Sep-2023	Oct-2023	Nov-2023	Dec-2023	Jan-2024	Feb-2024	Mar-2024	Apr-2024	May-2024	Jun-2024	Jul-2024	Aug-2024
Total Revenue	13,500	13,500	22,500	22,500	22,500	22,500	22,500	13,500	13,500	13,500	13,500	13,500
Cost of sales	4,050	4,050	6,750	6,750	6,750	6,750	6,750	4,050	4,050	4,050	4,050	4,050
Gross Profit	9,450	9,450	15,750	15,750	15,750	15,750	15,750	9,450	9,450	9,450	9,450	9,450

Item	Sep-2023	Oct-2023	Nov-2023	Dec-2023	Jan-2024	Feb-2024	Mar-2024	Apr-2024	May-2024	Jun-2024	Jul-2024	Aug-2024
Total Revenue	13,500	13,500	22,500	22,500	22,500	22,500	22,500	13,500	13,500	13,500	13,500	13,500
Cost of sales	4,050	4,050	6,750	6,750	6,750	6,750	6,750	4,050	4,050	4,050	4,050	4,050
Gross Profit	9,450	9,450	15,750	15,750	15,750	15,750	15,750	9,450	9,450	9,450	9,450	9,450

Town of Palm Beach
Recreation Department
Proposal for the Seaview Cafe

Terms:

1. Not less than one initial three (3) year term with the option to extend for not less than three (3) additional years.
2. Abatement to “rent” during first fifteen (15) months; thereafter six percent (6%) of gross revenue to TOPB.
3. “Operators” to be responsible for initial build-out of cabinets, counters and other works spaces and installation/maintenance of appliances.
4. TOPB to supply at its expense hot/cold running water hookup to the Premises.
5. Operators will operate the Cafe during the same hours of operation as the Mandell Recreation Center.
6. We planed to be opened by the end of September 2022.
7. We would install grab and go refrigerator, under counter refrigerator and freezer, coffee machine, ice machine, ice cream freezer and blender for smoothies.

COFFEE

ESPRESSO	\$4
LATTE	\$6/\$7
AMERICANO	\$5/\$6
CAPUCINO	\$6/\$7
CORTADO	\$4
ADD ONS	\$1

SMOTHIES

	\$10
ADD ONS	\$1

FRESH PRESSED JUICES

Carrot apple	\$9
Green	\$9
Beet	\$9

TREATS

Muffins, crossants	\$4
Cookie	\$4

Chia pudding	\$6
Overnight oatmeal	\$6

SALADS

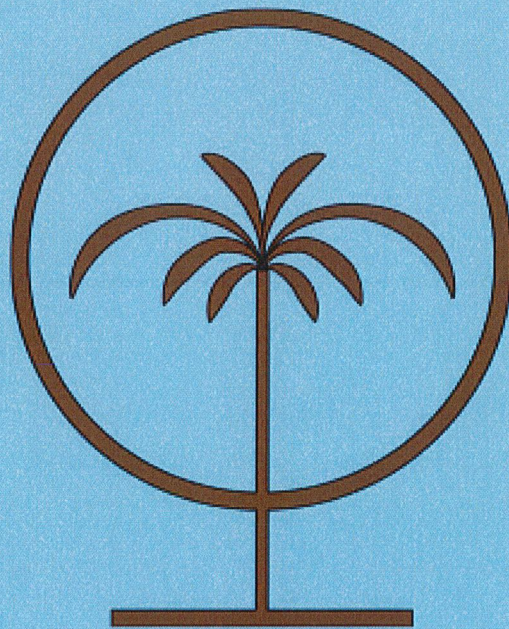
Mix green salad	\$11
Grain bowl	\$11
Broccoli ceddar	\$11

SANDWICHES/WRAPS

Curry chicken salad wrap	\$12
Grilled vegetable sandwich	\$9
Smoked salmon sandwich	\$14

ICE CREAM

1 Scoop	\$5
2 Scoops	\$9



SEAVIEW CAFE

Business Plan

Contact Information:

turanjanin.vanja@gmail.com

Business Address: 340 Seaview Ave, Palm Beach, FL, 33480

Confidentiality Agreement

This document contains proprietary and confidential information. All the data in this document is provided to the receiving party in faith that the receiving party consents not to disclose or utilize any information contained herein in any capacity except in the context of its business dealings with **Seaview Cafe**.

The receiving party agrees to inform its present and future partners and employees who have access to or have viewed the document's content of its confidential nature. The receiving party agrees to instruct their partners and employees that they cannot disclose any information concerning this document to other parties except in cases where such matters are known and available to the public or when the court of law requires them not to withhold information.

The receiving party also accepts not to distribute, duplicate or permit others to distribute or reproduce any material contained herein without the express written consent of **Seaview Cafe**.

BY ACCEPTANCE OF THIS DOCUMENT, THE RECIPIENT AGREES TO BE BOUND BY THE AFOREMENTIONED STATEMENT.

Signature:_____

Date:_____

Name:_____

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EXECUTIVE SUMMARY

Seaview Cafe is a small venture that will operate at a sports complex in Palm Beach, Florida. Two friends will launch the venture to provide good food and good energy. Seaview Cafe believes in offering organic and high-quality items for a robust and healthy community. Seaview Cafe will serve various healthy and great-quality fresh food with locally sourced ingredients, including grab-and-go items, smoothies, ice cream, and snacks. Seaview Cafe's success will be delivering excellent services and high-quality products and items that complement the REC center's objective of a healthy lifestyle and community well-being.

COMPANY OVERVIEW

Seaview Cafe, a small cafe established in Florida, is on a mission to help the REC center community achieve its goal of living a healthy lifestyle. This aim can be achieved by providing nutritious food and high-quality, freshly prepared items. The business operates in a sports complex, allowing the Cafe to target consumers looking for nutritious items after an exercise, class, or match. This Cafe's location will be convenient for parents, employees, athletes, and children. Seaview Cafe offers a wide choice of organic and healthy items, including grab-and-go items, snacks, ice cream, and coffee, to meet the needs of these consumers.

Seaview Cafe also supports any dietary restrictions customers may have due to allergies. Customers with dietary restrictions or allergies will be able to order products that are nut-free, gluten-free, and dairy-free at Seaview Cafe. Monika Meic Capin and Vanja Turanjanin are the co-founders of this venture who utilizes their expertise in similar fields. Seaview Cafe aims to generate around \$150,000 in its first year of operations.

MARKET OVERVIEW

Cafes play a significant role in any society. Cafes usually design their menus around a theme, ranging from various cuisines to a particular culture's cuisine. Similarly, the theme of Seaview Cafe is organic and healthful items. The goal of this venture is to recreate the flavor of our childhood and recognize the same high-quality food that we experienced as kids.

The business of global organic food has seen tremendous expansion in the past few years, despite facing pandemics. According to the Organic Trade Association, sales of organic food and non-food items in the United States reached an all-time high in 2020. The output of the US quick-service cafe (QSR) industry has expanded by more than 50% since 2007, reaching an all-time high of about 283 billion US dollars in 2020 as a critical contributor to the worldwide cafe market. In 2020, organic sales in the United States were estimated to be \$61.9 billion. Organic food sales are expected to increase by 13% by 2020, reaching \$56.5 billion. The surge in health consciousness and customers' focus on healthy food intake to strengthen their immunity and gut health during the pandemic has boosted demand for organic food and beverages.

One primary reason for the growth in the healthy and organic food industry is customers' growing environmental concerns about using toxic chemicals in agriculture and farming and their adverse health impacts on consumers. Customers are increasingly drawn to a healthy and high-quality food lifestyle to reduce their risk of chronic diseases such as cancer, diabetes, and cardiovascular problems. These disorders also contribute to an increase in healthcare cost burden and a rise in health-consciousness trends.

ORGANIC CAFE TREND IN THE USA:

Coffee shops come in various forms, but typically, they are facilities that serve ready-to-drink coffee, tea, and other hot beverages. Many coffee shops have recently begun to compete with cafes in the quick-service category by offering baked goods, sandwiches, salads, ice cream, and other snacks. The organic coffee market was worth \$6.8 billion in 2018 and is predicted to reach \$12.6 billion by 2026, growing at an 8.2 percent CAGR from 2019 to 2026. In terms of organic coffee market share, the Arabica category led in 2018 and is likely to maintain its dominance throughout the forecast period.

COMPANY DETAILS

BASIC DETAILS

- Company Name: Seaview Cafe
- Legal Name: Seaview Cafe LLC
- Legal Structure: Limited Liability Company
- Business email address: turanjanin.vanja@gmail.com
- Business Address: 340 Seaview Ave, Palm Beach, FL, 33480
- Target Market: Palm Beach, Florida
- Owners: Monika Meic Capin and Vanja Turanjanin

MISSION STATEMENT

Two friends who believe in good food and good energy.

Seaview Cafe aims to become the prime choice for food lovers by serving them the best embracing characteristics in their services:

- High-Quality Food
- Creative Presentation of Food

- Admirable Ambiance
- Fair Prices
- Customer Satisfaction

BUSINESS VISION

Our Vision statement is

“We believe in good food and good energy. Our priority is giving the best service and providing the best quality products and food that will support REC center's vision of a healthy lifestyle and the community's well-being..”

BUSINESS OBJECTIVES

The Business has the following objectives:

- To provide customers with delicious and nutritious foods keeping the food healthy with a delightful taste.
- To be welcoming for customer diversity and serve all customers with dignity irrespective of their ethnicities.
- To deliver high-quality services by charging affordable prices from the customers and giving them value for money.
- To keep the service and food consistent with what we currently offer.
- Implementing new delicious menu items along with bakery counter.

PRODUCTS

Seaview Cafe will be offering a wide range of products to its customer. The cafe will be serving its customers nutritious and delicious food. The chefs will not only focus on the taste and nutrition, but they will be very articulate when it comes to presenting the food and displaying it creatively. The staff is competent and provides the best services to the customers to keep them comfortable and satisfied. Despite all that, the prices are very fair and affordable to the customers.

Our menu includes items for all the times of the day. We will also improve the online delivery system to deliver all the food items mentioned in the menu, and work is to be done on the speed of service. We are envisioned to benefit more and more people with the ethnic & mouth-watering dishes of the cafe and spread it to the farthest.

The products are divided into the categories mentioned below. With time, more variety is intended to be added to the menu. The menu is attached below.

QUALITY CONTROL

Quality control policies and procedures are very strictly followed in the cafe. The staff has to abide by the policies described by the management. There is no compromise in terms of food safety by the cafe. This is a strong point of our cafe that helps it satisfy customers with quality food and retain them for the long term.

OUR EARNING MODEL

The earning model of the business is very clear. The revenue is generated by direct sales of products to the audience of Palm beach, Florida.

PRICING STRATEGY

Our pricing strategy is quite simple. It should be economical and affordable for the customers with all the competitive facilities provided by the other cafes in the vicinity of the Sports complex, Palm Beach, Florida.

DISCOUNTS

Timely discounts will be offered to customers on festivals and occasions in the state to enhance the customers' pleasure. We will offer discount to the REC center employee.

CUSTOMER LOYALTY PROGRAMS

We anticipate offering customer loyalty cards with a fixed discount on every purchase to retain our loyal customers. Some exclusive promotions and deals will also be rewarded to the customers under this program.

UNIQUE SELLING POINT

The unique selling point of Seaview Cafe is its delicious salads and sandwiches, muffins, and wraps. The combination of spices with the meat makes the taste of wraps irresistible for the eaters. Similarly, the muffins of the cafe are ingrained with the authentic taste of the special items we use, and customers find it blissful to cherish that taste.

The cafe's customers love the original tastes with proper nutrition, creative presentation of the food, and the peaceful ambiance of the cafe. The customers have always appreciated online deliveries with unique packaging.

MARKET PROBLEM AND SOLUTION

PROBLEMS

Finding the cafe of your choice, where you can enjoy the food and ambiance simultaneously, is not easy. Below, we will discuss some problems that the people of Florida have been facing in the past few years in the vicinity of Sports Complex, Palm beach, i.e., our cafe's location:

- There are very few options for diversified and good quality cafes in the target area
- Similar items and dishes are being offered in most cafes and bakeries.
- People are more conscious and concerned about food safety.

OUR SOLUTIONS

We studied the market requirements and thought to project solutions with a customer-centric approach and fulfill the needs of the people in the target market. Following are the solutions that we are willing to install in the Seaview Cafe:

- As very few cafes serve cafe items throughout the day as demanded by the time in the vicinity, it will be a great opportunity to attract the target audience. Also, we are simultaneously serving multiple cuisines, so it is already a charm to the customers who love a variety of foods.
- As the popular dishes of the cafe and food desserts are already being served, we intend to introduce more delicious cuisines to add variety to the menu.
- We will strictly abide by the policies for food safety described by the FDA. Hygienic food will be served to customers in the cafe. We will show up with the above implementations against the competitors and can grow further in the target market.

MANAGEMENT

MANAGEMENT

Seaview Cafe will be managed by Monika Meic Capin and Vanja Turanjanin. The two friends will be the owners of the company.

External Support

To run the business smoothly, we would need to hire additional people on a contract basis. We will need the following individuals on a freelancing basis.

- Lawyer
- Insurance Broker
- Accountant
- Marketing Team

EMPLOYEE RECRUITMENT STRATEGY

The industry solely depends on human capital, from preparing food to serving it. The cafe's employees are our biggest assets. We would not change our existing employees, but we have an employee recruitment strategy in case we need to hire more people. There are different channels that we will use to staff our cafe.

1. Hiring Through The Word Of Mouth

This is especially true in the case of our junior employees. Our cafe employees recommend their colleagues or friends they had worked with before and had a good experience. They will also spread the word about our opening at their cafes.

2. Hiring Through Ads And Posts On Social Media

Social media has emerged as one of the most successful ways of reaching out and has proven successful in acquiring cafe staff. Facebook will be the digital tool penetrating all age groups with relevant expertise.

There are also thriving communities and groups on Facebook where like-minded people interact. We will use these cafe industry-specific groups to find and hire the best employees. It is also easy to share post job vacancies on such platforms.

3. Hiring Through cafe Recruitment Consultants

Recruitment agencies or consultants will be our final resort for cafe staffing. If all fails, we can easily hire a human resource for our cafe through these. The agency shortlisted the candidates, and we can choose the ones suiting our requirements

KEY TO SUCCESS

Key To Success Plan: We plan on giving the best service and providing the best quality products and food that will support the REC center's vision of a healthy lifestyle and well-being of the community. This will cover the road plan for developing a well-established business. We will incorporate a strategy for capturing people's attention through healthier and more nutritious meals.

Quality Food: We've worked hard to provide and maintain high-quality dishes to please customers. Our cafe will be well-known for its taste at affordable rates. We constantly look for strategies to enhance new and existing recipes to provide our consumers with the greatest quality possible. Our customers will remain loyal to our dishes once they arrive and enjoy the dining experience. For this, we spend a lot of time and money refining quality and developing wonderful recipes to ensure that our customers have a great experience. We're trailing efforts to provide more nutritious cuisines, including partnerships with local farms.

Guest Experience: Customer satisfaction is always of the utmost importance to us. We educate our employees on the importance of being patient and calm while interacting with customers. Our client service includes the overall customer experience, including everything from the staff's courtesy and supportiveness to the customers in how quickly the meal arrives, the pricing of the dishes, the cafe's ambiance, and other customer experience services. Our staff is efficient and professional, making a lasting impression on our customers. We manage wait times by maintaining backup capacity, cross-training, and, most importantly, communicating with customers to ensure that wait time doesn't turn into hate time.

Sanitation: One of the most crucial components of our cafe is sanitation. It is a requirement for us to maintain a sanitary environment throughout the cafe. We use cleaning chemicals to disinfect floors, tabletops, bathrooms, and kitchens. Daily, we guarantee that our employees are cross-contamination trained and capable of completing various cleaning tasks.

Stay on Top of the Trends: To remain on top of industry news and trends, we keep our cafes up to date. We serve the most popular meals among today's diners. Customers benefit from our ease of booking and availability. We also offer online services for the convenience of our customers. To get a competitive edge, we must constantly be one step ahead of the competition. By remaining up to date on the newest trends, we ensure that our company stands out from the crowd.

Adequate capitalization: We design a five-year business plan to develop a well-established company strategy. We will spend the first year developing the business, the second and third years fine-tuning the business, and the fourth- and fifth years maximizing profits. Then, to reorganize our consumers, we must reinvent our company. We have at least six months of operating capital to get our company off the ground in the first year.

Marketing: Our company utilizes advanced marketing strategies and tools to grab people's attention. A functional Facebook, Twitter, and Instagram account will directly contact existing and new clients. We will also capitalize on our owner's partnerships across the city and her relations with key individuals holding political offices to advance our business. In case of a complaint or grievance, they will always be able to reach you.

CUSTOMERS

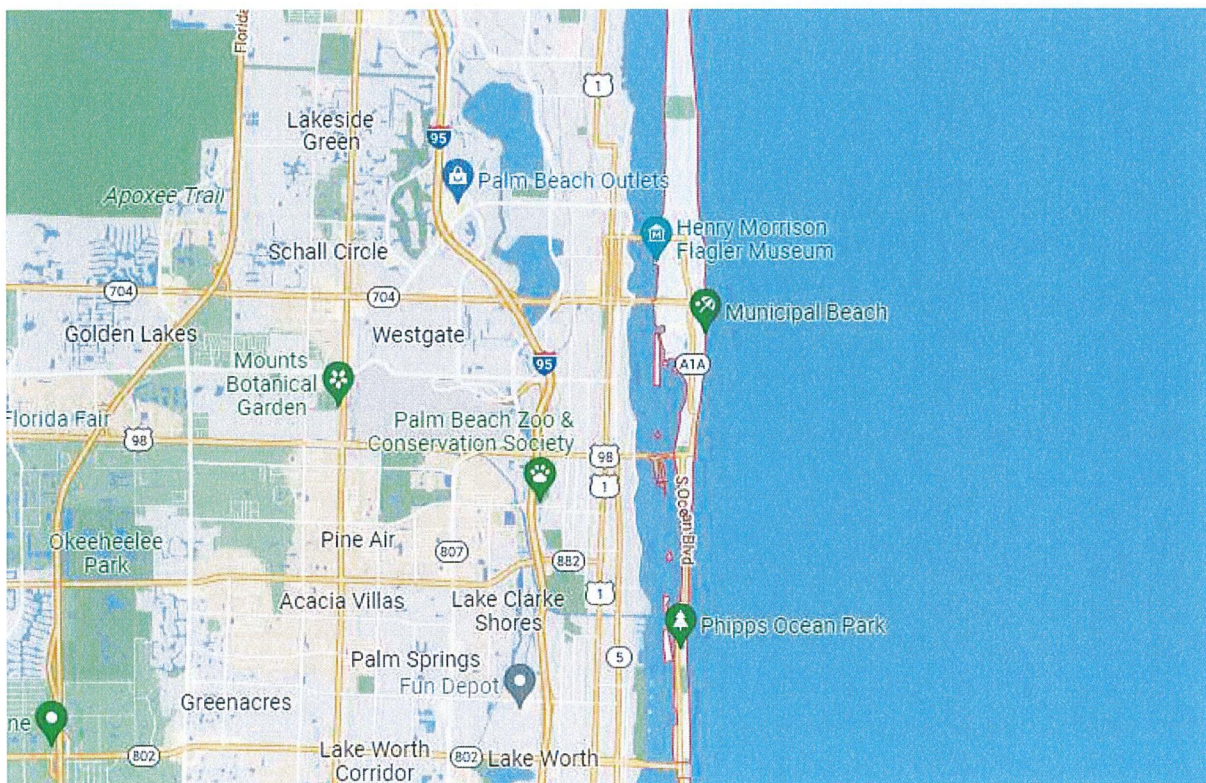
WHO IS THE CUSTOMER?

The current customers of **Seaview Cafe** are residing in Palm Beach, FL. We will also include communities living in the neighboring regions to extend the audience of the business.

The area is continuously evolving, and multiple projects are pipelined to develop the area. Many societies, apartments, schools, and malls are under construction. Soon, a huge influx in the population is expected after completing the projects creating an incredible opportunity for our cafe.

CUSTOMER CONCENTRATION

Our customer concentration is around Palm Beach, Florida.



CUSTOMER CHARACTERISTICS

Segmentation Bases		Targeted Customers
Geographic	Regional	Palm Beach, Florida
	Density	Urban/Suburban
Demographic	Age	All ages
	Gender	All
	Social Status	Middle class, working-class, and upper class.
	Livelihood	Bachelors, Professional, married people.
	Lifestyle	Aspiring, Healthy, Fast Pace
Psychographic	Characteristics	Foodie, Outgoing, looking to try different foods
	Attitude	Seeking value for money, Trying different food.
Behavioral	Benefits	High quality and good service
	Persistence	Regular users

CUSTOMER RELATIONSHIP MANAGEMENT

To maintain a customer relationship, we will send a personalized email to our customers with warm wishes, congratulation notes, etc. On the eve of their birthdays, festivals like Easter or anniversaries.

CUSTOMER LOYALTY PROGRAM

The cafe will give incentives to repetitive buyers, including discounts and coupon codes, to ensure that our clients are satisfied with their affiliation with Seaview Cafe. Forming partnerships with different brands and payment partners will help the Cafe attract new and old buyers alike.

CUSTOMER ATTAINMENT STRATEGY

Our customer attainment strategy is to provide top-notch food with quality service, which will help us in word-of-mouth advertisement and returning customers. We will also use social media platforms such as Facebook and Instagram for customer attainment by promoting our unique dishes with a broad audience. We would not reinvent the wheel and ensure that old customers return while adding to them.

INDUSTRY RISKS

Businesses that cannot balance efficiency with quality risk losing their customer base, triggering a chain of adverse outcomes. In a saturated marketplace like Florida, it is crucial for us to proactively address the potential risks and proceed with a strategy that outlines these risks. We can face these common risks.

- Covid-19 restrictions
- Excess inventory
- Lower margins and profits
- Increased product waste
- Higher operating costs
- Cross-contamination

COMPETITOR'S STRENGTH

The prominent feature of all competitors is their market penetration, brand influence, and variety of dishes. Being in the market for a time, the consumers believe they are a decent cafe. Individuals often prefer cafes with a better sitting environment, diverse recipes, and taste, irrespective of the brand name.

COMPETITOR'S WEAKNESS

The cafe market is subpar according to any food standards countrywide. Some of the cafes are decent with taste but at the same time lack in customer handling. For instance, according to Google reviews, customers remarked that they felt they had made a mistake in dining in some local cafes on experiencing customer dealing by their staff.

From a food perspective, cafes are repeatedly accused and proven to serve leftover food whose texture portrays its bad taste. Similarly, in most prominent cafes, some dishes are undercooked or not carefully cooked, due to which people prefer delivery from other cafes.

The cafe's aesthetics aside, the prices are high compared to the food served in taste, freshness, presentation, and customer satisfaction. Although there's a lot of debate between which cafe is better in taste and diverse options, one thing that certainly needs consideration is customer handling.

COMPETITIVE ADVANTAGE

Firstly, we will market ourselves as a cafe philosophizing around better services with exceptional taste throughout Palm Beach, FL. The first few months will be crucial in establishing a brand base in the minds of targeted customers. For that, we will use third-party delivery services such as Uber Eats, Postmates, DoorDash, and Grub Hub and allow deliveries of our food. We will take advantage of the traffic of such platforms in generating our sales. By this, people will get to know better quality entrants in the market.

Secondly, we will cater to the market shortcomings of subpar food in terms of taste, freshness, & hygiene and establish a system that focuses on these major issues. **Seaview Cafe** will ensure that the services remain high stature through proper check and balance of raw materials, quality standards, and service feedback.

This will further be used for marketing motives for the infuriated customers interested in trying new cuisines. Moreover, they portray visible dominance. Our staff will be specially trained to greet, welcome, and serve the customers, followed by professional service and in-between follow-up. Although these are the standards for any good cafe, considering the outset of initiation, these measures will be given due consideration.

SWOT ANALYSIS

STRENGTHS

- Competent Management
- Unique Product Offering
- Established business
- Recurring customer base

WEAKNESSES

- Lacking in social media presence
- High cost of entry
- Lower margins
- Competitive market

OPPORTUNITIES

- Growing local industry
- New segments
- Social media presence is improving with brand update

THREATS

- Competitors actions
- Economic Conditions
- Covid-19 Restrictions

PORTER'S FIVE FORCES ANALYSIS OF THE MARKET

SALES STRATEGY

Our sales strategy will be to connect with the customers through storytelling and promoting a healthy lifestyle. We would market ourselves as a cafe where people are excited to eat. **Seaview Cafe** will use the following sales strategies to remain relevant in the market.

- We would use digital marketing to drive traffic to our website, where customers can order directly from their online ordering platform or book a table at the cafe.
- We will use third-party delivery services such as Uber Eats, Postmates, DoorDash, and Grub Hub and allow deliveries of our food. We will take

advantage of the traffic of such platforms in generating our sales. Doing This will ensure that the business won't be missing out on potential customers in various places.

- We will offer top-notch food quality with excellent service to ensure customer retention and generate sales.
- We will be open to changing and updating our menu depending on the season market trends to remain relevant throughout the year.
- We would get repetitive customers to increase our margins and give equal importance to customer acquisition.
- We would host events in the cafe to generate traffic.
- We would work on customer experience and retention.
- We would use storytelling to connect with our customers and convey a positive customer vision.
- We will position our products in the market to be more attractive and provide more value to our customers.

MARKETING STRATEGY

INITIAL MARKETING GOALS

Following will be our initial marketing goals:

- **CUSTOMER ACQUISITION**

Seaview Cafe's initial marketing goal will be to acquire repetitive customers.

- **BRAND AWARENESS**

Our initial marketing will make people aware of the brand and our company name.

- **CUSTOMER RELATIONSHIP MANAGEMENT**

We would use marketing tactics to connect with our customers. We would try to retain our current customers and bring in new ones.

LONG TERM MARKETING GOALS

- **Increasing Sales**

Our long-term marketing goals are to generate sales and make sure that the business has a recurring customer base and is profitable.

- **BRAND RECOGNITION**

Brand recognition, just like awareness, will be deemed successful when consumers identify Seaview Cafe through visual or aural clues like logos, slogans, packaging, colors, or jingles rather than being directly exposed to the company's name. So our focus will be to increase brand awareness by social media, participation, promotions, advertisements, etc.

- **MARKET LEADERSHIP AND EXPANSION**

Our long-term marketing goal will be to become the market leader in the Organic coffee market.

DIGITAL MARKETING STRATEGY

SOCIAL MEDIA MARKETING

Social media marketing uses social media platforms, i.e., Facebook, Instagram, and TikTok, to promote our food to existing customers and reach new ones. Social media marketing, compared to traditional marketing, has tremendous results. We can pinpoint our desired audience regarding likes, dislikes, preferences, and interests online and reach the audience with a few clicks with excellent chances of securing a sale. There's also an option of selecting specific gender, age, and location-wise reach, which makes it even more favorable for Seaview Cafe to impact the market.

We would work on growing organically on social media by posting regular content about our cafe and would also engage with customers by providing

information and sharing their content on our platforms. When needed, we would also use paid advertisement features to attract customers.

INFLUENCER MARKETING

We can use influencers to promote our foods to a larger market in Influencer marketing. Influencers like famous or trending YouTubers, Instagram models, or Tik-Tok celebrities are opinion leaders with a vast social following base. They appear as experts or trustworthy sources of information and can help us sell like crazy.

Sponsoring them in our testimonial videos, calling for food reviews at our cafe, or even shout-outs can work as a catalyst to acquire a significant number of sales. We can have food influencers for Seaview Cafe promotion.

EMAIL MARKETING

Email marketing can be used to advertise our company's products while incentivizing client loyalty. We would use email marketing to reach out to our customers, offer them deals, and inform them about the events in our cafe.

WEBSITE

In the age of technology, having an online presence is recommended to ensure business success. A legit site that ranks amidst competitors will attract an organic audience from the web. Websites convey helpful information to potential prospects online, turning to customers after getting valuable insights.

We would use our website to generate sales. Our customers will have an option to book a table or order food from us directly through our website. We would also use google ads to acquire customers.

PROMOTIONAL EVENTS, PROMOTIONAL OFFERS

We can organize events in our cafes to invite the respective audience to attend the event and enjoy the food. This will help us stand out from the competing cafes while conveying a good brand image at the same instance.

We would host events in our cafe on both popular and unpopular holidays. On unpopular holidays, not many cafes host events, giving us a competitive advantage.

We would also give our regular customers special discounts, offers for valentine, mother or Father's Day or even birthdays.

WORD OF MOUTH ADVERTISEMENTS

Included in our offline marketing strategy is to ensure that the quality and taste of our food are top-notch to attract customers. This will ensure a quality experience for our customers and help us with word-of-mouth advertisement.

People are more likely to buy something they know is great, so we will ensure that our customers are our most prominent influencers.

We would encourage our customers to share their feedback on social media by tagging us. We would then reshare it on our profile. This will help build a relationship with customers & increase word-of-mouth marketing.

