

REVISED

11:48 am, May 05, 2017

TENTATIVE:
SUBJECT TO
REVISION



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

**TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD**

AGENDA

MAY 9, 2017

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

Mayor Gail L. Coniglio
Richard M. Kleid, President
Danielle H. Moore, President Pro Tem
Julie Araskog
Bobbie Lindsay
Margaret A. Zeidman

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. RECOGNITIONS

- A.** Recognition of Nikita Zukov, Landmarks Preservation Commission, from May 2014 through March 2017
John S. Page, Director of Planning, Zoning & Building
- B.** Recognition of Pamela McIver, Recreation Advisory Commission, from

April 2009 through April 2017

Gail L. Coniglio, Mayor

V. PRESENTATIONS

- A.** Scholarship provided by the Palm Beach Civic and Citizens' Association *John Cregan, Palm Beach Civic Association and Lew Crampton, Citizens' Association of Palm Beach*
- B.** Scholarship Provided by the Palm Beach Country Club
David Mack, Palm Beach Country Club
- C.** Architectural Commission Presentations by Applicants
John S. Page, Director of Planning, Zoning & Building
- D.** Shore Protection Board Presentations by Applicants
H. Paul Brazil, P.E., Director of Public Works
- E.** Underground Utilities Task Force Presentations by Applicants
Thomas G. Bradford, Town Manager
- F.** Recreation Advisory Commission Presentations by Applicants
Beth Zickar, Director of Recreation

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

VII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

IX. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. **TOWN COUNCIL MEETING MINUTES:**

Sue Eichhorn, Acting Town Clerk

Page 11

a. March 30, 2017, Special Town Council Meeting Budget Workshop

b. April 12, 2017, Town Council Development Review Meeting Minutes

c. April 13, 2017, Regular Town Council Meeting Minutes

2. **LOCAL PLANNING AGENCY MEETING MINUTES:**

Sue Eichhorn, Acting Town Clerk

Page 54

a. April 12, 2017, Local Planning Agency Meeting Minutes

3. Approval of Major Matters Considered by the Architectural Commission at its meeting of April 26, 2017

John S. Page, Director of Planning, Zoning & Building

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B. RESOLUTIONS

1. RESOLUTION NO. 061-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Renewal of a Contract Between the Town and Humana Dental Insurance Company, to Provide Administrative Services for Group Dental Coverage; in an Amount not to Exceed \$28,000 and Authorizing the Town Manager to Take Actions Necessary to Effectuate This Contract. **Page 91**
Danielle Olson, Director of Human Resources
2. RESOLUTION NO. 062-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$62,814, to Isuzu Truck of Ocala, for a 2017 Tilt Cab and Chassis With a Combination Stake/Dump Body Truck Via FSA Bid No. 16-VEH, as Referenced in RFQ No. 56-2017, and Establishing a Project Budget of \$64,000. **Page 121**
H. Paul Brazil, P.E., Director of Public Works
3. RESOLUTION NO. 063-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$24,368, to Duval Ford, for a 2017 Ford Transit Utility Cargo Van Via FSA Bid No. 16-VEH14.0, as Referenced in RFQ No. 55-2017, and Establishing a Project Budget of \$26,000. **Page 127**
H. Paul Brazil, P.E., Director of Public Works
4. RESOLUTION NO. 064-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Purchase Order No. 170171 to Navistar Inc., in the Amount of \$7,500, for the Procurement of Parts for the Remaining FY17 Budget, Thereby Increasing the Total Purchase Order Amount from \$24,500 to \$32,000. **Page 134**
H. Paul Brazil, P.E., Director of Public Works
5. RESOLUTION NO. 065-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Universal Electric of Florida, Inc., and C.R. Dunn, Inc., for Electrical Maintenance and Repair Services in a Cumulative Total Amount Not-to-Exceed \$174,000. **Page 138**
H. Paul Brazil, P.E., Director of Public Works
6. RESOLUTION NO. 066-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing Authorization for a Contract Extension for Tree Trimming and Pruning Services to Zimmerman Tree Service, in an Amount Not-to-Exceed \$178,900 for Tree Trimming and Pruning Services, and Establishing a Project Budget of \$187,850. **Page 144**
H. Paul Brazil, P.E., Director of Public Works
7. RESOLUTION NO. 067-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a **Page 149**

Purchase Order for Construction Phase Engineering Services to Mock Roos & Associates, Inc., in an Amount of \$34,570 for the Australian Avenue Sanitary Sewer and Parking Lot Improvements, and Establishing a Construction Phase Budget of \$38,500.

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

8. RESOLUTION NO. 068-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2017-20 and Approving a Construction Contract to Hinterland Group, Inc., for the Australian Avenue Sanitary Sewer and Parking Lot Improvements, in the Amount of \$228,580 and Establishing a Construction Phase Budget of \$252,000.

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

9. RESOLUTION NO. 069-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Pre-Construction Contract and Approving a Change Order to Purchase Order No. 170866 in the Amount of \$43,054 to Hedrick Brothers Construction, Inc., for the Second Task Associated with Pre-Construction Phase Services for the Seaview Park and Palm Beach Recreation Center Improvements, for a Total Amount of \$76,142 and Accepting a Donation of \$43,054 from Friends of Recreation Which Represents an Advanced Contribution, Which will be Designated as a Grant Off-Set Toward Their One-Third (1/3) Share of the Project Costs Previously Committed.

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

10. RESOLUTION NO. 070-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2017-17 for Lake Trail Improvements from Royal Poinciana Way to the Sailfish Club and Approving a Construction Contract to R and D Paving, LLC in the Amount of \$902,541.75 and Establishing a Construction Phase Budget of \$952,541.75.

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

11. RESOLUTION NO. 071-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing an Increase to Purchase Order No. 170885 to GL Distributors, Inc. in the Amount of \$10,001 for Approving Purchase of Bullet Proof Vests and Shirt Carriers for a New Total Budget of \$30,000; and Providing an Effective Date.

Kirk W. Blouin, Director of Public Safety

12. RESOLUTION NO. 072-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing an Increase to Purchase Order 170244 to Citation Communications, Inc. in the Amount of \$20,000 for Radio Repairs, Equipment, and System Upgrade and Approving a Total Budget of \$29,800; and Providing an Effective Date.

Kirk W. Blouin, Director of Public Safety

13. RESOLUTION NO. 073-2017 A Resolution of the Town Council of

the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of a Lenovo Server and Additional Memory on the State of Florida Contract 43211500-WSCA-15ACS and TCPN Contract R5110 to PCMG in the Amount of \$54,057.40 and Establishing a Budget of \$57,000 for Purchases in Fiscal Year 2017.

Jay Boodheshwar, Deputy Town Manager

14. RESOLUTION NO. 074-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of a Dell Isilon Network Area Storage Solution on State of Florida Contract MNWNC-10943211500-WSCA-15-ACS to CDWG in the Amount of \$138,577.68 and Establishing a Budget of \$145,000 for Purchases in Fiscal Year 2017; and Authorizing the Town Manager to Execute this Purchase on Behalf of the Town.

Page 201

Jay Boodheshwar, Deputy Town Manager

15. RESOLUTION NO. 075-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing Authorization for a Contract Extension for the Worth Avenue Commercial District Maintenance Program to Battalan Enterprises dba Property Works, in an Amount Not-To-Exceed \$135,865.31 and Establishing a Project Budget of \$149,455 for the Worth Avenue Commercial District Maintenance Program, Which is a Non-Advalorem Assessment Paid for by the Property Owners Within the Assessment Area.

Page 206

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

16. RESOLUTION NO. 076-2017 A Resolution of the Town Council of Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to PO No. 160900 to Auxis Managed Solutions, LLC. in the Amount of \$95,000 for the Provision of Information Technology Support Services for the Office of Information Technology.

Page 212

Jay Boodheshwar, Deputy Town Manager

C. OTHER

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

Page 219

Thomas G. Bradford, Town Manager

X. BOARD/COMMISSION ANNUAL REPORT

- A. Code Enforcement Board Annual Report

Page 223

James M. Ballentine, Jr., Chair

XI. COMMITTEE REPORTS

- A. Report of the Public Works Committee Meeting of March 31, 2017

Page 229

Margaret A. Zeidman, Chair

1. Use and Improvements of Public Beach Accesses
H. Paul Brazil, P.E., Director of Public Works

- B. Report of the Ordinances, Rules & Standards Committee Meeting of April 6, 2017
Bobbie Lindsay, Chair

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XII. REGULAR AGENDA

A. Old Business

1. Status Report Regarding the Potential Sale of 5976 Okeechobee Blvd.

Page 244

Jay Boodheshwar, Deputy Town Manager

2. **Coastal Update:**

Page 324

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

- a. Shoreline Condition Update

b. RESOLUTION NO. 077-2017 - A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Coastal Engineering Services to Applied Technology & Management, Inc., in an Amount of \$42,598 for an Alternatives Assessment of the Breakers/Clarke Avenue Beach Area, and Establishing a Professional Services Task Budget of \$50,000.

3. Town-wide Underground Utility Project:

Page 333

Thomas G. Bradford, Town Manager

- a. Project Update

- b. Report of Fire Rescue Calls Related to Overhead Utility Lines

Page 338

Deputy Fire Chief, Darrell Donatto

- c. Underground Utility Project Dashboard

Page 352

Jane Struder, Director of Finance

- d. Discussion on Cost and Effectiveness of Cornerstone Solutions Communications Program for Town-wide Undergrounding Project

Page 364

Julie Araskog, Town Council Member

4. Discussion of Term Limits for Remainder of All Town Boards and Commissions

Page 457

Thomas G. Bradford, Town Manager

B. New Business

1. Appointment to the Architectural Commission

Page 460

John S. Page, Director of Planning, Zoning & Building

2. Appointment of Shore Protection Board Alternates

Page 472

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

3. Appointment to Underground Utilities Task Force **Page 482**
Thomas G. Bradford, Town Manager
4. Appointments to the Recreation Advisory Commission **Page 499**
Beth Zickar, Director of Recreation
5. RESOLUTION NO. 060-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standards Applicable to Public Rights-of-Way and Easements, Amending Chapter XII, Miscellaneous Provisions: Completion of Work, Construction, Parking, Easements, Fines, and Material Deliveries, and the Enforcement Thereof. **Page 506**
H. Paul Brazil, P.E., Director of Public Works
6. Request Conceptual Approval for Easement Abandonment and Rededication for the El Bravo-Singer Annex Replat **Page 515**
H. Paul Brazil, P.E., Director of Public Works
7. Consideration of Conducting a Consolidated Town Council Meeting on Wednesday, August 9, 2017
Danielle H. Moore, President Pro-Tem, Town Council

C. Matters Pulled From Consent Agenda: If needed

XIII. ORDINANCES

A. First Reading

1. ORDINANCE NO. 14 - 2017 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 114 Taxation, Article II, Local Business Tax, at Section 114-43 Schedule, so as to Amend the Fees Delineated for Each Business, Profession or Occupation; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. **Page 520**
John S. Page, Director of Planning, Zoning & Building Dept.

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: No written materials received after 3:30 p.m. on the Thursday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Thursday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.

Note 2: The progress of this meeting may be monitored by visiting the Town's

website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.

- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- Note 6:** All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

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

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

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

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

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

Town of Palm Beach Meeting Schedule

5/3/17

Town Council Meeting-Regular Business

May 9, 2017, 9:30 AM -5:00 PM

[More Details](#)

Town Council Meeting-Development Review

May 10, 2017, 9:30 AM -5:00 PM @ Council Chambers

[More Details](#)

Selection Committee Meeting for RFP No. 2017-08 - Multi-Space Parking Kiosks, Purchase and Installation

May 15, 2017, 9:00 AM -1:00 PM @ Public Works Meeting Room

[More Details](#)

Planning and Zoning Commission Meeting

May 16, 2017, 9:30 AM -5:00 PM

[More Details](#)

Landmarks Preservation Commission (LPC) Meeting

May 17, 2017, 9:30 AM -5:00 PM @ Council Chambers

[More Details](#)

Code Enforcement Board Meeting

May 18, 2017, 2:00 PM -5:00 PM @ Council Chambers

[More Details](#)

Retirement Board Meeting

May 19, 2017, 9:00 AM -2:00 PM @ Council Chambers

[More Details](#)

Investment Advisory Committee Meeting

May 19, 2017, 2:30 PM -5:00 PM @ Council Chambers

[More Details](#)

Architectural Commission (ARCOM) Meeting

May 24, 2017, 9:00 AM -5:00 PM @ Council Chambers

[More Details](#)

Memorial Day-Town Hall Offices Closed

May 29, 2017, All Day

[More Details](#)

Commencement of Hurricane Season

June 1, 2017, All Day

[More Details](#)

Underground Utilities Task Force (UUTF) Meeting

June 9, 2017, 9:00 AM -1:00 PM @ Council Chambers

[More Details](#)

Ordinances, Rules, and Standards Committee Meeting

June 12, 2017, 9:30 AM - 2:00 PM @ Council Chambers

[More Details](#)

Town Council Meeting-Regular Business

June 13, 2017, 9:30 AM - 5:00 PM

[More Details](#)

Town Council Meeting-Development Review

June 14, 2017, 9:30 AM - 5:00 PM @ Council Chambers

[More Details](#)

Code Enforcement Board Meeting

June 15, 2017, 2:00 PM - 5:00 PM @ Council Chambers

[More Details](#)

Planning and Zoning Commission Meeting

June 20, 2017, 9:30 AM - 5:00 PM

[More Details](#)

Landmarks Preservation Commission (LPC) Meeting

June 21, 2017, 9:30 AM - 5:00 PM @ Council Chambers

[More Details](#)

Architectural Commission (ARCOM) Meeting

June 28, 2017, 9:00 AM - 5:00 PM @ Council Chambers

[More Details](#)

Fourth of July-Town Hall Offices Closed

July 4, 2017, All Day

[More Details](#)

Underground Utilities Task Force (UUTF) Meeting

July 6, 2017, 9:00 AM - 5:00 PM @ Council Chambers

[More Details](#)

Town Council Meeting-Budget Meeting

July 11, 2017, 9:30 AM - 5:00 PM

[More Details](#)

Town Council Meeting-Regular Business and Development Review

July 12, 2017, 9:30 AM - 5:00 PM @ Council Chambers

[More Details](#)

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda Minutes

Agenda Title

TOWN COUNCIL MEETING MINUTES:

Sue Eichhorn, Acting Town Clerk

- a. March 30, 2017, Special Town Council Meeting Budget Workshop
- b. April 12, 2017, Town Council Development Review Meeting Minutes
- c. April 13, 2017, Regular Town Council Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **Minutes of Special Town Council Meeting Budget Workshop, March 30, 2017**
- ▣ **Minutes of Town Council Meeting, April 12, 2017**
- ▣ **Minutes of Town Council Meeting, April 13, 2017**

**MINUTES OF SPECIAL TOWN COUNCIL MEETING BUDGET WORKSHOP
ON THURSDAY, MARCH 30, 2017.**

I. CALL TO ORDER AND ROLL CALL

The Special Town Council meeting was called to order on Thursday, March 30, 2017, at 9:30a.m., in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. PLEDGE OF ALLEGIANCE

Council President Kleid led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

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

IV. COMMUNICATION FROM CITIZENS – 3 MINUTE LIMIT

Pat Cooper, Palm Beach Civic Association, thanked Jane Struder for putting together a detailed review, vocalized that he believes that the Long Term Forecast of 2.1% leaves very little wiggle room for tax payers, questioned the estimate accuracy, and requested to see how the Town did with the budget from the previous year.

V. FLORIDA MUNICIPAL BUDGET REQUIREMENTS (TRIM)

Jane Struder, Finance Director, gave an overview of the Florida Trim Law and what the requirements are that have been established. She also briefly discussed what the state, county, and local governments time table is for budgets and milages rate.

VI. TOWN OF PALM BEACH REQUIREMENTS

Jane Struder, Finance Director, provided an overview of the Town of Palm Beach Budget Legal charter and code requirements.

Thomas G. Bradford, Town Manager, explained the Town Code and his role in preparing and submitting the budget for the Town Council to review. In addition, keep the Council fully advised as to the financial future of the Town and make a complete report on the finances and administrative activities at the end of each fiscal year.

1 A. CHARTER REQUIREMENTS

2
3 This item was covered in the above presentation.