Exit Strategy

Seaview Cafe has planned some exit strategies if business operations do not meet predetermined milestones. Following are our preferred exit strategies.

MERGER

Our preferred exit strategy is to merge with other cafes. The business supports the possibility of a merger. The business supports a horizontal merger.

ACQUISITION

Other businesses can acquire our business to increase their production and sales. We prefer an acquisition by a competitor as we might get a higher price in that case. We would be open to both friendly and hostile acquisitions.

LIQUIDATION

If cash flow draws down to a point where business operations are no longer sustainable, and an external capital infusion is no longer feasible to maintain operations, a planned termination of operations and a liquidation of all cafe assets will be done to limit further losses.

APPENDIX

CITATIONS

- <https://www.statista.com/topics/1670/coffeehouse-chain-market/#dossierKeyfigures>
- <https://www.alliedmarketresearch.com/organic-food-beverage-market#:~:text=According%20to%20the%20Organic%20Trade,reach%20%2456.5%20billion%20in%202020.>
- <https://www.alliedmarketresearch.com/organic-coffee-market-A06085#:~:text=The%20organic%20coffee%20market%20size,dominance%20throughout%20the%20forecast%20period.>

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 096-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Proposal for Professional Engineering Services Related to Wastewater Pump Station A-39 Mechanical, Structural and Electrical Improvements to Kimley-Horn and Associates in the Amount of \$119,400 and Establishing a Project Budget of \$137,310.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated June 29, 2022 from Dean Mealy, Procurement and Contract Manager**
- ▣ **Resolution No. 096-2022**
- ▣ **Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

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

RE: Approve the Award of the Proposal for Professional Engineering Services related to Wastewater Pump Station A-39 Mechanical, Structural and Electrical Improvements to Kimley-Horn and Associates the Amount of \$119,400 and Establishing a Project Budget of \$137,310 - **Resolution No. 096-2022**

DATE: June 29, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council Approve the Award of the Proposal for Professional Engineering Services related to Wastewater Pump Station A-39 Mechanical, Structural and Electrical Improvements to Kimley-Horn and Associates (KHA) the Amount of \$119,400 and Establishing a Project Budget of \$137,310.

GENERAL INFORMATION

Public Works has requested KHA to propose professional engineering services related to mechanical, structural, and electrical improvements to the A-39 Wastewater Pump Station with the goal of increasing operational reliability to the station.

PROCUREMENT AND CONTRACT BACKUP

Procurement and Contracts has verified satisfactory work by KHA for past work experience. Procurement vetted the proposal with the Public Works Director and was found to be acceptable for the scope after revisions were made to meet the Town's Engineering direction.

FUNDING/FISCAL IMPACT

Funding for this award will be from the Capital Improvement Fund.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by the Public Works Department and is approved as recommended.

TOWN ATTORNEY REVIEW

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

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RESOLUTION NO. 096-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF PROPOSAL FOR
PROFESSIONAL ENGINEERING SERVICES RELATED TO
WASTEWATER PUMP STATION A-39 MECHANICAL,
STRUCTURAL AND ELECTRICAL IMPROVEMENTS TO
KIMLEY-HORN AND ASSOCIATES IN THE AMOUNT OF
\$119,400 AND ESTABLISHING A PROJECT BUDGET OF
\$137,310**

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. 087-2022, approving the Award of the Proposal for Professional Engineering Services related to Wastewater Pump Station A-39 Mechanical, Structural and Electrical Improvements to Kimley-Horn and Associates in the Amount of \$119,400 and Establishing a Project Budget of \$137,310.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of July, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member



June 27, 2022

Mr. Dean Mealy
Town of Palm Beach
951 Old Okeechobee Road
Suite A
West Palm Beach, FL 33401

RE: *A-39 Wastewater Pump Station 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 mechanical, structural, and electrical improvements to the A-39 Wastewater Pump Station 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 A-39 Wastewater Pump Station in order to increase operational reliability. Items that will be addressed have been identified in the Town of Palm Beach Wastewater Pump Station Condition Assessment prepared by Mock-Roos Consulting Engineers with additional items that were identified during a recent site visit with Town staff. The improvements are anticipated to require a FDEP permit and a Town of Palm Beach Building permit. Below are the improvements included for the station.

- Replace pumps 1 and 2
- Replace suction piping and discharge piping through the header pipe on pumps 1 and 2
- Replace drywell and wetwell ventilation system
- Install exhaust fan to ventilate electrical room
- Abandon the valve vault on the west side of the pump station building
- Replace pump station forcemain piping up to the existing gate valve in the valve vault
- Install hoist beam for pump maintenance in drywell
- Replace fixtures in bathroom
- Replace all interior and exterior doors
- Replace all windows and louvers
- Replace mundy blocks and mesh screens with louvers
- Replace roof
- Make structural concrete repairs to concrete spalls at east side of building at the door and louver, area around the grated opening to the drywell, and drywell
- Replace power supply to pumps 1 and 2
- Replace power supply to drywell and wetwell blowers
- Replace lighting in wetwell with brighter lighting
- Replace pump controls and panels. Consolidate controls into one panel

Scope of Services

Task 1 – Design Phase Services

We will attend a kickoff meeting with the Town to discuss the project goals. We will visit the site 3 times to support the design services. Kimley-Horn will perform design services to prepare construction plans and specifications for the wastewater pump station improvements suitable for construction and submittal to the Palm Beach County Health Department and the Town's Building Department containing the following information:

1. Cover Sheet
2. A-39 Site Plan
3. A-39 Demolition Plan
4. A-39 First Floor Plan
5. A-39 Drywell and Wetwell Plan
6. A-39 Drywell and Wetwell Sections and Details
7. A-39 Roof Plan
8. A-39 Structural Concrete Repair Photo Details
9. A-39 Construction Details 1
10. A-39 Construction Details 2
11. A-39 Electrical Plans and Details
12. Technical Specifications

Electrical plans and specifications will be prepared by a subconsultant employed by Kimley-Horn. 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. 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 60% and 90% completion stages, 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 2 – Permitting Assistance

Kimley-Horn will prepare and submit the appropriate Florida Department of Environmental Protection (FDEP) permit application with supporting documentation, reports, and computations for the Owner's signature and subsequent transmittal to the City of West Palm Beach and the Palm Beach County Health Department. We will respond to one (1) reasonable request for additional information (RAI) from the Health Department. The \$500 application fee is included within this task.

Task 3 – 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 respond to one round of reasonable comments from the building department after submittal by the Town/Contractor, if

required. We will provide an “Issued for Construction” set of construction documents incorporating permit comments and 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:

- 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 2023.

Fee and Billing

Kimley-Horn will perform the services described in this Scope of Services on an hourly basis in accordance with our Contract with the Town. It is recommended that the following budgets be established for these services:

Task 1 – Design Phase Services	\$105,900
Task 2 – Permitting Services	\$6,000
Task 3 – Bid Phase Services	\$7,500
Total	\$119,400

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.

A handwritten signature in blue ink, appearing to read 'KS' or 'K. Schanen', is positioned above the typed name.

By: Kevin Schanen, P.E.
Sr. Vice President

K:\WPB_Civil\General\Calle\Proposals\A-39 Pump Station Improvements\A-39 Wastewater Pump Station Improvements.docx

ESTIMATE FOR ENGINEERING SERVICES

PROJECT: A-39 Wastewater Pump Station Improvements		SHEET 1 of 1											
CLIENT: Town of Palm Beach		FILE NO.											
ESTIMATOR: DAC		DATE: 06/27/22											
		ALLOCA 0.0000											
		DIRECT LABOR (MAN-HOURS)											
		Principal	Chief Engineer	Senior Engineer	Senior Prof. Eng.	Eng. Prof.	Eng. Int.	Analyst	Admin/Clerical	Senior Designer	SUB	EXP	LINE TOTAL
Design Phase Services													
Kickoff Meeting													
Site Visit (3)													
Wetwell, Drywell, & Electrical Room Ventilation Design													
Building Structural Review & Repair Design													
Hydraulic Analysis & Pump Selection													
Drywell Hoist Beam Structural Design & Layout													
Door & Window Replacement Design													
Develop Construction Phasing Plan													
Electrical Design													
Construction Plans													
Cover Sheet													
A-39 Site Plan													
A-39 Demolition Plans													
A-39 First Floor Plan													
A-39 Drywell & Wetwell Plan													
A-39 Drywell & Wetwell Sections													
A-39 Roof Plan													
A-39 Structural Concrete Repair Photo Details													
A-39 Construction Details 1													
A-39 Construction Details 2													
A-39 Electrical Plans													
Technical Specifications													
OPC													
60% & 90% Review Meetings and Submittals													
Respond to Review Meeting Comments/Produce Bid Set Plans													
Permitting Assistance													
Prepare Permit Application													
Prepare Supporting Documentation													
Permit Application Fee													
Submit to TOPB/City of WPB													
Submit to PBCHD													
Respond to Health Dept. Comments													
Bid Phase Services													
Prepare Documents													
Attend Pre-Bid Meeting, attend field visits, prepare minutes													
Respond to Contractor RFIs													
Review Bids and prepare summary memorandum													
Respond to TOPB Building Dept. Comments													
TOTAL HOURS		10.0	0.0	111.0	0.0	226.0	286.5	0.0	34.5	0.0	207.00	\$669.28	\$119,400
LABOR (\$/HOUR)		\$285.90	\$266.26	\$212.60	\$184.35	\$151.32	\$119.92	\$107.97	\$87.47	\$152.84	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		\$2,859	\$0	\$23,599	\$0	\$34,198	\$34,357	\$0	\$3,018	\$0	\$20,700	\$669	\$119,400

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Consent - Other

Agenda Title

Request to Hold Preservation Foundation of Palm Beach Event in Bradley Park

Presenter

Carolyn Stone, Assistant Town Manager

ATTACHMENTS:

- ▣ **Letter Dated June 30, 2022, from Amanda Skier, President & CEO, Preservation Foundation of Palm Beach**
- ▣ **Charitable Permit Application for Preservation Foundation Annual Dinner Dance on March 3, 2023**
- ▣ **Special Permit Application for Preservation Foundation Annual Dinner Dance on March 3, 2023**



**Trustee Officers and
Executive Committee**

Mrs. Paul Shiverick, *Chairman*
Mr. Daniel E. Ponton, *Vice-Chairman*
Mr. Thomas C. Quick, *Secretary*
Mrs. Howard J. Kessler
Mrs. Pauline B. Pitt
Mr. Erik T. Waldin
Mrs. Lynne M. Wheat

President & CEO
Amanda H. Skier

Trustees

Mr. L.B. "Ben" Alexander, Jr.
Mrs. Rand V. Araskog
Mr. and Mrs. Manucher Azmudeh
Mr. and Mrs. Alan D. Bleznak
Mrs. T. Dennie Boardman
Mrs. Edwin M. Burke
L. Frank Chopin, Esquire
Mr. Edward A. Cooney
Mr. Marvin H. Davidson
Dr. Jane S. Day
Mrs. Ashton de Peyster
Mrs. F. Eugene Dixon, Jr.
Mrs. John J. Dowdle
Mr. and Mrs. E. Llwyd Ecclestone
Ambassador and Mrs. Edward E. Elson
Ms. Kristen Kelly Fisher
Mr. and Mrs. Mark E. Freitas
Mrs. Martin D. Gruss
Mrs. J. Ira Harris
Mr. James Held
Dr. Peter N. Heydon
Mr. and Mrs. Gerald R. Jordan, Jr.
Mr. Kenn Karakul
Mr. Howard J. Kessler
Mr. Leonard A. Lauder
The Honorable and Mrs. Howard H. Leach
Mrs. Joseph W. Luter III
Mrs. David J. Mahoney
Mr. Thomas R. Maier
Mr. and Mrs. Jeffrey A. Marcus
Mrs. Talbott B. Maxey
Mrs. Leigh A. McMakin
Mr. and Mrs. Joseph Meyer
Mr. and Mrs. Donald K. Miller
Mrs. Danielle Hickox Moore
Mr. and Mrs. Dudley L. Moore, Jr.
Mr. David G. Ober
Mrs. William G. Pannill
Mrs. Sallie B. Phillips
Mrs. Wilbur L. Ross, Jr.
Mr. and Mrs. Charles M. Royce
Mr. Jorge A. Sanchez
Mr. and Mrs. John H. Schuler
Mrs. Vera Serrano
Mr. Paul Shiverick
Mr. and Mrs. Brian Simmons
Mr. Jeffery W. Smith
The Honorable Lesly S. Smith
Mr. Mish Tworowski
Mrs. Leo A. Vecellio, Jr.

Emeritus Trustee

Mrs. Nathan Appleman
Mrs. Edward W. Cook
Mr. and Mrs. Robert M. Grace
Mrs. Frances G. Scaife

June 30, 2022

Town Council
Town of Palm Beach
Post Office Box 2029
Palm Beach, FL 33480

Dear President Zeidman, Mayor Moore, and Town Council Members:

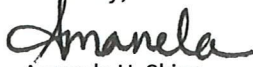
On behalf of our Chairman and Executive Committee, thank you for your past approval of our requests to hold our Dinner Dance in Bradley Park both in 2020 and 2022. I am writing now to request your approval once again to hold our annual Dinner Dance in Bradley Park on March 3, 2023.

The 2022 Dinner Dance, this past year, was a great success. We were grateful to have the opportunity to gather our supporters at Bradley Park and it was especially meaningful given that our 2021 Dinner Dance took place virtually. As a representation of our town-serving mission, Bradley Park is the ideal location to hold the Dinner Dance and we look forward to doing so once again with your permission.

We will make any and all accommodations necessary for approval of our request. Leading up to our event in 2020, we worked closely with Town Staff to develop a detailed plan that we continue to follow. Replicating our previous parking arrangement, we are grateful to the Flagler Museum for graciously agreeing to allow our use of their parking lot once again.

Thank you in advance for your consideration of this matter. Please let me know if I may answer any questions or provide further information.

Sincerely,


Amanda H. Skier
President & CEO



Town of Palm Beach • Office of the Town Clerk

APPLICATION FOR PERMIT TO SOLICIT FUNDS FOR CHARITABLE PURPOSES

ORDINANCE 11-73 AS AMENDED BY ORDINANCE 11-81, 4-86, 6-91, 15-92, 4-95, 12-97, 27-02, 6-08, 25-08, and 28-10: TOWN OF PALM BEACH CODE OF ORDINANCES

REC'D: 6/9/22
DOE: 3/3/23

T-22-01617

6/20/22
• need St. Reg.
• need Resoln.
• in LF
• in EDEN

1	Applicant Given Name: the person filling out this form	Amanda Skier2	
	Date of Birth:	10/07/85	Phone #: (561) 832-0731
	Address:	311 Peruvian Avenue, Palm Beach, FL 33480	
	Email:	askier@palmbeachpreservation.org	

2	Organization Name:	Preservation Foundation of Palm Beach	
	Phone #:	(561) 832-0731	
	Address:	311 Peruvian Avenue, Palm Beach, FL 33480	
	State Registration Number: *click this link to lookup	CH 2679	Educational or Religious Exemption: ☒ Yes

3	Applicant's principal officers and managers: *attach a list if necessary	
	Name:	Address:
	Elizabeth Shiverick	16 Golfview Rd, Palm Beach 33480
	Erik Waldin	246 Eden Road, Palm Beach 33480
	Amanda Skier2	234 Pershing Way, WPB 33401

4	Methods of Solicitation *One application per event	
	Event Name:	Annual Dinner & Dance
	Location Name:	Bradley Park
	Address:	100 Bradley Place, Palm Beach 33480
	Start Date: 03/03/2023	End Date: 03/03/2023 *use only with mailers and drives
	Check all methods that apply:	☒ ticket sales ☒ mailings ☐ percentage of sales ☐ auction (live) ☒ sponsorship ☐ request donations ☐ auction (silent) ☐ raffle Other: Other:
	Check all that apply:	☒ Food will be served (additional requirements/licenses may be required) ☒ Alcohol will be served (copy of liquor license will be required unless at a private residence) ☐ Event includes animals (Temporary Animal Permit may be required) ☐ Temporary signs will be utilized (only allowed between April 1-October 31)

3/3/23
Catered?

Mailing: Post Office Box 2029, Palm Beach, Florida 33480 • Location: 360 South County Road, Palm Beach, Florida 33480

(561) 838-5416 • Fax No. (561) 838-5417 • townclerk@townofpalmbeach.com • www.townofpalmbeach.com

5	Methods of Solicitation (continued)	
If the event is held at a private club, the sponsoring member's name:		
Approx. number of attendees:		400 ✓
Will the event be indoors or outdoors?		☐ Indoors ☒ Outdoors ☐ Both ☐ Not Applicable
If any portion of the event will be outdoors, please check all that apply:		☒ Tents will be utilized (Tent Permit may be required) ☒ There will be a generator ☒ There will be outdoor lighting ☐ There will be fireworks (Pyrotechnic Display Permit will be required)
Valet Services?		☒ Yes ☐ No *If yes, a valet permit is required

✓ 1CCM
 Tent generator lighting
 -valet

Where will attendees park?	
*Note that offsite parking on private property is currently prohibited	
Valet will utilize the Flagler Museum	

6	Persons in direct charge of conducting the solicitation:	
*attach a list if necessary		
Legal, Given Name:		Date of Birth:
Elizabeth Shiverick		08/11/60
Amanda Skier		10/07/85

✓

7	Name of Person(s) who will disburse proceeds from solicitation:	
*attach if necessary		
Name:	Amanda Skier	
Date of Birth:	10/07/1985	Phone #: (561) 832-0731
Address:	311 Peruvian Avenue, Palm Beach, FL 33480	
Email:	askier@palmbeachpreservation.org	

✓

8	Chairman of event	
Name:	Pauline Pitt and Mish Tworkowski	
Phone #:	(561) 832-0731	
Address:	311 Peruvian Avenue 33480	

9	Purpose of Solicitation:
*attach if necessary	
Annual Dinner Dance, to fund the educational, Restoration, horticultural, Public Service, & other Foundation Programs.	

10	Donation / Cost Estimates:
*attach if necessary	
Estimation of total funds to be raised:	\$ 1,400,000
Estimation of in kind donations:	\$ 50,000
Estimation of cost of the solicitation:	\$ 200,000

11	A specific statement, with reasons, that shows need for the funds to be solicited. Support with figures, if available.
*attach if necessary	
To fund the operating budget of approx. \$1.6 million	

12	Disposition of funds to be raised:
*attach if necessary	
To Preserve the architectural and scenic heritage of Palm Beach. To support the mission of the Foundation.	

13	Will you use a professional promoter or solicitor for your event?
☒ No / ☐ Yes	
If your answer was yes, fill out section 13 below.	

14	Promoter/Solicitor Name:	N/A
*attach list if necessary		
Date of Birth:	/ /	A copy of their contract has been included? ☐ Yes / ☐ No
Address:		
Statement of amount of wages, fees, commission, expenses or emoluments to be paid to this individual:		

9	Purpose of Solicitation:
*attach if necessary	
Annual Dinner Dance, to fund the educational, Restoration, horticultural, Public Service, & other Foundation Programs.	

10	Donation / Cost Estimates:
*attach if necessary	
Estimation of total funds to be raised:	\$ 1,400,000
Estimation of in kind donations:	\$ 50,000
Estimation of cost of the solicitation:	\$ 200,000

11	A specific statement, with reasons, that shows need for the funds to be solicited. Support with figures, if available.
*attach if necessary	
To fund the operating budget of approx. \$1.6 million	

12	Disposition of funds to be raised:
*attach if necessary	
To preserve the architectural and scenic heritage of Palm Beach. To support the mission of the Foundation.	

13	Will you use a professional promoter or solicitor for your event?
*attach if necessary	
☒ No / ☐ Yes	If your answer was yes, fill out section 13 below.

14	Promoter/Solicitor Name:	N/A
*attach list if necessary		
Date of Birth:	/ /	A copy of their contract has been included? ☐ Yes / ☐ No
Address:		
Statement of amount of wages, fees, commission, expenses or emoluments to be paid to this individual:		

15	If an applicant cannot furnish some of the information required by the preceding paragraphs, a detailed statement on a separate sheet shall be given why such information cannot be furnished.
Have you included this sheet? ☐ Yes / ☒ No	

16	Schedule of last season's events in the Town of Palm Beach	
Total value of donations collected under all events:	\$	Date of Last Event Held in Palm Beach: Date of Last Event Held in Palm Beach:
Total cost of all events:	\$ 0	*This includes wages, fees, commissions, expenses, and cost of any publication
Net Proceeds Distributed:	\$ 295,000	

17	Schedule of last season's events in the Town of Palm Beach (continued)	
AMOUNT OF MONIES AND PERCENTAGE OF NET PROCEEDS APPLIED DIRECTLY TO FUNCTIONS AND ACTIVITIES WITHIN: ☐		
Town of Palm Beach:	\$	% 100
Palm Beach County:	\$	%
State of Florida:	\$	%
Elsewhere:	\$	%
*Percentage of all categories combined should equal 100%		
SPECIFIC STATEMENT AS TO WHERE FUNDS WERE DISTRIBUTED: ☐		
To fund the operating budget of approx. \$1.6 million		

18	The applicant from section 1 by endorsement, agrees to the following statement:
"That if the permit is granted, it will not be used or represented in any way as an endorsement by the Town of Palm Beach or by the Town Council of the solicitation conducted thereunder."	
I, Amanda H. Skier due hereby solemnly swear (or affirm) that I am a duly authorized agent of Preservation Foundation of Palm Beach and that all of the information contained herein this application is true and correct.	

Amanda H. Skier
Signature of Applicant

Amanda H. Skier
Print Name

WITNESS:

Lauren Clyman
Signature

Lauren Clyman
Print Name

9662

**PRESERVATION FOUNDATION
OF PALM BEACH**

To: Town of Palm Beach

6/8/2022

INVOICE NUMBER	DATE	DESCRIPTION	AMOUNT	DISCOUNT	NET AMOUNT
Permit 2023 Dance	6/8/2022	Charitable Solicitation Permit for 2023 Dance at Bradley	\$500.00	\$0.00	\$500.00
Special Event 2023	6/8/2022	Special Event Permit - 2023 Dance at Bradley Park	\$300.00	\$0.00	\$300.00
Damage Deposit	6/8/2022	Refundable Damage Deposit for 2023 Dance at Bradley Park	\$2,000.00	\$0.00	\$2,000.00
		Totals:	\$2,800.00	\$0.00	\$2,800.00

Town of Palm Beach
Finance Department
360 S. County Rd
Palm Beach, FL 33410
www.townofpalmbeach.com
Welcome

029264-0001 Amy W. 06/09/2022 10:04AM

FINANCE

Payment Tran Code:

Clerk's Office (Clerk)

Description:

Preservation Foundation

Clerk's Office (Clerk)

2022 Item: Clerk

Clerk's Office

(Clerk) 2,800.00

001.329.930 500.00C

001.369.990 300.00C

001.220.140 2,000.00C

- charitable
- special event
- deposit

2,800.00

Subtotal 2,800.00

Total 2,800.00

CHECK 2,800.00

Check Number 9662

Change due 0.00

Paid by: Preservation Foundation

Thank you for your payment

Town of Palm Beach COPY
DUPLICATE RECEIPT



TOWN OF PALMBEACH

Office of the Town Clerk

NON-REFUNDABLE
APPLICATION FEE
\$300.00

REC'D: 6/20/22

DOE: 3/3/23

Charitable: T-22-01617

APPLICATION FOR SPECIAL EVENT PERMIT

Application is due to the Town Clerk's Office no less than 45 days and no more than 9 months for Palm Beach residents and 7 months for non-residents, prior to event date.

APPLICANT INFORMATION	
Name:	Amanda Skier2
Address:	311 Peruvian Avenue Palm Beach, FL 33480
E-mail:	askier2@palmbeachpreservation.org
Phone Number:	561.832.0731
Cell #:	

ORGANIZATION INFORMATION	
Name:	Preservation Foundation of Palm Beach
Address:	311 Peruvian Avenue Palm Beach, FL 33480
E-mail:	info@palmbeachpreservation.org
Phone Number:	561.832.0731
Cell #:	
*501(c)3 #:	59-1989832
*Will any fundraising be taking place during this event? Y/N	NO.
*If yes, a separate <u>Charitable Solicitation Permit</u> will be required.	

CONTACT INFORMATION	
Name:	Lauren Clyman
Address:	311 Peruvian Avenue Palm Beach, FL 33480
E-mail:	lclyman@palmbeachpreservation.org
Phone Number:	561.832.0731
Cell #:	

APPLICATION FOR SPECIAL EVENT PERMIT

EVENT INFORMATION		
Name:	Annual Dinner Dance	
Address/ Location:	100 Bradley Place, Palm Beach FL 33480 / Bradley Park	
Day and Date	Friday, March 3, 2023	
Start and End Time	6:00 - 11:00 PM	
Note: 5 hour time limit including set- up and clean-up		
Purpose:	To fund the operating budget of approx. \$1.6 million	
Provide a detailed description of activities – include maps, pictures, and illustrations. Note: No amplified music.		
cocktails, dinner, music, dancing		
Approximate number of participants:	400	Approximate number of spectators: None

TRAFFIC/PARKING INFORMATION	
Will support facilities or services such as traffic control and crowd control be needed? If yes, please specify: Yes, we will be Requesting the assistance of off-duty Palm Beach Police officers.	
List the different forms of transportation to be used by participants: personal vehicles	
Where will event attendees park?	(Note: Royal Poinciana Plaza parking is not permitted.)
Flagler Museum via Valet	
Provide a reasonable estimate of parking volume generated by the event and the type of parking that will be used: 250 personal vehicles; parked at Flagler Museum via Valet.	
Note: Temporary valet services require a separate permit unless the location of the special event possesses a current Town annual valet parking services permit. Failure to secure a temporary valet services permit may result in a fine and or shut down of the non-permitted valet services (www.townofpalmbeach.com) (On the Home page, click on "Doing Business", then go to "Permits and Licenses".)	

APPLICATION FOR SPECIAL EVENT PERMIT

STRUCTURE/TENT INFORMATION

Will a temporary structure/tent be used? If yes, provide the size (a separate permit is required in the Planning, Zoning and Building Department for tents/stages):

Yes, see diagram.

INSURANCE INFORMATION

Name of
Applicant's
Insurance Company:

MARK EDWARDS PARTNERS LLC

Address:

*505 PARK AVENUE
NY, NY 10022*

Phone #:

212.355.5005

Please attach a Certificate of Insurance naming the Town of Palm Beach as an additional insured under your General Liability policy with limits not less than \$1,000,000.00 per occurrence or an amount higher based upon the particular special event proposed. There shall also be a 30-day notice of cancellation. **Confirm that the event name, location, and date is added in the Description of Operations box at the bottom of the proof of insurance form.** Y / N

CLEANUP INFORMATION

Outline provisions for immediate cleanup after Special Event:

clean-up will commence immediately following the end of the event by PFPB staff and all hired vendors. Tent will be struck Saturday AM.

CHECKLIST

Before you sign and date your special event application, please make sure that the following steps have been completed:

- ☐ Complete all the necessary information
- ☐ Pay application fee, usage fee and refundable damage deposit
- ☐ Attach a site plan
- ☐ Attach a Certificate of Insurance
- ☐ Set up a pre and post inspection meeting with Public Works Staff and Police (if applicable)
- ☐ For events that require tents – please fill out a tent permit application (separate)

APPLICATION FOR SPECIAL EVENT PERMIT

PAYMENT INFORMATION

An application fee is due upon the time of submittal if the application is received at least 45 days in advance. A fee of \$100 will be assessed in the event of a late application.

Any individual or organization that holds an event on Town of Palm Beach property that does not abide by the authorized use, rules and regulations, or that causes additional costs to the Town may lose all or a portion of their damage deposit. **Damage deposit and the applicable usage fees are due upon receipt of the permit. Payments may be made by cash, credit card or by check made payable to the Town of Palm Beach. (see fee table below).**

For office use only:

Date application fee payment received:		Cash	Check No.	Credit Card
Date damage deposit and non-resident usage fee received:		Cash	Check No.	Credit Card

Fee Table for Special Events

	Non-Refundable Application Fee	Late fee if application not received 45 days in advance of event	Refundable Damage Deposit	Non-Resident Usage Fee
Bradley Park (100 Bradley Pl)	\$300	\$100	50 people or less: \$400 51-100 people: \$1,000 Over 100 people: \$2,000	50 people or less: \$100/hr 51-100 people: \$250/hr Over 100 people: \$400/hr
Phipps South Ocean Park (2185 S Ocean Blvd)	\$300	\$100	50 people or less: \$200 51-100 people: \$400 Over 100 people: \$1,000	50 people or less: \$100/hr 51-100 people: \$250/hr Over 100 people: \$400/hr
Phipps South Ocean Park (Chickee Hut Only) (2185 S Ocean Blvd)	\$300	\$100	\$150	\$100/hr
Public Beaches	\$300	\$100	\$150	\$0
All Other Public Spaces	\$300	\$100	\$150	\$0
Lake Drive Park	This park is no longer available for special events.			
Phipps Plaza Park	Prohibition will sunset 8/14/22			
Memorial Park	This park is no longer available for special events.			

REGULATIONS

The following regulations apply to all Special Events held within the Town as per the attached Section 106.257 of the Town Code of Ordinances:

1. **There shall be no more than one Special Event held at the location requested on any given day, without priority for any particular date, to be granted to the first person to submit a completed application designating that day.**
2. **The maximum total duration of each Special Event including the set-up and clean-up thereof shall be five hours.**
3. **Any signs, props, or displays used in conjunction with the Special Event must be removed immediately after the time permitted for the Special Event has expired.**
4. **The use of banners, flags (other than flags of official governmental bodies), streamers, balloons, or any similar devices, in connection with the event, shall be prohibited.**
5. **The use of decorated vehicles and trailers in connection with the event is prohibited.**
6. **The granting of a Special Event Permit under this article shall not require the complete blockading of streets or intersections to vehicular traffic, and the Town shall be empowered to apportion such streets and intersections for simultaneous use by Special Event participants and vehicular and pedestrian traffic.**
7. **The concentration of persons and/or vehicles at the Special Event will not interfere unduly with proper fire and police protection of, or ambulance service to areas contiguous to the assembly area or other areas of Town.**
8. **There are sufficient parking places near the site of the Special Event to accommodate the approximate number of automobiles reasonably expected to be driven to the Special Event.**
9. **The event is not otherwise in violation of ordinances or regulations of the Town, state, or federal law.**

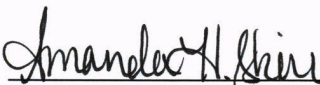
APPLICANT AGREEMENT

The applicant from page 1 by endorsement, agrees to the following statement:

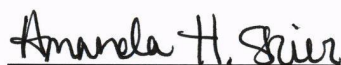
I have read the provisions of the Town Code of Ordinances relating to the regulation of Special Events on public property and agree to abide by all provisions set forth therein including the requirement that the Special Event chairperson or other person heading or leading such Special Event shall carry the Special Event Permit upon his/her person during the conduct of the Special Event and shall present at the Special Event.

Any person determined to be in violation of the provisions of the Town Code regulating Special Events on public property, not relating to revocation of the permit, where such a violation also constitutes violation of any law or regulation of the State, such violation shall be punished in the same manner and with the same limits as is provided by law or regulation, it shall be punished by a fine of not more than \$500.00 or a term of imprisonment not in excess of 60 days, or both such fine and imprisonment, in discretion of the court.

SIGNATURES OF APPLICANT AND WITNESS:



Signature of Applicant



Print Name



Signature of Witness



Print Name of Witness



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/31/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Mark Edward Partners LLC 505 Park Ave. New York NY 10022		CONTACT Barry Zimberg PHONE (A/C, No, Ext): (212) 355-5005 FAX (A/C, No): (212) 813-8085 E-MAIL ADDRESS: bjz@markedwardpartners.com	
INSURED Preservation Foundation of Palm Beach 311 Peruvian Ave Palm Beach FL 33480-4637		INSURER(S) AFFORDING COVERAGE INSURER A: Atlantic Specialty Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 27154	

COVERAGES **CERTIFICATE NUMBER:** CL2183110732 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☒ LOC OTHER:	Y		710-03-10-19-0010	07/20/2021	07/20/2022	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000						
	MED EXP (Any one person) \$ 10,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ 10,000			710-03-10-19-0010	07/20/2021	07/20/2022	EACH OCCURRENCE \$ 5,000,000
	AGGREGATE \$ 5,000,000						
	\$						
	\$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A					PER STATUTE ☐ OTH-ER ☐
	E.L. EACH ACCIDENT \$						
	E.L. DISEASE - EA EMPLOYEE \$						
	E.L. DISEASE - POLICY LIMIT \$						

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Annual Dinner Dance Event on 3/3/23 at Bradley Park Palm Beach

The Town of Palm Beach is included as an Additional Insured as required by written contract, subject to the terms and conditions of the policy.

CERTIFICATE HOLDER Town of Palm Beach 350 South County Road Palm Beach FL 33480	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Mark Edward Partners LLC
---	--

9662

**PRESERVATION FOUNDATION
OF PALM BEACH**

To: Town of Palm Beach

6/8/2022

INVOICE NUMBER	DATE	DESCRIPTION	AMOUNT	DISCOUNT	NET AMOUNT
Permit 2023 Dance	6/8/2022	Charitable Solicitation Permit for 2023 Dance at Bradley	\$500.00	\$0.00	\$500.00
Special Event 2023	6/8/2022	Special Event Permit - 2023 Dance at Bradley Park	\$300.00	\$0.00	\$300.00
Damage Deposit	6/8/2022	Refundable Damage Deposit for 2023 Dance at Bradley Park	\$2,000.00	\$0.00	\$2,000.00
		Totals:	\$2,800.00	\$0.00	\$2,800.00

Town of Palm Beach
Finance Department
360 S. County Rd
Palm Beach, FL 33410
www.townofpalmbeach.com
Welcome

029264-0001 Amy W. 06/09/2022 10:04AM

FINANCE

Payment Tran Code:

Clerk's Office (Clerk)

Description:

Preservation Foundation

Clerk's Office (Clerk)

2022 Item: Clerk

Clerk's Office

(Clerk)

2,800.00 - total

001.329.930

500.00C

- Charitable

001.369.990

300.00C

- Special event

001.220.140

2,000.00C

- Damage Deposit

2,800.00

Subtotal

2,800.00

Total

2,800.00

CHECK

2,800.00

Check Number 9662

Change due

0.00

Paid by: Preservation Foundation

Thank you for your payment

Town of Palm Beach COPY
DUPLICATE RECEIPT



TOWN OF PALM BEACH

Office of the Town Clerk

GUIDELINES ON THE SUBMISSION OF AN APPLICATION FOR A CHARITABLE SOLICITATION PERMIT

1. Organizations planning to conduct charitable solicitation activities in the Town of Palm Beach are **required** (Sec. 78-102) to submit the application **at least** sixty (60) days prior to the proposed effective date of the permit. **You must submit one application per event.**

As of July 16, 2014, if the application is received:

60 Days or More in Advance:	
Events Estimated to Raise \$5,000 or less:	\$240 each
First Event Estimated to Raise over \$5,000:	\$500
Second Event Held Within the Past 12 months Estimated to Raise over \$5,000:	\$240
31-59 Days in Advance:	
Events Estimated to Raise \$5,000 or less:	\$290 each
First Event Estimated to Raise over \$5,000:	\$605
Second Event Held Within the Past 12 Months Estimated to Raise over \$5,000:	\$290
16-30 Days in Advance:	
Events Estimated to Raise \$5,000 or less:	\$340 each
First Event Estimated to Raise over \$5,000:	\$710
Second Event Held Within the Past 12 months Estimated to Raise over \$5,000:	\$340
15-8 Days in Advance:	
Events Estimated to Raise \$5,000 or less:	\$390 each
First Event Estimated to Raise over \$5,000:	\$815
Second Event Held Within the Past 12 Months Estimated to Raise over \$5,000:	\$390
7 Days or Less in Advance (Including After the Fact Permits):	
Events Estimated to Raise \$5,000 or less:	\$490 each
First Event Estimated to Raise over \$5,000:	\$920
Second Event Held Within the Past 12 Months Estimated to Raise over \$5,000:	\$490

2. The information contained in said application shall be available to the public. The application must be accompanied by the following:

A.	On page 5, the applicant's signature needs to have a witness. You may email your application. It will be date stamped the date received.
B.	A Resolution giving authority for the fund-raising event. A resolution can be signed by any single board member or the entire board. Minutes of the Board Meeting where authority was given are also acceptable.
C.	A copy of the State Registration form. The Town of Palm Beach requires a registration with the State of Florida Department of Agriculture and Consumer Services prior to engaging in any solicitation activities. Florida residents call 1-800-435-7352 for forms and further information. Out of State residents call (850)-488-2221. NOTE: Check the expiration date on your State Registration Form as these forms are renewed annually by the State of Florida.
D.	"Schedule" for last year's fund-raising activity in the Town of Palm Beach. (Items 15 & 16 on page 4 of the application) NOTE: This requirement does not apply to first time solicitations.
E.	A check in the amount to cover the permit fee and any late fees. Make checks payable to Town of Palm Beach. NOTE: FEES ARE NON-REFUNDABLE.

3. If you expect to have a drawing/raffle at the charitable event, furnish a copy of Form 501 (c) (3) filed with the IRS.
4. Save this application form to your local computer from the Town's website, fill it out and save it. This will save you time filling out your next application.

Mailing: Post Office Box 2029, Palm Beach, Florida 33480 • **Location:** 360 South County Road, Palm Beach, Florida 33480
(561) 838-5416 • Fax No. (561) 838-5417 • townclerk@townofpalmbeach.com • www.townofpalmbeach.com



TOWN OF PALMBEACH

Office of the Town Clerk

NON-REFUNDABLE
APPLICATION FEE
\$300.00

REC'D: 6/20/22

DOE: 3/3/23

Charitable: T-22-01617

APPLICATION FOR SPECIAL EVENT PERMIT

Application is due to the Town Clerk's Office no less than 45 days and no more than 9 months for Palm Beach residents and 7 months for non-residents, prior to event date.

APPLICANT INFORMATION	
Name:	Amanda Skier2
Address:	311 Peruvian Avenue Palm Beach, FL 33480
E-mail:	askier2@palmbeachpreservation.org
Phone Number:	561.832.0731
Cell #:	

ORGANIZATION INFORMATION	
Name:	Preservation Foundation of Palm Beach
Address:	311 Peruvian Avenue Palm Beach, FL 33480
E-mail:	info@palmbeachpreservation.org
Phone Number:	561.832.0731
Cell #:	
*501(c)3 #:	59-1989832
*Will any fundraising be taking place during this event? Y/N	NO.
*If yes, a separate <u>Charitable Solicitation Permit</u> will be required.	

CONTACT INFORMATION	
Name:	Lauren Clyman
Address:	311 Peruvian Avenue Palm Beach, FL 33480
E-mail:	lclyman@palmbeachpreservation.org
Phone Number:	561.832.0731
Cell #:	

APPLICATION FOR SPECIAL EVENT PERMIT

EVENT INFORMATION		
Name:	Annual Dinner Dance	
Address/ Location:	100 Bradley Place, Palm Beach FL 33480 / Bradley Park	
Day and Date	Friday, March 3, 2023	
Start and End Time	6:00 - 11:00 PM	
Note: 5 hour time limit including set- up and clean-up		
Purpose:	To fund the operating budget of approx. \$1.6 million	
Provide a detailed description of activities – include maps, pictures, and illustrations. Note: No amplified music.		
cocktails, dinner, music, dancing		
Approximate number of participants:	400	Approximate number of spectators: None

TRAFFIC/PARKING INFORMATION	
Will support facilities or services such as traffic control and crowd control be needed? If yes, please specify: Yes, we will be requesting the assistance of off-duty Palm Beach Police officers.	
List the different forms of transportation to be used by participants: personal vehicles	
Where will event attendees park?	(Note: Royal Poinciana Plaza parking is not permitted.)
Flagler Museum via valet	
Provide a reasonable estimate of parking volume generated by the event and the type of parking that will be used: 250 personal vehicles; parked at Flagler Museum via valet.	
Note: Temporary valet services require a separate permit unless the location of the special event possesses a current Town annual valet parking services permit. Failure to secure a temporary valet services permit may result in a fine and or shut down of the non-permitted valet services (www.townofpalmbeach.com) (On the Home page, click on "Doing Business", then go to "Permits and Licenses".)	

APPLICATION FOR SPECIAL EVENT PERMIT

STRUCTURE/TENT INFORMATION

Will a temporary structure/tent be used? If yes, provide the size (a separate permit is required in the Planning, Zoning and Building Department for tents/stages):

Yes, see diagram.

INSURANCE INFORMATION

Name of Applicant's Insurance Company:	<i>MARK EDWARDS PARTNERS LLC</i>	
Address:	<i>505 PARK AVENUE NY, NY 10022</i>	Phone #: <i>212.355.5005</i>

Please attach a Certificate of Insurance naming the Town of Palm Beach as an additional insured under your General Liability policy with limits not less than \$1,000,000.00 per occurrence or an amount higher based upon the particular special event proposed. There shall also be a 30-day notice of cancellation. **Confirm that the event name, location, and date is added in the Description of Operations box at the bottom of the proof of insurance form.** Y / N

CLEANUP INFORMATION

Outline provisions for immediate cleanup after Special Event:

clean-up will commence immediately following the end of the event by PFPB staff and all hired vendors. Tent will be struck Saturday AM.

CHECKLIST

Before you sign and date your special event application, please make sure that the following steps have been completed:

- ☐ Complete all the necessary information
- ☐ Pay application fee, usage fee and refundable damage deposit
- ☐ Attach a site plan
- ☐ Attach a Certificate of Insurance
- ☐ Set up a pre and post inspection meeting with Public Works Staff and Police (if applicable)
- ☐ For events that require tents – please fill out a tent permit application (separate)

APPLICATION FOR SPECIAL EVENT PERMIT

PAYMENT INFORMATION

An application fee is due upon the time of submittal if the application is received at least 45 days in advance. A fee of \$100 will be assessed in the event of a late application.

Any individual or organization that holds an event on Town of Palm Beach property that does not abide by the authorized use, rules and regulations, or that causes additional costs to the Town may lose all or a portion of their damage deposit. **Damage deposit and the applicable usage fees are due upon receipt of the permit. Payments may be made by cash, credit card or by check made payable to the Town of Palm Beach. (see fee table below).**

For office use only:

Date application fee payment received:		Cash	Check No.	Credit Card
Date damage deposit and non-resident usage fee received:		Cash	Check No.	Credit Card

Fee Table for Special Events

	Non-Refundable Application Fee	Late fee if application not received 45 days in advance of event	Refundable Damage Deposit	Non-Resident Usage Fee
Bradley Park (100 Bradley Pl)	\$300	\$100	50 people or less: \$400 51-100 people: \$1,000 Over 100 people: \$2,000	50 people or less: \$100/hr 51-100 people: \$250/hr Over 100 people: \$400/hr
Phipps South Ocean Park (2185 S Ocean Blvd)	\$300	\$100	50 people or less: \$200 51-100 people: \$400 Over 100 people: \$1,000	50 people or less: \$100/hr 51-100 people: \$250/hr Over 100 people: \$400/hr
Phipps South Ocean Park (Chickee Hut Only) (2185 S Ocean Blvd)	\$300	\$100	\$150	\$100/hr
Public Beaches	\$300	\$100	\$150	\$0
All Other Public Spaces	\$300	\$100	\$150	\$0
Lake Drive Park	This park is no longer available for special events.			
Phipps Plaza Park	Prohibition will sunset 8/14/22			
Memorial Park	This park is no longer available for special events.			

REGULATIONS

The following regulations apply to all Special Events held within the Town as per the attached Section 106.257 of the Town Code of Ordinances:

1. **There shall be no more than one Special Event held at the location requested on any given day, without priority for any particular date, to be granted to the first person to submit a completed application designating that day.**
2. **The maximum total duration of each Special Event including the set-up and clean-up thereof shall be five hours.**
3. **Any signs, props, or displays used in conjunction with the Special Event must be removed immediately after the time permitted for the Special Event has expired.**
4. **The use of banners, flags (other than flags of official governmental bodies), streamers, balloons, or any similar devices, in connection with the event, shall be prohibited.**
5. **The use of decorated vehicles and trailers in connection with the event is prohibited.**
6. **The granting of a Special Event Permit under this article shall not require the complete blockading of streets or intersections to vehicular traffic, and the Town shall be empowered to apportion such streets and intersections for simultaneous use by Special Event participants and vehicular and pedestrian traffic.**
7. **The concentration of persons and/or vehicles at the Special Event will not interfere unduly with proper fire and police protection of, or ambulance service to areas contiguous to the assembly area or other areas of Town.**
8. **There are sufficient parking places near the site of the Special Event to accommodate the approximate number of automobiles reasonably expected to be driven to the Special Event.**
9. **The event is not otherwise in violation of ordinances or regulations of the Town, state, or federal law.**

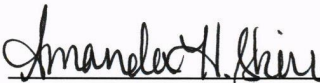
APPLICANT AGREEMENT

The applicant from page 1 by endorsement, agrees to the following statement:

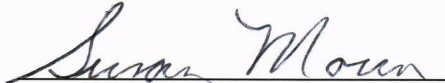
I have read the provisions of the Town Code of Ordinances relating to the regulation of Special Events on public property and agree to abide by all provisions set forth therein including the requirement that the Special Event chairperson or other person heading or leading such Special Event shall carry the Special Event Permit upon his/her person during the conduct of the Special Event and shall present at the Special Event.

Any person determined to be in violation of the provisions of the Town Code regulating Special Events on public property, not relating to revocation of the permit, where such a violation also constitutes violation of any law or regulation of the State, such violation shall be punished in the same manner and with the same limits as is provided by law or regulation, it shall be punished by a fine of not more than \$500.00 or a term of imprisonment not in excess of 60 days, or both such fine and imprisonment, in discretion of the court.

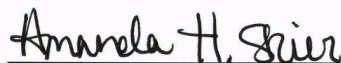
SIGNATURES OF APPLICANT AND WITNESS:



Signature of Applicant



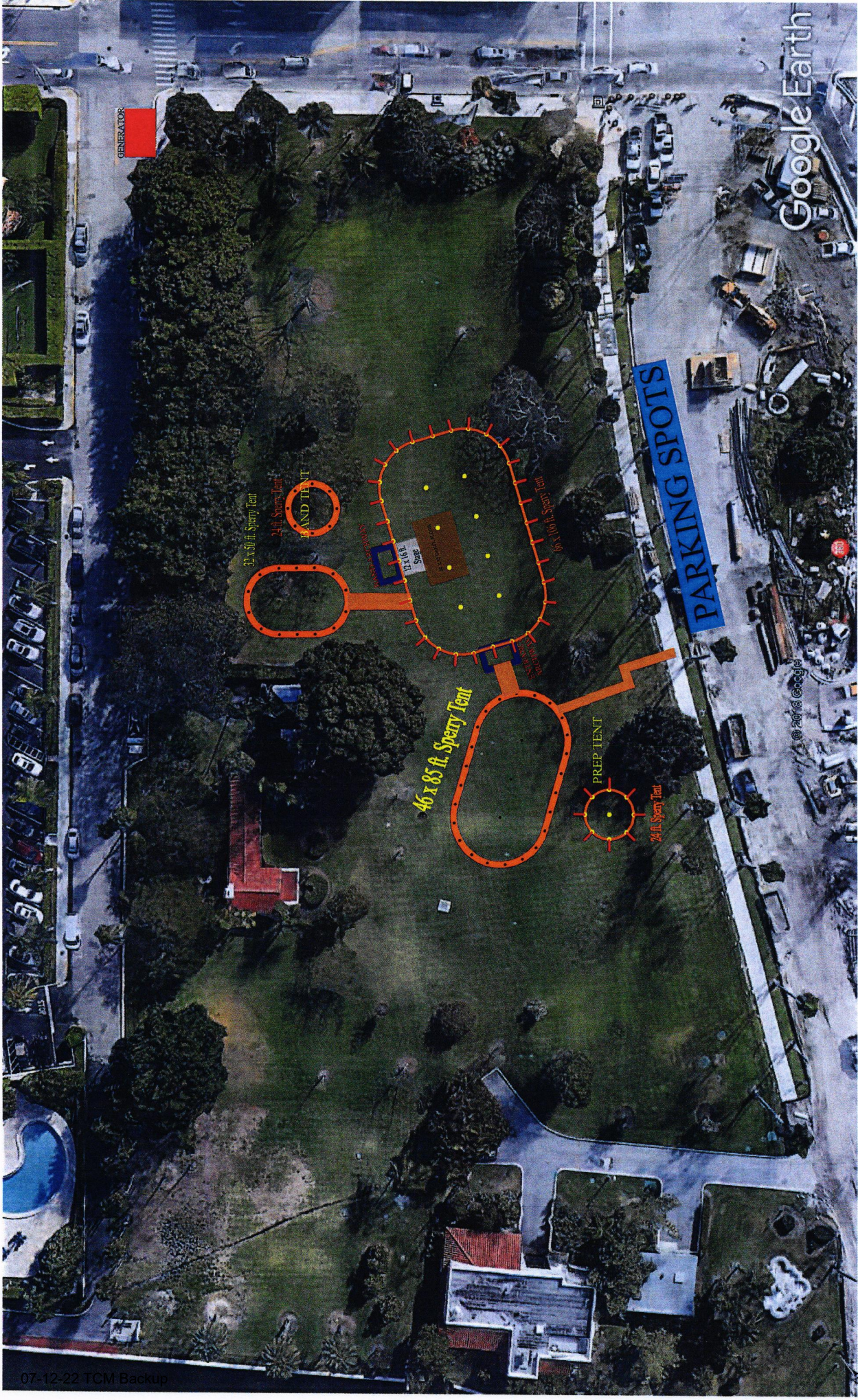
Signature of Witness



Print Name



Print Name of Witness



Google Earth



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/31/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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		NAIC # 27154	

COVERAGES **CERTIFICATE NUMBER:** CL2183110732 **REVISION NUMBER:**

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	PROPERTY DAMAGE (Per accident) \$						
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	\$						
	\$						
							PER STATUTE OTH-ER
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A					E.L. EACH ACCIDENT \$
	E.L. DISEASE - EA EMPLOYEE \$						
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Annual Dinner Dance Event on 3/3/23 at Bradley Park Palm Beach

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---	--

9662

**PRESERVATION FOUNDATION
OF PALM BEACH**

To: Town of Palm Beach

6/8/2022

INVOICE NUMBER	DATE	DESCRIPTION	AMOUNT	DISCOUNT	NET AMOUNT
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Town of Palm Beach
Finance Department
360 S. County Rd
Palm Beach, FL 33410
www.townofpalmbeach.com
Welcome

029264-0001 Amy W. 06/09/2022 10:04AM

FINANCE

Payment Tran Code:

Clerk's Office (Clerk)

Description:

Preservation Foundation

Clerk's Office (Clerk)

2022 Item: Clerk

Clerk's Office

(Clerk)

2,800.00 - total

001.329.930

500.00C

- Charitable

001.369.990

300.00C

- Special event

001.220.140

2,000.00C

- Damage Deposit

2,800.00

Subtotal

2,800.00

Total

2,800.00

CHECK

2,800.00

Check Number 9662

Change due

0.00

Paid by: Preservation Foundation

Thank you for your payment

Town of Palm Beach COPY
DUPLICATE RECEIPT

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Consent - Other

Agenda Title

Request by the Rotary Club of Palm Beach Foundation on Behalf of the Main Street Palm Beach Business Association for a Special Event Permit for Flags for Heroes During the Veterans' Day Holiday.

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ❑ **Letter Dated June 2, 2022, from Riccardo Boehm, Chairman, Flags for Heroes**
- ❑ **Administrative Procedure re: Business Association Special Events**
- ❑ **Bradley Park Aerial View**
- ❑ **Bradley Park Site Plan**
- ❑ **Certificate of Insurance**
- ❑ **Hold Harmless Agreement**



June 2, 2022

Ms. Pat Gayle-Gordon
Acting Town Clerk
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

RE: Rotary Club of Palm Beach Foundation Application on Behalf of the Main Street Palm Beach Business Association (MSPBA) for a Business Association Special Event Permit for Flags for Heroes During the Veteran's Day Holiday Period 2022

Dear Ms. Gayle -Gordon:

This letter and its attachments are in furtherance of the Palm Beach Rotary Foundation's application for Town Council approval of a proposed Business Association Special Event at Bradley Park during the Veteran's Day Holiday period in November 2022. This application is submitted in conjunction with the MSPBA. It is our intention to deliver a well-planned and coordinated public event without incident as was the case in 2019.

A new application has been prepared for the 2022 event and is submitted herewith. Also included is an updated marked-up aerial site plan at Bradley Park. The required certificate of insurance (COI) and an executed hold harmless agreement are also attached.

The permits that are required for this proposed use of Bradley Park are:

1. The attached Business Association Special Events Permit. If approved, the security deposit will be submitted in a timely manner well in advance of the initial work on site.
2. Town Charitable Solicitation Permit(s) for the flag event display and any private events associated therewith. The Rotary Foundation will submit the required CSP and permit fee within days of receiving Town Council approval to hold the event.

The Rotary Foundation is aware that we will be required to call Sunshine 811 before staking flag holders. We are required to plan a flag grid not in conflict with the plan drawing of the irrigation system in Bradley Park and we will work closely with Town DPW staff to ensure this happens with no damage to the irrigation system.

Enumerated below are a number of key items related to the event and how Rotary intends to address each:

1. Rotary Foundation agrees to fill all flagpole holes with quality topsoil (staff prefers topsoil) and we are responsible for any damage to Town property. We have provided an executed hold harmless agreement and a certificate of insurance naming the Town as an additionally insured. The COI will automatically be renewed on July 1 and an updated COI provided to you. These items are attached. If we cause damages, they will be fixed per Town standards or the Town will be paid.

The Palm Beach Rotary Foundation – P.O. Box 105, Palm Beach, FL 33480

2. Parking should not be an issue for the event because the event is not at the height of the Season and not all interested parties will come see the flags at the same time. Most attendees will park on Royal Poinciana Way and walk over to the park and hopefully visit the businesses in the area before or after seeing the flags. We do request herewith, reserved parking as marked on the site plan on the days when workers will engage in set-up and take down work. Parking Enforcement will need to be notified the day before to mark off said reserved spaces.
3. The net funds raised will be used to provide funding for scholarships to college bound students, existing college undergraduate students, and trade school tuition to eligible dependents of full-time Town of Palm Beach General Employees, including Life Guards.
4. The business association for the commercial district is the Main Street Palm Beach Business Association (MSPBA) and it is the sponsor of the event. MSPBA fully supports the event, and appears as the sponsor on the application for permit.
5. The Rotary Foundation target is to install up to 500 flags. The grid we lay out will allow persons to walk through the park to look at the flags and will avoid damage to trees, any ground-based improvements or impediments, and subsurface facilities such as irrigation lines and sprinkler heads.
6. The target audience for participation/solicitation is "town persons" pursuant to the definition in the Town Zoning Code. A hero can be anyone of any background that a person wishes. As with every year, veterans and their service to our country will be highly recognized by participants.
7. We are planning an opening ceremony/dedication. This is a low key, solemn event with a few speakers and perhaps a color guard. At most, a half hour event. We can eliminate the use of a generator if it is OK for us to plug into an outlet at the Tea House for the PA system. The noise ordinance will be complied with in either case.
8. In the event they are still in effect, all COVID-19 Guidelines will be strictly adhered to. If at that time congregating of people is not allowed per Guidelines, we are prepared to conduct a virtual opening ceremony. In addition, we can secure the flag display boundary in the event having numerous citizens walking therein should be discouraged.
9. About the only complaint we received in 2019 was people telling us the flags should have stayed up longer, which we take as a compliment. The plan for 2022 is to grid out the flag locations beforehand and begin flag installation on November 8. The opening program is on Thursday, November 10 the day before Veterans Day, which is on Friday, November 11. Flags will be removed on Thursday, November 17.

We look forward to seeing you, other staff and the Mayor and Town Council at the July Town Council meeting and formally presenting this information and our permitting materials to the Town Council. If you should have any questions, please feel free to contact Thomas Bradford or me at your convenience.

Sincerely,

Riccardo S. Boehm

Riccardo S. Boehm
Chairman, Flags for Heroes 2022
President-Elect, Rotary Club of Palm Beach Foundation

Cc: Frances Frisbie, Director, Main Street Palm Beach Association
Chung Wong, President, Rotary Club of Palm Beach Foundation
Thomas G. Bradford, Rotary Club of Palm Beach Foundation Board Member

The Palm Beach Rotary Foundation – P.O. Box 105, Palm Beach, FL 33480



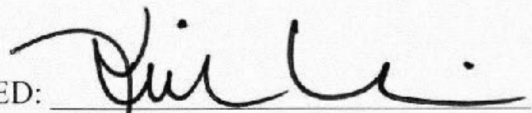
TOWN OF PALM BEACH

Administrative Procedure

Procedure No.....1-20-2
(Revision to Procedure No. 1-15-9)

Effective Date.....January 21, 2020

APPROVED:


Kirk Blouin, Town Manager

TITLE: TOWN APPROVED BUSINESS ASSOCIATION SPECIAL EVENTS

OBJECTIVE:

It is the policy of the Town of Palm Beach to allow for Town-approved special events within the public right-of-way or other public lands within the three identified commercial areas commonly described as Worth Avenue, South County Road, and Royal Poinciana Way, by the business associations representing each area. All proposed events will be carefully reviewed, individually approved, and restricted in accordance with the procedures as outlined herein and the Town Code of Ordinances. All expenses pertaining to such special events shall be borne by the association originating the event, and the Town shall be held harmless from any and all liabilities that may arise from such events.