4
5 B. CODE REQUIREMENTS

6
7 This item was covered in the above presentation.

8
9
10 **VII. TOWN OF PALM BEACH FUND STRUCTURE**

11
12 Jane Struder, Finance Director, gave an overview of how the budget is structured by way of
13 funds. She provided greater detail of the types of funds and where the money is generated from.
14 Additional overviews were provided of the General Fund Trend Analysis, summarized a
15 forecast of the General Fund Long Term Financial Plan, General Fund Revenue Forecast
16 Details, General Fund Expenditure Forecast Details, Recreation Enterprise Fund Trend
17 Analysis, Recreation Enterprise Fund Forecast Summary, Capital Funds, Other Funds, and
18 Reserve Analysis.

19
20 **VIII. BUDGET PREPARATION PROCESS**

21
22 Jane Struder, Finance Director, stated Town staff already completes a zero-line item budgeting
23 process, the steps that the Town staff takes to review the items with each department, and
24 explained that each year departments are given a budget target with expense items within each
25 one. The basis is on the Long Term Financial Plan. Finally, Director Struder provided
26 information as to when the FY 18 Budget will be presented. i.e. July 11, 2017.

27
28 A. ZERO LINE-ITEM BUDGETING

29
30 This item was covered in the above presentation.

31
32 B. TARGET BASED BUDGETING (LTFP)

33
34 This item was covered in the above presentation.

35
36 C. FY18 BUDGET PRESETATION PLAN

37
38 This item was covered in the above presentation.

39
40 **IX. FY17 LONG TERM FINANCIAL PLAN**

41
42 Jane Struder, Finance Director, gave an overview of the FY17 Long Term Financial Plan,
43 including trend analysis of the General Fund Revenue and Expenditure, General Funds
44 Forecast, Recreation Enterprise Funds, Capital Funds, Other Funds, and the Reserve Status, all
45 of which included graphs and percentages.

1 After the presentation, discussion ensued with questions from Council for Staff on the entire
2 presentation.

3 Council Member Araskog commented on the great job that Staff did putting together this
4 presentation.

5
6 Council Member Lindsay asked Staff, in addition to the General Fund, to show how much the
7 Town has overfunded and if there is a minimum required.

8
9 Jane Struder, Finance Director, explained that in the most of other funds there are not any
10 required policy driven minimums and the General Fund, Equipment Fund, and Risk Fund may
11 have more money in the Fund for unseen needs.

12
13 Council Member Lindsay inquired about the percentage of excess funds in the budget over the
14 years.

15
16 Jane Struder, Finance Director, explained that additional analysis would need to be done to
17 give a firm answer but typically the Budget is lower than the Forecast and each year the
18 Forecast becomes lower due to that factor.

19
20 Discussion ensued due to Council Member Lindsay's concern of the Unfunded Liability going
21 forward and using the excess funds from the budget to pay down the Unfunded Liability in the
22 next year.

23
24 Council Member Moore reminded Council that a portion of the excess money would be used
25 toward the Unfunded Liability.

26
27 Town Manager Bradford confirmed Council Member Moore's comment, clarified what the
28 Operational Budget of the departments is, the current pension costs from those departments,
29 and the Council decides how to utilize the extra ordinary contribution.

30
31 Council Member Araskog recommended taking a little from both the Operational Budgets of
32 the Departments and the excess funds from the budget.

33
34 Jane Struder, Finance Director, clarified questions throughout the discussion as to amounts,
35 usage of funds, and possible results if changes were made.

36
37 Mayor Coniglio agreed that if excess funds are large Council must find an appropriate offset
38 and warned Council of the slippery slope if a policy changed is made. Additionally, she
39 requested clarification on how Zero-Line Item Budgeting will change what Staff already does
40 and to expand on Long Term Financial assumptions beyond 5 years.

41
42 Town Manager Bradford explained Staff was already doing Zero-Line Item Budgeting and the
43 only difference moving forward will be the paperwork.

44
45 Council Member Zeidman inquired why was there an increase in expenditures and to include
46 the dollar amount?

1 Council Member Lindsay asked for more detailed information on the Operating Expenditures
2 increases.

3 Jane Struder, Finance Director, answered by explaining Pension and Coastal Protection were
4 the leading causes to the increase in expenditures, Town had a large retirement group,
5 investment loss, employee benefits, contractual costs, equipment replacement became more
6 expensive, and library costs increased. Additionally, Struder explained information on
7 employee benefits and health costs.
8

9 Council Member Araskog queried about what the Town is doing on an annual basis to make
10 sure we have enough funds and are we adding funds to cover the Long Term Outlook.
11

12 Discussion ensued regarding having enough funds and an overall outlook on increases, long
13 term financial plan for the docks, and Zero-Line Budgeting reviewed by the Council before it
14 is ratified.
15

16 Town Manager Bradford closed the conversation by giving an overview of Finance Director
17 Struder's presentation and explained what the Council will need to consider before making any
18 final decisions.
19

20 **X. ANY OTHER MATTERS**

21 There are none.
22
23

24 **XI. ADJOURNMENT**

25
26 **There being no further business, the March 30, 2017, Special Town Council Workshop**
27 **meeting was adjourned at 11:57 a. m.**
28

29 APPROVED:

30
31
32
33 _____
34 Richard M. Kleid
35 Town Council President

36 ATTEST:

37
38 _____
39 Susan A. Owens, MPA, MMC
40 Town Clerk

41
42 _____
43 Date

MINUTES OF THE DEVELOPMENT REVIEW TOWN COUNCIL MEETING HELD
ON WEDNESDAY, APRIL 12, 2017

I. CALL TO ORDER AND ROLL CALL

The Development Review Town Council meeting was called to order on Wednesday, April 12, at 9:45 A.M., in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Deputy Clerk Ruderman gave the invocation. Council President Kleid led the Pledge of Allegiance.

III. RECOGNITIONS - None

IV. PRESENTATIONS

A. Palm House Receiver's Request for an Extension of the Conditional Abatement
Conferred in December 2016

John S. Page, Director of Planning, Zoning & Building

Cary Glickstein, Court appointed receiver for the Palm House Hotel, made his presentation. He requested an extension of the 120-day fine abatement approved in December, 2016. Hedrick Brothers has subsequently identified all public safety and aesthetic issues needing correction as directed by the Fire Marshall, Director of Public Works and Town Manager. If granted, all previous conditions of approval should apply.

Council member Lindsay identified a letter from a Brazilian Avenue resident and attorney, John Eubanks. His attorney argued that an extension would erode the Town's ability to collect funds in the future. Town Attorney Randolph did not agree with this position.

Mr. Glickstein also disagreed with Mr. Eubanks. If the Town discontinues the abatement, the receivers most potent opposition to the pending request from other lawyers to use funds in the receiver's custody to pay for things other than the court mandate would be diminished.

Motion was made by Council Member Zeidman, and seconded by Council Member Araskog, to extend the abatement for an additional 120-days subject to the same conditions as the initial abatement. On roll call, the motion carried 4-1, with Council Member Moore dissenting.

V. COMMENTS OF MAYOR GAIL L. CONIGLIO - none

VI. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER - none

VII. COMMUNICATIONS FROM CITIZENS

VIII. APPROVAL OF AGENDA

The following changes were made to the agenda:

Deferrals: The following items were deferred to the May 10, 2017, Town Council meeting:

- Item No. XI.C.1.a., Variance #1-2017
- Item No. XI.C.1.b., Special Exception #29-2016 With Site Plan Review and Variance

The following item was deferred to the June 14, 2017, Town Council meeting:

- Item No. XI.C.1.d., Special Exception #5-2017

Motion was made by Council Member Lindsay, and seconded by Council Member Zeidman, to approve the Agenda, as amended above. On roll call, the motion carried unanimously.

IX. PUBLIC HEARINGS

- A. RESOLUTION NO. 55-2017 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 210 Dunbar Road Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

John S. Page, Director of Planning, Zoning & Building

Director Page summarized the actions of the Landmarks Preservation Commission.

Deputy Clerk Ruderman swore in all who would be providing testimony.

Landmark Consultant, Janet Murphy of Murphy Stillings, LLC, provided further details pertaining to the property.

Motion was made by Council President Pro tem Moore, and seconded by Council Member Lindsay, that the Designation Report become part of the record. On roll call, the motion carried unanimously.

Motion was made by Council President Pro Tem Moore, and seconded by Council Member Araskog, to approve Resolution No. 55-2017 approving the landmark. On roll call, the motion carried unanimously.

- B. RESOLUTION NO. 56-2017 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 125 Australian Avenue Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

1 *John S. Page, Director of Planning, Zoning & Building*

2 Director Page summarized the actions of the Landmarks Preservation
3 Commission.

4 Landmark Consultant, Emily Stillings of Murphy Stillings, LLC, provided further
5 details pertaining to the property.

6 **Motion was made by Council Member Araskog, and seconded by Council Member**
7 **Zeidman, that the Designation Report become part of the record. On roll call, the**
8 **motion carried unanimously.**

9 **Motion was made by Council Member Araskog, and seconded by Council Member**
10 **Zeidman, to approve Resolution No. 56-2017 approving the landmark. On roll call,**
11 **the motion carried unanimously.**

12 X. RESOLUTIONS

13 XI. DEVELOPMENT REVIEWS

14 A. Appeals

15 B. Time Extensions and Waivers

- 16 1. Request for One Year Time Extension, Variance No. 3-2016, 1050 North Ocean
17 Boulevard

18 *John S. Page, Director of Planning, Zoning & Building*

19 Ex-parte communications were declared.

20 Attorney Ziska provided an overview of the applicant's request.

21 Zoning Administrator Castro provided Staff comments.

22 **Motion was made by Council Member Zeidman, and seconded by Council Member**
23 **Lindsay, to approve a one-year time extension for the variance at 1050 North**
24 **Ocean Boulevard. On roll call, the motion carried unanimously.**

25 C. Variances, Special Exceptions, and Site Plan Reviews

26 1. Old Business

- 27 a. VARIANCE #1-2017 The application of Rosemin Stanoytchev; relative to
28 property commonly known as 157 Peruvian Ave., described as lengthy legal
29 description on file; located in the R-C Zoning District. The applicant is
30 requesting a variance to build a two-story, 3,911 square foot (including the
31 garage) single-family residence on a lot with an area of 6,250 square feet, in
32 lieu of the 10,000 square foot minimum required, and a lot width of 50 feet, in
33 lieu of the 75 foot minimum required. [Attorney: David E. Klein, Esq.]
34 [Architectural Commission deferred the project to the April 26, 2017 meeting.
35 Carried 7-0] Request for Deferral to the May 10, 2017, Town Council Meeting
36 Per Letter Dated March 24, 2017 from David E. Klein.

37 *John S. Page, Director of Planning, Zoning & Building - Item was deferred to*
38 **May 10, 2017, Town Council meeting**

1 b. SPECIAL EXCEPTION #29-2016 WITH SITE PLAN REVIEW AND
2 VARIANCES The application of Gregory Fisher; relative to property commonly
3 known as 320 Seabreeze Ave., described as lengthy legal description on file;
4 located in the R-B Zoning District. The applicant is requesting for approval of a
5 special exception with site plan review to allow the construction of a 2,713
6 square foot two-story, single family residence on two platted lots which
7 combined creates a lot that is 50 feet in width in lieu of the 100 foot minimum
8 required and 6,125 square feet in area in lieu of the 10,000 square foot
9 minimum area required. The following variances are being requested. To allow
10 a 6 foot east side yard setback for the two story portion in lieu of the 15 foot
11 minimum required and to allow a 6 foot west side yard setback for the one
12 story portion in lieu of the 12.5 foot minimum required. [Attorney: Maura Ziska,
13 Esq.] [Architectural Commission deferred the Project to the April 26, 2017
14 meeting. Carried 7-0] Request for Deferral to the May 10, 2017, Town Council
15 Meeting Per Letter Dated March 28, 2017 from Maura Ziska.

16 *John S. Page, Director of Planning, Zoning & Building - Item was deferred to*
17 *May 10, 2017, Town Council meeting*

18 c. SPECIAL EXCEPTION #30-2016 WITH SITE PLAN REVIEW AND
19 VARIANCES The application of Town of Palm Beach (Tom Bradford, Town
20 Manager); relative to property commonly known as 340 Seaview Ave.,
21 described as lengthy legal description on file; located in the R-B Zoning
22 District. The applicant is requesting a special exception with site plan review
23 to approval to allow a new two-story 33,810 square foot Recreation Center for
24 the Town of Palm Beach that will include a new athletic field, parking lot,
25 gymnasium, tennis pro shop, multi-purpose room, fitness center with locker
26 rooms, concession area, classrooms, offices and new maintenance building,
27 new tennis backboard, new scoreboard. A second special exception request
28 is to allow for a rebound wall to be constructed on the north side of the new
29 maintenance building. The following variances are being requested in order
30 to construct the new community center: 1) A west side yard setback of 10 feet
31 in lieu of the 30 foot minimum required for properties that are in excess of
32 20,000 square feet; 2) A north side yard setback of 8 feet in lieu of the 30 foot
33 minimum required for properties that are in excess of 20,000 square feet; 3)
34 A street rear yard setback for the new parking lot on Royal Palm Way of 4
35 feet in lieu of the 35 foot minimum required for properties that are in excess of
36 20,000 square feet; 4) an east side yard setback of 4 feet in lieu of the 30 foot
37 minimum required for the new parking lot on Royal Palm Way for properties
38 that are in excess of 20,000 square feet; 5) a height of 27 feet in lieu of the 22
39 foot maximum allowed; 6) an overall height of 35 feet in lieu of the 30 foot
40 maximum allowed; 7) a vertical distance to the top of beam of 30.75 feet in
41 lieu of the 26 foot maximum distance allowed from the crown of street to top
42 of beam; 8) landscaped open space of 43% in lieu of the 55% minimum
43 required for properties that are in excess of 20,000 square feet; 9) parking lot
44 interior landscaped open space of 5% in lieu of the 10% minimum required;
45 10) to allow signage on the proposed scoreboard which would exceed the
46 maximum signage allowed (of one for each street frontage); 11) to allow three
47 (3) air-conditioning units to be on the roof that is in excess of the 4 foot
48 maximum allowed. The proposed A/C units will be 5 feet tall plus the height of
49 the stand. [Attorney: Maura Ziska, Esq.] [Architectural Commission

Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property with existing parking or Option B. Carried 4-3] [Architectural Commission conditionally approved the project. The condition of the approval was to make changes to the interior of the building and to bring materials back for consideration. Carried 4-3]

TIME CERTAIN 11:00 A.M.

- 1) Funding Update and Cash Flow Analysis
- 2) Approval of Updated Donor Opportunities List

John S. Page, Director of Planning, Zoning & Building

(Clerk's Note: 1) and 2) above were heard after XI.C.2.d.)

Ex-parte communications were declared.

Town Attorney Randolph clarified that since this is a quasi-judicial hearing that decisions are to be made based only on evidence heard today.

Deputy Town Clerk Ruderman swore in those who would be providing testimony.

Deputy Town Manager Boodheshwar provided an overview of the project. Mayor Coniglio asked Mr. Boodheshwar to speak on concerns of the community and to clarify issues. **Concerns of the community:**

- 1) **Why is gym space needed?** The gymnasium is also an auditorium and serves as the primary area for many programs and special events. He outlined current programs that currently take place in the gymnasium. In addition, numerous outdoor sports will have an indoor space in which to play.
- 2) **Proposed building is too large.** The extra height on gymnasium is minimal, only 4 ½ feet taller than existing. The building has been significantly down-sized during its many months of public review.
- 3) **Loss of outdoor green space.** There is now a zero net loss in green space.
- 4) **Outdoor basketball courts lost.** New full length, adjustable courts are now proposed. Courts are used more for many different activities.

Public Works Director Paul Brazil reported that the Public Works staff conducted a visual inspection of the existing recreation center.

Director Brazil provided cost estimates to replace 12-year old roof, non ADA compliant bathrooms, windows, doors, HVAC, insulation, electrical system, complete ceiling replacement, interior walls, flooring, interior doors, cabinets, appliances, low voltage system and paint.

Any renovation in excess of 50% of the market value of the structure triggers a need to physically raise the building. Costs are unknown.

Director Brazil suggested developing a scope of work and a phasing plan. He spoke about the challenges that may be faced during a renovation and how it would not be the cost effective approach to managing the building.