RESPONSIBILITY:

It is the responsibility of the business association requesting Town approval of a special event to complete and submit a Business Association Special Event Proposal Form and provide supporting documents, site plans, etc. to the Town Clerk, who will ascertain whether or not the proposal is complete and sufficient information has been provided. Once deemed complete, it will be reviewed by multiple Town Departments, including but not necessarily limited to Recreation, Police, Fire Rescue, Public Works, and Planning, Zoning and Building. Each department may provide comments/recommendations regarding event conditions. Once the Town Clerk is satisfied that such internal review is complete, the application will be presented to the Town Manager or his/her designee for approval prior to Town Council's review and final approval, denial, or approval with modifications.

PROCEDURE:

Each proposal for a special event to be approved by the Town shall be weighed on its individual merits and acted upon by the Town Council without regard to precedents. The following rules shall apply to special events:

- The maximum number of such Town-approved special events shall be two (2) per calendar year per commercial area, excluding holiday lighting ceremonies traditionally held in November and/or December.
- No more than one (1) special event per day shall be allowed in Town, based upon a first-come, first-served basis.
- Proposals should be submitted at least 90 days prior to the proposed special event and no earlier than one year in advance.
- It is expected that the duration of each event will be eight hours or less. Any and all exceptions from such rule shall be clearly identified within the proposal.
- Obstruction of public rights-of-way may be approved. Obstructions must be clearly identified within the proposal.
- Each proposal must include a detailed site plan identifying vehicular access, pedestrian access, event venue(s), and all related equipment. Barricades and related safety equipment must be provided to the satisfaction of the Town. A Maintenance of Traffic Plan (M.O.T.) may be required depending upon size and complexity of the special event.
- The business association may be responsible for securing any/all regulatory approvals necessary for each such event, including State DOT permit(s).
- Special detail officers, including Police and Fire Rescue personnel, may be required to ensure public safety at such events. The Town shall have authority to require same, and all costs shall be borne by the business association.
- Food trucks shall not be permitted, nor shall any temporary cooking facilities be allowed. All food served at each event shall be prepared in licensed restaurants, or transported to the event from alternate locations.
- A liquor license must be obtained by the business association if money is required to purchase drinks, tickets, coupons, etc. No liquor license shall be required if alcohol is served free of any charge whatsoever.

- Signage of all kinds, including banners and photo backdrops, shall be approved on a case by case basis. Signage must be set up and removed in accordance with the eight hour event restriction unless specifically allowed for longer periods by the Town Council.
- Any special equipment, including but not limited to staging, lights, amplifiers, generators, etc., must be detailed within the proposal, and will be approved, denied, or modified per Town Council approval.
- All equipment not previously identified herein, including but not limited to fencing, barriers, tents, stages, platforms, risers, canopies, portable restrooms, garbage cans, dumpsters, etc., shall be clearly identified within the proposal and shown on a detailed site plan.
- The business association must submit proof of insurance to the Town in accordance with the recommendation of the Town's Risk Manager for each special event, and each certificate of insurance shall name the Town of Palm Beach as an additional insured.
- A Hold Harmless Statement must be provided, in format satisfactory to the Town's Risk Manager, exempting the Town of Palm Beach from any and all liabilities stemming from a special event.
- The Town has the right to require a refundable bond or satisfactory form of cash deposit to be paid as a condition of approval. The bond or cash equivalent will be refunded thereafter, unless the Town determines to retain all or a portion of same for Town-determined remedial expenses.

ATTACHMENTS:

Business Association Special Event Proposal Information and Form

Rotary Foundation Bradley Park Site Plan for Flags for Heroes Program November 8-17, 2022








CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/18/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Ali Sulita PHONE (A/C, No. Ext): 1-833-3ROTARY FAX (A/C, No.): 630-285-4662 E-MAIL ADDRESS: rotary@ajg.com														
INSURED All Active US Rotary Clubs & Districts Palm Beach Rotary Foundation ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	<table border="1"><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A: Lexington Insurance Company</td><td>19437</td></tr><tr><td>INSURER B:</td><td></td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Lexington Insurance Company	19437	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES **CERTIFICATE NUMBER:** 899307648

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y	015375594	7/1/2021	7/1/2022	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COM/POP AGG \$4,000,000 \$
A	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY		015375594	7/1/2021	7/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ EXCESS LIAB DED ☐ RETENTION \$ OCCUR ☐ CLAIMS-MADE		NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	☐ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A	NOT APPLICABLE			PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

TOWN OF PALM BEACH FLORIDA 380 S COUNTY ROAD PALM BEACH FLORIDA 33480
MAIN STREET PALM BEACH ASSOCIATION 125 WORTH AVENUE SUITE 219 PALM BEACH FLORIDA 33480

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cynthia L. H. Norton

ACORD 25 (2016/03)

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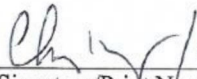
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Hold Harmless Agreement

To the fullest extent allowed by law, Palm Beach Rotary Foundation shall protect, defend, reimburse, indemnify and hold harmless the Town of Palm Beach, hereinafter referred to as the Town, and the Town's officers, agents, employees free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, attorneys or other professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, cause or causes of action of every kind and character in connection with, or arising directly or indirectly out of or related to the Palm Beach Rotary Foundation and MSPBA Veterans Day Flags for Heroes event on November 8, 2022 through November 18, 2022, which includes event set-up and take down associated with said event. Without limiting the generality of the foregoing, Palm Beach Rotary Foundation's indemnity shall include all claims, damages, losses, or expense arising out of or related to personal injury, death, damages to property, defects in materials or workmanship, actual or alleged infringement of any patent, trademark, copyright, proprietary information, or applications of any thereof, or of any other tangible or intangible personal or property right, or any actual or alleged violation of any applicable statute, ordinance, administrative order, rule or any regulation, or order of any court. Palm Beach Rotary Foundation agrees to investigate, respond, adjust and provide a defense for, all and any such claims, demands and actions at Palm Beach Rotary Foundation sole expense and agrees to bear and remain liable for all such other costs and expenses relating thereto, even if such claim is groundless, false or fraudulent. Notwithstanding the foregoing, Palm Beach Rotary Foundation indemnities shall not extend to liability for damages to persons or property to the extent such damage was caused by any act, omission, or default of the Town, or by the Town's officers, agents and employees.

Palm Beach Rotary Foundation acknowledges and agrees that the Town would not enter into this agreement without this indemnification of the Town by Palm Beach Rotary Foundation, and that Town's entering into the agreement shall constitute good and sufficient consideration for this indemnification. Nothing in this agreement shall be construed to affect in anyway the Town's rights, privileges and immunities as set forth in Florida Statute 768. 28.

Palm Beach Rotary Foundation


Signature/Print Name

5/19/22
Date

Witness


Signature/ Print Name

5/19/2022
Date

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-Wide Undergrounding Project

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

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

b. RESOLUTION NO. 090-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Proposal for Paving Oversight - Undergrounding Phase 2 South to Chen Moore and Associates in the Amount of \$98,350 and Establishing a Project Budget of \$113,102.

Presenter

ATTACHMENTS:

- ▣ **a. Memorandum dated June 27, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **b. Memorandum dated June 26, 2022, from Dean Mealy, CPPO Procurement and Contract Manager**
- ▣ **b. Resolution No. 090-2022**
- ▣ **b. CMA Proposal: P22.431.04 - Paving Oversight – Undergrounding Project Phase 2S**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor & Town Council

VIA: Kirk W. Blouin, Town Manager

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

FROM: Patricia Strayer, Town Engineer

RE: Utility Undergrounding Project Status Report

DATE: June 27, 2022

I. COMMUNICATIONS:

A. Community Meetings:

None to report

B. Significant Postal Mail or E-mail

Staff meetings in Phase 6 North and South are focused on a few remaining easements to finalize. Staff's meetings for Phase 7 North and South are ongoing. Demonstration chicanes are being installed. Phase 8 easement request letters are being mailed. Phase 8 easement meetings have been initiated.

II. PROGRESS SUMMARY:

Overall, Town-wide Construction Progress, ten (10) 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 and 5S.

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

- Completed 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 S. Ocean Blvd & S. County Road

- Phase 2 South, the project is 90% complete. Presently working with FPL to complete conversions. All conversions for all utilities should be complete by July 15th. FPL should begin removing poles by August 1st.

Phase 3 North Construction:

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

- Completed September 17, 2021

Phase 3 South:

From S. Ocean Blvd & S. County Road to the alleyway south of Worth Ave.

- Phase 3 South construction is 64% complete. Progress will significantly increase in May due to a number of agreements with businesses not to do work to impact their operations.

Phase 4 North:

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

- Construction for Phase 4 North is 85% complete. All equipment has been installed. Switching is being initiated by FPL. Comcast and ATT are working on equipment installation.

Phase 4 South:

From Peruvian to Royal Palm Way

- Construction is 12% complete.

Phase 5 North:

From Country Club Road to Southland Road

- Design is 100% complete.
- 87 out of 87 (100%) easements are recorded or verbally approved.
- Notice to Proceed was issued September 27, 2021.
- Construction phase is 20% complete.

Phase 5 South:

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

- Design is 100% complete.
- 83 of 83 (99%) easements are recorded or verbally approved.
- Construction phase is 4% complete.

Phase 6 North:

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

- Design is 99% complete and on schedule.
- 46 of 47 (98%) easements approved.

Phase 6 South:

Seaspray Ave. to the south of Royal Poinciana Way

- Design is 94% complete and on schedule.
- 72 of 73 (99%) easements approved.

Phase 7 North:

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

- Design is 56% complete and on schedule.
- 31 of 78 (40%) easements approved.

Phase 7 South:

Atlantic Ave. north to Via Los Incas & Sanford Ave.

- Design is 57% complete and on schedule.
- 26 of 58 (45%) easements approved.

Phase 8:

Royal Poinciana Way north to Everglade Ave.

- Design is 26% complete and on schedule.
- 2 of 87 (2%) easements approved.

III. FINANCIAL SUMMARY:

A. FEMA Grant Update:

- Quarterly submittals are in for approval.
- First reimbursement payment was received.

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 full Underground Utility Project Financial Report is provided within your backup package with the summary page attached.

cc: Jane LeClainche, Finance Director
Kevin Schanen, Kimley-Horn & Associates

Underground Utility Project Budget
Project Financial Summary
June 30, 2022

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,856,262	\$ 12,734,604	99.1%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,924,578	\$ 12,852,648	99.4%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 16,399,544	\$ 11,543,945	70.4%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 17,695,472	\$ 7,725,819	43.7%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 17,935,288	\$ 3,653,122	20.4%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 20,313,477	\$ 2,915,471	14.4%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ 1,619,090	\$ 927,959	57.3%
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ 1,441,577	\$ 458,737	31.8%
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 101,185,288	\$ 52,812,305	52.2%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 2,513,512	\$ 2,513,512	\$ 2,453,201	97.6%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 122,418,157	\$ 103,698,801	\$ 55,265,506	53.3%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 14,543,157	\$ 11,780,924	81.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 664,169	\$ 1,648,071	248.1%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 122,418,157	\$ 104,362,970	\$ 68,694,501	65.8%

Total Project Budget - Opinion of cost for construction	\$ 122,418,157
% Budgeted/Encumbered To Date Project Costs	84.71%
% Spent to Date - Project Costs	45.14%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 18,329,914	0.0%
Assessment Revenue	\$ 21,430,000	\$ 21,825,348	101.8%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ -	0.0%
Interest	\$ 1,567,009	\$ 3,197,244	204.0%
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	\$ 5,000,000	\$ 2,875,000	57.5%
FPL		\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ 311,959	3.7%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (401) Fund Marina	\$ 2,600,000	\$ 1,950,000	75.0%
Transfer from (001) General Fund - PM Salary	\$ 751,000	\$ 973,903	129.7%
Total Project Revenues	\$ 113,153,646	\$ 123,254,050	108.9%

Underground Utility Project Budget
Phase 1 Project Costs
June 30, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Project Engineering					
Task 2.1 - Detailed Design North End	590,000		472,063	472,063	100.0%
Task 2.2 - Detailed Design South End	740,000		619,411	619,411	100.0%
Task 2.3 - Permitting Assistance			17,790	17,790	100.0%
Task 2.4 - Bid Phase Assistance			42,166	42,166	100.0%
Task 2.5 - Meetings - Design Phase			125,399	125,383	100.0%
Subtotal Design Phase	\$ 1,330,000	\$ 1,280,000	\$ 1,276,829	\$ 1,276,813	100.0%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,598,144	100.0%
Street Light Conversion			\$ 26,273	40,934	155.8%
Change Order for AT&T and Comcast Conduit			\$ 500,655	491,883	98.2%
Utility Design Costs			\$ 15,595	16,945	108.7%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	392,932	82.4%
Construction Engineering (KH)			\$ 207,771	205,818	99.1%
	\$ 4,210,000	\$ 4,930,000	\$ 4,844,935	\$ 4,766,377	98.4%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	4,450,977	100.0%
Change Order for AT&T and Comcast Conduit			\$ 125,147	125,147	100.0%
Street Light Conversion			\$ 68,115	68,115	100.0%
Utility Design Costs			\$ 33,013	44,958	136.2%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,317,824	95.9%
Construction Engineering (KH)			\$ 316,498	316,396	100.0%
	\$ 6,800,000	\$ 6,350,000	\$ 6,390,143	\$ 6,345,618	99.3%
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				1,861	
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,856,262	\$ 12,734,604	99.1%

Underground Utility Project Budget
Phase 2 Project Costs
June 30, 2022

	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	3,905,978	99.3%
Owner Purchased Supplies			\$ 83,073	205,809	247.7%
FPL Design Cost			\$ 11,759	65,822	559.8%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 423,898	85.4%
FPL - Additional Vista Switches				\$ 54,938	
Street Light Conversion			\$ 19,186	\$ 19,186	100.0%
Construction Engineering (KH)			\$ 248,121	\$ 246,227	99.2%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 4,831,238	\$ 4,963,409	102.7%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	88,167	251.9%
Burkhardt Construction			\$ 6,322,275	6,125,191	96.9%
Owner Supplied Materials			\$ 172,321	175,898	102.1%
FPL Design Cost			\$ 13,330	16,900	126.8%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 200,000	\$ 123,948	62.0%
Street Light Conversion			\$ 20,000	\$ 19,268	96.3%
Reimburse John Moran				\$ 39,240	
Construction Engineering (KH)	-		\$ 325,280	\$ 302,075	92.9%
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,098,206	\$ 6,900,269	97.2%
Easement Acquisition/Abandonment	200,000	219,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1.5 Easement Assistance North			\$ 64,936	\$ 64,935	100.0%
Task 1.5 Easement Assistance South			\$ 77,466	\$ 77,467	100.0%
<i>Surveys</i>					
Task 1.7 Legal Sketch North			\$ 14,020	\$ 14,020	100.0%
Task 1.7 Legal Sketch South			\$ 21,725	\$ 20,689	95.2%
Advertising				\$ 1,101	
Recording Costs			\$ 3,605	\$ 3,359	93.2%
Easement Abandonment			\$ 6,870	\$ 5,994	87.2%
Total Easement Acquisition Costs	200,000	219,000	\$ 188,622	\$ 187,564	99.4%
Total Phase 2 Costs	\$9,170,000	\$13,470,000	\$ 12,924,578	\$ 12,852,648	99.4%

Underground Utility Project Budget
Phase 3 Project Costs
June 30, 2022

	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	\$ 2,797	100.0%
FPL Design Cost			\$ 12,850	\$ 1,350	10.5%
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	\$ 409,387	100.0%
Construction Engineering (KH)			\$ 236,976	\$ 224,829	94.9%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 457,222	\$ 457,222	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	\$ 5,451,576	\$ 5,430,692	99.6%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction			\$ 33,400	33,400	100.0%
Construction			\$ 8,029,385	3,913,100	48.7%
Owner supplied Pipe			\$ 118,315	118,315	100.0%
FPL Construction			\$ 562,000	562,905	100.2%
FPL Design Cost			\$ 11,359	15,808	139.2%
FPL - 101 El Brillo			\$ 10,875	10,875	100.0%
J Box Installation			\$ 14,636	14,636	100.0%
ATT Design and Construction Cost			\$ 425,000	5,000	1.2%
Comcast Design and Construction Cost			\$ 195,128	3,128	1.6%
Construction Engineering (KH)			\$ 322,540	208,766	64.7%
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 9,722,638	\$ 4,885,933	50.3%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 271,663	99.4%
Easement Amendment			\$ 49,285	\$ 49,198	99.8%
<i>Surveys</i>					
Recording Costs				\$ 5,102	
Easement Abandonment			\$ 8,150	\$ 7,645	
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 330,825	\$ 333,609	100.8%
Total Phase 3 Costs	\$ 10,910,000	\$ 15,400,000	\$ 16,399,544	\$ 11,543,945	70.4%

Underground Utility Project Budget
Phase 4 Project Costs
June 30, 2022

	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			\$ 5,061,056	3,991,220	78.9%
Owner Supplied Pipe and Vaults				148,998	
FPL BCE			\$ 91,543	91,543	100.0%
FPL Design Cost			\$ 12,757	12,850	100.7%
ATT Design Cost				5,000	
Comcast Design Cost			\$ 173,151	173,151	
Utility Costs (FPL, Comcast, AT&T)					
Street Light Conversion FPL				4,222	
Construction Engineering (KH)			\$ 324,309	252,245	77.8%
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 5,685,086	4,701,499	82.7%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction			\$ 34,800	34,800	100.0%
Construction			\$ 8,803,506	81,949	0.9%
Construction with Lake Drive Park			\$ 320,311	363,499	113.5%
Owner Supplied Pipes				2,170	
FPL Design Cost			\$ 13,160	1,350	10.3%
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Kimley Horn - Design services Hibiscus Ave			\$ 12,047	9,890	82.1%
Utility Costs (FPL, Comcast, AT&T)			\$ 1,148,441	1,148,441	100.0%
Construction Engineering (KH)			\$ 333,659	48,635	14.6%
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 10,665,924	1,698,862	15.9%
Easement Acquisition/Abandonment	\$ 240,000	\$ 411,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 280,270	280,254	100.0%
Easement Assistance (KH) -- Switches			\$ 67,747	67,231	99.2%
Easement Assistance (KH)			\$ 59,369	40,858	68.8%
<i>Surveys</i>					
Legal Sketch			\$ 38,230	38,092	99.6%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs				5,672	
Easement Abandonment					
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 450,583	432,107	95.9%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 17,695,472	7,725,819	43.7%

Underground Utility Project Budget
Phase 5 Project Costs
June 30, 2022

	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			\$ 6,416,942	903,236	14.1%
Construction Manager			\$ 940,702	188,140	20.0%
Utility Costs (FPL, Comcast, AT&T)			\$ 67,157	67,157	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)			\$ 334,157	69,081	20.7%
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 7,845,381	\$ 1,328,144	16.9%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction			\$ 59,100	59,100	100.0%
Construction			\$ 6,629,361	146,250	2.2%
Infrastructure from Phase 4 south bid			\$ 163,350		0.0%
Construction Manager			\$ 979,098	156,656	16.0%
Utility Costs (FPL, Comcast, AT&T)			\$ 365,720	365,720	100.0%
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 19,283	20,633	107.0%
Construction Engineering (KH)			\$ 334,159	43,190	12.9%
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 8,555,071	\$ 796,548	9.3%
Easement Acquisition/Abandonment	\$ 330,000	\$ 365,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 218,600	\$ 218,536	100.0%
Easement Assistance			\$ 81,086	\$ 77,963	96.1%
<i>Surveys</i>					
Legal Sketch			\$ 41,080	\$ 32,130	78.2%
Jones Foster - Legal					
Legal Ads				\$ 327	
Recording Costs				\$ 5,409	
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 340,766	\$ 334,365	98.1%
FEMA Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$ 14,090,000	\$ 11,694,645	\$ 17,935,288	\$ 3,653,122	20.4%

Underground Utility Project Budget
Phase 6 Project Costs
June 30, 2022

	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	\$ 13,271	75.0%
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	\$ 1,435,544	99.7%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ 8,117,296		
Preconstruction			\$ 24,270		
Construction					
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	295,632	100.0%
Construction Engineering (KH)			\$ 395,800		
Total Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ 8,848,866	\$ 324,830	3.7%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ 8,400,000		
Preconstruction			\$ 24,270	24,270	100.0%
Construction					
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)			\$ 395,600		
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ 9,614,609	\$ 819,009	8.5%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 305,927	87.0%
<i>Surveys</i>					
Legal Sketch			\$ 58,415	\$ 27,073	46.3%
Legal Ads				\$ 113	
Recording Costs				\$ 2,976	
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 410,009	\$ 336,089	82.0%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 20,313,477	\$ 2,915,471	14.4%

Underground Utility Project Budget
Phase 7 Project Costs
June 30, 2022

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 7 Design					
Kimley Horn					
Task 1.1 Phase 7 North Design	\$ 450,000		\$ 492,488	\$ 270,868	55.0%
Task 1.2 Phase 7 South Design	\$ 480,000		\$ 630,830	\$ 346,957	55.0%
Task 1.3 Bid Phase Assistance North and South			\$ 35,938		0.0%
Task 1.4 Meetings North and South			\$ 77,616	\$ 40,974	52.8%
Total Phase 7 Design	\$ 930,000	\$ 1,237,000	\$ 1,236,872	\$ 658,799	53.3%
Utility and Construction Costs					
Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 15,806	27,165	171.9%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000	\$ 15,806	\$ 27,165	171.9%
Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000			
Preconstruction					
Construction					
Approved Change Orders					
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	\$ 19,953	\$ 19,953	100.0%
Easement Acquisition/Abandonment	\$ 280,000	\$ 348,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 346,459	\$ 220,723	63.7%
Surveys					
Legal Sketch					
Legal Ads				\$ 113	
American Acquisition Group					
Temp Services					
Legal Advertising					
Recording Costs				\$ 1,206	
Total Easement Acquisition Costs	\$ 280,000	\$ 348,000	\$ 346,459	\$ 222,042	64.1%
Total Phase 7 Costs	\$ 11,730,000	\$ 15,910,000	\$ 1,619,090	\$ 927,959	57.3%

Underground Utility Project Budget
Phase 8 Project Costs
June 30, 2022

	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	\$ 308,705	30.0%
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	\$ 346	0.4%
Total Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,150,919	\$ 309,051	26.9%
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			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 227,724	\$ 136,348	59.9%
Surveys					
Legal Sketch					
Legal Ads				\$ 56	
American Acquisition Group					
Kimley Horn Grant Assistance BRIC Grant			\$ 49,774		
Temp Services					
Recording Costs				\$ 122	
Total Easement Acquisition Costs	\$ 300,000	\$ 242,000	\$ 277,498	\$ 136,526	49.2%
Total Phase 8 Costs	\$ 12,300,000	\$ 14,500,000	\$ 1,441,577	\$ 458,737	31.8%

Underground Utility Project Budget
Other Project Costs
June 30, 2022

Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	\$ 88,021	\$ 88,021	100.0%
Task 1.1a Data Collection for Future Communications	\$ 23,511	\$ 23,511	100.0%
Task 1.2 - Conceptual Design and Master Plan	\$ 161,756	\$ 161,756	100.0%
Task 1.3 - Project Sequencing and Phasing	\$ 31,244	\$ 31,244	100.0%
Task 1.4 - Assessment of Traffic Impacts	\$ 77,660	\$ 77,660	100.0%
Task 1.5 - Project Delivery Methods	\$ 17,448	\$ 17,448	100.0%
Task 1.6 - Master Plan Document	\$ 45,053	\$ 45,053	100.0%
Task 1.7 - Meetings Master Planning Phase	\$ 113,135	\$ 113,123	100.0%
Task 1.8 - Master Plan Second Half	\$ 40,067	\$ 40,067	100.0%
Subtotal Master Planning	\$ 597,895	\$ 597,883	100.0%
Comcast Preplanning - Master Plan	\$ 12,015	\$ 12,015	100.0%
Assessment Costs, Fees and Discounts	\$ 786,560	\$ 786,560	100.0%
Project Manager -Pay and benefits	\$ 559,547	\$ 587,518	105.0%
Temp Services - Easement Acquisition	\$ 150,000	\$ 97,734	65.2%
Other Miscellaneous Expenses		\$ 22,977	
General Easement Assistance	\$ 24,976	\$ 24,838	99.4%
Community Outreach	\$ 282,519	\$ 223,677	79.2%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 2,513,512	\$ 2,453,201	97.6%

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	\$ 1,400	56.0%
Debt Service Fees	\$ 2,000	\$ -	0.0%
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	\$ 13,345,005	\$ 10,586,462	79.3%
Total Debt Service and Related Debt Issuance Costs	\$ 14,543,157	\$ 11,780,924	81.0%

Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	\$ 25,231	\$ 24,430	96.8%
Project Construction	\$ 351,081	\$ 346,124	98.6%
Project Construction Engineering	\$ 11,607	\$ 12,849	110.7%
Utility Cost (FPL, Comcast, AT&T)	\$ 134,333	\$ 127,531	94.9%
Project Meeting Attendance	\$ 3,334	\$ 2,914	87.4%
Total Lake Worth Section	\$ 525,586	\$ 513,847	97.8%
Ibis Way PGD Improvements	\$ 14,583	\$ 14,583	100.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		\$ 183,701	
Kosberg v TPB Legal and Other Costs		\$ 615,602	
PBT Real Estate v TPB		\$ 188,594	
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	\$ 664,169	\$ 1,648,071	248.1%

Town of Palm Beach - Underground Utility Project Dashboard - June 2022



TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

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

RE: Approve the Award of the Proposal for Paving Oversight - Undergrounding Project Phase 2 South to Chen Moore and Associates. in the Amount of \$98,350 and Establish a Project Budget in the Amount of \$113,102
Resolution No. 090 -2022

DATE: June 26, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council Approve Resolution No. 090-2022, the Award of the Proposal for Paving Oversight - Undergrounding Project Phase 2 South to Chen Moore and Associates. in the Amount of \$98,350 and Establish a Project Budget in the Amount of \$113,102.

GENERAL INFORMATION

After the completion of each phase of undergrounding all roads are milled and resurfaced as part of the pavement management program. The pavement of the Phase 2 South roads is out for bid and will be brought to Town Council for award at the August Town Council meeting. Milling and resurfacing of the roads takes a great deal of coordination with property owners and oversight of the contractors. Chen Moore will coordinate and communicate with property owners to ensure landscaping is trimmed out of the right of way. They will work with residents to ensure that garbage pickup occurs and that landscapers do not interfere with the paving. They will also work with the contractor to ensure the results meet the requirements.

PROCUREMENT AND CONTRACT BACKUP

Procurement and Contracts has verified satisfactory work by CMA for past work experience. Procurement vetted the proposal with the Public Works Director and was found to be acceptable for the scope.

FUNDING/FISCAL IMPACT

Funding for this award will be from the Capital Improvement Fund.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by the Public Works Department and is approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachment

cc: H. Paul Brazil, P.E., Director of Public Works
Patricia Strayer, P.E., Town Engineer
Duke Basha, Assistant Purchasing Manager
Ryan Canterbury, Senior Buyer

RESOLUTION NO. 090-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF PROPOSAL FOR PAVING
OVERSIGHT - UNDERGROUNDING PHASE 2 SOUTH TO
CHEN MOORE AND ASSOCIATES IN THE AMOUNT OF
\$98,350 AND ESTABLISHING A PROJECT BUDGET OF
\$113,102**

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. 090-2022, approving the Award of the Proposal for Paving Oversight - Undergrounding Project Phase 2 South to Chen Moore and Associates. in the amount of \$98,350 and establish a project budget in the amount of \$113,102.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of July 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

500 S. Australian Ave., Suite 850
West Palm Beach, FL 33401
Office: +1 (561) 746-6900



May 26, 2022

SENT VIA EMAIL
(DMealy@TownofPalmBeach.com)

Dean Mealy, II
Purchasing Manager
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Subject: **PAVING OVERSIGHT – UNDERGROUNDING PROJECT PHASE 2S**
CMA Proposal: P22.431.04

Dear Mr. Mealy:

Chen Moore and Associates (CMA) is pleased to submit the attached proposal for professional services to provide construction oversight of paving operations related to Phase 2 South of the Townwide Electric Utility Undergrounding project. The focus of CMA's effort will be providing a two-person team to act as a liaison with Town Staff, the Contractor, and residents of field operations

It is assumed that the work to be performed by Insituform will be focused entirely on preparing the pipe for CIPP lining, installing the lining, and tying the new liner into all services and manholes properly. The work will also include all necessary public noticing and maintenance of traffic in accordance with the Town's requirements and standard procedures. The work is not expected to involve smoke testing, cleaning, or CCTV recording of the pipelines separate from the efforts required to install the CIPP lining.

I. SCOPE OF SERVICES

The Scope of Services is comprised of the following tasks:

- Task 1 – Meetings and Coordination
- Task 2 – Resident Outreach
- Task 3 – Construction Observation
- Task 4 – Pay Application, Submittal Review, and Project Closeout

Below is a description of the services included with each of these essential tasks:

Task 1 – Meetings and Coordination

The Consultant will prepare for and attend a kick-off meeting with the Town and the Contractor to establish lines of communication, expectations, and procedures for the performance of the paving work. In the kickoff meeting the technical specifications, standards, and construction requirements for the work will be reviewed in detail. These standards will be based on the bid arrangements coordinated by the Undergrounding Construction Manager At Risk (CMAR) and will not be prepared by the Consultant.