1 Deputy Town Manager Boodheshwar provided figures for cost of renovation
2 versus new construction.

3 It may be cost prohibitive to elevate the building. Conservative
4 projections that were completed by a third party consultant revealed that
5 the financial picture for the recreation center would improve with new
6 spaces.

7 Discussion took place on inspections, appraisals, renovation, insurance,
8 subsidies and town serving requirements.

9 Architect Nelo Freijomel explained the difference of aesthetic inspection
10 versus physical inspection performed by Public Works.

11 Renovation versus new construction costs and property appraisals were
12 discussed.

13 Zoning Administrator Castro provided Staff comments.

14 Attorney Ziska provided details on the project and explained that it has
15 been drastically reduced. Ms. Ziska also described the hardship facing
16 the Town.

17 Architect Freijomel provided additional details on the site plan, floor plan,
18 elevation, and green space.

19 Discussion took place on green space. Council Member Lindsay
20 suggested that one of the private offices jutting into the north lawn, be
21 reduced.

22 The following resident comments were heard following a five-minute
23 recess:

24 Michael Ainslie, 202 Plantation Road, gave a brief update on fundraising
25 efforts.

26 Alan Cicklin, 260 Pendleton Avenue, offered support for the recreation
27 center.

28 Elena Foster, 162 Dolphin Road, offered support for the recreation center.

29 Melissa Cariale, 230 South Ocean Boulevard, offered support for the
30 recreation center.

31 Steve Hall, 230 El Dorado Lane, spoke in opposition of the recreation
32 center.

33 Anne Pepper, 333 Seaspray Avenue, spoke in opposition of the
34 recreation center.

35 Peggy Moore, 220 El Bravo Way, spoke in opposition of the recreation
36 center.

37 Susan Watts, 44 Cocoanut Row, spoke in opposition of the recreation
38 center.

1 Jeff Cloninger, 411 Brazilian Avenue, spoke in opposition of the
2 recreation center.

3 Kooshe Aiken, 145 Seagate Road, spoke in opposition of the recreation
4 center.

5 Michael Tecot, Palm Beach resident, offered support for the recreation
6 center.

7 Anita Seltzer, 44 Cocoanut Row, spoke about flaws in the
8 Comprehensive Plan.

9 Ann Summers, 215 El Bravo Way, offered support for the recreation
10 center but suggested it should be deferred.

11 Pam McIver, 695 Island Drive, offered support for the recreation center.

12 Bob Wildrick, 220 Nightingale Trail, requested that hardships should be
13 properly documented to avoid having to spend money on legal fees. He
14 spoke about quality of life and how the Town should monitor projects in a
15 way so that the entire town is not continually disrupted.

16 Discussion took place on whether variances requested are held to a
17 minimum. Council Member Araskog feels that this vote should be
18 deferred. Mayor said this has been an open and transparent process and
19 offered options for moving forward. She provided a list of construction
20 projects and projected completion dates.

21 Attorney Randolph asked Mr. Castro if the project was consistent with the
22 Comprehensive Plan. Zoning Administrator Castro stated that this project
23 is consistent with the Comprehensive Plan.

24 Attorney Randolph addressed criteria as part of the Special Exception
25 and noted that there is enough evidence in the record to show that this
26 project is Town serving.

27 Discussion took place on the intended timeframe of this project.

28 Council member Lindsay spoke about community division on the project
29 and was proud of how the community came together to reach a
30 compromise.

31 Attorney Randolph determined that based upon the evidence presented
32 today that all the requirements for Town Serving conditions have been
33 met. He believes that enough evidence was presented today for Council
34 to make a decision.

35 **Motion was made by Council Member Zeidman, and seconded by Council**
36 **President Kleid, that Special Exception #30-2017 shall be granted based upon the**
37 **finding that such grant will not adversely affect the public interest and that the**
38 **applicable criteria set forth in Section 134-229 of the Town Code have been met.**
39 **Motion carried 4-1, with Council Member Araskog dissenting.**
40

41 **Motion was made by Council Member Zeidman, and seconded by Council**
42 **President Kleid, that Site Plan #30-2017 be approved based upon the finding that**
43 **the approval of the site plan will not adversely affect the public interest and that**

1 the Council certifies that the specific zoning requirements governing the
2 individual use have been met and that satisfactory provision and arrangement has
3 been made concerning Section 134-329, items 1 through 11. On roll call, the
4 motion carried 3-2, with Council Members Araskog and Lindsay dissenting.

5 Motion was made by Council Member Zeidman, and seconded by Council
6 President Kleid, that Variance #30-2017 shall be granted and find, in support
7 thereof, that all of the criteria applicable to this application as set forth in Section
8 134-201(a), items 1 through 7 have been met. In addition, this is a hardship based
9 on the following: 1) This is a unique situation (area of town) where a residential
10 code is being applied to a town recreation center. 2) Configuration of existing
11 amenities (i.e. soccer field to north, tennis and playground to east and south, and
12 outdoor court to west) constrain what we can be built in this area. Relief from this
13 code is essential and reasonable. 3) Open green space does not change and in
14 fact, may be enhanced. On roll call, the motion carried 3-2, with Council Members
15 Araskog and Lindsay dissenting.

16
17 Zoning Administrator Castro requested that a Construction Management
18 Agreement be implemented to address staging and work hours. It was the
19 consensus of Council Members that such an agreement be presented at
20 the June Town Council meeting.
21

- 22 d. SPECIAL EXCEPTION #5-2017 The application of 305 Concepts, LLC
23 ("Coyo Taco"); relative to property commonly known as 340 Royal
24 Poinciana Way, Ste. 337A, described as lengthy legal description on file;
25 located in the C-PC Zoning District. The applicant is requesting a special
26 exception approval to operate a 3,260 square foot (196 square feet of
27 open standing area, 2,103 square feet of dining and taqueria, and 961
28 square feet of support), 80 seat restaurant, which will feature Mexican
29 cuisine. The proposed restaurant will be located in the southwest corner
30 of the Royal Poinciana Plaza (formerly "Edwards" salon). The proposed
31 hours of operation are as follows: Sunday through Thursday – Lunch and
32 Dinner – 11 a.m. to 1 a.m. Friday and Saturday – Lunch and Dinner – 11
33 a.m. to 2 a.m. The existing 2,130 square foot retail space attributed to
34 seating accounts for only 7 parking spaces. The subject tenant space can
35 only support 21 seats based on the off-street parking requirements and
36 principle of equivalency determination. The special exception request is
37 also to allow the transfer of 59 seats grandfathered from the former
38 McCarty's restaurant in the Plaza to this proposed restaurant. This would
39 leave a maximum of 92 seats that could be used at the former McCarty's
40 restaurant tenant space. [Attorney: Maura Ziska, Esq.] Special Exception
41 was conditionally approved on March 15, 2017. Consideration of
42 Proposed Declaration of Use Agreement incorporating conditions of
43 approval now pending.

44 *John S. Page, Director of Planning, Zoning & Building - Item was*
45 *deferred to June 14, 2017, Town Council meeting*

46 2. New Business

- 47 a. SPECIAL EXCEPTION #6-2017 The application of Sant Ambroeus
48 (Dimitri Pauli); relative to property commonly known as 340 Royal

Poinciana Way, Ste. 304, described as lengthy legal description on file; located in the C-PC Zoning District. The applicant is requesting a special exception with site plan approval to allow twenty (20) seats to be shifted from inside Sant Ambroeus and relocated around the fountain for outdoor dining when weather permits. The proposed restaurant is located in the northeast corner of the Plaza and the outdoor dining will be adjacent to the restaurant on the newly created patio around the east fountain. The outdoor dining will share the same hours as the restaurant: Sunday through Thursday – Breakfast, Lunch and Dinner – 8 a.m. to 10 p.m., Friday and Saturday – Breakfast, Lunch and Dinner – 8 a.m. to 11 p.m. [Attorney: Maura Ziska, Esq.] [Landmarks Preservation Commission Recommendation: Implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject landmarked property. Carried 7-0]

John S. Page, Director of Planning, Zoning & Building

Ex-parte communications were declared.

Attorney Ziska provided an overview of the applicant's request.

Alexandra Patterson of Up Markets provided additional information.

Dimitri Pauli, applicant, thanked the Town Council and residents for support.

Zoning Administrator Castro provided Staff comments.

Discussion took place on the seating, hours of operation and music
Zoning Administrator Castro will review background music limitations imposed upon other restaurants for future Council consideration.

Motion was made by Council Member Zeidman, and seconded by Council Member Araskog, that Special Exception #6-2017 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 with the following conditions: A Declaration of Use Agreement shall be provided next month which will include specifications on music and outdoor seating. On roll call, the motion carried unanimously.

- b. SPECIAL EXCEPTION #7-2017 WITH SITE PLAN REVIEW The application of Palm Beach Country Club, Inc. (Steven Bielsky, Manager); relative to property commonly known as 760 N. Ocean Blvd, described as lengthy legal description on file; located in the R-A Zoning District. The applicant is requesting a special exception approval with site plan review to allow construction of an 87 square foot security booth located at the southernmost entrance to the Palm Beach County Country Club on North Ocean Boulevard. [Attorney: Maura Ziska, Esq.]

John S. Page, Director of Planning, Zoning & Building

Ex-parte communications were declared.

Attorney Ziska provided an overview of the applicant's request.

Zoning Administrator Castro provided Staff comments.

1 **Motion was made by Council Member Lindsay, and seconded by Council Member**
2 **Araskog, that Special Exception #7-2017 shall be granted based upon the finding**
3 **that such grant will not adversely affect the public interest and that the applicable**
4 **criteria set forth in Section 134-229 of the Town Code have been met. On roll call,**
5 **the motion carried unanimously.**
6

7 **Motion was made by Council Member Lindsay, and seconded by Council Member**
8 **Araskog, that Site Plan #7-2017 be approved based upon the finding that the**
9 **approval of the site plan will not adversely affect the public interest and that the**
10 **Council certifies that the specific zoning requirements governing the individual**
11 **use have been met and that satisfactory provision and arrangement has been**
12 **made concerning Section 134-329, items 1 through 11. On roll call, the motion**
13 **carried unanimously.**
14

- 15 c. **SPECIAL EXCEPTION #8-2017** The application of Hillstone Restaurant
16 Group (The Palm Beach Grill and The Honor Bar in Palm Beach Grill);
17 relative to property commonly known as 340 Royal Poinciana Way, Ste.
18 336, described as lengthy legal description on file; located in the C-PC
19 Zoning District. The applicant is requesting a special exception approval
20 to expand the existing restaurant "Palm Beach Grill" by 1,596 square feet,
21 which will increase the total restaurant square footage to 8,596 square
22 feet and add 55 seats. The expansion will be in adjacent tenant space to
23 the east and will be a separate concept called "The Honor Bar @ Palm
24 Beach Grill". This is an existing concept which focuses on creating a
25 casual, intimate space with high quality food. The proposed expansion to
26 the restaurant will operate lunch and dinner service as follows: Sunday
27 through Thursday – Lunch and Dinner – 11 a.m. to 11 p.m., Friday and
28 Saturday – Lunch and Dinner – 11 a.m. to 1 a.m. The existing 1,596
29 square foot retail space that will be converted into restaurant space
30 attributed to 5 parking spaces (1 parking space per 300 SF of GLA). The
31 subject tenant space can only support 15 seats based on the off-street
32 parking requirement (1 space per 3 seats) and principle of equivalency
33 determination. The special exception request is also to allow the transfer
34 of 40 seats grandfathered from the former McCarty's restaurant in the
35 Royal Poinciana Plaza to The Honor Bar @ Palm Beach Grill. This
36 transfer will leave a maximum of 52 seats that could be used at the
37 former McCarty's restaurant tenant space. [Attorney: Maura Ziska, Esq.]

38 *John S. Page, Director of Planning, Zoning & Building*

39 Ex-parte communications were declared.

40 Attorney Ziska provided an overview of the applicant's request.

41 Alexandra Patterson of Up Markets provided additional information.

42 Jeff Bell provided details on other exclusive locations, the menu, service,
43 atmosphere and ease.

44 Zoning Administrator Castro provided Staffs comments.

45 Discussion took place on permissible hours.

1 Simon Taylor, 777 South Flagler Drive, stated that the theater should be
2 the focus of the plaza rather than the restaurants.

3 Council members wanted to assure the public that they have the Plaza's
4 best interests at heart. A report will be provided at tomorrow's Council
5 meeting by Up Markets.

6 **Motion was made by Council Member Zeidman, and seconded by Council Member**
7 **Araskog, that Special Exception #8-2017 shall be granted based upon the finding**
8 **that such grant will not adversely affect the public interest and that the applicable**
9 **criteria set forth in Section 134-229 of the Town Code have been met with the**
10 **following conditions: a Declaration of Use Agreement shall be provided next**
11 **month which will include specifications on music and outdoor seating and hours**
12 **of operation. On roll call, the motion carried unanimously.**

- 13 d. SPECIAL EXCEPTION #9-2017 WITH SITE PLAN REVIEW AND
14 VARIANCE The application of Old Guard Society of Palm Beach; relative
15 to property commonly known as 165 Bradley Place, described as lengthy
16 legal description on file; located in the C-TS Zoning District. The applicant
17 is requesting a special exception with site plan approval to allow a private
18 club "Old Guard Society of Palm Beach" to operate at 165 Bradley Place
19 in the C-TS Zoning District. The Old Guard has been in existence for 99
20 years and is open for lunch daily from noon until 2:30 p.m. Monday
21 through Saturday. The club does not service dinner but has occasional
22 special events at night. The club is town serving as over 50% of the
23 members are "townspeople". A variance is being requested for parking
24 spaces for 100 members which would require 25 parking spaces and only
25 15 parking spaces are provided pursuant to the principle of equivalency
26 calculation. [Attorney: Maura Ziska, Esq.]

27 *John S. Page, Director of Planning, Zoning & Building*

28 Ex-parte communications were declared.

29 Attorney Ziska provided an overview of the applicant's request.

30 Zoning Administrator Castro provided Staff comments.

31
32 Attorney Speranzini spoke on behalf of the Park Regent Condominium
33 Association, including resident concerns about parking during the day.

34 Discussion took place on valet parking, number of parking spaces, music,
35 and hours of operation.

36 Brian Smith, President of Old Guard, spoke about meeting attendance
37 and hours.

38 Anita Seltzer, 44 Cocoanut Row, asked if there were any women
39 members.

40 **Motion was made by Council President Pro Tem Moore, and seconded by Council**
41 **Member Zeidman, that Special Exception #9-2017 shall be granted based upon the**
42 **finding that such grant will not adversely affect the public interest and that the**
43 **applicable criteria set forth in Section 134-229 of the Town Code have been met.**

1 In addition, Old Guard must return to the Town Council with a Declaration of Use
2 Agreement. On roll call, the motion carried unanimously.

3
4 Motion was made by Council President Pro Tem Moore, and seconded by Council
5 Member Zeidman, that Site Plan #9-2017 be approved based upon the finding that
6 the approval of the site plan will not adversely affect the public interest and that
7 the Council certifies that the specific zoning requirements governing the
8 individual use have been met and that satisfactory provision and arrangement has
9 been made concerning Section 134-329, items 1 through 11. On roll call, the
10 motion carried 4-1, with Council Member Araskog dissenting.
11

12 Motion was made by Council President Pro Tem Moore, and seconded by Council
13 Member Zeidman, that Variance #9-2017 shall be granted and find, in support
14 thereof, that all of the criteria applicable to this application as set forth in Section
15 134-201(a), items 1 through 7 have been met. On roll call, the motion carried 4-1,
16 with Council Member Araskog dissenting.
17

18 (Clerk's Note: Continuation of Item XI.C.1.c.) TIME CERTAIN 11:00 A.M.

19 1) Funding Update and Cash Flow Analysis

20 Deputy Town Manager Boodheshwar provided information on funding
21 report.

22 Discussion took place on donation funds and offset funds.

23 Motion was made by Council President Pro Tem Moore, and seconded by Council
24 Member Zeidman that the \$33,000 contribution be acknowledged as a grant offset.
25 On roll call, the motion carried 4-1, with Council Member Araskog dissenting.

26 Finance Director Struder provided an overview of cash flow analysis for
27 funding during the construction period.

28 Discussion took place on ways to reduce the budget without reducing the
29 quality of work. Deputy Town Manager Boodheshwar explained CMAR
30 contract.

31 2) Approval of Updated Donor Opportunities List

32 Discussion took place on donor recognition plan. Mr. Boodheshwar will
33 return in June with additional specifics.

34 Michael Ainsley, 202 Plantation Road, addressed donor recognition.

35 Motion was made by Council Member Zeidman, and seconded by Council
36 President Pro Tem Moore, to accept the Donor Opportunities List on the condition
37 that the Council have final approval on specifics of the plan. On roll call, the
38 motion carried 4-1, with Council Member Araskog dissenting.

- 39 e. VARIANCE #10-2017 The application of Leo and Kathryn Vecellio;
40 relative to property commonly known as 120 Jungle Rd.; described as
41 lengthy legal description on file; located in the R-A Zoning District. The
42 applicant is proposing to demolish and rebuild a 2 story 677 square foot
43 garage and add 227 square feet to the first floor and 428 square feet to

1 the second floor. This will require a variance request to match the existing
2 building height of 27.4 feet in lieu of the 25-foot maximum allowed.
3 [Attorney: Maura Ziska, Esq.]

4 *John S. Page, Director of Planning, Zoning & Building*

5 Ex-parte communications were declared.

6 Attorney Ziska provided an overview of the applicant's request.

7 Architect Marsh provided additional information.

8 Zoning Administrator Castro provided Staff comments.

9 **Motion was made by Council Member Zeidman, and seconded by Council Member**
10 **Lindsay, that Variance #10-2017 shall be granted and find, in support thereof, that**
11 **all of the criteria applicable to this application as set forth in Section 134-201(a),**
12 **items 1 through 7 have been met. On roll call, the motion carried unanimously.**
13

14 XII. ORDINANCES

15 A. Second Reading

- 16 1. ORDINANCE NO. 2-2017 An Ordinance Of The Town Council Of The Town Of
17 Palm Beach, Palm Beach County, Florida, Amending The Text Of The Future Land
18 Use Element Of The Town Of Palm Beach's Comprehensive Plan By Amending
19 Policy 2.3.1 By Changing The Town-Serving Threshold Requirement For
20 Businesses Within The Commercial Planned Center (C-PC) Zoning District From
21 2,000 Square Feet Gross Leasable Area To 3,000 Square Feet Gross Leasable
22 Area; Providing For Incorporation Of Recitals; Providing For Severability; Providing
23 For Repeal Of Ordinances In Conflict Hereof; Providing For Codification; Providing
24 An Effective Date.

25 *John S. Page, Director of Planning, Zoning & Building*

26 **Motion was made by Council President Pro Tem Moore, and seconded by Council**
27 **Member Lindsay, to adopt Ordinance No. 2-2017, on second and final reading. On**
28 **roll call, the motion carried unanimously.**

- 29 2. ORDINANCE NO. 3-2017 An Ordinance Of The Town Council Of The Town Of
30 Palm Beach, Palm Beach County, Florida, Amending The Town Code Of
31 Ordinances At Chapter 134, Zoning, As Follows: At Article VI, District Regulations,
32 By Modifying Sections 134-1257, Permitted Uses And 134-1259, Special Exception
33 Uses In The C-PC Zoning District, To Increase The Maximum Gross Leasable
34 Area Of Commercial Uses To Demonstrate Town-Serving From 2,000 Square Feet
35 Gross Leasable Area To 3,000 Square Feet Gross Leasable Area; Providing For
36 Severability; Providing For Repeal Of Ordinances In Conflict; Providing For
37 Codification; Providing An Effective Date.

38 *John S. Page, Director of Planning, Zoning & Building*

39 **Motion was made by Council Member Araskog, and seconded by Council Member**
40 **Zeidman, to adopt Ordinance No. 3-2017, on second and final reading. On roll call,**
41 **the motion carried unanimously.**

- 1 3. ORDINANCE NO. 8-2017 An Ordinance Of The Town Council Of The Town Of
2 Palm Beach, Palm Beach County, Florida, Amending The Town Code Of
3 Ordinances At Chapter 134, Zoning, At Article VI, District Regulations, Sections
4 134-1107, 134-1157, 134-1207 And 134-1302, Permitted Uses, By Conditionally
5 Allowing Storage Facilities In The C-TS, C-WA C-OPI And C-B Commercial
6 Zoning Districts Related To Permitted Or Special Exception Uses In The Same
7 Zoning District In Which The Storage Facility Is To Be Located; By Creating A
8 New Section 134-1760 Which Provides For Conditions In Which Said Storage
9 Facility Is Permitted; Providing For Severability; Providing For Repeal Of
10 Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
11 *John S. Page, Director of Planning, Zoning & Building*

12 **Motion was made by Council Member Araskog, and seconded by Council**
13 **President Pro Tem Moore, to adopt Ordinance No. 8-2017, on second and final**
14 **reading. On roll call, the motion carried unanimously.**

15 B. First Reading

- 16 1. Request to Consider Ordinance No. 12-2017 Prior to 5:00 p.m. at a Public Hearing
17 *John S. Page, Director of Planning, Zoning & Building*

18 **No motion due to item being heard after 5:00 p.m.**

- 19 2. ORDINANCE NO. 12-2017 An Ordinance Of The Town Council Of The Town Of
20 Palm Beach, Palm Beach County, Florida, Amending The Town Code Of
21 Ordinances At Chapter 134, Zoning, As Follows: At Article VI, District Regulations,
22 Section 134-1353 By Eliminating The Reference To Permitted Uses, Section 134-
23 1354 By Eliminating The Word "And"; And Creating Section 134-1355, Prohibited
24 Activity, Requiring Permits For Landscape Activities; And, Prohibiting The Use Of
25 Landscape Material For Allowing Or Promoting The Use Of Land For Other Than
26 That Allowed By Special Exception Use Within The Conservation Zoning District;
27 Providing For Severability; Providing For Repeal Of Ordinances In Conflict;
28 Providing For Codification; Providing An Effective Date.

29 *John S. Page, Director of Planning, Zoning & Building*

30 **Motion was made by Council Member Araskog, and seconded by Council**
31 **President Pro Tem Moore, to approve Ordinance No. 12-2017, on first reading. On**
32 **roll call, the motion carried unanimously.**

33 **Motion was made by Council Member Zeidman, and seconded by Council Member**
34 **Lindsay, to adopt Ordinance No. 12-2017, on second and final reading. On roll**
35 **call, the motion carried unanimously.**

36 XIII. ANY OTHER MATTERS

37 Council Member Lindsay requested that she be able to set the record straight. She
38 stated that she was confused during the voting on variances and special exceptions for
39 the recreation center (Special Exception #30-2016 With Site Plan Review and
40 Variances) with regard to the north field. She requested to change her vote.

41 **Motion was made by Council Member Zeidman and seconded by Council**
42 **President Pro Tem Moore, to reconsider the vote on Special Exception #30-2016**
43 **With Site Plan Review and Variances. On roll call, the motion carried**
44 **unanimously.**

Motion was made by Council Member Zeidman, and seconded by Council President Pro Tem Moore, to repeat same motion made earlier with respect to Site Plan Review on 30-2016. On roll call, the motion carried 4-1, with Council Member Araskog dissenting.

Discussion took place on changing the vote on Variance #30-2016. A decision was made to leave the vote to stand.

XIV. ADJOURNMENT

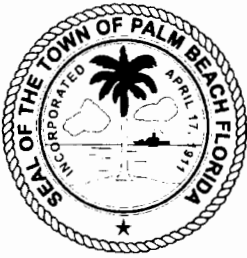
There being no further business, the April 12, 2017, Town Council meeting was adjourned at 6:05 P.M.

APPROVED:

Richard M. Kleid, Town Council President

PREPARED BY:

Kathleen Ruderman, Deputy Town Clerk



TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE REGULAR TOWN COUNCIL MEETING HELD ON THURSDAY, APRIL 13, 2017

I. CALL TO ORDER AND ROLL CALL

The regular Town Council meeting was called to order on Tuesday, February 14, 2017, at 9:30 a.m., in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Town Clerk Eichhorn gave the invocation. Council President Kleid led the *Pledge of Allegiance*.

III. APPROVAL OF AGENDA

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

(Clerk's note: At a later point in the meeting, Town Attorney Randolph requested adding under XIII. Any Other Matters: Clarification of the vote taken at the April 12, 2017, Town Council Meeting, regarding the following item: Item XI.C.1.c. – Special Exception #30-2016 with Site Plan Review and Variances.)

IV. RECOGNITIONS

1. Recognition of Madelyn Greenberg, Code Enforcement Board, from July 2006 through April 2017

Kirk W. Blouin, Director of Public Safety

Mayor Coniglio recognized Madelyn Greenberg for her service on the Code Enforcement Board. and presented her with a commemorative plaque.

- 1 2. Recognition of William J. Strawbridge, Landmarks Preservation
2 Commission, from March 2011 to February 2017
3 *John S. Page, Director of Planning, Zoning & Building*

4
5 Mayor Coniglio recognized William J. Strawbridge for his service on the
6 Landmarks Preservation Commission. and presented him with a
7 commemorative plaque.
8

9 **V. PRESENTATIONS**

10
11 **A. Code Enforcement Board Presentations by Applicants**

12 The following applicants provided a presentation to the Town Council:

13
14 Rosemary Carpenter
15 Daniel McDonnell
16 Scotch Peloso
17 Patrick Cullen
18
19

20 **B. Recreation Advisory Commission Presentations by Applicants**

21 The following applicants provided a presentation to the Town Council:

22
23 Amy Bahl
24 Nick Coniglio
25 Peter Harris
26 John Hartz, Jr.
27 Courtney Mell
28 Carla Termini-Cove
29 Linda Wartow
30 Grier Pressly
31
32

33 **C. Florida City and County Management Association Certificate of**
34 Award to Palm Beach for 95 Years of Council/Manager Form of
35 Government

36
37 Dan Clark, Town Administrator, Lake Clarke Shores, and President of the
38 Florida City and County Management Association, on behalf of the Florida
39 City Management Association and the International City Management
40 Association, acknowledged Town Manager Bradford and Deputy Town
41 Manager Boodheshwar, complimented both the leadership and
42 management of the Town of Palm Beach, and presented a certificate to
43 Mayor Coniglio and Town Manager Bradford, and expressed
44 congratulations for 95 years of Council/Manager form of government.
45

D. Royal Poinciana Theater Update

Alexander Patterson, UpMarkets, provided an update on the royal Poinciana Playhouse.

It was the consensus of the Town Council to add an additional update on the Royal Poinciana Playhouse to the July 11, 2017 Town Council meeting.

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio spoke regarding social media taking over our world, working to advance a Town of Palm Beach Facebook page, provided an update on her appointments with the Florida Department of Environmental Protection (FDEP), the Florida Department of Transportation (FDOT), and several legislators in Tallahassee, acknowledged an email exchange between a Council Member and Town Attorney Randolph regarding the Mayor's participation in setting goals for the Town Manager, and provided an outline of her Mayoral duties and authority.

VII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

Council Member Zeidman spoke regarding her appreciation of Mayor Coniglio, her leadership, guidance, and responsibility. She also noted that she and Mayor Coniglio had attended a hearing on ZIKA and the responsibility of citizens to empty containers of water, use larvicide, chlorinate pools, have someone check their homes if they are away, wear repellent, and that there were still a few bags of larvicide left in Town Hall.

President Kleid echoed that sentiment, and spoke regarding Mayor Coniglio's devotion to the Town of Palm Beach. He also noted the state of emergency regarding fire dangers, and asked all to be observant in that regard.

Council Member Lindsay echoed the comments of Council Member Zeidman and President Kleid regarding Mayor Coniglio, and appreciating the knowledge and participation of Mayor Coniglio in setting the Town Manager goals

President Pro Tem Moore commented that it was her honor and privilege to be a friend of Mayor Coniglio for many years, the hard work of Mayor Coniglio, and her honor and privilege to have a seat next to Mayor Coniglio.

Town Attorney Randolph spoke regarding the ultimate action that was taken at the end of the Town Council meeting on April 12, 2017, in regard to Item XI.C.1.c. Special Exception #30-2016 with Site Plan Review and Variances (Recreation Center) and requested that discussion take place on today's Agenda, under Item XII. Any Other Matters.

VIII. COMMUNICATIONS FROM CITIZENS-3 MINUTE LIMIT PLEASE

Marianne Beyl, 2840 S. Ocean Blvd., spoke regarding the underground utility project.

Mayor Coniglio responded to some of the misinformation that has been supplied, and noted the two different proposals: one being the undergrounding of the entire island, and the other being one that she will be addressing in Tallahassee, which is the ability of utilities to place utility boxes on public property.

Bob Siegfeld, President of the Board of Directors of 2774 S. Ocean Blvd. regarding the underground utility project.

Ricardo Bone, 3400 S. Ocean Blvd., spoke regarding the size of the utility boxes, landscaping them, and speculation on changing property values.

Maria Andretti, Onondaga Ave, spoke regarding issues with placement of utility boxes close to her patio.

Susan Gary, 229 Onondaga, spoke regarding a resolution to Ms. Andretti's problem, and the opportunity citizens had to vote on the undergrounding of utilities.

Michael Scharf, 225 Dunbar Road, spoke regarding the underground utilities project.

Carla Termini-Cove, S. Ocean Blvd., spoke as a member of the Board of Directors of the Citizens Association of Palm Beach, on behalf of its President, Lew Crampton, regarding the proposed Florida legislation that could affect the Town of Palm Beach.

Council Member Lindsay urged everyone to support Mayor Coniglio in the effort to address these issues with the Legislature.

Mayor Coniglio encouraged everyone to email or write their legislators, and the proposers of the legislation, noting that a list was available on the Town website.

Madeline Shapiro, President of Meridian Condominium, 3300 S. Ocean Blvd, spoke regarding the underground utility project, and the status of the Royal Poinciana Playhouse.

Linda Essig, 3120 S. Ocean Blvd., spoke regarding the underground utility project.

IX. APPROVAL OF CONSENT AGENDA

PULLED FROM CONSENT AGENDA (to be heard under Item XI. C "Matters

Pulled from Consent Agenda”):

- RESOLUTION NO. 42-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Design and Bid Phase Engineering Services to Kimley-Horn and Associates, Inc., in an Amount of \$18,448.50 for the Mid-Town Restroom and Lifeguard Building Improvements, and Establishing a Design and Bid Phase Engineering Services Budget of \$20,000.

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

- RESOLUTION NO. 43-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Hulett Environmental Services, Inc., for Treatment of Lethal Yellowing Disease in Coconut Palms and Royal Palm Bug and Fertilization Treatment in Royal Palm Trees in the Annual Amount of \$46,746 and Establishing a Project Budget of \$51,420.

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

Motion was made by President Pro Tem Moore, and seconded by Council Member Zeidman, to approve the Consent Agenda, as amended above. On roll call, the motion carried unanimously.

A. MINUTES

1. TOWN COUNCIL MEETING MINUTES:

Susan Eichhorn, Acting Town Clerk

- a. March 14, 2017, Regular Town Council Meeting Minutes
- b. March 15, 2017, Town Council Development Review Meeting Minutes
- c. March 15, 2017, Local Planning Agency Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Commission at its Meeting of March 22, 2017.

John S. Page, Director of Planning, Zoning & Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 40-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida,

1 Approving a Purchase Order for Construction Phase Engineering
2 Services to Chen, Moore, and Associates, Inc., in an Amount of
3 \$29,900 for the Ocean Outfall Abandonments, and Establishing a
4 Construction Phase Budget of \$32,000.

5 H. Paul Brazil, P.E., Director of Public Works
6

- 7 2. RESOLUTION NO. 41-2017 A Resolution of the Town
8 Council of the Town of Palm Beach, Palm Beach County,
9 Florida, Approving Purchase Order for Design and Bid Phase
10 Engineering Services to Chen, Moore, and Associates, Inc., in
11 an Amount of \$58,858 for the Phipps Ocean Park North
12 Restroom Replacement, and Establishing a Design and Bid
13 Phase Engineering Services Budget of \$65,000.