After the kickoff meeting, the Consultant will prepare for and attend up to two (2) progress meetings to review the work completed, discuss any issues or concerns, and maintain progress. The Consultant will prepare an agenda and meeting summary for the kickoff meeting and each progress meeting to document the status of the work. In addition to formal meetings, the Consultant will review and record all correspondence associated with the work in cooperation with the Town.

Task 2 – Resident Outreach

The Consultant will coordinate with Town Staff and Code Enforcement to make sure that any landscaping that is in the right of way and in conflict with the paving operation is trimmed in advance of equipment mobilization. The Consultant will coordinate to make sure that residents are contacted and door hangers are placed at all affected residences to alert everyone to the upcoming milling and paving operations and potential for short-term roadway closures. The Consultant will provide staff to respond to resident phone calls or field meetings to address questions or concerns with the construction activities. The Consultant will inform Town staff of resident concerns and respond to all inquiries directly in cooperation with Town staff directives.

The Consultant will also coordinate with the Contractor and Town staff to make sure that workable Maintenance of Traffic (MOT) plans are prepared for road closures and traffic management during equipment mobilization and CIPP lining installation. The Consultant will ensure that MOT plans are prepared in sufficient advance of mobilization such that Town staff can post notifications of the changes in traffic patterns for public information.

Task 3 – Construction Observation

The Consultant will provide routine field inspections during the set-up of MOT, field oversight of milling and paving crews, and inspection of cleanup and demobilization during each day of construction activities. The Consultant's field inspector will also prepare a daily report for each day's inspections to document activities for the Town's reference.

Task 4 – Pay Application, Submittal Review, and Project Closeout

The Consultant will provide a thorough review of each payment application submitted by the Contractor, and after coordinating all comments will provide a recommendation for payment to the Town. For the purposes of this proposal, it is assumed there will be three (3) payment applications reviewed. The Consultant will also review any additional submittals such as change order requests or shop drawings for

potential substitutions. Considering the existing contract will already be in place and the work is not complex, it is assumed that no more than three (3) submittals will require review by the Consultant. Once all paving has been completed, the Consultant will provide review of all records and documentation to the Town.

II. SCHEDULE

Based on the nature of the construction observation element of the proposed effort, the schedule is largely dependent on the means and methods of Insituform and how the work proceeds. For the purposes of this proposal, it is assumed that the work can be completed in less than two (2) months and assumes one (1) month for administrative elements. If the Contractor is able to find efficiencies in the process, it is anticipated the work could be completed sooner.

III. EXCLUSIONS

The services outlined below are not included as part of the scope of work, although additional service agreements can be executed to assist the Town with these services if necessary:

1. Procuring field survey of topographic.
2. Grading and drainage design.
3. Designing the replacement or rehabilitation of existing facilities.
4. Permitting for any activities related to the work.
5. Storage of samples or laboratory testing and related coordination.

IV. COMPENSATION

CMA will be compensated for the services described on an hourly basis in an amount of **\$98,350.00** per attached Exhibit A.

Should you have any questions, I can be reached via email at bwhitfield@chenmoore.com.

Respectfully submitted,



Brent Whitfield, PE
Director of Water Resources
Chen Moore and Associates

Attachments: Exhibit A: Detailed Fee Estimate

EXHIBIT A - FEE PROPOSAL
Town of Palm Beach
PAVING OVERSIGHT – UNDERGROUNDING PROJECT PHASE 2S

Chen Moore and Associates Project # P22.431.04

Hourly Rate	CMA						Total
	Principal \$275.00	Project Director \$220.00	Project Manager \$180.00	Engineer \$125.00	Associate Engineer \$115.00	Senior Const Specialist \$125.00	Clerical \$65.00
TASK 1 – Meetings and Coordination							
1.1 Kickoff meeting (Prepare/Attend/Document)		2		4		2	
1.2 Up to 2 progress meetings (Prepare/Attend/Document)		4		8		8	
Task 1 Total Fee	\$0	\$1,320	\$0	\$0	\$1,380	\$1,250	\$0
Task 1 Total Hours	0	6	0	0	12	10	0
TASK 2 – Resident Outreach							
2.1 Pre-mobilization coordination with Town staff and residents					40		
2.2 Coordination with residents during mob/demob					20		
2.3 Coordinate public notification of MOT with Town					20		
Task 2 Total Fee	\$0	\$0	\$0	\$0	\$9,200	\$0	\$0
Task 2 Total Hours	0	0	0	0	80	0	0
TASK 3 - Construction Observation							
3.1 On-site field observations (Up to 40 days - 2 months)					280	280	
3.2 Prepare Documentation / Review Reports and Videos / Track Progress					40	40	
Task 3 Total Fee	\$0	\$0	\$0	\$0	\$36,800	\$40,000	\$0
Task 3 Total Hours	0	0	0	0	320	320	0
TASK 4 – Pay Application, Submittal Review, and Project Closeout							
4.1 Review Pay Applications (Up to 3)		3			12	6	
4.2 Review Submittals (Up to 3)		3			12	6	
4.3 Project Closeout		2			12	8	
Task 4 Total Fee	\$0	\$1,760	\$0	\$0	\$4,140	\$2,500	\$0
Task 4 Total Hours	0	8	0	0	36	20	0
TOTAL FEE							\$98,350.00

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Water Feasibility Study Update

TIME CERTAIN: 2:00 PM

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated June 30, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Water Feasibility Town Council Presentation**

OWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Water Feasibility Study Update

DATE: June 30, 2022

GENERAL INFORMATION

Kimley Horn and Associates presented the Water Feasibility Study Final Report at the April 12, 2022 Town Council Meeting. On May 24, 2022, Kimely Horn and Town staff presented an Age-Based Conditions review of the existing Water Supply Infrastructure, a summary of Water Supply Infrastructure Improvements per the 1999 Franchise Agreement with the City of West Palm Beach, treatment methods used by the City of West Palm Beach, treatment methods used by Palm Beach County, treatment methods used by City of Lake Worth, and private home filtration systems to the Public Works Committee.

Kimley Horn and Associates will be presenting an update on the Water Feasibility Study at the July 12, 2022 Town Council Meeting.

The update includes:

- Summary of Alternatives
- Current items for the next Public Works Meeting
- New Alternatives for Consideration

FUNDING/FISCAL IMPACT

There is no fiscal impact associated with this item at this time.

Attachment

cc: Jason Debrincat, P.E., Senior Project Engineer

Town of Palm Beach Water Supply Feasibility Study

Meeting
July 2022

Overview

- Summary of Alternatives
- Current Items for Next Public Works Committee Meeting
- New Alternatives for Consideration

Summary of Alternatives

Alternative Description	Cost	Included in Cost
Ongoing Study		
City of West Palm Beach – As Is	\$47M - \$70M	Pipeline Infrastructure
City of West Palm Beach – Membrane Upgrade	\$547M - \$821M (1/3 of capacity represents \$182M - \$273M)	Pipeline and Treatment Infrastructure
City of Lake Worth Beach	\$263M - \$395M	Pipeline and Treatment Infrastructure
No Further Study		
Town Owned Phipps Park - Desal	\$352M - \$529M	Treatment and Pipeline Infrastructure, Utility Formation
Town Owned Quadrille - Nano	\$269M - \$405M	Treatment and Pipeline Infrastructure, Utility Formation
Palm Beach County	\$366M - \$443M	Pipeline Infrastructure, Utility Formation, and Impact Fees

Summary of Alternatives

Alternative Description	Cost	Town Developed Utility Required	Water Supply Security	Water Supply Permitting Complexity	Construction Complexity	Operational Complexity and System Reliability	Land Acquisition	Program Permitting Complexity	Stakeholder Coordination
Ongoing Study									
City of West Palm Beach – As Is	\$47M - \$70M	No	Moderate	None – Already Permitted	Low	Low / High	None	Low	Low
City of West Palm Beach – Membrane Upgrade	\$547M - \$821M (\$182M - \$273M)	No	High	Moderate	High	High / High	None	Low	Low
City of Lake Worth Beach	\$263M - \$395M	Retail – No	Moderate - High	Moderate	High	Low / Moderate	High	High	High
No Further Study									
Town Owned Phipps Park - Desal	\$352M - \$529M	Yes	High	None	High	High / High	None	High	High
Town Owned Quadrille - Nano	\$269M - \$405M	Yes	High	None	High	High / High	None	High	High
Palm Beach County	\$366M - \$443M	Yes	Moderate - High	Low	High	High / Moderate	High	High	High

Current Items for Public Works Committee

- Age Based Watermain Exhibit
- Remaining Asbestos Concrete Pipe
- Remaining Cast Iron Pipe
- Renewal and Replacement Programs
- Timeline and Complexity
- Membrane Treatment Exhibit
- Conceptual Town Utility Department structure

New Alternatives for Consideration

- Treatment plant south of the Port of Palm Beach
- Treatment plant in Riviera Beach adjacent to Intracoastal
- Feasibility of horizontal saltwater wells
- Transmission pipe in the Intracoastal
- Utility Formation

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Evaluation of Alternatives to Relocate Garbage and Recycling Pickup at Lake Drive Park

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated June 24, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **CMA Site Analysis**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Evaluation of Alternatives to Relocate Garbage and Recycling Pickup at Lake Drive Park

DATE: June 24, 2022

STAFF RECOMMENDATION

Town staff request direction from Town Council on selected relocation alternative for garbage and recycling pickup at Lake Drive Park.

GENERAL INFORMATION

At the May 10, 2022, Town Council meeting, residents from 498 Australian Avenue requested Town Council to direct staff to reconsider the location of the existing garbage and recycling storage and pickup area. The alternative location was in the vicinity of the existing Public Works drainage pump station and sanitary pump station located at the north end of the park. Staff was then directed to review alternatives and provide Town Council a recommendation.

Staff enlisted Chen Moore and Associates to evaluate alternatives for access for garbage and recycling pickup while assessing the impacts to Fire Rescue access, requested setbacks from existing equipment, operational needs of the storm and sanitary stations, and green space. A memorandum describing the alternatives evaluated and final results is attached along with exhibits depicting the alternatives evaluated.

The first two (2) alternatives (Alternative 1A and 1B) are variations of one concept. This concept envisions relocating the existing compactor and recycling to a new location and servicing both with the same equipment that is currently used. The impacts to green space and hardscape are detailed in the attached report. Additional greenspace would have to be created in the park. Modifying the park site plan would most likely require Landmarks Commission review with a recommendation to the Town Council. If Town Council would like to pursue either variation of this concept, staff would develop a timeline and estimated cost for implementation. Design work would include renderings for landmarks, construction bid documents, and then actual construction costs.

The third (3rd) alternative consists of purchasing a small garbage truck (six (6) cubic yards) with an attached compactor. This is the truck currently used by Public Works on our residential sanitation routes. It could be stationed at the existing work area with minimal impacts to the park or to operations of the site. Marina staff would use it as they use the existing compactor (three (3) cubic yards) and then could drive it to the existing transfer station at Coconut Row to dump it daily. The transfer station is staffed seven (7) days a week and has equipment and chemicals (biodegradable) to clean the truck daily. This is how our sanitation staff maintains our existing equipment.

A new truck costs approximately \$120,000 and has a life expectancy of more than ten (10) years. Existing Public Works Fleet Maintenance staff can maintain and repair the vehicle. Fueling can be done at the Par 3 Golf Course. Given the limited idle and run times, both maintenance and fuel costs will be minimal. This alternative does not consider recycling. A second truck could be added in the future if recycling is desired. This variation is also shown in the attached report. The lead time for this truck is on the order of nine (9) months. Our vendor does have a short-term rental, available if needed.

FUNDING/FISCAL IMPACT

The funding impacts associated with this item will be evaluated once an alternative is selected.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Manager for concurrence.

Attachment

cc: Carolyn Stone, Assistant Town Manager
Eric Brown, Assistant Director Public Works
Chester Purves, Services Division Manager



Site Analysis Memorandum

Date: June 30, 2022
Re: Town of Palm Beach
Pump Station Site Refuse Layout
CMA Project No. : 22-431.00042

Background

The purpose of this memorandum is to document the site analysis performed for the relocation of the refuse compactor that services the marina at the Town of Palm Beach. Currently, the compactor is located on the west side of S Lake Drive on a concrete pad that is roughly 726 square feet in size, between the intersections with Australian Avenue and Chilean Avenue. The Town is proposing the relocation of the compactor to the pump station site located at the southwest corner of Royal Palm Way and S Lake Drive. It is anticipated that the relocation of the compactor will reduce its visibility from the right-of-way.

Alternatives Analysis

The pump station site consists of a +/- 2200 SF and a +/- 815 SF building, parking on the west and south sides, and fire hydrants on the west side. The site is screened by a landscape buffer approximately 15 feet wide consisting of a 6-foot hedge, shrubs, and trees. For this analysis, three site configurations were considered. Due to the location of the fire hydrants on the west side of the site and the need to maintain access for Fire Rescue, all three alternatives propose changes on the south side of the site. The proposed compactor and recycling bin pad was assumed to be 24' x 18', to accommodate the relocation of the existing refuse equipment. A refuse truck from the AutoCAD library was modified to match the specifications, including curb-to-curb turning radius, of the refuse truck that currently services the compactor at the marina. Survey data for the marina was used to locate existing site features, however a site visit was conducted to confirm the dimensions and locations of the walkway south of the site. Hi-resolution aerials were also used to estimate the landscaping that will be impacted. See Appendix A for the Vehicle Tracking Analysis for each alternative.

- I. Alternative 1A – The compactor is located on the southwest corner of the site facing east allowing the refuse truck to enter from the existing driveway and drive directly to the compactor. A 40' x 15' parking space is placed approximately 40' east of the compactor pad on the south side of the site to allow the refuse truck to reverse and exit the site. Alternative 1A results in the re-routing of the existing sidewalk to the south of the pump station site and removal of a portion of the existing landscape buffer. The landuse changes are tabulated in Table 1 below.

Table 1: Alternative 1A Landuse Changes

SITE DATA TABLE		
	REMOVED (SF)	PROPOSED (SF)
SIDEWALK	433	906
PAVEMENT	0	660
SHRUBS	717	0
GRASS	849	433

NET CHANGE IN GREEN SPACE = - 1,133 SF

- II. Alternative 1B – Similar to Alternative 1A, the compactor is proposed on the southwest corner of the pump station site, however the parking space for the truck turn around is placed further east, adjacent to the existing pump truck parking. This requires the refuse truck to travel a longer distance in reverse (approximately 80-feet) before it can turn around. Alternative 1B also reduces the depth of the proposed parking space to 33' and does not require the re-routing of the existing sidewalk along the south side of the site. Alternatively, four palms would need to be removed. See Table 2 for Landuse changes as a result of Alternative 1B.

Table 2: Alternative 1B Landuse Changes

SITE DATA TABLE		
	REMOVED (SF)	PROPOSED (SF)
SIDEWALK	0	432
PAVEMENT	0	530
SHRUBS	837	0
GRASS	125	0

NET CHANGE IN GREEN SPACE = - 962 SF

- III. Alternative 2 – The last alternative consists of removing the compactor and recycle bins and utilizing a refuse compactor truck and a recycling truck which will be parked on site and driven to the refuse station at the Pine Walk transfer station (Breakers Hotel property) periodically. Each truck measures 21' X 9' and will require a parking space with minimum dimensions of 12' X 30'. The vehicle tracking simulation trucks of similar size indicated the need for a combined parking area measuring 31' X 49'. See Table 3 below for the proposed landuse breakdown. Of note, one of the newly planted trees is impacted by the proposed change and will require relocation.

Table 3 Alternative 2 Landuse Changes

SITE DATA TABLE		
	REMOVED (SF)	PROPOSED (SF)
SIDEWALK	0	0
PAVEMENT	0	865
SHRUBS	865	0
GRASS	0	0

NET CHANGE IN GREEN SPACE = - 865 SF

Recommendations

Based on the analysis performed, CMA recommends Alternative 2. This alternative results in the least amount of proposed pavement, the smallest footprint, the shortest duration of refuse truck reverse alarms, and can be accommodated with a relocation of the landscape buffer that will limit the visual impacts. In addition, for Alternative 2 the net decrease in pervious area of 865 square feet is almost equal to the size of the existing concrete pad for the compactor adjacent to Chilean Avenue. If that existing pad were removed and 140 square feet of additional green space were added to the pump station facility, there would be no net change in pervious area within the park.



APPENDIX A

SUB-CONSULTANT



CLIENT

PROJECT INFORMATION

**TOWN OF PALM
BEACH MARINA
REFUSE LAYOUT**

TOWN OF PALM BEACH

PROJECT NUMBER
22-431.0042

CLIENT PROJECT NUMBER

VERIFY SCALES
0  1"
IF NOT ONE INCH ON THIS SHEET
ADJUST SCALES ACCORDINGLY

DATE OF ISSUE

DESIGNED BY

DRAWN BY

CHECKED BY

DRAWING TITLE

ALTERNATIVE 1A

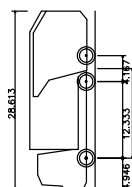
DRAWING NUMBER

ALT-1A

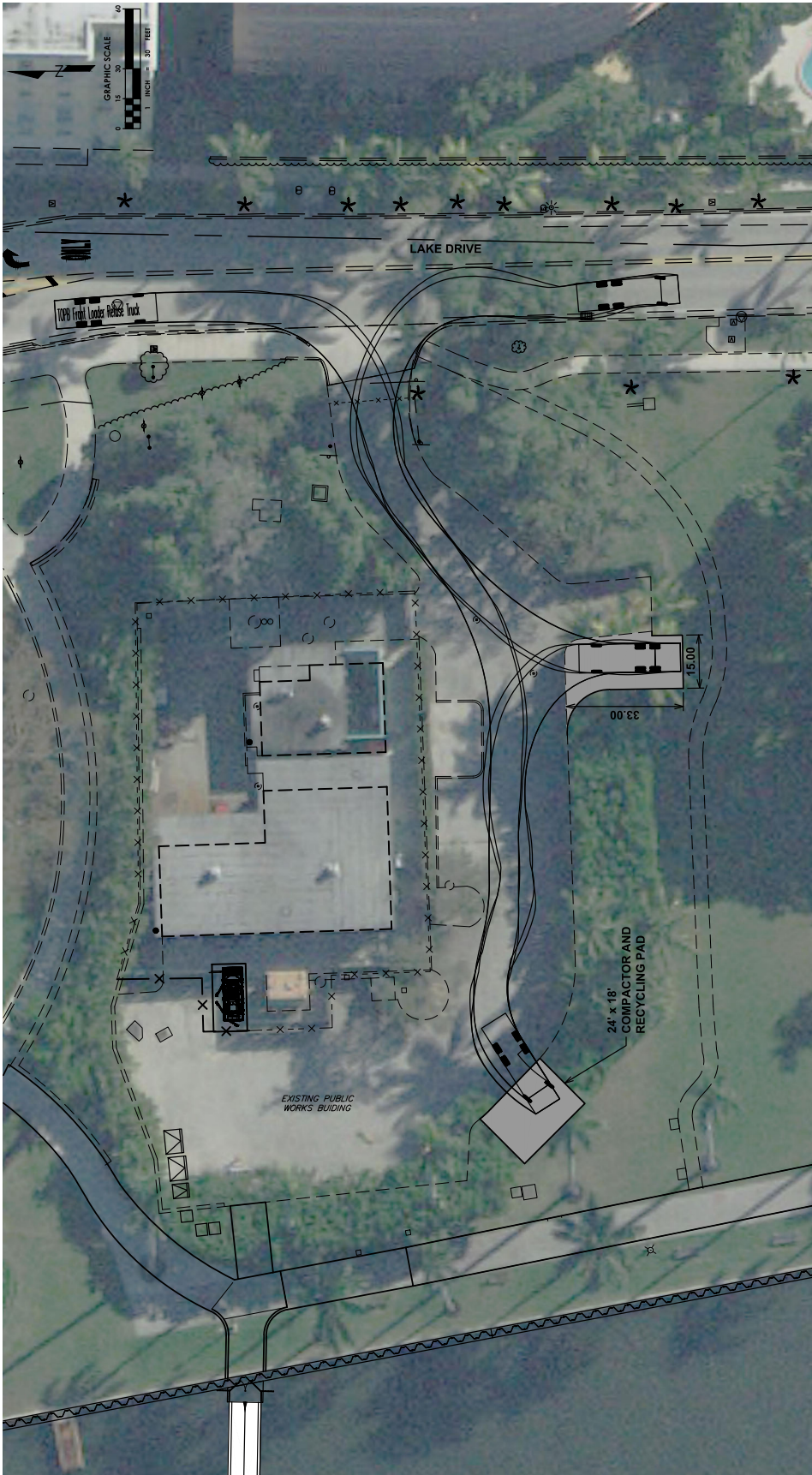


SITE DATA TABLE		
	REMOVED	PROPOSED
CONCRETE (SF)	433	906
PAVEMENT (SF)	0	660
SHRUBS (SF)	717	0
GRASS (SF)	849	433

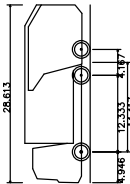
REFUSE TRUCK SPECIFICATIONS:



TOPB Front Loader Refuse Truck	
Overall Length	28,613ft
Overall Width	8,000ft
Overall Body Height	10,510ft
Min Body Ground Clearance	1,349ft
Truck Width	8,167ft
Lock-to-lock time,	6.00s
Curb to Curb Turning Radius	30,500ft



REFUSE TRUCK SPECIFICATIONS:



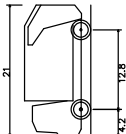
TOPB Front Loader Refuse Truck
Overall Length 28.613ft
Overall Width 12.833ft
Overall Height 4.17ft
Min Body Ground Clearance 13.40ft
Track Width 12.817ft
Lock-to-lock time 6.00s
Curb to Curb turning Radius 30.500ft

SITE DATA TABLE

	REMOVED	PROPOSED
CONCRETE (SF)	0	432
PAVEMENT (SF)	0	530
SHRUBS (SF)	837	0
GRASS (SF)	125	0



COMPACTOR TRUCK SPECIFICATIONS:



9x21Hino, 338 M + Wayne Royal GT14 Refuse Truck
Overall Length 21.000ft
Overall Width 9.000ft
Overall Body Height 10.896ft
Overall Body Ground Clearance 1.1889ft
Track Width 9.000ft
Lock-to-lock time 4.00s
Wall to Wall Turning Radius 26.411ft

SITE DATA TABLE		
	REMOVED	PROPOSED
CONCRETE (SF)	0	0
PAVEMENT (SF)	0	865
SHRUBS (SF)	865	0
GRASS (SF)	0	0

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Implementation Plan for Coastal Resiliency - Part Two

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated April 15, 2022 from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **Tables from Level Up Report**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 10, 2022

TO: Mayor and Town Council
Kirk. W. Blouin, Town Manager

FROM: H. Paul Brazil, P.E., Director of Public Works
Wayne Bergman, Director of Planning, Zoning and Building

RE: Implementation Plan for Coastal Resiliency – Part Two

DATE: January 20, 2022, Revised April 15, 2022

STAFF RECOMMENDATION

Town staff requests that Town Council review the summary of recommendations made by Woods Hole Group in their resiliency study as described below and to provide any policy or guidance to develop a multiyear implementation plan. Staff recommends that the discussion at this meeting be limited to (C.) Floodplain Development and (D.) Comprehensive Planning. The remaining sections (A. & B.) were discussed at the February 8, 2022, meeting.

GENERAL INFORMATION

The Woods Hole Group submitted their report in November 2021 with suggestions and recommendations associated with the Coastal Resilience Implementation Plan ("Level-Up Palm Beach"). The plan is organized into four (4) components (Town Facilities and Infrastructure, Lake Worth Shoreline, Floodplain Development, and Comprehensive Planning). Within each component there are recommendations and suggested action items that are near-term and medium-term, as well as long-term. Adaptation pathways and key decision points are also provided to allow for flexibility and adapting strategies as actual conditions dictate in the future. A monitoring program is also outlined to assist with the Town's decision making in the future. The four (4) components are summarized below along with policy or guidance that is necessary in beginning to implement the plan.

A. Town Facilities and Infrastructure

Objective: Adapt Town assets to mitigate risks of damage and failure from future coastal flooding.

Recommendations: (based on CFVA Risk-Based Prioritization Method)

1. Near-term adaptations are focused on critical facilities and assets already in the five-year Capital Improvement Plan (CIP) — these are listed in Table 3 of the Level-Up Palm Beach Report and will be accomplished by the Public Works Department as part of the annual budgeting process.
2. These near-term adaptations for Town assets are listed in Table 4 of the report to include the recommended adaptation measures and the interim design flood elevation (DFE).
3. Florida Statutes require the use of sea level rise projections for 2040 and 2070 (with intermediate low projections of 0.7 feet and 1.3 feet respectively, and intermediate-high projections of 1.4 feet and 3.3 feet).

4. Other Town assets at present risk of flooding based on PB-FRM are prioritized in Table 6 of the report and should be considered medium-term adaptation targets.
5. Town assets at future risk of flooding only with storm intensification are noted in Table 7 of the report.

Previous Town Council Direction: Staff to address these projects in future budget requests in the Capital Improvement Program. Mitigation component to be completed opportunistically with planned Capital Projects for each asset. Staff to report incremental cost increase for mitigation work.

B. Lake Worth Shoreline

Objective: Mitigate neighborhood and Town-wide exposure to future coastal flooding, emanating primarily from the Lake Worth shoreline.

Recommendations: (based on CFVA Risk-Based Prioritization Method and FEMA FIRM maps)

1. Bulkhead construction specifications to amend the Town Code of Ordinances include a recommendation to require FEMA base flood elevation plus 2 feet (BFE + 2.0') for top elevation of any bulkheads or cut-off walls. Flexibility to raise the top elevation another 2.0' in the future is also recommended. Information required in permit applications is standardized and expanded, along with inspection requirements of work done. Table 8 of the report includes suggested text revisions to the Ordinance Sec. 62-75. The current BFE per the 2019 FIRM maps is +6.0 NAVD.

Staff Comment: Current requirement is minimum +5.0 NAVD. Many existing walls are lower than +5.0 NAVD.

Staff Recommendation: Staff should develop renderings at typical locations to help the community visualize the impacts of raising walls to +6.0 NAVD, +8.0 NAVD and +10.0 NAVD.

2. New specifications are also recommended to add higher standards including flood design requirements, reinforced concrete caps for all bulkheads, and to design/construct adjoining bulkheads in manner to mitigate leakage between them.

The elevations of adjacent grades also need to be addressed to mitigate potential impacts to accessibility and scenic vistas from Lake Trail and private property. Surrounding grades are recommended to be raised to within 30 inches of new seawall cap elevation. Temporary waivers or easements may be considered when no mutually agreeable alternatives are found for situations where the accessibility or adjacent grade requirements cannot be met. Table 9 of the report includes recommended language for these new standards for bulkhead construction.

Staff Recommendation: Stricter standards for design requirements should be adopted. Staff to obtain an order of magnitude cost per liner foot of redevelopment (seawall, grade, and trail). Possible redevelopment alternatives include:

- Accept the Woods Hole recommendation of grade transitions as private seawalls are raised due to redevelopment or code related deficiencies (see item 3 below). Grade changes would have to meet ADA requirements. This requires the property owner to raise both the grades adjacent to the seawall and the Lake Trail elevation when the adjacent seawall is raised. Staff should develop renderings at typical locations to help the community visualize the impacts of these transitions.

- The Town raises the privately owned seawalls, the surrounding grades, and the Lake Trail by assessment to the adjacent property owners. Town owned sections would be constructed at the expense of all the taxpayers of the Town.
 - The Town raises the seawalls, the surrounding grades, and the Lake Trail at the expense of all the taxpayers of the Town.
3. An amendment to the Code of Ordinances is recommended to establish more robust maintenance and certification standards of all bulkheads and seawalls. Condition surveys and corrective repairs to address bulkheads or seawalls in disrepair are included for citations and Code Enforcement Board actions, as well as certification and re-certification requirements. The property owner would be required to raise the seawall elevation if 25% of the existing wall length needs repair. Table 10 of the report includes suggested text revisions to the Ordinance Sec. 62-77.

Staff Recommendation: This is a significant change and staff recommends approval.

4. Neighborhood-scale flood control systems may be beneficial in completion of the higher standards proposed and may be efficient and effective in delivering these infrastructure changes systematically by the Town rather than incrementally by individual property owners. To provide flexibility for such actions, the Town should consider amending the Code of Ordinances (Chapter 90, Article II, Division 5 — Municipal Services District) to include "Coastal Flood Control" in the list of services, programs, and improvements that the entity is authorized to provide. These changes should be reflected in an amendment to the Comprehensive Plan since there are multiple sections of Division 5 that would need to be modified.

Thirteen (13) potential neighborhood-scale flood control units are shown in Figure 8 of the report. Prioritization criteria should be developed to address phasing, risk mitigation, and cost effectiveness for these flood control units.

Staff Recommendation: Staff recommends that we work with a consultant to develop priorities, refine scope, and develop preliminary costs. At that point, The Town Council could consider how these projects would be funded and when they may be implemented.

5. It is recommended that in the near-term, the Town should conduct a high-resolution survey of shoreline infrastructure to better inform planning of potential flood control system alignments, to include the top elevations of shoreline structures, adjacent grades, and condition ratings.

Staff Recommendation: Staff to investigate alternatives and present to Town Council. Include in FY 2023 budget.

6. Storm surge barriers at the Lake Worth Inlet should be considered to mitigate coastal flooding of Lake Worth shoreline due to Atlantic Ocean storm surge passing through the inlet. This would be a major infrastructure undertaking and would involve a large and multi-jurisdictional group of stakeholders. U.S. Army Corps of Engineers (USACE) has constructed such storm surge barriers elsewhere, and a Coastal Storm Risk Management (CSRM) feasibility study would be necessary to pursue this type of initiative. The Town should take the following steps towards obtaining a CSRM feasibility study: (1) Conduct preliminary evaluation using PB-FRM model to determine effectiveness of a surge barrier at the inlet and (2) Conduct regional outreach with all stakeholders to introduce the concept and discuss potential roles and (3)

Engage federal and state elected officials to raise awareness of the study and potential benefits and request legislative support and funding and (4) Support the submittal of feasibility study proposal by the Project Sponsor to USACE for inclusion in their annual report to Congress and (5) Advocate with elected officials for feasibility study authorization and appropriations, and grant support.

Staff Recommendation: Staff recommends that we retain a consultant to outline the process and cost to implement this mitigation alternative. The consultant should also address the probability of success before any final decisions are made.

7. Lake Worth water level monitoring would be very beneficial in documenting local water level information. Only one active NOAA tide gauge is present in the area at the Lake Worth Pier and doesn't directly reflect water levels experienced within the Lake Worth Lagoon. It is recommended that the Town contact the Center for Operational Oceanographic Products and Services (CO-OPS) stakeholder services branch to explore options for water level monitoring. It may be possible for the Town to partner with other local stakeholders and commercial/government interests in pursuing accurate water level information. Alternative technologies for collecting water level measurements are also evolving rapidly and may offer lower-cost options and allow for more locations to be measured (e.g., at bridge locations, etc.). It is recommended that a water-level monitoring program be developed to include both the NOAA and alternative options.

Previous Town Council Direction: Staff to investigate alternatives and present to Town Council. Include in FY 2023 budget.

C. Floodplain Development

Objective: Improve the safety of buildings and their occupants from future coastal flooding.

Recommendations:

1. The Town should consider a more stringent definition of substantial improvement and substantial damage over a longer cumulative time and at a lower percent of market value threshold to increase the speed at which existing buildings are brought into compliance with higher standards for flood resistant construction. These higher standards are recommended to be any substantial improvements over a ten (10) year period and cumulative cost of 25% or greater of the market value, or for any substantial damage that exceeds 25% of the market value. Table 11 of the report includes suggested text revisions to the Ordinance Sec. 18-232 (Ref: Code of Ordinances, Chapter 18, Article IV, Division 1). Note that these recommended amendments would earn the Town additional CRS credit points.

Staff Comment: Staff recommends a slight increase of the cumulative period to two (2) years, but no change to the 50% value threshold in use today. This topic will be addressed at this meeting.

2. Higher elevation requirements for non-residential structures and non-residential areas of mixed-use structures should be set, than the minimum requirements in the 2020 Florida Building Code (FBC) 7TH Edition Buildings. Amendments to the FBC should be coordinated with the Florida Department of Emergency Management (FDEM) before any first reading of a revised Ordinance. Table 12 of the report includes suggested text revisions to the ordinance Sec. 18-244 (Ref: Code of Ordinances, Chapter 18, Article IV, Division 2). Note that these recommended amendments would earn the Town additional CRS credit points.

Staff Comment: Staff recommends BFE, plus 2 feet. This topic will be addressed at this meeting.

3. Higher elevation requirements for residential structures should be set than the minimum requirements in the 2020 Florida Building Code (FBC) 7TH Edition Buildings. Amendments to the FBC should be coordinated with the Florida Department of Emergency Management (FDEM) before any first reading of a revised Ordinance. Table 13 of the report includes suggested text revisions to the Ordinance Sec. 18-244, R322.2.1 and R322.3.2 (Ref: Code of Ordinances, Chapter 18, Article IV, Division 2). Note that these recommended amendments would earn the Town additional CRS credit points. Also note that a related topic is the modification of residential zoning to limit the height of fill that can be used to meet minimum elevation requirements (i.e., half the distance from the crown of the road to the first habitable floor level); this is intended to mitigate stormwater runoff impacts to neighboring properties.

Staff Comment: Staff recommends BFE, plus 2 feet. This topic will be addressed at this meeting.

4. Building heights should be defined in reference to the minimum flood elevation, and the zero datum for the purposes of calculating building height for new construction and substantial improvements should be defined in all districts to include the term "or the minimum flood elevation as defined in Sec. 134-2 of the Code." A definition for the term "minimum flood elevation" should be added to this section to clarify that it includes the base flood elevation plus freeboard heights required in Chapter 18 as applied to flood hazard areas in Chapter 50. Such a potential definition is "the minimum elevation requirements defined in Chapter 18 for new construction or substantial improvements, applicable within flood hazard areas defined in Chapter 50". It is also noted that this term should be consistently used and referenced across the building height definitions, throughout Chapter 134 and, if needed, in Chapter 50.

Staff Comment: Staff recommends adding and amending the definitions, as described. This topic will be addressed at this meeting.

5. Flood hazard areas are those within which floodplain management regulations and flood-resistant construction standards of the FBC (as amended) apply in Town. Those flood hazard areas should be expanded to include areas lower than the base flood elevation plus the minimum freeboard height adopted in Chapter 18 elevation requirements. This will require that new development and substantial improvements meet a consistent minimum standard of flood-resistance, regardless of whether they are located within the present FEMA 100-year floodplain boundary or just beyond it. Table 14 of the report includes suggested text revisions to the Ordinance Sec. 50-38 (Ref: Code of Ordinances, Chapter 50, Article II, Division 2). Note that cross references between Chapter 18 and Chapter 50 need to be reviewed and verified, to identify where the FBC is referenced and amended, to also reference Chapter 18 amendments to the FBC (i.e., "this chapter is intended to be administered and enforced in conjunction with the Florida Building Code, as amended in Chapter 18). Expanding the area of special flood hazards can increase the CRS credit points.

Staff Comment: Staff recommends the increase in freeboard in the Special Flood Hazard Areas, but not in the "X" flood zones. This topic will be addressed at this meeting.

D. Comprehensive Planning

Objective: Integrate future coastal flood risk mitigation with other Town planning, policy, and infrastructure funding priorities.

Recommendations:

1. The Town should consider amending the Future Land Use Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Lake Worth Shoreline and Floodplain Development. The Executive Summary should be updated and expanded for the Provision of Public Services section, and the Development of Coastal and Flood-Prone Areas section, per the recommendations in the report. Table 15 of the report includes recommended changes in the Objectives and Policies for the Future Land Use Element.

Staff Comment: Staff recommends approval. This topic will be addressed at this meeting.

2. The Town should consider amending the Transportation Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Town Facilities and Infrastructure and Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Regionally Significant Roadways section, and the Existing System Deficiencies section, per the recommendations in the report. A discussion of adaptation strategies affecting transportation rights-of-way should also be included. Table 16 of the report includes recommended changes in the Objectives and Policies for the Transportation Element.

Staff Comment: Staff recommends approval. This topic will be addressed at this meeting.

3. The Town should consider amending the Infrastructure Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Town Facilities and Infrastructure and Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Sanitary Sewer Services and Drainage section, and a new Coastal Flood Control section should be added, per the recommendations in the report. Table 17 of the report includes recommended changes in the Goals, Objectives, and Policies for the Infrastructure Element. [Note that this is where design storm criteria and level of service are referenced.]

Staff Comment: Staff recommends approval. This topic will be addressed at this meeting.

4. The Town should consider amending the Coastal Management/Conservation Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Town Facilities and Infrastructure and Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Floodplains section, the Comprehensive Coastal Management Plan section, the Remedies for Existing Pollution section, the Infrastructure and Natural Disaster Planning section, and a new Adaptation Action Areas section should be added, per the recommendations in the report. Table 18 of the report includes recommended changes in the Objectives and Policies for the Coastal Management/Conservation Element.

Staff Comment: Staff recommends approval. This topic will be addressed at this meeting.

5. The Town should consider amending the Intergovernmental Coordination Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objective for Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Analysis section, the Transportation Element section, the Infrastructure Element section, the Coastal Management/Conservation Element section, and the Capital Improvements section, per the recommendations in the report. The Intergovernmental

Coordination Matrix should be updated to include Lake Worth Coastal Flood Mitigation in the list of program work tasks and the USACE in the list of governmental entities. Table 19 of the report includes recommended changes in the Goals, Objectives, and Policies for the Intergovernmental Coordination Element.

Staff Comment: Staff recommends approval. This topic will be addressed at this meeting.

6. The Town should consider amending the Capital Improvements Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Town Facilities and Infrastructure and Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Capital Improvements Program Project Descriptions section, per the recommendations in the report. Table 20 of the report includes recommended changes in the Objectives and Policies for the Capital Improvements Element. [Note that this is also where design storm criteria and level of service are referenced.]

Staff Comment: Staff recommends approval, after a joint review with Public Works is complete and any revisions are proposed. This topic will be addressed at this meeting.

Town staff recommends that the Town Council review the suggestions and provide policy guidance and direction as to priority of given tasks and desired timeline for future consideration of those tasks.

FUNDING/FISCAL IMPACT:

There would be an impact to the budget for public property projects, resulting consultant actions, and private property impacts would be borne by those property owners. Many of the recommended changes to Town regulations would require prior review and approval by State agencies (including DEP and DEM) and the Florida Building Commission. These State reviews and presentations will require staff and consultant time and will be an added expense.

cc: John Randolph, Town Attorney
Jay Boodheshwar, Deputy Town Manager
Eric B. Brown, P.E., Assistant Director of Public Works/Operations
Patricia Strayer, Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Dean Mealy, Purchasing Manager
Rob Weber, Coastal Program Manager

Table 2 Recommended interim Design Flood Elevations (DFEs) for Town facilities.

End-of-Service Time Horizon	Design Flood Elevation	Typical Project/Asset Type
2021-2040	FEMA BFE + 1 ft	Maintenance; Electrical Panel
2041-2060	FEMA BFE + 2 ft	Rehabilitation; Emergency Generator, HVAC System, Pump, Deployable Flood Barriers
2061-2070	FEMA BFE + 3 ft	New Construction/Substantial Improvement; Building, Seawall

Table 3 Risk-based prioritization of assets in the 5-year capital plan.⁷

Asset	Probability (Present)	Probability (Future)	Asset Value	Risk Score (Present)	Planned Improvement Year
G-7 WPS*	10%	>20%	60	6.0	2021
D-12 SPS (Building)	5%	>20%	70	3.5	2022
D-6 SPS (Building)	5%	>20%	67	3.4	2025
A-42 WPS*	5%	>20%	60	3.0	2023
E-6 WPS	3%	20%	70	2.1	2022

Asset	Probability (Present)	Probability (Future)	Asset Value	Risk Score (Present)	Planned Improvement Year
E-5 WPS*	3%	20%	63	1.9	2022
A-43 WPS*	3%	>20%	60	1.8	2023
Town Hall*	2%	20%	73	1.5	2025
D-12 SPS (Wet Well)	2%	10%	70	1.4	2021
A-39 WPS*	2%	>20%	70	1.4	2023
D-17 SPS	2%	10%	57	1.1	2023-2024
Police*	1%	10%	80	0.8	2023/4
A-6 WPS	1%	10%	73	0.7	2021
Central Fire*	1%	10%	73	0.7	2022
D-8 SPS	1%	10%	63	0.6	2022
South Fire*	1%	10%	53	0.5	2022
S-2 WPS	0.5%	5%	90	0.5	2021-2025
North Fire*	0.5%	5%	70	0.4	2024-2025
A-5 WPS	1%	5%	60	0.3	2024

⁷ WPS stands for Wastewater Pump Station, and SPS stands for Stormwater Pump Station. Probability and risk score data for assets marked with an asterisk should be further verified, as engineering plans for planned capital improvements were not available for review at the time of this report.

Table 4 Recommended near-term adaptations and interim DFEs for Town facilities.⁸

Asset	Recommended Adaptation Measures	Interim DFE
G-7 WPS*	Raise electrical/controls equipment to be replaced	FEMA BFE + 2 ft
D-12 SPS (Building)	Dry floodproof with deployable barriers, conduit sealant; evaluate/reinforce wall strength if needed; raise radiators and associated wall openings	FEMA BFE + 2.5 ft
D-6 SPS (Building)	Raise proposed main disconnect and existing 30KVA transformer	FEMA BFE + 2 ft
A-42 WPS*	Raise electrical/controls equipment to be replaced	FEMA BFE + 2 ft
E-6 WPS	Raise electrical/controls equipment to be replaced, raise or dry floodproof odor control enclosure	FEMA BFE + 2 ft
E-5 WPS*	Raise electrical/controls equipment to be replaced, new radiators and associated wall openings	FEMA BFE + 2 ft
A-43 WPS*	Raise electrical/controls equipment to be replaced	FEMA BFE + 2 ft
Town Hall*	Dry or wet floodproof	FEMA BFE + 2.5 ft
D-12 SPS (Wet Well)	Extend pump electrical gear wall, raise electrical panels, provide higher access if needed	FEMA BFE + 2.5 ft
A-39 WPS*	Raise electrical/controls equipment to be replaced	FEMA BFE + 2 ft
D-17 SPS	Raise electrical/controls equipment to be replaced	FEMA BFE + 2.5 ft
Police*	Dry or wet floodproof	FEMA BFE + 2.5 ft
A-6 WPS	Raise proposed equipment	FEMA BFE + 2.5 ft
Central Fire*	Dry or wet floodproof	FEMA BFE + 2.5 ft
D-8 SPS	Raise proposed air-cooled radiators, pump control panel	FEMA BFE + 2.5 ft
South Fire*	Dry or wet floodproof, or perimeter barrier	FEMA BFE + 2.5 ft
S-2 WPS	Dry or wet floodproof	FEMA BFE + 2.5 ft
North Fire*	Elevate building	FEMA BFE + 4 ft

⁸ WPS stands for Wastewater Pump Station, and SPS stands for Stormwater Pump Station. Recommended measures and suggested interim DFEs for assets marked with an asterisk should be further verified, as engineering plans for planned capital improvements were not available for review at the time of this report.

Table 5 **Relative sea level rise projections for Palm Beach required by Florida Statutes.¹⁰**

Sea Level Rise Scenario	Intermediate-Low	Intermediate-High
2040	0.7 ft	1.4 ft
2070	1.3 ft	3.3 ft

Table 6 Other Town assets at present risk of flooding based on PB-FRM.¹¹

Stormwater	Wastewater			Recreation
D-18*	E-15*	E-17*	G-1	Rec Center*
D-6*	E-50*	E-18*	A-7*	Par 3 Maintenance*
D-7*	E-9*	E-20*	E-1	Phipps North Restrooms*
D-14*	E-10*	E-22*	E-2	Chilean Ave Restrooms*
D-2*	E-12*	E-23*	E-13	Phipps South Restrooms*
D-4*	E-14*	A-41*	S-2	Par 3 ProShop*
D-9*	E-16*	E-19*	A-5*	Memorial Fountain*
D-16*	E-4*	E-3	E-24*	
D-17 (Generator)	E-7*	E-21*	E-25*	
D-10*	E-8*	E-38*	E-44*	
	E-11*	E-40*		

Table 7 Town assets at future risk of flooding based on PB-FRM.¹²

Wastewater			
G-9*	A-4 (Building)*	E-27*	A-4 (Wet Well)*

¹¹ Probability and risk score data for assets marked with an asterisk should be further verified, as engineering plans for planned capital improvements were not available for review at the time of this report.

¹² Probability and risk score data for assets marked with an asterisk should be further verified, as engineering plans for planned capital improvements were not available for review at the time of this report.

Table 8 Higher standards for bulkhead construction on Lake Worth - modifications.

Existing	Recommended
(d) <i>Elevation of top.</i> The top of bulkheads or cutoff walls shall be governed by sound engineering recommendations, and the same shall be approved by the town engineer. ... (k) <i>Profiles with application.</i> If in the construction of any structure covered in this section is made, such application must be accompanied by a profile taken along the line of the proposed structure, such profile to show the character of materials encountered to elevations of required penetrations. (l) <i>Plans.</i> All plans accompanying applications for structures covered in this section must be prepared by, or in collaboration with, a civil engineer licensed to practice in the state. ...	(d) <i>Elevation of top.</i> The top of bulkheads or cutoff walls shall be at an elevation not lower than the base flood elevation plus two feet.¹³ Foundations shall be designed with sufficient structural capacity to enable the top elevation to be raised an additional two feet without requiring full reconstruction. (k) <i>Permit applications.</i>¹⁴ [consolidating and expanding upon (k) and (l)] All permit applications shall include the following information: 1) Engineering plans signed and sealed by a Professional Engineer licensed in the State of Florida. 2) A Standard Penetration Test (SPT) soil boring report containing the required soil design parameters for the location of the proposed wall prepared by a geotechnical engineer licensed in the State of Florida. The location and required depth of the boring shall be determined by the geotechnical engineer. The depth of the boring shall be a minimum of five (5) feet lower than the deepest component of the proposed bulkhead wall. 3) A soil boring profile signed and sealed by the geotechnical engineer. 4) A plan view of the proposed bulkhead wall clearly indicating the location of the soil boring. 5) A cross section of wall indicating the channel bottom elevation, the cap elevation and identifying the type, size, and location of wall components.

¹³ Alternatively, a lower top elevation could be set. North Palm Beach sets the minimum cap elevation for bulkheads in Lake Worth at 5 ft NAVD88 and the maximum cap elevation at the FEMA BFE, subject to approval by key staff. Fort Lauderdale sets the minimum seawall elevation for properties with a FEMA BFE of 4 ft NAVD88 at 3.9 ft NAVD88 and the maximum seawall elevation at 5 ft NAVD88 (FEMA BFE + 1 ft), and it strongly encourages "property owners choosing to construct seawalls at less than 5 ft NAVD88... to have foundations designed to accommodate a future seawall height extension up to a minimum elevation of 5 ft NAVD88." Miami Beach sets a minimum elevation for seawalls at 5.7 ft NAVD88 (well below FEMA BFE in most parts of the City), with allowances for certain circumstances in which a minimum elevation of 4 ft NAVD88 is acceptable provided the structure is designed and constructed to accommodate a future extension to 5.7 ft NAVD88.

¹⁴ Modified from North Palm Beach, FL Code of Ordinances

Existing	Recommended
(n) <i>Inspection.</i> The town or authorized agent has the right at all times to inspect work being done under this section. ...	6) Fundamental soil data from the soil boring used in the design including saturated and submerged unit soil weight, coefficient of active pressure, coefficient of passive pressure, friction angle (for cohesionless soils), and cohesion (for cohesive soils). 7) Documentation demonstrating that concrete satisfies the requirements of ACI 318 Exposure Class C2. 8) Plans demonstrating that exposed steel tie back anchor rods and other anchors shall be coated with a heavy-duty protective coating to prohibit corrosion. 9) A copy of the pollution control plan required by the Florida Department of Environmental Protection (FDEP) permit depicting the location and types of pollution control mitigation measures. During the course of construction, the permittee shall be required to submit to the Town all reports required by the National Pollutant Discharge Elimination System (NPDES) permit prior to the Town's issuance of a certificate of occupancy. (n) <i>Inspection.</i> The town or authorized agent has the right at all times to inspect work being done under this section. The permittee shall notify the town at least forty-eight (48) hours prior to the following events to allow for inspection: 1) the first installation of any structural support; 2) the backfilling of structural supports, including any anchors or tie rods; 3) the pouring of any cast-in-place construction; and 4) the final cap pouring.

Table 9 Higher standards for bulkhead construction on Lake Worth - additions.

Recommended Additions
(p) <i>Flood design requirements.</i>¹⁵ The design of bulkhead walls shall conform to recognized engineering standards and calculation methods for coastal flood mitigation, erosion control, and land retention structures and shall account for the following: 1) A design flood equivalent to the base flood plus two feet; 2) Load and resistance factors applicable for the engineering analysis and design of the wall; 3) Differential hydrostatic pressure due to tides and stormwater runoff; 4) Surcharge loads on the bulkhead wall; 5) Potential erosion at the toe of the wall; and 6) Backflow prevention for drainage outfalls, where applicable. (q) <i>Caps.</i>¹⁶ All bulkheads shall be capped with a continuous reinforced concrete cap. Caps placed at an elevation greater than the adjacent property shall provide a wall return of the same material and type as the bulkhead cap. All areas visible from adjacent property shall have a finished appearance equivalent to or better than painted concrete stucco. (r) <i>Adjoining bulkheads.</i>¹⁷ To the extent practicable, bulkheads shall be designed and constructed to adjoin immediately proximate bulkheads to close gaps and prevent trespass of tidal surface water. (s) <i>Elevation of adjacent grade.</i> For the purposes of this section, adjacent grade shall mean the area of land within a 15-foot¹⁸ setback from the east face of the bulkhead wall, or, where the Lake Trail is present, between the east face of the bulkhead wall and the eastward limit of the

¹⁵ Modified from North Palm Beach, FL Code of Ordinances

¹⁶ Modified from North Palm Beach, FL Code of Ordinances

¹⁷ Modified from Miami Beach, FL Code of Ordinances

¹⁸ Alternatively, a larger setback could be specified.

Recommended Additions

Lake Trail right-of-way¹⁹. Except as provided in (u), adjacent grade shall be backfilled and graded to an elevation no lower than 30 inches below the proposed top of bulkhead elevation. Fill placed on the lot to comply with the requirements of this section shall be excluded from limitations and calculations of allowable fill imposed by other sections of this code.

(t) *Accessibility of adjacent grade.* The portions of adjacent grade within the Lake Trail right-of-way shall be graded as an accessible path of travel, as defined in the Florida Building Code.

(u) *Adjacent grade between adjoining properties.* The Town may grant a temporary waiver of the elevation of adjacent grade requirements in (s), following the process and conditions described in section (v) only for the minimum adjacent grade area required to:

- 1) maintain an accessible path of travel along the Lake Trail where transitioning to existing grade at adjoining side property lines or public ways; or
- 2) meet the existing grade of adjoining side property lines where the Lake Trail is not present and accessibility is not required.

(v) *Process and conditions for a temporary waiver of adjacent grade elevation requirements.* A coordination meeting will be held by the Town Engineer with the bulkhead or seawall owner and adjoining property owners prior to the issuance of any waivers to determine whether there are mutually agreeable alternatives to the granting of a waiver²⁰. If no alternative is agreed, the Town Engineer may grant a separate temporary waiver with conditions to the bulkhead or seawall owner for each portion of adjacent grade that does not meet the requirements of (s). Each waiver shall expire 30 days²¹ after the bulkhead or seawall on the adjoining property to which the subject adjacent grade is connected is reconstructed to meet the standards of this section. As a condition of granting a temporary waiver under this section, the Town shall require the bulkhead or seawall owner to provide the Town with a separate temporary easement over each portion of adjacent grade covered by a waiver. The term of each easement shall be set to expire no later than 30 days²² after the issuance of a certificate of occupancy for the adjoining property's bulkhead to be replaced in the future. The temporary easement shall grant the Town the right to backfill, grade, pave, and landscape the subject adjacent grade to

¹⁹ Alternatively, the limits could be set at the westward and eastward limits of the Lake Trail right-of-way.

²⁰ For example, an adjoining property owner may agree to extend the construction limits onto their property to enable a more desirable grading and vista outcome for both property owners.

²¹ Alternatively, a longer or shorter period could be specified. The general idea is to put a time limit on the waiver so that either the Town or the bulkhead or seawall owner will be incentivized to coordinate a smoothing of grades and vistas once the adjoining project is under construction. If the waiver expires before the adjacent grade condition is corrected to comply with the vista requirement, penalties could start to accrue daily.

²² Alternatively, a longer or shorter period could be specified. The term of the easement should coincide with the term of the waiver.

Recommended Additions

bring it to an elevation no lower than 30 inches below the top of bulkhead elevation²³. The Town Engineer²⁴ is authorized by this section to procure construction services and levy an assessment against the bulkhead or seawall owner for the backfilling, paving, and landscaping of adjacent grade over which such a temporary easement is held²⁵. The terms of waivers and temporary easements granted under this section may be extended if agreed out of mutual convenience by the Town Engineer and property owner. The Town Engineer is hereby authorized to extend the terms of such waivers and easements on behalf of the Town for a period no longer than 90 days²⁶ beyond the initial terms. In no case shall the Town Engineer grant a temporary waiver to a bulkhead or seawall owner for the portion of adjacent grade where transitioning to an adjoining property where a bulkhead or seawall has already been constructed to the specifications of this section²⁷.

Table 10 Higher standards for bulkhead maintenance on Lake Worth.

Existing	Recommended ²⁹
All bulkheads and seawalls within the town shall be maintained in good condition to provide for the protection of upland and foreshore properties, limit wave overtopping, and be impervious without cracks or holes that would allow for the passage of sand. Failure to maintain a bulkhead or seawall in good condition shall be a violation of this section and subject to action before the town's code enforcement board. When cited by the town's code enforcement board a condition survey of any seawall or bulkhead prepared by a professional engineer licensed to practice in the state along with plans required to implement the engineer's recommendation to bring the structure into compliance shall be submitted to the town. Upon project completion, certification by a professional engineer licensed to practice in the state must be submitted to the town. Recertification of the seawall by a professional engineer licensed to practice in the state shall be required every 15 years from the date of the original certification. A condition survey of any seawall or bulkhead prepared by a professional engineer licensed to practice in the state along with plans required to implement the engineer's recommendation for repair or replacement shall be submitted to the town when a new building is proposed or when renovations exceeding 50 percent of the value of the primary structure are proposed. Upon project completion certification by a professional engineer licensed to practice in the state must be submitted to the town. Recertification of the seawall by a professional engineer	(a) All property owners must maintain their bulkheads and seawalls in good repair to provide for the protection of upland and foreshore properties. A bulkhead or seawall is presumed to be in disrepair if: 1) it has cracks, holes, or other structural deficiencies that would allow for upland erosion through the bulkhead or seawall; 2) allows unsafe, dangerous, or damaging wave overtopping; or 3) allows tidal waters to flow through or over the bulkhead or seawall to adjacent properties or public right-of-way at levels below the minimum top elevation specified in Sec. 62-75. (b) Property owners failing to maintain their bulkheads or seawalls in good repair or failing to (re)certify them in accordance with the schedule set forth in (c) shall be in violation of this section and subject to action before the town's code enforcement board. 1) Within sixty (60) days of receiving a citation from the town's code enforcement board, the owner of the property on which the bulkhead or seawall is constructed shall submit to town a condition survey of the structure prepared by a professional engineer licensed to practice in the state along with plans required to implement the engineer's recommendation to correct the disrepair shall be submitted to the town. 2) The property owner shall complete the repair within seven hundred thirty (730) days³⁰ of receipt of citation. 3) If the required repair meets the substantial repair threshold in (d), the

²⁹ Modified from Fort Lauderdale, FL Code of Ordinances and Miami Beach, FL Code of Ordinances.

³⁰ Miami Beach allows 730 days to comply from the date of citation.

Existing	Recommended ²⁹
licensed to practice in the state shall be required very 15 years from the date of the original certification.	property owner shall repair or replace the bulkhead or seawall to meet the minimum construction specifications in Sec. 62-75. 4) Upon project completion, certification by a professional engineer licensed to practice in the state must be submitted to the town. c) Recertification of bulkheads and seawalls by a professional engineer licensed to practice in the state indicating that the structure is in a state of good repair shall be required every 10 years from the date of the original certification, or [date this ordinance is updated], whichever is later. (d) Bulkhead or seawall improvements constituting substantial repair at the time of permit application shall meet the construction specifications in Sec. 62-75 for the continuous bulkhead or seawall for the length of the property. For the purposes of this section, the substantial repair threshold shall mean: 1) Any improvement to the bulkhead of more than twenty-five percent (25%)³¹ of the length of the structure, including both the bulkhead and cap; or 2) Any improvement to the bulkhead which results in an elevation change along more than twenty-five percent (25%)³² of the length of the structure. (e) A condition survey of any seawall or bulkhead prepared by a professional engineer licensed to practice in the state, indicating that the structure is in compliance with the minimum construction specifications in Sec. 62-75 for the continuous bulkhead or seawall for the length of the property or with plans

³¹ Alternatively, a higher percent value could be specified.