14 H. Paul Brazil, P.E., Director of Public Works
15

- 16 3. RESOLUTION NO. 42-2017 A Resolution of the Town
17 Council of the Town of Palm Beach, Palm Beach County,
18 Florida, Approving a Purchase Order for Design and Bid Phase
19 Engineering Services to Kimley-Horn and Associates, Inc., in
20 an Amount of \$18,448.50 for the Mid-Town Restroom and
21 Lifeguard Building Improvements, and Establishing a Design
22 and Bid Phase Engineering Services Budget of \$20,000.
23 *(Pulled from Consent Agenda and placed on Regular*
24 *Agenda, under Item XI. C.1.)*

25 H. Paul Brazil, P.E., Director of Public Works
26

- 27 4. RESOLUTION NO. 43-2017 A Resolution of the Town
28 Council of the Town of Palm Beach, Palm Beach County,
29 Florida, Approving a Contract Extension to Hulett
30 Environmental Services, Inc., for Treatment of Lethal
31 Yellowing Disease in Coconut Palms and Royal Palm Bug and
32 Fertilization Treatment in Royal Palm Trees in the Annual
33 Amount of \$46,746 and Establishing a Project Budget of
34 \$51,420.

35 *(Pulled from Consent Agenda, and placed on Regular*
36 *Agenda, under Item XI. C. 2.)*

37 H. Paul Brazil, P.E., Director of Public Works
38

- 39 5. RESOLUTION NO. 44-2017 A Resolution of the Town
40 Council of the Town of Palm Beach, Palm Beach County,
41 Florida, Authorizing the Town Manager to Apply to the Local
42 Initiatives (LI) Program from the Florida Department of
43 Transportation Through the Palm Beach Metropolitan Planning

Organization for Grant Funds in an Amount up to \$3,500,000 to Provide Funding for the Design and Construction of Signalization and Mast Arm Improvements.

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

6. RESOLUTION NO. 47-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing and Approving a Purchase Order to Municipal Equipment Company, LLC in the Amount of \$30,865.00 for the Purchase of Four (4) Bullard Thermal Imaging Cameras and Associated Equipment, as Recommended by Staff; And Establishing a Total Budget of \$30,865.00 in the 2017 Equipment Replacement Program.

Kirk W. Blouin, Director of Public Safety

7. RESOLUTION NO. 48-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Approving the Award of the Contract to Supply Unleaded and Diesel Fuel Through the Southeast Florida Governmental Purchasing Cooperative Group RFP E-13-17 to Port Consolidated Inc.

Jane Struder, Director of Finance

8. RESOLUTION NO. 57-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Increase to Purchase Order No. 151453 in the Amount of \$25,000 to Raftelis Financial Consultants to Update Property Records for the Town wide Underground Utilities Project for a New Total of \$84,565, with Funding Coming from the Unspent Funds in the Underground Utilities Seed Money Within the Pay-As-You-Go Capital Improvement Program.

Jane Struder, Director of Finance

C. OTHER

1. Authorization for Florida Department of Transportation to Use Town Owned Land North of the Southern Boulevard Causeway for Construction Staging and Laydown.

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

2. Appointments to the Investment Advisory Committee

Jane Struder, Director of Finance

3. Authorization for Public Works Committee to Study the
Florida Department of Transportation Proposal for
Widener's Curve.

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

X. BOARD/COMMISSION ANNUAL REPORT

A. Annual Report - Architectural Commission

John S. Page, Director of Planning, Zoning & Building

Planning, Zoning & Building Director John Page, on behalf of Chair Richard Sammons, provided an overview of the Annual Report of the Architectural Commission.

Motion was made by President Pro Tem Moore, and seconded by Council Member Araskog, to accept the Annual Report of the Architectural Commission. On roll call, the motion carried unanimously.

XI. REGULAR AGENDA

A. Old Business

1. Town-wide Underground Utility Project:

Thomas G. Bradford, Town Manager

TIME CERTAIN 11:00 A.M.

President Kleid provided the procedure that would be followed: Staff report, questions from the Mayor and Town Council, Citizens Comments, Executive Session, in which the Mayor and Town Council members would have discussion, and any resolution of the item.

- a. Assessment Methodology

Jane Struder, Director of Finance

Town Manager Bradford commented that this was not a point of no return. Decisions could be made today to go forward, and there would be opportunities to stop the train and see the numbers that would be provided by the contractors.

Habib Isaac with Raftelis Financial Consultants, Inc., presented an overview of the Utility Undergrounding Assessment Methodology Report, updated as of April, 2017. He pointed out that his firm works with assessments, utility rates, apportioning costs to properties within the project area and were not biased one way or the other, were not part of the

1 design, did not get the contract for construction, and were not part of any
2 debt/bond issue.

3
4 Discussion ensued regarding the use of these assessment methodologies in
5 other areas, whether there had been any challenges to these assessment
6 methodologies, the method of apportionment known as an Equivalent
7 Benefit Unit, the costs for single family homes and condominiums, and
8 aesthetic concerns for those receiving utility boxes.

9
10 Heather Encinosa, Esq., Nabors Giblin and Nickerson, the Town's
11 assessment attorney, offered to respond to any questions.

12
13 Discussion ensued regarding the acceptance of the report by the Town
14 Council.

15
16
17 **Motion was made by Council Member Zeidman, and seconded by President Pro Tem**
18 **Moore, to accept the April, 2017, Assessment Methodology Report. On roll call, the**
19 **motion carried unanimously.**

20
21 **Motion was made by President Pro Tem Moore, seconded by Council Member**
22 **Zeidman, to direct staff to prepare the initial assessment Resolution for presentation**
23 **at the June 13, 2017, Town Council meeting.**

24
25 **Motion was amended and made by President Pro Tem Moore, seconded by Council**
26 **Member Zeidman, to direct staff to prepare the initial assessment Resolution, to**
27 **include consideration that certain properties will have switch cabinets in front of**
28 **them, for presentation at the June 13, 2017, Town Council meeting. On roll call, the**
29 **motion carried unanimously.**

30
31
32 b. Financing Plan for Phase 1
33 *Jane Struder, Director of Finance*

34
35 Jay Glover, Public Financial Management, the Town's financial advisor, presented
36 the Town-Wide Utility Undergrounding Financing Options. He explained that
37 direction was needed on whether the Town wanted to move forward with the
38 interim financing of the project, and if so, he recommended going out for a Request
39 for Proposals (RFP) to secure a line of credit, or some type of interim financing
40 vehicle, providing three options that the bidders could bid on: a one-year line of
41 credit not to exceed \$12,000,000; a two-year line of credit not to exceed
42 \$16,000,000; and a three-year line of credit not to exceed \$21,000,000. He also
43 discussed the risks associated with the line of credit strategy.

44
45 Discussion took place regarding the flexibility of the interim financing options, the
46 financing of the project as it related to the pending litigation, the timeline for the

determination of the interim financing option, the interim financing allowing prepayment at par at any time without a penalty for such financing versus the long term General Obligation (GO) bonds, the cost effectiveness of a Revenue Bond with a call feature, the financing methodology used by other municipalities, the concept of interim financing followed by long term financing, there being no cost on the part of the Town to go out for the RFP, the length of time for the resolution of the pending litigation, the utility hardening project that would take place if the Town did not do the undergrounding, the importance of the Peer Review that was being conducted, the fires in the Town from electrical causes, and the length of time for a response to the RFP,

Donald Gulbrandsen, member of the Underground Utilities Task Force (UUTF) spoke regarding the interim financing options.

Dennis Bottorff, member of the Underground Utilities Task Force (UUTF) spoke regarding the interim financing options.

Susan Gary, member of the Underground Utilities Task Force (UUTF) spoke regarding the interim financing options, and that the Peer Review would not hold up the process.

Public Comment:

Alexander Gladstone, resident at The Atrium Condominium, spoke regarding the underground utility project.

President Pro Tem Moore commented that, at this point, the Town Council was going to decide whether an RFP should be issued, and not whether or not undergrounding was desired.

President Kleid commented that questions should be limited to the questions that were before the Town Council.

Buck Carlton, 3400 S. Ocean Blvd., spoke regarding the underground utility project.

Town Manager Bradford spoke regarding the location of the hardened poles south of Lake Avenue, and that Florida Power & Light (FP&L) did not add that area to their list to be hardened.

Isaac Teller, 2600 S. Ocean Blvd., spoke regarding the underground utility project.

In response to Council Member Araskog, Town Manager Bradford replied that the cost of the undergrounding for the south end was nowhere near 50% of the cost of the undergrounding, as was asserted by one of the public comments.

1 **It was the consensus of the Town Council to direct staff to determine the correct percentage**
2 **that the south end would pay for the project, to include the differentials that were provided in**
3 **the report today, as well as the increase to the single family home and reduction to the**
4 **condominiums.**

5
6 Jeanie Cohen, 3400 S. Ocean Blvd., spoke in regard to the underground utility
7 project.

8
9 Zack Shipley, 228 Seaspray, spoke regarding the financial strategies for funding
10 the underground utility project.

11
12 Frank Lorenzo, President of Royal Saxon Condominium, 2840 S. Ocean Blvd.,
13 spoke regarding the underground utility project.

14
15 Barbara Nieman, 3170 S. Ocean Blvd., spoke regarding the underground utility
16 project.

17
18 Mary Bayl, 2840 S. Ocean Blvd., spoke regarding the underground utility project.

19
20 Eileen Curran, 2778 S. Ocean Blvd., spoke regarding the underground utility
21 project.

22
23 Ann Pepper, 333 Seaspray Ave., spoke regarding the underground utility project.

24
25 David Leavitt, 1480 Via Manana, spoke regarding the underground utility project.

26
27 John O'Neill, 44 Cocoanut Row, spoke regarding the financing of the underground
28 utility project.

29
30 Anthony Scarpellino, 2778 S. Ocean Blvd., spoke regarding the underground utility
31 project.

32
33 Harris Fried, 212 Oleander, spoke regarding the underground utility project, and
34 the financing of the project.

35
36 Discussion ensued regarding the timeline for an initial assessment resolution, the
37 implementation of the initial assessment resolution, and clarification that the Town
38 Council was moving forward only to seek information at this time.

39
40 **Motion was made by President Pro Tem Moore, and seconded by Council Member Zeidman,**
41 **to direct Jay Glover, the Town's financial advisor, to seek a Request for Proposal (RFP), to**
42 **bring back to the Town Council for consideration, for a line of credit secured by non-**
43 **advalorem revenue of the Town, to provide interim financing under three options:**
44

- 45 • One-year line of credit for up to \$12,000,000
- 46 • Two-year line of credit for up to \$16,000,000

- **Three-year line of credit for up to \$21,000,000**

On roll call, the motion carried unanimously.

- c. RESOLUTION NO. 49-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Pre-Construction Management Services for the Town-Wide Overhead Utility Undergrounding Phase 1-South Project to Whiting-Turner Contracting Company, Establishing a Pre- Construction Phase Services Budget of \$22,200.

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

Discussion took place regarding easements, using the roadway right-of-way, the history of the Phase 1-South project, the possibility of putting the south end of Town in another phase, the reliability factor if the south end was not undergrounded, the inclusion of the south end as it related to the Government Obligation (GO) bond as the ultimate financing vehicle, the pending litigation, the support for a Town-wide project, the reliability factor for a Town-wide project, the objections of some of the residents in the south end of Town, the approval of other residents in the south end, the original budget that was provided, the size of the electrical boxes, the possible influence on property values, the established phases of the project, putting the south end in a later phase, and consideration of a straw poll seeking information from property owners in the south end.

President Kleid commented that a certain number of citizens objected to the project, and that he thought that there were many people in the south end who wanted the project to happen. There was misinformation, and he considered that it was a total distraction to conduct a straw poll, which would cause more divisiveness.

Town Manager Bradford clarified that the Request for Qualifications (RFQ) process used for the Construction Manager at Risk (CMAR) contractors for both Phase 1-north and south, established Whiting-Turner Contracting Company for Phase 1-south, and Burkhardt Construction for Phase 1-north. They had both now prepared their Pre-Construction Phase Services budget. The costs would come from the Town's underground utilities fund, and ultimately the Town would get a guaranteed maximum price from this process so the Town Council would know whether it would be at or below budget, and that price could be used in the analysis relative to the line of credit, based on the result of the Request for Proposal (RFP). He noted that most of the road work in the south end would be done by directional boring from the west side of the road over to the east side of the road, so there would not be trenching on the street; a lane may be blocked for a short period of time; the north/south phases had been planned for traffic mitigation reasons. He clarified that if there

1 was a delay in the south end phase, and the Town went forward with the plan
2 of financing, the south end would be paying from day one, although the new
3 system would be postponed.
4

5 Director of Public Works Paul Brazil, commented that there was another
6 project, which was the decorative light poles going on in the south end
7 concurrently with undergrounding, and the old light poles could not be taken
8 down until the new lights were in place. If the decorative lighting project was
9 not done as planned, there would not be funding for that decorative lighting.
10

11 Discussion ensued regarding a delay in construction, the easements in the south
12 end, utility placement in the Florida Department of Transportation (FDOT)
13 road right-of-way, the placement of electrical boxes in a satisfactory and
14 aesthetic manner, and the history of the underground project and referendum.
15

16 In response to Council Member Zeidman, Town Manager Bradford
17 commented that Florida Power & Light (FP&L) data, filed with the Florida
18 Public Safety Commission, showed the reliability of undergrounding in their
19 system was higher than above ground utility delivery. In addition, the
20 reliability of the FP&L system would go up if there was a Town-wide project.
21 He noted that the City of West Palm Beach would be hardened, and it was the
22 goal to see to it that they do harden from the water's edge on the mainland, all
23 the way to the first substation, in order to give the Town maximum reliability.
24 He stated that he believed that the south end could not be cut out of the project,
25 as long as the Town was tied to the GO bond as the ultimate long term financing
26 vehicle because it was based upon the full faith and credit of the entirety of the
27 Town.
28

29 **Motion was made by Council Member Zeidman, and seconded by President Pro Tem**
30 **Moore to approve Resolution No. 49-2017. On roll call, the motion carried 4/1, with**
31 **Council Member Araskog dissenting.**
32

- 33 d. RESOLUTION NO. 50-2017 A Resolution of the Town Council
34 of the Town of Palm Beach, Palm Beach County, Florida,
35 Approving a Purchase Order for Pre-Construction Management
36 Services for the Town-Wide Overhead Utility Undergrounding
37 Phase 1-North Project to Burkhardt Construction, Inc.,
38 Establishing a Pre-Construction Phase Services Budget of
39 \$19,720.

40 *H. Paul Brazil, P.E., Director of Public Works*
41

42 **Motion was made by President Pro Tem Moore, and seconded by Council Member**
43 **Lindsay to approve Resolution No. 50-2017. On roll call, the motion carried**
44 **unanimously.**
45

- 46 e. RESOLUTION NO. 58-2017, A Resolution of the Town

Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Conveyance of Certain Underground Easements, Copies of Which are Attached Hereto, and Authorizing the Town Manager to Execute said Easements on Behalf of the Town.

Motion was made by Council Member Lindsay, and seconded by Council Member Araskog, to approve Resolution No. 58-2017. On roll call, the motion carried unanimously.

f. Underground Utility Project Dashboard
Jane Struder, Director of Finance

Finance Director Jane Struder presented an overview of the March 2017, Underground Utility Project Dashboard.

Council Member Araskog spoke regarding her concern with the invoices from the public communications firm Cornerstone Solutions & Communications, regarding the underground project.

Town Manager Bradford provided information regarding the invoices from Cornerstone Solutions & Communications.

Discussion ensued regarding the selection committee that chose Kimley-Horn with Cornerstone Solutions & Communications being part of the Kimley-Horn team, that each time a hired professional attended meetings the clock was ticking, and whether the Town could cut down costs for professional services.

Rick Arsani, Cornerstone Solutions & Communications, spoke regarding the purpose and details of the public communications program.

Anita Seltzer, Coconut Row, spoke regarding the informational email program that the Town provides.

Town Manager Bradford replied that all emails coming through the Town were public record, and emails provided to Town consultants were public record as well.

Discussion ensued regarding the public nature of emails provided to the Town or its consultants.

2. Bradley Park Improvement Project:
H. Paul Brazil, P.E., Director of Public Works

a. RESOLUTION NO. 51-2017 - A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County,

1 Florida, Awarding a Construction Management at Risk (CMR)
2 Contract to Burkhardt Construction, Inc., for the Bradley Park
3 Improvements in the Amount of \$1,999,898 with said funding
4 to be provided by the Preservation Foundation of Palm Beach.
5

6 Director of Public Works Paul Brazil, provided an overview of
7 Resolution No. 51-2017, noting that staff recommended pulling that part
8 of the project which was the bike trail extension out of the contract in
9 order to stay within the funded amount. The Bike Trail extension had
10 always been part of the Public Works work plan, and removal of that
11 portion was logical.
12

13 Mayor Coniglio commented that it was her understanding that the Bike
14 Trail extension would be paid for by the Town, that when she requested
15 and received miraculous approval from the Florida Department of
16 Transportation (FDOT) to donate the underpass that connected with the
17 Bike Trail it was a unanimous consensus that the Town would do that
18 during the Lake Trail repair. She recognized the generosity of the
19 Preservation Foundation, and recommended that work would be allowed
20 on Saturdays in order to complete the work in one summer.
21

22 Discussion ensued regarding the hours of construction.
23

24 Discussion ensued regarding the location of the Bike Trail and public
25 safety.
26

27 Anita Seltzer, Coconut Row, commented regarding a public records
28 request that she had made, and questioned the public safety of the Lake
29 Trail running alongside the water.
30

31 Public Works Director Brazil addressed the flooding and public safety of
32 the Lake Trail location.
33

34 **Motion was made by Council Member Zeidman, and seconded by Council Member**
35 **Lindsay, to approve Resolution No. 51-2017. On roll call, the motion carried**
36 **unanimously.**
37

38 **Motion was made by Council Member Araskog, and seconded by Council Member**
39 **Zeidman, to accept the donation from the Preservation Foundation. On roll call,**
40 **the motion carried unanimously.**
41

42 **It was the consensus of the Town Council to approve construction hours for the**
43 **project, beginning May 1, 2017, to include Saturdays beginning at 8:00 a.m.**

b. Request Ability to Name Features of Bradley Park Improvements

Director of Public Works Paul Brazil provided an overview of the request.

Motion was made by President Pro Tem Moore, and seconded by Council Member Araskog, to allow three dedication plaques, flush to the ground, 2 feet by 2 feet in size, to be located in Bradley Park in the gazebo, near the fountain, and near the northeast entranceway.

B. New Business

1. Appointments to the Code Enforcement Board

Kirk W. Blouin, Director of Public Safety

Town Manager Bradford announced the appointments to the Code Enforcement Board:

Regular Members: Daniel McDonnell, and Scotch Peloso

Alternate Members: Rosemary G. Carpenter, and Donald G. Scott, Jr.

Motion was made by Council Member Zeidman, and seconded by Council Member Lindsay to ratify the appointments to the Code Enforcement Board as announced. On roll call, the motion carried unanimously.

2. Appointments to the Recreation Advisory Commission

Beth Zickar, Director of Recreation

Town Manager Bradford announced the appointments to the Recreation Advisory Commission:

Regular Members: Amy D. Bahl, Nicholas Coniglio and Carla Termini Cove

Alternate Member: Grier Pressly

Motion was made by Council Member Zeidman, and seconded by Council Member Lindsay to ratify the appointments to the Recreation Advisory Commission as announced. On roll call, the motion carried unanimously.

3. Town Charter Conflict with Florida State Statutes, Relative to Town Elections

Jay Boodheshwar, Deputy Town Manager

Town Manager Bradford provided information regarding the conflict relative to

Town elections.

Discussion ensued regarding the election and caucus time frame.

Motion was made by Council Member Lindsay, and seconded by Council Member Araskog, to defer this item to the May 9, 2017, Town Council meeting after the Mayor travels to Tallahassee to speak with legislators. On roll call, the motion carried unanimously.

4. Establishment of Town Manager Goals for 2017/2018

Thomas G. Bradford, Town Manager

Town Manager Bradford provided an overview of the procedure to establish Town Manager goals, and the rankings of the goals made by the Mayor and Town Council, as follows:

1. The proposed budget for FY 2018.
2. The underground utility project financing.
3. The enforcement of construction parking rules.
4. Recreation Center financing plan, ranked as a tie with No. 5.
5. The Town Docks Master Plan.

Discussion ensued regarding the language in Goal No. 1 - proposed budget for FY 2018, and the tie vote on two of the goals.

Motion was made by Council Member Lindsay, and seconded by Council Member Zeidman, to adopt the goals as voted on by the Mayor and Town Council, with the caveat that Goal No. 1 will include not just the proposed General Fund budget, but will also include the Recreation Enterprise Budget, with the exception of the Recreation Center itself. On roll call, the motion carried unanimously.

5. Consideration of Moratorium on Applications for Wireless Telecommunication Facilities on Public Property, Public Right-of-Way and Public Utility Easements

Thomas G. Bradford, Town Manager

Emergency Ordinance No. 13-2017 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Imposing a Temporary Moratorium on the Placement of Wireless Communication Equipment or Facilities Upon Public Property, Public rights-of-Way, and in Public Utility Easements Within the Town. Said Moratorium to be in Effect For a Period of 180 Days so as to Allow the Town to Conduct a Study and to Create Reasonable, Non-Discriminatory Regulations or Criteria Relating to the Placement of Said Utilities in a Manner Consistent with State Law and in a Manner Which Will Not Defeat

the Intended Purpose of the Town's Declared Intent to Underground All Utilities Within the Geographic Boundaries of the Town.

Town Manager Bradford provided an overview of issues related to the consideration for a moratorium.

Town Attorney Randolph provided information regarding the intent of a moratorium, and the emergency Ordinance No. 13-2017, that had been prepared for adoption today.

Discussion ensued regarding the necessity of a moratorium, the size of the telecommunication equipment, and the information on the Town website for citizens to write to their legislators.

Motion was made by Council Member Lindsay, and seconded by Council Member Araskog, to adopt Ordinance No. 13-2017. On roll call, the motion carried unanimously.

6. Discussion on Term Limits for Remainder of All Town Boards and Commissions

Margaret A. Zeidman, Town Council Member

Council Member Zeidman spoke regarding those boards/commissions that did not have term limits, which were the Investment Advisory Committee, the Retirement Board of Trustees, and the Public Employees Relations Commission.

Discussion ensued regarding the duties of the Public Employees Relations Commission, the consistency of members of the Investment Advisory Committee and the Retirement Board of Trustees, having a cap on terms, and having alternates on each of the boards as a training ground.

It was the consensus of the Town Council to defer the discussion on term limits for remainder of all Town boards/commissions to the May 9, 2017, Town Council meeting.

7. Coastal Update:

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

a. Shore Line Condition Update

Rob Weber, Coastal Program Manager, provided an update on shoreline conditions.

Discussion took place regarding the danger of riptides.

Town staff was directed to add a notice to the Town website regarding riptides.

b. RESOLUTION NO. 52-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Increase in Regard to Awarded Bid No. 2016-28 to Coston Marine Services, Inc., in the Amount of \$248,440 to Modify the Disposal Location, Placement, and Volume of Dredged Sediments for the Construction of the Lake Worth Lagoon Waterway Access Maintenance Dredging; Increasing the Contract Amount from \$1,063,500 to \$1,311,940 and Establishing a New Construction Phase Budget of \$1,361,940, Including Contingency, Contingent Upon the Necessary Permit Modification and Upon Receipt of Donations to Fully Fund this Project.

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

Director of Public Works Paul Brazil provided an overview of Resolution No. 52-2017.

Mayor Coniglio implored the approval of Resolution No. 52-2017, citing that residents involved had worked diligently to get the approvals, it was a win/win situation for Palm Beach County to have the dredge material used as part of their disposal site, and that the project should be done as quickly as possible, allowing the extended hours to begin the day after Easter.

Discussion ensued regarding the fact that there were no costs to the Town, and that the residents had donated the funds.

Motion was made by Council Member Lindsay, and seconded by President Pro Tem Moore, to approve Resolution No. 52-2017. On roll call, the motion carried unanimously.

Motion was made by Council Member Zeidman, and seconded by President Pro Tem Moore, to approve the waiver to Section 42-199 and Sections 42-226 through 229 of the Town Code of Ordinances, to allow for work to start in season, and for extended work hours from 7:00 a.m. to 6:00 p.m.

c. RESOLUTION NO. 53-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Construction Phase Coastal Engineering Support Services for the Lake Worth Lagoon Waterway Access Dredging Project to Applied Technology & Management, Inc., in an Amount Not- to-Exceed \$74,668, and Establishing a Construction Phase Services Budget of \$85,000 Upon Receipt of Donations to Fully Fund this Project.

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

1
2
3 **Motion was made by Council Member Araskog, and seconded by Council Member**
4 **Zeidman, to approve Resolution No. 53-2017. On roll call, the motion carried**
5 **unanimously.**
6

7 John Scarpa, 1676 S. Ocean Blvd., spoke thanking the staff and the Mayor and Town
8 Council for getting the project underway.
9

10 Rich Asani, serving as the Executive Director of the Palm Beach Intracoastal
11 Neighbors, spoke regarding the project.
12

13
14 d. RESOLUTION NO. 54-2017 A Resolution of the Town Council
15 of the Town of Palm Beach, Palm Beach County, Florida,
16 Approving a Local Government Agreement Between the State of
17 Florida Department of Environmental Protection and the Town of
18 Palm Beach for the 2018 and Future Palm Beach Harbor
19 Maintenance Dredging Projects and Authorizing the Town Mayor
20 to Execute Same on Behalf of the Town.

21 *H. Paul Brazil, P.E., Director of Public Works*
22

23 Director of Public Works Paul Brazil provided an overview of Resolution No.
24 54-2017.
25

26 Discussion ensued regarding the expanded disposal area.
27

28 **Motion was made by Council Member Zeidman, and seconded by Council Member**
29 **Lindsay, to approve Resolution No. 54-2017. On roll call, the motion carried**
30 **unanimously.**
31

32 8. Comprehensive Annual Financial Report (CAFR) for Fiscal Year
33 Ended September 30, 2016. [N. Ronald Bennett, CPA, Nowlen,
34 Holt & Miner, P.A.]

35 *Jane Struder, Director of Finance*

36 **TIME CERTAIN 2:00 P.M.**
37

38 N. Ronald Bennett, CPA, Nowlen, Holt & Miner, P.A., provided an overview of
39 the Comprehensive Annual Financial Report, and responded to questions from the
40 Town Council.
41

42 Human Resources Director Danielle Olson clarified the structure of the employee
43 and retiree insurance plan and the manner in which the rates are calculated.
44

45 **Motion was made by Council Member Zeidman, and seconded by President Pro Tem Moore,**
46 **to accept the Annual Comprehensive Annual Financial Report (CAFR). On roll call, the**

1 motion carried unanimously.
2

3 **C. Matters Pulled from Consent Agenda:**
4

- 5 1. RESOLUTION NO. 42-2017 A Resolution of the Town Council of
6 the Town of Palm Beach, Palm Beach County, Florida, Approving a
7 Purchase Order for Design and Bid Phase Engineering Services to
8 Kimley-Horn and Associates, Inc., in an Amount of \$18,448.50 for
9 the Mid-Town Restroom and Lifeguard Building Improvements, and
10 Establishing a Design and Bid Phase Engineering Services Budget of
11 \$20,000.

12 *H. Paul Brazil, P.E., Director of Public Works*
13

14 Director of Public Works Paul Brazil provided an overview of the
15 Resolution.
16

17 **Motion was made by President Pro Tem Moore, and seconded by Council Member**
18 **Araskog, to approve Resolution No. 42-2017. On roll call, the motion carried**
19 **unanimously.**
20

- 21 2. RESOLUTION NO. 43-2017 A Resolution of the Town Council of
22 the Town of Palm Beach, Palm Beach County, Florida, Approving a
23 Contract Extension to Hulett Environmental Services, Inc., for
24 Treatment of Lethal Yellowing Disease in Coconut Palms and Royal
25 Palm Bug and Fertilization Treatment in Royal Palm Trees in the
26 Annual Amount of \$46,746 and Establishing a Project Budget of
27 \$51,420.

28 *H. Paul Brazil, P.E., Director of Public Works*
29

30 Director of Public Works Paul Brazil provided an overview of the
31 program for treatment of the Coconut and Royal Palm trees.
32

33 **Motion was made by Council Member Lindsay, and seconded by President Pro Tem**
34 **Moore, to approve Resolution No. 43-2017. On roll call, the motion carried**
35 **unanimously.**
36

37 **XII. ORDINANCES**
38

39 **A. Second Reading**
40

- 41 1. ORDINANCE NO. 11-2017 An Ordinance of the Town Council
42 of the Town of Palm Beach, Palm Beach County, Florida,
43 Amending Chapter 42, Environment, of the Town's Code of
44 Ordinances at Article V, Noise, Section 42-197 Specific Acts
45 Prohibited to Include at a New Subparagraph so as to Prohibit the

1 Use of Gasoline Powered Leaf Blowers on any Properties Within
2 the Town Consisting of Less than One Acre; Providing for
3 Severability; Providing for Codification; Providing an Effective
4 Date.

5 *Jay Boodheshwar, Deputy Town Manager*

6
7 Public Comments:

8
9 Jovan Brouge, landscaper, spoke regarding the prohibition of gasoline leaf blowers.

10
11 Kirk Carlson, Armsrong Landscape, spoke regarding the prohibition of gasoline
12 leaf blowers, and the enforcement of noise levels from leaf blowers in the Town.

13
14 Mitchell Taylor spoke regarding the prohibition of gasoline leaf blowers, issues
15 concerning construction noise, and enforcement of noise levels in the Town.

16
17 Scott Lewis, Scott Lewis Landscaping, spoke regarding the prohibition of gasoline
18 leaf blowers, the danger factor with battery operated leaf blowers, legal
19 ramifications, and enforcement of noise levels.

20
21 Town Attorney Randolph clarified the legal liabilities of a municipality in regard
22 to legislation that was adopted by the municipality.

23
24 Discussion ensued regarding the technology concerning battery operated leaf
25 blowers, noise violations that had occurred, additional code enforcement, and the
26 review of the Ordinances, Rules & Standards Committee.

27
28 **Motion was made by President Pro Tem Moore, and seconded by Council Member Lindsay**
29 **to adopt Ordinance No. 11-2017 on second reading. On roll call, the motion carried 4/1, with**
30 **Council Member Zeidman dissenting.**

31
32 **B. First Reading**

- 33
34 1. **ORDINANCE NO. 21-2016 An Ordinance of the Town Council of**
35 **the Town of Palm Beach, Palm Beach County, Florida, Amending**
36 **The Town Code of Ordinances at Chapter 42, Environment; Article**
37 **V, Noise; Section 42-230, Lawn Maintenance Equipment Noise, so**
38 **as to Modify the Title; to Provide that Lawn Maintenance Shall be**
39 **Limited to the Hours of Construction Work at Section 42-199; to**
40 **Define the Hours and Days, of Operation of Lawn Maintenance**
41 **Equipment, Providing Certain Exceptions; Providing for Sound**
42 **Level Meter Measurements; Providing for Definition of Lawn**
43 **Maintenance Equipment; Providing a Prohibition of Large Scale**
44 **Landscape Installation on Saturdays; Providing for Severability;**
45 **Providing for Repeal of Ordinances in Conflict; Providing for**
46 **Codification; Providing an Effective Date.**

Jay Boodheshwar, Deputy Town Manager - (Staff recommends deferral to a future meeting)

Motion was made by President Pro Tem Moore, and seconded by Council Member Araskog to defer Ordinance No. 21-2016 to a future meeting, as recommended by staff. On roll call the motion carried unanimously.

XIII. ANY OTHER MATTERS

A. Clarification of the vote taken at the April 12, 2017, Town Council Meeting, regarding the following item: XII. Any Other Matters: Item XI.C.1.c. – Special Exception #30-2016 with site Plan Review and Variances.

Town Attorney Randolph clarified that the motion to reconsider that had been made at the Wednesday, April 12, 2017, Town Council meeting regarding Special Exception #30-2016 related only to the motion for the site plan. The motion to approve the site plan review had then carried 4/1. He confirmed that the vote in regard to the variances, which had been a 3/2 vote, was not reconsidered, and that there had not been a re-vote on the variances.

It was the consensus of the Town Council to affirm the 4/1 site plan approval and the 3/2 variances approval.

XIV. ADJOURNMENT

There being no further business, the Regular Town Council Meeting of March 14, 2017 was adjourned at 5:45 p.m.