³² Alternatively, a higher percent value could be specified.

Existing	Recommended ²³
	required to implement the engineer's recommendation for repair or replacement to bring the structure into compliance, shall be submitted to the town when new construction or substantial improvement, as defined in Sec. 18-232, to the primary structure are proposed. 1) Upon project completion, certification by a professional engineer licensed to practice in the state must be submitted to the town. (d) Property owners with permeable erosion barriers such as rip rap, or a land/water interface of another nature on the Lake Worth shoreline shall maintain their land/water interface so as not to allow tidal waters to cross through or over their land/water interface to adjacent properties or public right-of-way at levels below the minimum top elevation specified in Sec. 62-75. Property owners failing to meet this maintenance standard shall be a violation of this section and subject to action before the town's code enforcement board. 1) Within sixty (60) days of receiving a citation from the town's code enforcement board, the owner of the property on which the violation occurred shall submit to town a condition survey of the land/water interface prepared by a professional engineer licensed to practice in the state along with plans required to implement the engineer's recommendation to bring the property into compliance.³³ 2) The property owner shall complete the repair within seven hundred thirty (730) days of receipt of citation.

³³ The Town could state an explicit preference for soft, natural, or nature-based coastal flood mitigation infrastructure on shorelines where no bulkheads or seawalls are present.

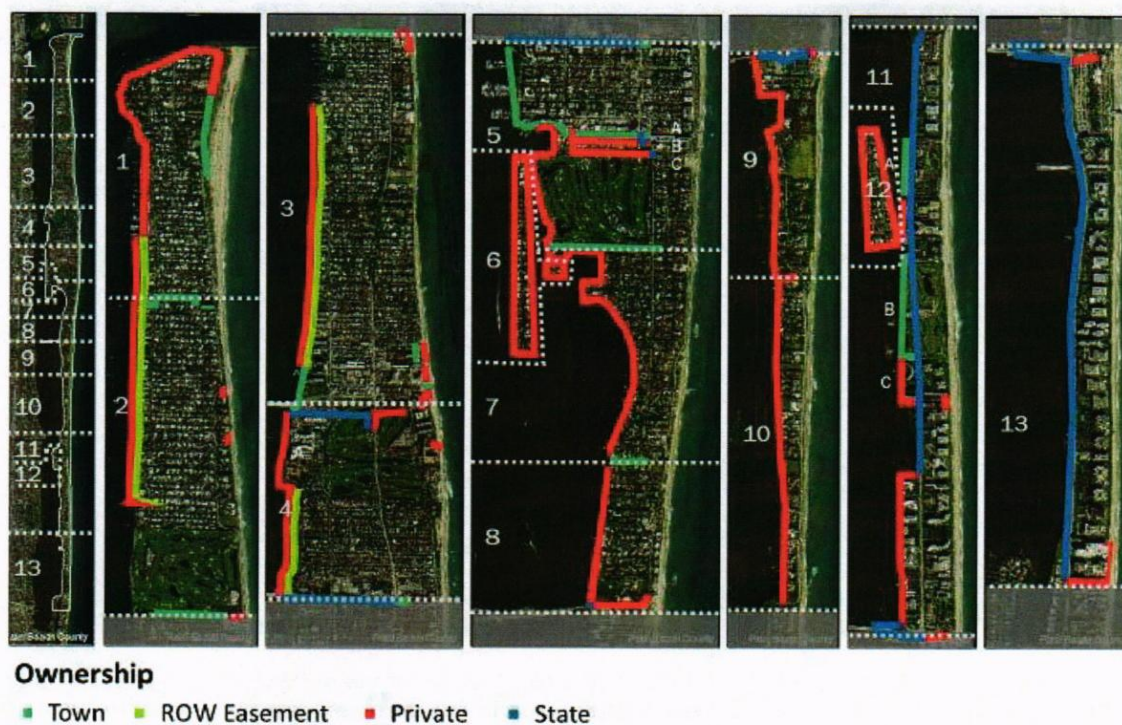


Figure 8 Potential neighborhood-scale flood control units and system alignments. These “flood control units” are not intended to align with the traditional Coastal Program shoreline “Reaches.”

Table 11 Higher standards for substantial improvement and substantial damage.

Existing	Recommended
<i>Substantial improvement.</i> Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. For each building or structure, the one-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to (see Note). If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed...	<i>Substantial improvement.</i> [For the purposes of determining compliance with the flood provisions of this code,] Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a 10-year period⁵⁰, the cumulative cost of which equals or exceeds 25 percent⁵¹ of the market value of the building or structure before the improvement or repair is started. For each building or structure, the one-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to (see Note). If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed...
(FBC 7th Ed.) <i>Substantial damage.</i> Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.	<i>Substantial damage.</i> [For the purposes of determining compliance with the flood provisions of this code,] Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 25 percent of the market value of the structure before the damage occurred.

⁵⁰ Alternatively, the Town could adopt a 5-year period and earn half as many additional CRS credit points.

⁵¹ The Town could adopt any percentage lower than 50% and earn the same number of CRS credit points. Alternatively, the Town could base substantial improvement determinations based on a threshold of more than 25% of the building's lowest floor square footage, for less CRS credit points.

⁵² Town of Palm Beach Comprehensive Plan 2017.

Table 12 Higher standards for Buildings elevation requirements.

Existing	Recommended
(FBC 7 th Ed.)	The following sections of the Florida Building Code – Buildings are hereby amended as follows:
1612.4 Design and construction. The design and construction of buildings and structures located in flood hazard areas, including coastal high hazard areas and Coastal A Zones, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24.	1612.4.3 Modifications of ASCE 24 – Elevation Requirements. Table 2-1, Table 4-1, Table 5-1, Table 6-1, and Table 7-1 shall be modified as follows:
1612.4.1 Modification of ASCE 24. ...	1. The minimum elevation requirements for Flood Design Class 2, Flood Design Class 3, and Flood Design Class 4 buildings and structures shall be to or above the base flood elevation plus three (3) feet. ^{54, 55}
1612.4.2 Modification of ASCE 24 9.6 Pools. ...	

Table 13 Higher standards for Residential elevation requirements.

Section and Parameter	Palm Beach Code of Ordinances	7 th Edition FBC	Recommended Future Technical Amendment ⁵⁶
R322.2.1 Elevation requirements			
Lowest floor - in flood hazard areas not designated as Coastal A Zones	BFE + 6 inches	BFE + 1 foot	BFE + 3 feet
Lowest floor - in Coastal A Zones	BFE + 1 foot	BFE + 1 foot	BFE + 3 feet
Lowest floor (including basement) – in areas of shallow flooding (AO Zones)	At least as high above the highest adjacent grade as the depth number specified in feet on the FIRM + 6 inches, or at least 2.5 feet if a depth number is not specified	Height above highest adjacent grade of not less than the depth number specified in feet on the FIRM + 1 foot, or not less than 3 feet if a depth number is not specified	<i>Recommend deleting as there are presently no AO Zones in Palm Beach</i>
Basement floors that are below grade on all sides	To or above the BFE + 6 inches	To or above BFE + 1 foot	To or above BFE + 3 feet
R322.3.2 Elevation requirements			
Lowest horizontal structural members supporting the lowest floor (with certain exceptions) - in coastal high-hazard areas and Coastal A Zones	BFE + 6 inches	BFE + 1 foot	BFE + 3 feet

⁵⁶ Alternatively, the Town could set lower elevation requirements to BFE + 2 ft, or not less than 4 ft if depth number is not specified.

Table 14 Higher standards for establishing flood hazard areas.

Existing	Recommended
To establish flood hazard areas and base flood elevations, pursuant to division 5 of this article the floodplain administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations: (2) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this chapter and, as applicable, the requirements of the Florida Building Code. (3) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.	To establish flood hazard areas and minimum flood elevations, pursuant to division 5 of this article the floodplain administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations: (2) Are below the closest applicable base flood elevation plus three (3) feet⁵⁷, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this chapter and, as applicable, the requirements of Chapter 18. (3) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

⁵⁷ The freeboard height referenced should be the same as is adopted in Sec. 18-244 elevation requirements. As alternatives to the recommended 3 feet freeboard height, this section could reference varying freeboard heights by Flood Design Class in ASCE 24 or reference a lower freeboard height (e.g., + 2 ft).

Table 15 Recommended changes to Future Land Use Element Objectives and Policies.⁵⁸

Future Land Use Element	The purpose of the Future Land Use Element is to designate future land use patterns as reflected in the goals, objectives, and policies of the other Comprehensive Plan Elements.
Goal 1	To maintain the Town's unique identity and its high quality of life through the efficient distribution of compatible land uses.
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 2.1.1	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, <i>coastal flood control</i> , and solid waste collection and disposal systems, including any necessary appurtenant structures serving the Town.
Objective 3	Development order or permits for <i>new construction or substantial improvement</i> shall be issued for construction in the <i>flood hazard area (as defined in the Town of Palm Beach Code of Ordinances Ch. 50)</i> , <i>coastal high hazard area</i> , or <i>Lake Worth shoreline</i> only if they meet the <i>flood-resistant construction requirements of the Florida Building Code, as amended by the Town of Palm Beach Code of Ordinances (Ch. 18)</i> ; <i>comply with the Town's Floodplain Management Ordinance</i> ; and, <i>as applicable to parcels abutting Lake Worth, meet the bulkhead and seawall construction, maintenance, and certification requirements in the Town of Palm Beach Code of Ordinances (Ch. 62)</i> .
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 <i>new construction or substantial improvement</i> meets or exceeds <i>the flood-resistant construction requirements of the Florida Building Code, as amended by the Town of Palm Beach Code of Ordinances (Ch. 18)</i> b. <i>The proposed new construction or substantial improvement complies with the Town's Floodplain Management Ordinance (Palm Beach Code of Ordinances Ch. 50).</i> c. <i>(If applicable) All bulkheads or seawalls of the parcel abutting Lake Worth on which the proposed new construction or substantial improvement is located comply with the construction, maintenance, and certification requirements in the Town of Palm Beach Code of Ordinances (Ch. 62).</i>

⁵⁸ Text of recommended changes or additions is italicized and bright green.

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 5.2	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. <i>(Consider referencing a specific data source, storm duration, and precipitation depth: "during a 2-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> 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; <i>(Consider referencing a specific data source and precipitation depth: "for a 3-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> ... k. <i>Coastal flood waters will not substantially damage critical Town-owned facilities during a 100-year flood accounting for projected Intermediate-High sea level rise over the service life of the assets.</i> l. <i>Coastal flood waters will not pass through or over coastal flood control structures, constructed or permitted by the Town, during a 100-year flood accounting for projected Intermediate-High sea level rise over the service life of the structures.⁵⁹</i>
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 8.4	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. <i>Primary dune restoration to a higher crest elevation and sediment volume is a high priority along Reach 1 for coastal flood control.</i>

⁵⁹ This Level of Service standard should only be applied to improvements made after the adoption of seawall/bulkhead standards recommended in *Level-Up Lake Worth Shoreline*.

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. <i>Coastal flood control is considered an essential service.</i>
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 13.4	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; <i>adequacy of coastal flood control infrastructure</i> ; 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.
Objective 14	The Town shall adopt and implement policies that increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.
Objective 14.1	<i>The Town shall adopt one or more ordinances designating and mapping Adaptation Action Areas within Town that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure and adaptation planning⁶⁰. A map of Adaptation Action Areas shall be included in the Comprehensive Plan. Adaptation Action Area 1 shall be designated as encompassing all lands within the municipal boundaries of the Town of Palm Beach designated as evacuation zones for storm surge.⁶¹</i>

Table 16 Recommended changes to Transportation Element Objectives and Policies.⁶²

Transportation Element	The purpose of the Town's Transportation Element is to provide the framework for establishing its desired transportation system; and, in particular, to plan for its future motorized and non-motorized traffic circulation needs.
Goal	Maximize the existing street transportation system to foster a safe, efficient and convenient transportation system, coordinated with the other governmental agencies, for all existing and future land uses.
Objective 1	The Town shall continue to correct traffic operational deficiencies and undertake other needed measures, identified in this Element, that are necessary to the provision of a safe, convenient, and energy efficient, multimodal transportation system, including providing for protection of existing and future rights-of-way from building encroachment. Design of the multimodal transportation system will be done to ensure the safety of not only motorists, but also the safety of cyclists and pedestrians, particularly where they interact with motorists.
Policy 1.4	<i>The Town will evaluate future needs for space within the Town and State transportation rights-of-way for siting of coastal flood control system infrastructure.</i>
Objective 3	Coordinate the Town's transportation planning efforts with the plans and programs of the Metropolitan Planning Organization and the Florida Department of Transportation's Adopted 5-Year Work Program, and take into consideration public transportation, bicycle and pedestrian ways, <i>and coastal flood control infrastructure</i> , in future transportation planning.
Policy 3.7	<i>The Town will coordinate with the MPO, FDOT, Palm Beach County, the City of West Palm Beach, and the Town of South Palm Beach on plans and funding to mitigate future coastal flood risks to regionally significant roadways.</i>

⁶² Text of recommended changes or additions is italicized and bright green.

Table 17 Recommended changes to Infrastructure Element Goals, Objectives, and Policies.⁶³

Infrastructure Element	The purpose of the Infrastructure Element is to provide for necessary public facilities and services related to future land use projections. It includes plans for sanitary sewer, solid waste, potable water, <i>coastal flood control</i> , and drainage facilities.
Goal 1	Maintain adequate levels of utility services for existing and future populations, and maximize utilization of existing investment and facilities.
Objective 1	The Town shall assure that all existing and future residents, and businesses in the Town, will have access to sanitary sewer facilities; maximize the use of existing collection and treatment facilities; and, meet future needs through continuation of its Sanitary Sewer Rehabilitation Program. The measurement of this objective is whether or not sanitary sewer facilities are available to all users, and the extent to which the following policies are implemented.
Policy 1.3	<i>The Town shall incorporate the funding of improvements in its Capital Improvements Element to mitigate identified vulnerabilities from future coastal flooding in the design, repair, and rehabilitation of sanitary sewer pump stations.</i>
Objective 7	The Town shall maximize its existing drainage facilities by correcting drainage problems in Town and explore methods of improving the quality of stormwater discharge. The measurement of this objective is the extent to which identified drainage problems are corrected, and the degree to which the following policies are implemented.
Policy 7.6	<i>The Town shall incorporate funding in its Capital Improvements Element to mitigate identified vulnerabilities from future coastal flooding in the design, repair, and rehabilitation of drainage pump stations.</i>
Policy 7.7	<i>The Town will evaluate the need for updated stormwater system modeling, level of service performance expectations, and development standards incorporating climate change projections for future precipitation and tidal boundary conditions.</i>
Objective 8	Development orders and permits for new development or redevelopment shall be issued only if the proposed project meets the Town's adopted level of service standards, or if needed expansion of facilities is coordinated with future development.

⁶³ Text of recommended changes or additions is italicized and bright green, except that red is used where background colors are bright green or teal.

Policy 8.1	The Town shall establish the following level of service standards: 1. 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. <i>(Consider referencing a specific data source, storm duration, and precipitation depth: "during a 2-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> 2. 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. <i>(Consider referencing a specific data source and precipitation depth: "for a 3-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i>
Objective 12⁶⁴	<i>The Town shall initiate planning, enact policies, coordinate with partners, develop projects, and identify funding to mitigate neighborhood and Town-wide exposure to future coastal flooding. The measurement of this objective is the degree to which the following policies are implemented</i>
Policy 12.1	The Town shall establish the following level of service standards: m. Coastal flood waters will not substantially damage critical Town-owned facilities during a 100-year flood accounting for projected Intermediate-High sea level rise over the lifetime of the assets. n. Coastal flood waters will not pass through or over coastal flood control structures, constructed or permitted by the Town, during a 100-year flood accounting for projected Intermediate-High sea level rise over the lifetime of the structures.⁶⁵

⁶⁴ A subsection on Aquifer Recharge currently follows Objective 11. The Aquifer Recharge subsection contains a separate unnumbered Goal, Objective 12, and related Policies. These should be renumbered following the recommended addition of a new Objective 12 related to Coastal Flood Control.

⁶⁵ This Level of Service standard should only be applied to improvements made after the adoption of seawall/bulkhead standards recommended in *Level-Up Lake Worth Shoreline*.

Policy 12.2	1. The Town shall survey shoreline infrastructure top elevations, adjacent grades, and conditions along Lake Worth. 2. The Town shall revise and strengthen bulkhead construction specifications in the Code of Ordinances. 3. Revise and strengthen bulkhead maintenance and certification standards in the Code of Ordinances. 4. The Town shall create an online seawall/bulkhead permit application system. 5. The Town shall create and maintain a geospatial database and document management system for tracking bulkhead/seawall permit application materials, top elevations, adjacent grades, lengths, substantial improvements, certifications, waivers, and easements. 6. The Town shall carry out technical, planning, coordination, advocacy, and grant-seeking activities to study the feasibility, environmental impacts, and cost-effectiveness of a storm surge barrier at the Lake Worth Inlet and other alternatives for Town-wide and neighborhood-scale coastal storm risk management.
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Table 18 Recommended changes to Coastal Management/Conservation Element Objectives and Policies.⁶⁷

Coastal Management/Conservation Element	The purposes of this Element are to plan for and, where appropriate, restrict development activities where such activities would damage or destroy coastal resources; to protect human life; to limit public expenditures in areas subject to destruction by natural disaster; and to promote the conservation, use, and protection of natural resources.
Goal	Preserve, protect and enhance the natural and historic resources of the town, and limit public expenditures in areas subject to destruction by natural disasters, while ensuring maximum enjoyment and minimum exposure of human life in the coastal zone.
Objective 4	Protect and restore wetland habitat and estuarine water quality in the Town, thereby protecting fisheries and marine habitat. The measurement of this objective is the extent to which wetland habitat and estuarine quality are protected, and the degree to which the following policies are implemented.
Policy 4.3	<i>Mitigate the negative impacts of coastal flooding runoff upon water quality in Lake Worth by establishing that coastal flood waters will not pass through or over coastal flood control structures, constructed or permitted by the Town, during a 100-year flood accounting for projected Intermediate-High sea level rise over the lifetime of the structures.⁶⁸</i>
Policy 4.4⁶⁹	<i>The Town shall continue to prohibit the use of septic tanks.</i>
Objective 5	The Town shall protect and restore its beaches and dunes. The measurement of this objective is the extent to which beaches and shores are protected and restored, and the degree to which the following policies are implemented.

⁶⁶ F.S. 163.3177(6)(g)(10) specifically calls out storm surge evacuation zones as an example criteria for AAA designation.

⁶⁷ Text of recommended changes or additions is italicized and bright green.

⁶⁸ This Level of Service standard should only be applied to improvements made after the adoption of seawall/bulkhead standards recommended in *Level-Up Lake Worth Shoreline*.

⁶⁹ Moved from existing Objective 15, Policy 15.4

Policy 5.3	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. <i>Primary dune restoration to a higher crest elevation and sediment volume along Reach 1 is a high priority for coastal flood control.</i>
Objective 8	The Town will provide and maintain existing public access to beach areas which have been nourished at public expense, publicly-owned beachfront parks, and the Municipal Docks on Lake Worth. The measurability of this objective is the extent to which public access is provided and maintained, and the degree to which the following policies are implemented
Policy 8.6	The Town will adapt public access facilities to also function as coastal flood control structures.
Objective 15⁷⁰	<i>The Town shall adopt and implement policies that limit development and public expenditure within the Coastal High Hazard Area (CHHA).</i>
Policy 15.1	Publicly funded facilities that subsidize development will not be built in the Coastal High Hazard Area. However, this limitation does not apply to such facilities necessary to serve projects approved under prior development orders but not yet built, or to such facilities necessary to maintain adequate levels of public facilities and services to existing residents. Nor does it apply to publicly funded projects associated with providing beach restoration, public access, recreation, resource restoration, or the rehabilitation, maintenance or construction of shore protection structures such as groins, revetments or seawalls.
Policy 15.2	The Town shall not expand utility systems or public services that would be necessitated by increased development within the Coastal High Hazard Area.
Policy 15.3	The Town will coordinate with, and will rely on, the Florida Department of Environmental Protection to enforce building limitations seaward of the Coastal Construction Control Line.
Policy 15.4⁷¹	<i>The Town will mitigate hazards within the Coastal High Hazard Area through enforcement of building code requirements and other restrictions.</i>
Policy 15.5⁷²	The Town will limit residential development within the Coastal High Hazard Area.
Policy 15.6⁷³	The Town will limit public building and infrastructure in the CHHA.
Policy 15.7⁷⁴	Town-funded public facilities shall not be built in the coastal high hazard area, except for purposes of public safety and/or access, enhancement of water-related activities or significant resource protection.

⁷⁰ Objective 15 should be modified to disaggregate CHHA-related Policies from those dealing with climate change impacts.

⁷¹ Changed number from existing Policy 15.5 and modified to disaggregate CHHA-related provisions.

⁷² Changed numbering from existing Policy 15.6.

⁷³ Changed numbering from existing Policy 15.7.

⁷⁴ Changed numbering from existing Policy 15.8.

<i>Policy 15.8⁷⁵</i>	The Town will not permit density increases in the CHHA for redevelopment and new development unless such requests are consistent with this Comprehensive Plan.
<i>Objective 16⁷⁶</i>	The Town shall adopt and implement policies that increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.
<i>Policy 16.1⁷⁷</i>	The Town will continue to participate in the National Flood Insurance Program Community Rating System (CRS) and strive to maintain or improve its current CRS rating.
<i>Policy 16.2⁷⁸</i>	The Town will continue to enforce its building code and drainage requirements.
<i>Policy 16.3⁷⁹</i>	The Town will mitigate hazards through building practices and implementation of FEMA requirements, stormwater retention requirements, and other restrictions.
<i>Policy 16.3</i>	<i>The Town will update its existing Coastal Flood Vulnerability Assessment and underlying coastal flood risk model and stormwater flood model, to the extent practicable, to comply with State vulnerability assessment requirements in Section 380.093 of the Florida Statutes to meet eligibility requirements for Resilient Florida Grant Program implementation funding.</i>
<i>Policy 16.4</i>	<i>The Town shall create a Lake Worth water level monitoring program.</i>
<i>Policy 16.5</i>	<i>The Town shall adopt one or more ordinances designating and mapping Adaptation Action Areas within Town that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure and adaptation planning⁸⁰. Adaptation Action Areas shall be included in the Future Land Use Map of the Town. Adaptation Action Area 1 shall be designated as encompassing all lands within the municipal boundaries of the Town of Palm Beach that are designated as evacuation zones for storm surge.⁸¹</i>

⁷⁵ Changed numbering from existing Policy 15.9.

⁷⁶ Changed numbering from existing Objective 15 to disaggregate CHHA-related Policies from those dealing with climate change impacts on flooding.

⁷⁷ Changed numbering from existing Policy 15.1.

⁷⁸ Changed numbering from existing Policy 15.3 and modified to disaggregate CHHA-related provisions.

⁷⁹ Changed numbering from existing Policy 15.5 and modified to disaggregate CHHA-related provisions.

⁸⁰ This language aligns with the Adaptation Action Area definition in F.S. 163.3164.

⁸¹ Adaptation Action Area 1 could alternatively be designated based on updated PB-FRM results meeting State standards, or areas within flood hazard areas as recommended herein to be redefined in the Code of Ordinances. Other embedded Adaptation Action Areas could be designated in the future, for example areas requiring improvements to implement a storm surge barrier at the Lake Worth Inlet, specific neighborhood-scale flood control system service areas, or as identified through future technical or public planning process.

Policy 16.6	<i>For the purposes of improving resilience to coastal flooding resulting from high-tide events, storm surge, flash floods, stormwater runoff, and related impacts of sea level rise⁸² in Adaptation Action Area 1, the Town will:</i> <i>7. Survey critical elevations of Town facilities for use in adaptation prioritization.</i> <i>8. Survey shoreline infrastructure top elevations and conditions along Lake Worth for use in flood risk modeling, adaptation prioritization, and code enforcement.</i> <i>9. Revise and strengthen bulkhead construction specifications in the Code of Ordinances.</i> <i>10. Revise and strengthen bulkhead maintenance and certification standards in the Code of Ordinances.</i> <i>11. Create an online seawall/bulkhead permit application system.</i> <i>12. Create and maintain a geospatial database and document management system for tracking bulkhead/seawall permit application materials, top elevations, adjacent grades, lengths, substantial improvements, certifications, waivers, and easements.</i> <i>13. Amend the charter of the Municipal Services entity to include coastal flood control services.</i> <i>14. Establish level of service standards for coastal flood control infrastructure and mitigation of Town asset coastal flood vulnerabilities.</i> <i>15. Carry out technical, planning, coordination, advocacy, and grant-seeking activities to study the feasibility, environmental impacts, and cost-effectiveness of a storm surge barrier at the Lake Worth Inlet and other alternatives for Town-wide and neighborhood-scale coastal flood control.</i> <i>16. Adopt amendments to the Florida Building Code through the Code of Ordinances, establishing higher standards for substantial improvement and substantial damage definitions and minimum elevation requirements for residential and non-residential structures.</i> <i>17. Revise and expand the definition in the Code of Ordinances of flood hazard areas within which floodplain management and flood-resistant construction standards apply.</i> <i>18. Report on implementation progress and key metrics every other year, with a comprehensive report every ten years.</i>
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Table 19 Recommended changes to Intergovernmental Coordination Element Goals, Objectives, and Policies.⁸³

Intergovernmental Coordination Element	The purpose of this Element is to identify and resolve incompatible aspects of proposed comprehensive plans of local governments, and to determine and respond to the needs for coordination processes and procedures with adjacent local governments and regional and state agencies.
Goal 1	An effective government which utilizes intergovernmental coordination to maximize efficiency in providing services and facilities; to reduce duplication of effort; and, to solve common problems.
Objective 1.2	In order to ensure coordination mechanisms to address impacts of developments proposed in and adjacent to the Town that may affect adjacent local governments, the Town will continue to participate on various intergovernmental advisory committees, boards, commissions or groups serving the Town.
Policy 1.2.7	Issues of regional and state significance shall be coordinated with the Treasure Coast Regional Planning Council, the South Florida Water Management District, and/or State agencies having jurisdictional authority. Issues to be pursued include but are not limited to the following: ... <i>k. Strategies and funding to mitigate coastal flood risks from sea level rise and coastal storms along the Lake Worth and Atlantic Ocean shorelines.</i>
Goal 3	It is the goal of the Town of Palm Beach to work with Federal, State, County, and adjacent municipalities or agencies to protect and restore the existing coastal dune system and beaches along the City's beachfront establish standards to minimize impacts resulting from beach erosion <i>and mitigate future coastal flood risks along the Lake Worth shoreline.</i>
Objective 3.2	The Town will coordinate with appropriate agencies to address future coastal flood risks along the Lake Worth shoreline caused by sea level rise and extreme weather events, resulting in significant exposure of highly developed and populated areas and critical infrastructure.
Policy 3.2.1	<i>Seek State and Federal support for a U.S. Army Corps of Engineers Coastal Storm Risk Management Feasibility Study for Lake Worth, including an evaluation of a storm surge barrier at the Lake Worth Inlet.</i> <i>a. Conduct outreach to USACE, FDEP, FDOT, Palm Beach County, neighboring municipalities, Port of Palm Beach, and SFWMD.</i> <i>b. Conduct outreach to Federal and State elected officials.</i> <i>c. Support the Project Sponsor (which may be the Town) in submitting a feasibility study proposal to USACE and to Federal elected officials</i> <i>d. Engage elected officials to advocate for Federal authorization and appropriations and State grant support for non-Federal cost-sharing.</i>
Policy 3.2.2	<i>Coordinate with the MPO, FDOT, Palm Beach County, the City of West Palm Beach, and the Town of South Palm Beach on plans and funding to mitigate future coastal flood risks to regionally significant roadways, including the potential siting of neighborhood-scale or Town-wide coastal flood control infrastructure within transportation rights-of-way.</i>

⁸³ Text of recommended changes or additions is italicized and bright green, except that red is used where background colors are bright green or teal.

Table 20 Recommended changes to Capital Improvements Element Objectives and Policies.⁸⁴

Capital Improvements Element	The purpose of this Element is to evaluate the need for public facilities, as identified in the other Plan Elements; to estimate the cost of improvements for which the Town of Palm Beach has fiscal responsibility; to analyze the Town's fiscal capability to finance and construct such improvements; and to adopt financial policies to guide funding and construction of capital improvements when required, based on needs identified in the other Plan Elements.
Goal	The Town shall, using sound fiscal policies, provide adequate services and facilities in a timely and efficient manner.
Objective 3	The Town shall coordinate its land use decisions and fiscal resources with its schedule of capital improvements identified as necessary to maintain the Town's adopted Level of Service (LOS) standards and meet existing and future facility needs. These capital improvements and facility improvements shall have first priority for allocation of the Town's fiscal resources available for capital expenditures.
Policy 3.1	The Town shall utilize the following Level of Service standards, found in other elements of the Town's Comprehensive Plan, for public facilities in the Town. 3.1a Stormwater Discharge or Runoff – 1) 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 would be carried off within sixty minutes. <i>(Consider referencing a specific data source, storm duration, and precipitation depth: "during a 2-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> 2) 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. <i>(Consider referencing a specific data source and precipitation depth: "for a 3-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> ... 3.1g Coastal Flood Control – 1) <i>Coastal flood waters will not substantially damage critical Town-owned facilities during a 100-year flood accounting for projected Intermediate-High sea level rise over the service life of the assets.</i>

⁸⁴ Text of recommended changes or additions is italicized and bright green, except that red is used where background colors are bright green or teal.