APPROVED

Richard M. Kleid
Town Council President

ATTEST:

Susan Eichhorn
Acting Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda
Minutes

Agenda Title

LOCAL PLANNING AGENCY MEETING MINUTES:

Sue Eichhorn, Acting Town Clerk

- a. April 12, 2017, Local Planning Agency Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **Minutes of Local Planning Agency Meeting, April 12, 2017**

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE LOCAL PLANNING AGENCY MEETING HELD ON WEDNESDAY, APRIL 12, 2017

I. **CALL TO ORDER AND ROLL CALL**

The Local Planning Agency meeting was called to order on Wednesday, April 12, 2017, at 9:30 A.M., in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. **COMMUNICATION FROM CITIZENS**

Campion Platt 168 Seabreeze Avenue, read comments from Eric Draper of Audubon Florida. He shared information on Bingham Island restoration efforts.

III. **ORDINANCE NO. 12-2017** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, As Follows: At Article VI, District Regulations, Section 134-1353 By Eliminating The Reference To Permitted Uses, Section 134-1354 By Eliminating The Word “And”; And Creating Section 134-1355, Prohibited Activity, Requiring Permits For Landscape Activities; And, Prohibiting The Use Of Landscape Material For Allowing Or Promoting The Use Of Land For Other Than That Allowed By Special Exception Use Within The Conservation Zoning District; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Director Page sought Town Council permission for the Planning, Zoning & Building Department to be able to issue a permit to the Audubon Society before second reading of Ordinance No. 12-2017 takes place in order that The Audubon Society would be able to begin planting new native species along the shoreline as soon as possible. The Audubon Society has submitted a detailed plan to the Town which has been reviewed by the Coastal Coordinator and the Planning, Zoning & Building Department.

Motion made by Agency Member Lindsay and seconded by Agency Member Araskog, to approve Ordinance No. 12-2017. On roll call, the motion carried unanimously.

1 IV. **ADJOURNMENT**

2

3

4

There being no further business, the April 12, 2017 Local Planning Agency meeting was adjourned at 9:40 A.M.

APPROVED:

Richard M. Kleid
Town Council President

PREPARED BY:

Kathleen Ruderman, Deputy Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Commission at its meeting of April 26, 2017

John S. Page, Director of Planning, Zoning & Building

Presenter

ATTACHMENTS:

- ▣ **Memorandum Dated April 28, 2017 from John S. Page, Director of Planning, Zoning and Building**
- ▣ **Minutes of the Architectural Commission Meeting of April 26, 2017**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 09, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director of Planning, Zoning & Building

Re: Approval of the Architectural Commission Meeting Minutes of April 26, 2017

Date: April 28, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of April 26, 2017.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items which were considered at the regularly scheduled meeting of April 26, 2017.

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

JSP:kmc



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL COMMISSION MEETING HELD ON WEDNESDAY, APRIL 26, 2017

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

The meeting was called to order at 9:01 a.m. by Mrs. Vanneck.

II. ROLL CALL

Richard Sammons, Chairman	ABSENT (unexcused)
Ann L. Vanneck, Vice Chairman	PRESENT
Robert N. Garrison, Member	PRESENT
Alexander C. Ives, Member	PRESENT
Michael B. Small, Member	PRESENT (Left at 11:13 a.m.)
Maisie Grace, Member	PRESENT
Robert J. Vila, Member	PRESENT
John David Corey, Alternate Member	PRESENT
Betsy Shiverick, Alternate Member	PRESENT

Staff Members present were:

John Page, Director of Planning, Zoning & Building

John Lindgren, Planning Administrator

Kelly Churney, Secretary to the Architectural Review Commission

Skip Randolph, Town Attorney

III. PLEDGE OF ALLEGIANCE

Mrs. Vanneck led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES FROM THE MARCH 22, 2017 MEETING

Motion made by Mr. Small and seconded by Mr. Garrison to approve the minutes from the March 22, 2017 meeting. Motion carried with all in favor.

V. APPROVAL OF THE AGENDA

Mr. Small asked to defer projects B-001-2017 242 Cherry Ln., B-016-2017 210 Fairview Rd. and A-006-2017 329 Worth Ave. to the May 24, 2017 meeting at the request of the architects. He also asked to withdraw A-003-2017 686 Island Rd. from the agenda at the

request of the architect. He further asked for project B-029-2017 1055 N. Ocean Blvd. to be moved to the first spot on the agenda under Major Projects – Old Business.

Motion made by Mr. Small and seconded by Mr. Vila to approve the agenda as amended. Motion carried with all in favor.

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

Ms. Churney administered the oath at this time and throughout the meeting as necessary.

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

There were no comments heard at this time.

VIII. **PROJECT REVIEW**

A. **DEMOLITIONS AND TIME EXTENSIONS**
B-025-2017 Time Extension

Address: 1020 S. Ocean Blvd.

Applicant: 1020 South Ocean LLC

Architect: Ralph Cantin, A.I.A.

Project Description: Time extension for demolition B-041-2016, approved July 27, 2017 with landscape revisions.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Cantin stated his request to extend the demolition approval he received in July of 2016. He described the proposed project to the Commissioners.

Motion by Mr. Small and seconded by Mr. Ives to approve the project as presented. Motion carried with all in favor.

B-031-2017 Demolition

Address: 446 N. Lake Way

Applicant: Steven A. Levin

Architect: Harold Smith/Smith and Moore Architects

Landscape Architect: Keith Williams/Nievera Williams Design

Project Description: Demolition of a two-story residence, guest house, pool, pool pavilion, tennis court, tennis pavilion, hardscape and landscape.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Smith showed the Commissioners an aerial map, interior and exterior photos of the current home, a history of the home, a demolition site plan and reviewed the features of the home.

Mr. Vila asked about the intent to project the property to the north during the demolition. Mr. Smith indicated that the heavy landscape vegetation on the north property line would remain as protection.

Mr. Williams presented the proposed landscaping plan for the demolition.

Mrs. Vanneck questioned the intent for the trees next to the wall on the West side. Mr. Williams indicated that the trees would remain.

Motion by Mr. Small and seconded by Mr. Ives to approve the demolition and to retain the landscaping as presented with the caveat to sod and irrigate the property within 30 days. Motion carried 6-1 with Mr. Garrison opposed.

Mr. Garrison requested that the architects sign and seal all plans submitted to the Commissioners.

B. **MAJOR PROJECTS-OLD BUSINESS**

B-029-2017 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE VARIANCES

Address: 1055 N. Ocean Blvd.

Applicant: 3200 Washington, LLC

Architect: Pat Segraves/SKA Architect + Planner

Landscape Architect: Keith Williams/Nievera Williams Design

Project Description: Major renovation of existing one story 6,667 square foot home. Partial demolition of first floor to include trellis area, addition of 4,665 square foot second floor, and change of style to Mediterranean. Final landscape and hardscape to be included.

VARIANCE INFORMATION: The applicant is proposing to modify the existing one-story house by adding a 4,665 square foot second story pitched roof addition and adding a pitched roof and loggia element onto the existing one story portions of the house that are to remain. The following four variances are being requested in order to accomplish this: 1) A south side yard setback ranging from 7.4 feet to 9.9 feet in lieu of the 15 foot minimum setback required to add the pitched roof onto the one story south wing of the house and the second story addition; 2) A north side yard setback ranging from the 5.1 feet to 8 feet in lieu of the 15 foot minimum setback required to add the pitched roof and loggia onto the one story north wing of the house and the second story addition. Both sides are proposed to have 2 foot overhangs for the pitch roof which is allowed by code.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Randolph asked the members to reveal the subject matter when revealing ex parte conversations.

Mr. Segraves showed the Commissioners a survey, a description of the variances that are requested, an aerial view, photos of the surrounding properties, existing photos of interior and exterior of the home, a streetscape, existing and proposed site plan, floor plans, elevation renderings and existing and proposed elevations.

Mr. Garrison thought the design was a huge improvement to the property. He asked for sections through the new eave as well as inquired about the roof tile, mortar and cast stone surround for the windows. Mr. Segraves showed a sample of the roof tile and stated the mortar would be gray.

Mr. Ives was in favor of the design but felt the wings of the home on the first floor did not look appropriate.

Mr. Corey asked for more explanations on the variances. Mr. Segraves responded. Mr. Corey stated he could not support the design. He thought the proposed plan exacerbated the site, there was no grace in the front of the home and thought the house should be scaled down or demolished and rebuilt.

Ms. Grace preferred the Regency style and thought the proposed house was overly scaled, overly windowed and the front door location was unclear. She also questioned the boundaries of the property line. She asked if there was a bocce court proposed. Mr. Segraves stated a bocce court was not proposed.

Mr. Ives asked if the lot is substandard. Mr. Segraves responded.

Ms. Shiverick thought the proposed home was too large and did not represent the ocean if faces. She recommended a bigger pool and less hardscape if the original style was to be retained.

Mr. Williams presented an informal landscape plan on the overhead projector. He stated he recently began working with the owner and architect.

Mrs. Vanneck stated she could not support the proposed plan. She thought the design lacked charm and needed restudy.

Bill Rickman, owner, advocated for the proposed design and stated he would like to keep rather than demolish the existing home.

Pat McLaughlin, 1051 N. Ocean Blvd., stated her comments would be irrelevant after the comments from the Commissioners. She stated she would speak with Mr. Rickman as new plans are developed.

Motion made by Mr. Vila and seconded by Mr. Corey that the implementation of the proposed variances will cause negative architectural impacts to the subject property and that the proposed project can be designed in an architecturally suitable manner which conforms to our Code of Ordinances without the need for a variance. Motion carried 5-2 with Messrs. Ives and Small opposed.

Mr. Small explained why he opposed the motion. Mr. Garrison talked about the existing site and the design challenges it presents. Mr. Corey explained why he seconded the motion.

A second motion made by Mr. Corey and seconded by Ms. Grace to defer the project to the June 28, 2017 meeting for a major restudy. Motion carried with 6-1 with Mr. Ives opposed.

Joel Koeppel, attorney for the owner, discussed the setbacks on the property. Mrs. Vanneck responded.

B-065-2016 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 320 Seabreeze Ave.

Applicant: Mr. & Mrs. Gregory Fisher

Architect: Patrick Segraves, SKA Architect + Planner

Landscape Architect: Don Skowron

Project Description: Demolition of existing house and new construction of 2,800 square foot Mediterranean Revival two-story home. Home will consist of three bedrooms and two and one half baths with living room, dining room and kitchen. Final landscape/hardscape to be included.

VARIANCE INFORMATION: The applicant is requesting for approval of a special exception with site plan review to allow the construction of a 2,713 square foot two-story, single family residence on two platted lots which combined creates a lot that is 50 feet in width in lieu of the 100-foot minimum required and 6,125 square feet in area in lieu of the 10,000 square foot minimum area required. The following variances are being requested. To allow a 6-foot east side yard setback for the two story portion in lieu of the 15-foot minimum required and to allow a 6-foot west side yard setback for the one story portion in lieu of the 12.5-foot minimum required.

At the October meeting, a motion carried to approve the demolition. A second motion carried to defer the architectural presentation of the new construction to the November 30, 2016 meeting. At the November meeting, a motion carried to defer the project to the January 25, 2017 meeting for significant redesign. At the January meeting, a motion carried to defer the project to the February 22, 2017 meeting for restudy. At the February meeting, a motion carried to defer the project to the March 22, 2017 meeting. At the March meeting, a motion carried to defer the project to the April 26, 2017 meeting.

Call for disclosure of ex parte communication: Disclosure by several members.

Maura Ziska, attorney for the owner, updated the variance requests in which they are seeking a favorable recommendation to the Town Council.

Mr. Segraves showed the Commissioners a survey, photos of surrounding properties, a site plan, a streetscape, an aerial map, renderings, elevations and indicated the changes in design.

Mr. Skowron presented the changes to the proposed landscape plan. He showed the Commissioners a site plan and landscaped elevations.

Ms. Grace thought the south elevation looked better and was in favor of the wood siding and the front door. She questioned the windows on the front elevation and the Chippendale railing.

Mr. Vila thought the changes were meaningful. He questioned the Chippendale railings and thought the west side landscaping needed more color. Mr. Segraves stated the railings could be changed to the straight picket.

Motion made by Mr. Vila to approve the project as presented.

Mr. Corey thought the elevations were much better and that the clapboarding added character. Mr. Corey expressed concern about the 7-foot setback proposed. Mr. Corey asked about the Ligustrum tree that is proposed for the front. Mr. Corey also asked that the Coconut Palms in the right of way are not removed.

Mrs. Vanneck asked for the Ligustrum tree to be at least 12-14 feet. Mr. Skowron agreed to the request.

Mr. Small expressed his opposition to the front door design.

Motion seconded by Mr. Ives.

Mr. Skowron showed a newly designed walkway on the overhead projector.

Motion modified by Mr. Vila and seconded by Mr. Garrison that the implementation of the proposed variance will not cause negative architectural impacts to the subject property. Motion carried 5-2 with Messrs. Corey and Small opposed.

A second motion made by Mr. Vila and seconded by Mr. Garrison to approve the project as presented. Motion carried 5-2 with Messrs. Corey and Small opposed.

[B-066-2016 Demolition/New Construction](#)

*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO
VARIANCE(S)* - Done 11/30/16

Address: 340 Seaview Ave.

Applicant: Town of Palm Beach (Tom Bradford, Town Manager)

Architect: Stephen Boruff, AIA Architects + Planners, Inc.

Landscape Architect: Nievera Williams Design

Project Description: Demolition of the existing one-story recreation center, maintenance building, pro shop, tennis hitting wall & backstop and the construction of a new two-story, community center & gymnasium, new

maintenance building and a new tennis observation pavilion with attached tennis hitting wall & maintenance yard and associated site work including a new elevated plaza, numerous new stairs and ramps, new playground area and the renovation and expansion of on-site parking.

VARIANCE INFORMATION: The applicant is requesting a special exception with site plan review to approval to allow a new two-story 33,810 square foot Recreation Center for the Town of Palm Beach that will include a new athletic field, parking lot, gymnasium, tennis pro shop, multi-purpose room, fitness center with locker rooms, concession area, classrooms, offices and new maintenance building, new tennis backboard, new scoreboard. A second special exception request is to allow for a rebound wall to be constructed on the north side of the new maintenance building. The following variances are being requested in order to construct the new community center: 1) A west side yard setback of 10 feet in lieu of the 30 foot minimum required for properties that are in excess of 20,000 square feet; 2) A north side yard setback of 8 feet in lieu of the 30 foot minimum required for properties that are in excess of 20,000 square feet; 3) A street rear yard setback for the new parking lot on Royal Palm Way of 4 feet in lieu of the 35 foot minimum required for properties that are in excess of 20,000 square feet; 4) an east side yard setback of 4 feet in lieu of the 30 foot minimum required for the new parking lot on Royal Palm Way for properties that are in excess of 20,000 square feet; 5) a height of 27 feet in lieu of the 22 foot maximum allowed; 6) an overall height of 35 feet in lieu of the 30 foot maximum allowed; 7) a vertical distance to the top of beam of 30.75 feet in lieu of the 26 foot maximum distance allowed from the crown of street to top of beam; 8) landscaped open space of 43% in lieu of the 55% minimum required for properties that are in excess of 20,000 square feet; 9) parking lot interior landscaped open space of 5% in lieu of the 10% minimum required; 10) to allow signage on the proposed scoreboard which would exceed the maximum signage allowed (of one for each street frontage); 11) to allow three (3) air-conditioning units to be on the roof that is in excess of the 4 foot maximum allowed. The proposed A/C units will be 5 feet tall plus the height of the stand.

At the October meeting, a motion carried to approve the demolition. A second motion carried to defer the project for restudy, with particular attention to reducing the mass and addressing the elimination of the north field for one month to the November 30, 2016 meeting. At the November meeting, a motion carried that the implantation of the proposed variances will not cause negative architectural impact to the subject property with the existing parking or parking option B. A second motion carried to defer the project for one month for restudy to December 28, 2016. At the December meeting, a motion carried to defer the project for one-month to the January 25, 2017 meeting at the request of the applicant. At the January meeting, a motion carried to defer the project to the February 22, 2017 meeting at the Town Council's request. At the February meeting, a motion carried to defer the project to the March 22, 2017 meeting. At the March meeting, a motion carried to approve the project as presented with the caveat that the fitness center location is changed to the south side of the building with pertinent changes to fenestration as needed and all materials are to be submitted at the April 26, 2017 meeting.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Freijomel presented the proposed changes to the site plan and floor plan of the project. He also reviewed a sample board of materials with the Commissioners.