	<i>2) Coastal flood waters will pass through or over coastal flood control structures, constructed or permitted by the Town, during a 100-year flood accounting for projected Intermediate-High sea level rise over the service life of the structures.</i>
Objective	The Town shall include in its Schedule of Capital Improvements (SCI) all capital improvements needed within the five-year period covered by its CIP, including replacement of sanitary sewer infrastructure recognized as obsolete or worn-out and improvements needed to eliminate recognized deficiencies in its drainage system <i>and coastal flood control infrastructure</i> , as identified in the Comprehensive Plan.

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Regular Agenda - New Business

Agenda Title

Expansion of Paid Parking Program

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▣ **Memorandum dated June 30, 2022, from Nicholas Caristo, Chief of Police**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Expansion of Paid Parking Discussion

Date: June 30, 2022

GENERAL INFORMATION

The Police Department has been recently tasked with greater input into the Town's parking inventory and control. Resulting reviews have shown there is value and opportunities available through the expansion of our paid parking program throughout both regulated and non-regulated spaces in the mid-Town area.

The expansion of paid parking would assist with the mitigation of intensification of parking space use, promote the best use of available parking spaces, and increase essential turnover. Additionally, the app-based system would allow for uniform signage, increased awareness of parking regulations, and fairer and more consistent enforcement. App-based paid parking allows policies to be custom tailored to the community, allow more agile and timely changes, and provide detailed data that can be used to craft comprehensive solutions with our business community. The Town would benefit through increased revenue while drivers and visitors would experience the convenience of easy payment, real-time notifications, and the ability to remotely extend parking sessions.

STAFF RECOMMENDATION

Staff recommends the Town Council consider and discuss the merits of app-based paid parking expansion in order develop a consensus for direction to the Police Department.

NC/wmr

cc: Carolyn Stone, Assistant Town Manager
Paul Brazil, Director of Public Works
Jane LeClainche, Director of Finance

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Regular Agenda - New Business

Agenda Title

Request for Delayed Start Date Regarding SR 704/Royal Park Bridge Painting Project

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Emails Regarding Royal Park Bridge Painting Project**
- ▣ **Draft of Proposed Letter to FDOT**

From: Margaret Zeidman <MZeidman@townofpalmbeach.com>
Date: July 6, 2022 at 10:21:02 AM EDT
To: Kirk Blouin <KBlouin@townofpalmbeach.com>
Cc: Maggie Zeidman <heron1107@aol.com>, Carolyn Stone <cstone@townofpalmbeach.com>
Subject: Re: 432152-1-52-01 (E4V19) Request for Delay Start Date -- SR 704/Royal Park Bridge Painting Project

I am aware of the issue. Please add to agenda. It is disappointing that our request is not or can not be considered.

Maggie

Sent from my iPhone

On Jul 6, 2022, at 9:05 AM, Kirk Blouin <KBlouin@townofpalmbeach.com> wrote:

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Sent from my iPad

Begin forwarded message:

From: Danielle Hickox Moore <DMoore@townofpalmbeach.com>
Date: July 5, 2022 at 9:38:05 PM EDT
To: Carolyn Stone <cstone@townofpalmbeach.com>
Cc: Kirk Blouin <KBlouin@townofpalmbeach.com>, Paul Brazil <PBrazil@townofpalmbeach.com>, Danielle Moore <dukie85@aol.com>, Danielle Moore <Dukie85@gmail.com>, Patricia Strayer <PStrayer@townofpalmbeach.com>, Jessica Savidge <jsavidge@townofpalmbeach.com>
Subject: Re: 432152-1-52-01 (E4V19) Request for Delay Start Date -- SR 704/Royal Park Bridge Painting Project

Thank you all. Yes Carolyn brief me extensively last week. This is most disappointing

Warm wishes

Dani

Danielle Hickox Moore
Mayor
Town of Palm Beach

On Jul 5, 2022, at 8:41 PM, Carolyn Stone <cstone@townofpalmbeach.com> wrote:

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Kirk,

I briefed the Mayor on the situation late last week. Once you confirm with Maggie regarding TC agenda, we can provide the letter for consideration (as back up if you deem appropriate).

I'll be on the lookout for a draft letter from Patricia. Once we have confirmation that the item should be on the agenda or Modification sheet, I'll work with Jess to have the appropriate materials available for the council.

Thank you,
Carolyn

Carolyn S. Stone
Assistant Town Manager
Town of Palm Beach

On Jul 5, 2022, at 4:34 PM, Kirk Blouin <KBlouin@townofpalmbeach.com> wrote:

Paul, Carolyn,

I agree that is the next step.

Paul,

Can someone from your team draft the letter and Carolyn can you call the Mayor and brief her.

Also let's add to the TC agenda or modification sheet but let me speak with Maggie first. At a minimum we need to inform the public on the obvious disruption to traffic if FDOT will not or can't change the start date.

Thx. Kirk

Sent from my iPad

On Jul 5, 2022, at 3:05 PM, Paul Brazil <PBrazil@townofpalmbeach.com> wrote:

Patricia - thanks for trying.

Kirk and Carolyn - do we want to ask the Mayor to write to the District Secretary?

H. Paul Brazil, PE
Director of Public Works
Town of Palm Beach

From: Patricia Strayer <PStrayer@TownofPalmBeach.com>
Sent: Tuesday, July 5, 2022 1:12 PM
To: Kirk Blouin <KBlouin@TownofPalmBeach.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Carolyn Stone <cstone@TownOfPalmBeach.com>
Subject: FW: 432152-1-52-01 (E4V19) Request for Delay Start Date -- SR 704/Royal Park Bridge Painting Project

The project manager indicated that he cannot get an extension. The contract has already been awarded. They hope if the weather is good to be complete by January 1.

Patricia

Patricia Strayer, PE
Town Engineer

Town of Palm Beach
Public Works Department
951 Okeechobee Road
West Palm Beach, FL 33401
(O) 561.227.7056
(C) 561.339.7309

From: Gandjei, Khosrow <Khosrow.Gandjei@dot.state.fl.us>
Sent: Tuesday, July 05, 2022 1:11 PM
To: Patricia Strayer <PStrayer@TownofPalmBeach.com>
Cc: Angel Gardner <angel@valerin-group.com>; Carolyn Stone <cstone@TownOfPalmBeach.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Jason Debrincat <jdebrincat@TownOfPalmBeach.com>; Mike Roach <MRoach@TownofPalmBeach.com>; Shimony, Ido <IShimony@eismanrusso.com>; Marzi, Joseph <Joseph.Marzi@dot.state.fl.us>
Subject: RE: 432152-1-52-01 (E4V19) Request for Delay Start Date -- SR 704/Royal Park Bridge Painting Project

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Good afternoon Patricia,

It was good to talk with you. As mentioned, our Contractor has difficulty to achieve the materials within timely manners and therefore, they had the approval from our office of them to begin construction on September 7th, 2022, as they have requested. This would only extend the completion of the project to July 2023 in-lieu of May 2023. However, as I mentioned in our conversation, the Contractor will be doing their best to complete the project by end of this year, if weather permitting.
Please let me know if I can be any further assistance.

Thanks,

Khosrow "KG" Gandjei, EI
Construction Project Oversight
FDOT West Palm Beach Operations
(561) 531-3877 Cell
khosrow.gandjei@dot.state.fl.us

From: Gandjei, Khosrow
Sent: Tuesday, July 5, 2022 10:55 AM
To: Patricia Strayer <PStrayer@TownofPalmBeach.com>
Cc: Angel Gardner <angel@valerin-group.com>; Carolyn Stone <cstone@TownOfPalmBeach.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Jason Debrincat <jdebrincat@TownOfPalmBeach.com>; Mike Roach <MRoach@TownofPalmBeach.com>; Shimony, Ido <IShimony@eismanrusso.com>
Subject: RE: 432152-1-52-01 (E4V19) Request for Delay Start Date -- SR 704/Royal Park Bridge Painting Project

Good morning Patricia,

I am currently in a meeting until noon, and I will return your call soon after.

Thanks,

Khosrow "KG" Gandjei, EI
Construction Project Oversight
FDOT West Palm Beach Operations
(561) 531-3877 Cell
khosrow.gandjei@dot.state.fl.us

From: Patricia Strayer <PStrayer@TownofPalmBeach.com>
Sent: Tuesday, July 5, 2022 10:37 AM
To: Gandjei, Khosrow <Khosrow.Gandjei@dot.state.fl.us>
Cc: Angel Gardner <angel@valerin-group.com>; Carolyn Stone <cstone@TownOfPalmBeach.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Jason Debrincat <jdebrincat@TownOfPalmBeach.com>; Mike Roach <MRoach@TownofPalmBeach.com>
Subject: Fw: 432152-1-52-01 (E4V19) Request for Delay Start Date -- SR 704/Royal Park Bridge Painting Project

EXTERNAL SENDER: Use caution with links and attachments.

Khoscrow,
The Town would like to respectfully request that the Royal Park Bridge Painting Project be delayed until May 2023. I just left you a voicemail with the same request. Please feel free to call me or email so that we can discuss further. Thank you.

Patricia

Patricia Strayer, PE
Town Engineer

Town of Palm Beach
Public Works Department
951 Okeechobee Road
West Palm Beach, FL 33401
(O) 561.227.7056
(C) 561.339.7309

Please be advised that under Florida law, e-mails and e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact the Town of Palm Beach by phone at (561) 838-5400, or in writing: 360 S. County RD, Palm Beach, FL 33480.

July 7, 2022

Mr. Gerry O'Reilly
District Four Secretary
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

Re: SR 704/Royal Park Bridge Painting Project

Dear Mr. O'Reilly:

The Town of Palm Beach has been made aware of the SR 704/Royal Park Bridge Painting Project. We understand that the original start date was scheduled for May 2022, however, due to difficulties in acquiring materials, the project start date has been delayed to September 2022.

Town staff has spoken directly to the project manager, Khosrow "KG" Gandjei, who has relayed that the contractor has a full year to complete the work but hopes the project will be completed in a much shorter time frame. Unfortunately, starting this project in September creates an untenable circumstance from November through the holiday season and beyond. The Town's population increases significantly from November – April, which greatly impacts the amount of traffic across the Royal Park Bridge. Since this project requires one west bound lane of traffic to be closed, having a significant portion of the project occur during high season will cause gridlock entering and exiting the Town of Palm Beach. Therefore, I am respectfully requesting that the project be delayed until May 2023.

Sincerely,

Danielle H. Moore
Mayor

DM/lm

cc: Kirk Blouin, Town Manager
Carolyn Stone, Assistant Town Manager
H. Paul Brazil, P.E., Director of Public Works
Patricia Strayer, P.E., Town Engineer

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Ordinances - Second Reading

Agenda Title

Proposed Ordinance to Amend Chapter 46 Article III, Sections 46-67 and 46-68 to Modify the Fire Prevention Permit and Fire Prevention Fees

ORDINANCE NO. 011-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 46, Fire Prevention and Protection, at Article III, Fire Prevention Code, Sections 46-67, Permits, and 46-68, Annual Fire and Life Safety Inspections; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Presenter

Darrel Donatto, Fire Rescue Chief

ATTACHMENTS:

- ▣ **Ordinance No. 011-2022**

ORDINANCE NO. 011-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 46, FIRE PREVENTION AND PROTECTION, AT ARTICLE III, FIRE PREVENTION CODE, SECTIONS 46-67, PERMITS, AND 46-68, ANNUAL FIRE AND LIFE SAFETY INSPECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Chapter 46 - FIRE PREVENTION AND PROTECTION, Section 46-67,

Permits, is hereby amended as follows:

Sec. 46-67. - Permits. (MODIFIED)

a. All permits required pursuant to the provisions of section 46-66 will be issued by the chief of the fire-rescue department or the chief's designee. Applications for permits shall be made through an application process as determined by the Town. ~~the towns permitting process within the building department. The forms will be in EDEN allowing for progress review within the program.~~ The permit application will include all any and all data information required by the town. Applications shall be accompanied by a fee which shall be in accordance with the schedule of fees adopted by resolution by the town council and amended in the same manner. ~~, as well as a permit fee as set forth by Town Council.~~

~~The following fire protection systems shall require a permit and fee:~~

- ~~(1) Fire detection and annunciations systems.~~
- ~~(2) Fixed fire suppression systems (halon, wet/dry chemical systems, etc.~~
- ~~(3) Fire hydrant flow test witness fee.~~
- ~~(5) Bonfire permit fee.~~
- ~~(6) Fireworks and pyrotechnic displays fee.~~
- ~~(7) Public assembly plans review and inspection.~~

~~(b) The following permit fees shall be required and set forth by Town Council:~~

- ~~(1) Pyrotechnic permit inspection currently \$2,000.00~~
- ~~(2) Public display of fireworks currently \$2,000.00~~
- ~~(3) Bonfires currently \$300.00~~
- ~~(4) Fire hydrant water flow witness fee currently \$275.00~~
- ~~(5) Public assembly plans review and inspection currently \$50.00~~

~~Said fees may be modified by resolution as determined necessary by the town from time to time.~~

(Code 1982, § 7-26; Ord. No. 24-95, § 2, 11-14-95; Ord. No. 13-98, § 2, 10-13-98; Ord. No. 12-01, § 2, 6-12-01; Ord. No. 28-04, § 2, 1-11-05; Ord. No. 13-05, § 1, 9-13-05; Ord. No. 24-08, § 1, 10-13-08)

~~Sec. 46-68.— Annual fire and life safety inspections. (ORIGINAL)~~

~~(a) Annual fire and life safety inspections shall be conducted pursuant to the provisions of section 46-66. An inspection fee shall be levied on all of the uses and occupancies described below. (1) Non-residential (includes all retail, mercantile, business office, storage occupancies, assembly, healthcare and institutional, but not including restaurants, cafes, and public eating places.) (2) Multi-family building (includes hotels, apartments, cooperatives, condominiums, and boarding houses renting furnished or unfurnished rooms or apartments). (3) Restaurants, cafes and public eating places. (4) Educational. (5) Businesses or professional individuals sharing one office suite shall be charged only one fire inspection fee. (b) A reinspection fee may be charged due to violations, incompleteness, lack of accessibility or deviation from approved plans. Following the initial inspection, one reinspection for compliance will be included in the original fee. If additional reinspections are necessary due to the above criteria, reinspection fees will be required. The following inspection fees shall be required:~~

~~(1) Assembly:~~

~~50—299 seating capacity\$100.00~~

~~300—1,000 seating capacity125.00~~

~~1,001—5,000 seating capacity250.00~~

~~5,001 and over seating capacity350.00~~

~~(2) Educational schools or day care:~~

~~0—10,000 sq. ft.75.00~~

~~10,001—20,000 sq. ft.100.00~~

~~20,001—50,000 sq. ft.250.00~~

~~50,001—100,000 sq. ft.300.00~~

~~100,001—200,000 sq. ft.350.00~~

~~200,001 and over400.00~~

~~(3) Health care, hospital, nursing home, ambulatory health care, etc.~~

~~5,000 sq. ft. and under100.00~~

~~5,001—15,000 sq. ft.150.00~~

~~15,001—30,000 sq. ft.200.00~~

Ord. No. 011-2022

Page 2 of 6

~~30,001—100,000 sq. ft.250.00~~

~~100,001—200,000 sq. ft.300.00~~

~~200,001—500,000 sq. ft.350.00~~

~~500,001 and over400.00~~

~~(4)Lodging/rooming houses/hotel/dormitories and condominiums:~~

~~0—16 units100.00~~

~~17—100 units150.00~~

~~101—500 units/rooms250.00~~

~~501 and over300.00~~

~~(4)Mercantile, business and storage:~~

~~5,000 sq. ft. and under100.00~~

~~5,001—15,000 sq. ft.125.00~~

~~15,001—30,000 sq. ft.200.00~~

~~30,001—100,000 sq. ft.225.00~~

~~100,001—200,000 sq. ft.250.00~~

~~200,001—500,000 sq. ft.300.00~~

~~500,001 and over350.00~~

~~(6)Temporary structures:~~

~~All75.00~~

~~(7)Commercial LP gas facilities:~~

~~All100.00~~

~~(8)Occupational licensing inspections:~~

~~All residential75.00~~

~~All commercial100.00~~

~~(9)Hazardous materials facilities:~~

~~5,000 sq. ft. and under125.00~~

Ord. No. 011-2022

Page 3 of 6

~~5,001—15,000 sq. ft.175.00~~

~~15,001—30,000 sq. ft.275.00~~

~~30,001—100,000 sq. ft.325.00~~

~~100,001—200,000 sq. ft.425.00~~

~~200,001—500,000 sq. ft.475.00~~

~~500,001 and over525.00~~

~~(10) Restaurants, cafes, and public eating places90.00 (11) Marinas and docks75.00 (12) Re-inspection fee75.00 (13) Second re-inspection fee125.00~~

~~Said fees may be modified by resolution as determined necessary by the town council from time to time.~~

~~(Code 1982, § 7-18; Ord. No. 13-05, § 2, 9-13-05; Ord. No. 24-08, § 1, 10-13-08)~~

Sec. 46-68. - ~~Annual fire~~ Fire and life safety inspections. (MODIFIED)

a. Unless otherwise provided by law, (a) the fire marshal or their designees shall conduct a fire safety inspection of all multifamily and commercial premises operating within the Town, excluding one and two family dwellings, on at least an annual basis.

b. Pursuant to subsection 46-66 of this article, all new occupancies, new buildings or structures, building renovations or additions, site improvements, buildings, structures, or building alterations, requiring fire department inspection services or fire plan review shall be subject to a fee which shall be paid at the time of construction permit issuance and in accordance with a schedule established by resolution of the Town Council.

c. Pursuant to subsection 46-66 of this article, all multifamily and commercial premises requiring an annual fire safety inspection shall be subject to a fee which shall be paid at the time of business tax receipt issuance or renewal in accordance with a schedule established by resolution of the Town Council. Premises requiring an annual fire safety inspection that do not pay a business tax receipt fee shall be invoiced.

d. ~~Annual fire and life safety inspections shall be conducted pursuant to the provisions of section 46-66. An inspection fee shall be levied on all of the uses and occupancies described below. (1) Non-residential (includes all retail, mercantile, business office, storage occupancies, assembly, healthcare and institutional) (2) Multi-family building (includes hotels, apartments, cooperatives, condominiums, and boarding houses renting furnished or unfurnished rooms or apartments). (3) Restaurants, cafes and public eating places. (4) Educational. (5) Businesses or professional individuals sharing one office suite shall be charged only one fire inspection fee. (b) A re-inspection fee may be charged due to violations, incompleteness, lack of accessibility, or deviation from approved plans. Following the initial inspection, one re-inspection for compliance will be included in the original fee. If additional re-inspections are necessary due to the above criteria, re-inspection fees will may be required in accordance with a schedule established by resolution of the Town Council.~~

~~All Fees are determined and adopted by Town of Palm Beach Council.~~

~~Current Re-Inspection Fee, First \$75.00~~

Ord. No. 011-2022

Page 4 of 6

~~Current Subsequent Re-Inspection Fee \$125.00~~
~~The following inspection fees shall be required:~~

~~(1) Assembly:
50—5001 seating capacity (PROPOSED) \$175.00
(2) Educational schools or day care:
0—200,000 sq. ft. \$250.00
(3) Hazardous Materials Facilities
0—200,000 square feet \$200.00
(4) Health care, hospital, nursing home, ambulatory health care, etc.
0—200,000 sq. ft. \$200.00
(5) Lodging/rooming houses/hotel/dormitories and condominiums:
0—100 units/rooms \$100.00
101—1,000 units/rooms \$300.00
(6) Mercantile, business and storage:
10,000 sq. ft. and under \$125.00
10,001—300,000 sq. ft. \$300.00
(7) Temporary structures: All \$100.00
(8) Marinas and Docks All \$75.00
(9) Restaurants, Cafes and Public Eating Places
Without Hood \$100.00
With Hood \$150.00~~

~~Said fees may be modified by resolution as determined necessary by the town council from time to time.~~

(Code 1982, § 7-18; Ord. No. 13-05, § 2, 9-13-05; Ord. No. 24-08, § 1, 10-13-08)

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.

Ord. No. 011-2022

Page 5 of 6

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 on October 1, 2022.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 14th day of June 2022, and for second and final reading this 12th day of July, 2022.

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

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Ordinances - First Reading

Agenda Title

Proposed Ordinance to Amend Chapter 74, Parks and Recreation, to Modify Use of the Public Beaches

ORDINANCE NO. 012-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending The Town Code of Ordinances at Chapter 74, Parks and Recreation, Article II, Division 3., Regulation of Use of Public Beaches, Section 74-193, Drinking to Retitle Said Section to Read Drinking and Smoking so as to Prohibit Drinking of Intoxicating Beverages and Smoking of Cigarettes and any Tobacco Product upon the Public Beaches in the Town; Further, Creating a New Article VII Titled Smoking in Public Parks, Creating a New Section 74-284 Titled Prohibition of Smoking, so as to Prohibit the Smoking of Cigarettes and any Tobacco Product in the Public Parks in the Town; Providing a Penalty; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification and Providing an Effective Date.

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum dated June 30, 2022, from Nicholas Caristo, Chief of Police**
- ▣ **Ordinance No. 012-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Proposed Ordinance to Amend Chapter 74 of the Town Code, Relative to Parks and Recreation, to Prohibit Cigarette Smoking on Public Beaches and in Public Parks
Ordinance No. 012-2022

Date: June 30, 2022

GENERAL INFORMATION

Florida Governor Desantis recently signed proposed legislation from the 2022 Florida Legislature (CS/HB 105) that allows municipalities to restrict smoking within the boundaries of public beaches and public parks. This legislation affects Section 386.209 of the Florida Statutes and will be effective July 1, 2022.

STAFF RECOMMENDATION

Staff recommends the Town Council approve Ordinance 012-2022, amending Chapter 74 of the Town Code, relative to Parks and Recreation, to prohibit cigarette smoking on public beaches and in public parks.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed this ordinance and approved for legal form and sufficiency.

NC/wmr

cc: John Randolph, Town Attorney
Carolyn Stone, Assistant Town Manager

ORDINANCE NO. 012-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 74, PARKS AND RECREATION, ARTICLE II, DIVISION 3., REGULATION OF USE OF PUBLIC BEACHES, SECTION 74-193, DRINKING TO RETITLE SAID SECTION TO READ DRINKING AND SMOKING SO AS TO PROHIBIT DRINKING OF INTOXICATING BEVERAGES AND SMOKING OF CIGARETTES AND ANY TOBACCO PRODUCT UPON THE PUBLIC BEACHES IN THE TOWN; FURTHER, CREATING A NEW ARTICLE VII TITLED SMOKING IN PUBLIC PARKS, CREATING A NEW SECTION 74-284 TITLED PROHIBITION OF SMOKING, SO AS TO PROHIBIT THE SMOKING OF CIGARETTES AND ANY TOBACCO PRODUCT IN THE PUBLIC PARKS IN THE TOWN; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH AS FOLLOWS:

Section 1. Chapter 74, Parks and Recreation, Article II, Division 3, Regulation of Use of Public Beaches is hereby amended at Section 74-193, Drinking to read as follows:

74-193- DRINKING AND SMOKING

No person shall drink intoxicating beverages or smoke cigarettes or other tobacco products upon the public beaches within the Town. This provision shall not apply to private property owners or their authorized guests while on their respective private properties.

Section 2. These is hereby created within Chapter 74, Parks and Recreation a New Article VII titled Smoking In Public Parks and a new section 74-284 to be titled Smoking In Public Parks Prohibited to read as follows:

ARTICLE VII – SMOKING IN PUBLIC PARKS SECTION 74-284

Section 74-284. Smoking In Public Parks Prohibited. No Person shall smoke cigarettes or other tobacco products within the public parks of the Town.

Section 3. Penalty. Any person found guilty of a violation of this section shall be subject to the terms of Section 1-14 of this Code or, alternatively, the provisions of Chapter 2, Article V, Code Enforcement

Section 4. Severability. If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications

of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 5. Repeal of Ordinances in Conflict. All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 6. Codification. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach, Florida.

Section 7. Effective Date. This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 12th day of July, 2022, and for second and final reading this 9th day of August, 2022.

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

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: July 12, 2022

Section of Agenda

Ordinances - First Reading

Agenda Title

Proposed Ordinance to Amend Chapter 74, Parks and Recreation, to Modify Closures of Recreational Areas

ORDINANCE NO. 014-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 74, Parks and Recreation, by Creating New Article VI – Recreational Area Closures, and by Adding Sec. 74-282 and 74-283; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▣ **Memorandum dated June 28, 2022, from Nicholas Caristo, Chief of Police**
- ▣ **Ordinance No. 014-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 12, 2022

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Proposed Ordinance to Amend Chapter 74 of the Town Code, Relative to Parks and Recreation, to Modify Closures of Recreational Areas
Ordinance No. 014-2022

Date: June 28, 2022

GENERAL INFORMATION

During the regular Town Council Meeting on June 14, 2022, the Police Department brought forth the topic of codifying closure hours for Bradley Park and the Lake Trail as a proactive measure to increase community safety through crime prevention efforts. The Town Council asked that this endeavor be continued through the presentation of a proposed ordinance. This ordinance is the result of that direction providing for closure of Bradley Park and the Lake Trail, with the addition of Lake Drive Park from 11:00 p.m. to 5:00 a.m. Exceptions were created for deeded property owners on the Lake Trail immediately adjacent to their properties, for Town Marina customers accessing the Marina docks, and for Town staff or those working on their behalf.

STAFF RECOMMENDATION

Staff recommends the Town Council approve Ordinance 014-2022, amending Chapter 74 of the Town Code, relative to Parks and Recreation, to modify closures of recreational areas.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed this ordinance and approved for legal form and sufficiency.

NC/wmr

cc: John Randolph, Town Attorney
Carolyn Stone, Assistant Town Manager

ORDINANCE NO. 014-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 74, PARKS AND RECREATION, BY CREATING NEW ARTICLE VI – RECREATIONAL AREA CLOSURES, AND BY ADDING SEC. 74-282 AND 74-283; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town has experienced increased criminal activity in the late evening and early morning hours in Bradley Park and on the Lake Trail; and

WHEREAS, the propensity for criminal activity in Bradley Park, Lake Drive Park, and on the Lake Trail exists due in part to their locations and layouts; and

WHEREAS, in the interest of public safety and the protection of the public it is important that access to said areas be curtailed between the hours of 11:00 p.m. and 5:00 a.m. and subject to certain necessary exceptions.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Chapter 74, Parks and Recreation, is hereby amended by creating a new Article VI.– Recreational Area Closures, and by adding Sections 74-282 and 283, to read as follows:

ARTICLE VI – RECREATIONAL AREA CLOSURES

Sec. 74-282 – Closure of Bradley Park and Lake Drive Park

It shall be unlawful for any person to enter or go upon the grounds of Bradley Park and Lake Drive Park between the hours of 11 p.m. and 5 a.m. The Town Manager or the Town Manager's designee is authorized to post signs setting forth the prohibition set forth above. Any person found guilty of a violation of this section by being present during the closure shall be subject to the terms of Section 1-14 of this Code or, alternatively, the provisions of Chapter 2, Article V, Code Enforcement.

The following exceptions apply to this section: (1) Town personnel within the scope of their employment and other persons working on the behalf of the Town may enter and go upon Bradley Park and Lake Drive Park when said grounds are not open for public use. (2) The holder of a Special Event permit issued by the Town of Palm Beach granting specific authorization for such after-hours use. (3) Registered Town Marina customers and guests shall be allowed travel through Lake Drive Park as necessary for dock or vessel access when said park is not open for public use.

Sec.74-283 – Closure of Lake Trail

It shall be unlawful for any person to enter or go upon the grounds of Lake Trail between the Royal Park Bridge to its terminus in the 1300 block of North Lake Way between the hours of 11 p.m. and 5 a.m. The Town Manager or the Town Manager's designee is authorized to post signs setting forth the prohibition set forth above. Any person found guilty of a violation of this section by being present during the closure shall be subject to the terms of Section 1-14 of this Code or, alternatively, the provisions of Chapter 2, Article V, Code Enforcement.

The following exceptions apply to this section: (1) Town personnel within the scope of their employment and other persons working on the behalf of the Town may enter and go upon Lake Trail when said grounds are not opened for use. (2) Property owners with deeded access to the Lake Trail and/or their docks are granted access to their docks and the Lake Trail that is immediately adjacent to their property at all times.

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, Florida.

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 July, 2022, and for second and final reading this 9th day of August, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member