Mr. Vila asked about the emergency exits from the gymnasium space. Mr. Freijomel showed the Commission the three proposed exits.

Mr. Corey expressed concern about the egress from the gymnasium. He was in favor of the modification to the floor plan.

Mr. Ives asked about the public school roof material. Mr. Freijomel responded.

Ms. Grace stated she was in favor of the changes but was not in favor of the proposed color for the rafters and the proposed stone.

Mrs. Vanneck called for public comment and there was none.

Motion by Mr. Vila and seconded by Mr. Ives to approve the changes as presented. Motion carried with all in favor.

[B-078-2016 Demolition/New Construction](#)

*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO
VARIANCE(S)*

Address: 157 Peruvian Ave.

Applicant: Nita Stanoytchev; c/o David E. Klein, Esq.

Architect: Roy & Posey Architects

Project Description: Demolition of an existing one-story residence and construction of a new two-story single family residence in the “Bermuda Style.”

VARIANCE INFORMATION: The applicant is requesting a variance to build a two-story, 3,911 square foot (including the garage) single-family residence on a lot with an area of 6,250 square feet, in lieu of the 10,000 square foot minimum required, and a lot width of 50 feet, in lieu of the 75-foot minimum required.

At the December meeting, a motion carried to defer the project for one-month to the January 25, 2017 meeting at the request of the applicant. At the January meeting, a motion carried to defer the project to the February 22, 2017 meeting at the request of the applicant. At the February meeting, a motion carried to defer the project to the March 22, 2017 meeting. At the March meeting, a motion carried to defer the demolition to allow the architect to bring additional photos and a landscape demolition plan. A second motion carried to defer the project to the April 26, 2017 meeting for restudy.

Call for disclosure of ex parte communication: There was no disclosure at this time.

David Klein, attorney for the owner, stated the reasons for his deferral request to the May 24, 2017 meeting.

Motion made by Mr. Garrison to approve the deferral request while stating that no further deferrals would be granted.

Mrs. Vanneck asked Mr. Lindgren about the deferral request. Mr. Lindgren responded and stated that the Commission has granted more than 2 deferrals in the past.

Mr. Small seconded the motion.

Mrs. Vanneck stated this is the last deferral that would be granted for this project.

John Dotterer, attorney for the neighbors, asked for confirmation that the drawings provided to his client were not changed per their settlement agreement. Mr. Klein confirmed that the new drawings did not change the agreement with his clients.

Motion carried 5-2 with Mses. Vanneck and Grace opposed.

[B-001-2016 Additions/Modifications](#)

Address: 242 Cherry Lane

Applicant: 242 Cherry Lane, LLC/James C. Paine, Jr. – Agent, Architect

Architect: James C. Paine, Jr.

Project Description: Two story addition to single family residence, including demolition of non-conforming portion of existing residence.

At the January meeting, a motion carried to defer the project to the March 22, 2017 meeting for an aggressive restudy. At the March meeting, a motion carried to defer the project to the April 26, 2017 meeting at the request of the architect.

This item was deferred to the May 24, 2017 meeting with the approval of the agenda, Item V.

[B-002-2017 Demolition/New Construction](#)

Address: 256 Fairview Rd.

Applicant: 256 Fairview Road, LLC

Architect: Roger P. Janssen/Dailey Janssen Architects

Project Description: Demolition of a 1 story residence, pool, landscape and hardscape. Construction of a 2 story residence, pool/spa, landscape and hardscape.

At the January meeting, a motion carried to defer the project to the February 22, 2017 meeting at the staff's request. At the February meeting, a motion carried to approve the demotion request. A second motion carried to defer the project to the March 22, 2017 meeting for restudy. At the March meeting, a motion carried to defer the project to the April 26, 2017 meeting for restudy.

Call for disclosure of ex parte communication: Disclosure by several members.

Motion by Mr. Vila and seconded by Mr. Garrison to defer this project to the end of the agenda to allow time for the architect to arrive. Motion carried with all in favor.

B-008-2017 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW

Address: 235 Via Vizcaya

Applicant: 235 Via V PB, LLC

Architect: Pat Segraves, SKA Architect + Planner

Landscape Architect: Steve West, Parker-Yanette Design Group, Inc.

Project Description: Mediterranean Revival style two-story home to be 7,444 square feet consisting of four bedrooms, six and one half bathrooms, kitchen, dining room, family room, living room, library, loggias, two-car garage and guest apartment. Final landscape, hardscape and drainage to be included.

SITE PLAN REVIEW INFORMATION: The applicant is requesting a site plan review to allow the construction of a 7,444 square foot two-story, single family residence on a non-conforming platted lot which is 15,344 square feet in area in lieu of the 20,000 square foot minimum area required; 47.25 in width in lieu of the 125 foot minimum required; and 97.58 feet in depth in lieu of the 150 foot minimum required.

At the January meeting, a motion carried to defer the project to the February 22, 2017 meeting at the request of the architect. At the February meeting, a motion carried to defer the project to the April 26, 2017 meeting for major restudy.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Segraves stated he is the architect of record.

Daniel Menard, Leberge and Menard, presented a survey, surrounding property photos, inspiration photos, an aerial map, a site plan, a streetscape, floor plans, the proposed changes since the last presentation, previously and currently proposed elevations, previously and currently proposed renderings, detail sheets, samples of the materials and reviewed the design elements. Mr. Menard showed a video of the proposed home as well.

Mr. Garrison thought the proposed detailing on the house was superb but thought the proposed site was a problem and was worried about the proximity of the home to the east.

Mr. Corey was in favor of the design, color and thought it could be landmarked in the future. He thought the house was too big for the lot and was too massive. He suggested breaking up the mass with one story sections across the house.

Ms. Grace thought the house was beautiful but questioned whether it fit in the neighborhood as well as the proposed color.

Mr. Ives was in favor of the footprint of the home but questioned the color, the multiple window styles and thought the verticality of the home needed some restudy.

Ms. Shiverick thought the design was an improvement but thought it may be too similar to some of the neighboring properties. She suggested to eliminate the mullions on the three rear doors that face the water and also suggested to use leaded mullions on the other windows. Lastly, she suggested to tone down the awning color.

Mr. Menard asked for direction on whether the house should fit in on the street or if it should be different. Ms. Shiverick responded.

Mr. Vila was in favor of the design but thought the house was too large for the lot. Mr. Vila asked about the site plan review recommendation request. Maura Ziska, attorney for the owner, clarified the request.

Mr. Vila restated that the house is too big for the non-conforming lot. Mr. Vila also addressed the similar and dissimilar language.

Mr. Small suggested that the owner combine the two lots to alleviate the design challenges.

Ron Collins, attorney for the Malasky family, suggested a potential violation of the Code, section 134-843b, which requires non-conforming substandard lots, under common ownership, be combined to create a conforming lot.

Ms. Ziska stated that the two lots in question were legally platted and that the section of the Code that Mr. Collins referred to is irrelevant. She also stated that the lots are under different ownership and that her client is the contract purchaser. She stated that her client would consider one house on the two lots to which Mr. Malasky had previously objected.

Mr. Collins stated that Mr. Malasky believes one house on the lots would be more appropriate.

Mr. West presented a site plan, elevations and renderings of the proposed landscaping design.

Mr. Vila thought a one house could be successful on the lot. He suggested using Canary Island palms rather than Medjool palms as well as colorful, flowering trees around the home.

Mrs. Vanneck suggested changing the color to a mustard yellow.

Mr. Garrison thought the proposed house, positioned on the center of the two lots, would be spectacular.

Motion by Mr. Garrison and seconded by Mr. Small to defer the project to June 28, 2017 for restudy. Motion carried with all in favor.

Mrs. Vanneck thought that the Commissioners would be overstepping their boundaries to suggest putting one house on two lots. The comments should reflect that the proposed home is too large for the lot.

A short break was taken at 11:13 a.m. The meeting resumed at 11:26 a.m.

[B-009-2017 New Construction](#)

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW

Address: 12 Via Vizcaya

Applicant: JDC Florida Properties, LLC

Architect: Pat Segraves, SKA Architect + Planner

Landscape Architect: Steve West, Parker-Yanette Design Group, Inc.

Project Description: Classical Style two-story home to be 6,958 square feet consisting of 4 bedrooms, five and one half bathrooms, kitchen, dining room, family room, library, loggias, and two car garage. Final landscape, hardscape and drainage to be included.

SITE PLAN REVIEW INFORMATION: The applicant is requesting a site plan review to allow the construction of a 6,958 square foot two-story, single family residence on a non-conforming platted lot which is 15,102 square feet in area in lieu of the 20,000 square foot minimum area required; 106.67 in width in lieu of the 125 foot minimum required; and 100.17 feet in depth in lieu of the 150 foot minimum required.

At the January meeting, a motion carried to defer the project to the February 22, 2017 meeting for major restudy. At the February meeting, a motion carried to defer the project to the April 26, 2017 meeting for restudy.

Call for disclosure of ex parte communication: Disclosure by several members.

Mrs. Vanneck announced that Ms. Shiverick would be voting in the absence of Mr. Small.

Mr. Segraves showed the Commissioners surrounding property photos, an aerial photo, a site plan, a streetscape, floor plans, elevations, renderings of the proposed project.

Mr. Vila thought that the tower and the front entrance collide and would be improved if they were separated.

Mr. Corey was in favor of the tower but thought it was too close to the front door. He also stated the thought the house was too large for the lot and suggested that there are circulation issues.

Ms. Grace thought this design was an improvement from the last design presented. She was in favor of the garage design and thought the tower could be lowered.

Mr. Segraves showed an alternative design of the tower on the overhead.

Mr. Garrison thought the house was too large for the site and that there should be more room between the tower and the front door.

Mrs. Vanneck thought the tower was too similar to the other homes on the street. She also pointed out that the front door's surround was prominent but that design feature was not carried throughout the home.

Ron Collins, attorney for the Malasky family, asked to include the potential Code violation that he stated in the previous project. He also suggested other standards that the proposed home violates. He suggested that the house was too large and massive for the lot and objected to the front loading garage and tower element.

Ms. Ziska responded regarding the sizes of a R-B lot versus a R-A lot and reviewed the proposed lot coverages.

Mr. Collins also commented on the size of R-B and R-A lot sizes.

Ms. Shiverick asked for samples of materials to be used. Mr. Segraves passed around the samples.

Mr. West presented a site plan, previously and current proposed elevations and renderings of the proposed landscaping design.

Motion carried by Mr. Garrison and seconded by Mr. Corey to defer the project to the June 28, 2017 meeting for better coordination with the proposed home at 235 Via Vizcaya and to restudy the scale of the home. Motion carried with all in favor.

[B-013-2017 Additions/Modifications](#)

Address: 220 Indian Rd.

Applicant: Francis Fraenkel and Frances Sweeney

Architect: Dennis Rainho and Michael J. Polka/YRA Design Inc.

Project Description: Addition of enlarged foyer with new raised hipped roof with roof tiles, eaves and brackets to match existing, new windows, shutters and front door at street side.

At the March meeting, a motion carried to defer the project to the April 26, 2017 meeting.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Rainho presented existing, previously proposed and currently proposed elevations of the home while reviewing the changes to the project.

Mr. Garrison thought the changes were in keeping with the style of the home and was now more in proportion. He asked about the proposed paint color. Mr. Rainho stated that the proposed paint color will match the existing color.

Motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented. Motion carried with all in favor.

[B-016-2017 Demolition/New Construction](#)

Address: 210 Fairview Rd.

Applicant: Palm Beach Island Ventures, LLC

Architect: James C. Paine, Jr.

Project Description: Demolition of existing single story residence. Construction of new two story residence with side entry garage and pool.

At the March meeting, to approve the demolition request. A second motion carried to defer the project to the April 26, 2017 meeting for restudy of the mass, lighting, fenestration, window treatments and the unsupported concrete walls.

This item was deferred to the May 24, 2017 meeting with the approval of the agenda, Item V.

[B-018-2017 Demolition/New Construction](#)

Address: 323 Seabreeze Ave.

Applicant: Desiree Luccio

Architect: Pat Segraves/SKA Architect + Planner

Landscape Architect: Steve West, Parker-Yanette Design Group, Inc.

Project Description: Demolition of existing two story home. New two story home to be approximately 3,800 square feet. Home will consist of three bedrooms, four and one half bathrooms, living room, dining room, family room, kitchen, laundry, loggia, two car garage and renovation to the existing guest house and cabana.

Final landscape plan to be included.

At the March meeting, to defer the demolition to the April 26, 2017 meeting.

Call for disclosure of ex parte communication: Disclosure by several members.

Maura Ziska, Attorney for the owner, addressed the request for the demolition that was deferred at the last meeting.

Motion made by Mr. Garrison and seconded by Mr. Vila to approve the demolition as requested with the caveat to sod and irrigate the property within 30 days. Motion carried with all in favor.

Dorothy Martin, 312 Seabreeze Ave, asked if the demolition could be scheduled to occur at the same time as the surrounding demolitions to minimize disruption on the street. Ms. Ziska stated that the owners would take the suggestion into consideration.

Mr. Segraves showed the Commissioners a site plan, floor plans, colored renderings, design elements, elevations, and guest house elevations.

Ms. Grace was in favor of the design but questioned whether it was too dissimilar for the neighborhood. She also thought the two floors were disharmonious and suggested some fenestration changes.

Mr. Ives was in favor of the style but suggested it may be too symmetrical. He asked about the front door color and materials on the bay windows.

Mr. Corey was in favor of the house but questioned its location position on the block and whether it is too dissimilar. He asked about the missing guest house from the streetscape. Mr. Segraves stated that the guest house sits on the rear property line and it is hard to see from the street. Mr. Corey also questioned the drainage plan for the home. Mr. Segraves stated his design intentions for the home and guest home relating to the drainage and showed the Commission examples on the overhead projector.

Mr. Garrison thought this house would be a nice addition to the area.

Mr. Vila was in favor of the design.

A second motion made by Mr. Vila and seconded by Mr. Garrison to approve the house as presented.

Mr. West presented a site plan, photos of the existing landscaping and colored renderings of the proposed landscape and hardscape plans.

Mr. Vila asked about storm water retention plan. Mr. Segraves stated that the owner will be required to retain the first two inches. Mr. Lindgren stated that the Town's engineer would approve the design of the storm water retention.

Ms. Shiverick was in favor of the home's design and landscaping. She suggested using Chinese Chippendale railings.

A second motion amended by Mr. Vila and seconded by Mr. Ives to approve the project as presented with Chinese Chippendale railings. Motion carried 4-3 with Ms. Grace, Vanneck and Mr. Corey opposed.

B-002-2017 Demolition/New Construction

Address: 256 Fairview Rd.

Applicant: 256 Fairview Road, LLC

Architect: Roger P. Janssen/Dailey Janssen Architects

Landscape Architect: Colin McCann/WGI

Project Description: Demolition of a 1 story residence, pool, landscape and hardscape. Construction of a 2 story residence, pool/spa, landscape and hardscape.

At the January meeting, a motion carried to defer the project to the February 22, 2017 meeting at the staff's request. At the February meeting, a motion carried to approve the demotion request. A second motion carried to defer the project to the March 22, 2017 meeting for restudy. At the March meeting, a motion carried to defer the project to the April 26, 2017 meeting for restudy.

Call for disclosure of ex parte communication: Disclosure by several members.

Molly Mitchell, with Dailey Janssen Architects, presented the changes to the project since the last presentation. She presented previously proposed and currently proposed front elevation, a rear elevation, a west elevation, precedent photos, eave details, window details and balcony details.

Mr. McCann presented the proposed changes to the landscape and hardscape plan. He presented a site plan, demolition plan, elevations and a detail sheet.

Mrs. Vanneck had a question about the sea grapes and its location on the plans. Mr. McCann pointed out its location.

Mr. Corey was in favor of the changes, including the rounded bay window.

Motion made by Mr. Corey and seconded by Mr. Vila to approve the project as presented, to include the rounded bay window as well as the change in the stucco band to the sill course. Motion carried with all in favor.

C. **MAJOR PROJECTS-NEW BUSINESS**

B-019-2017 Additions/Modifications

Address: 120 Jungle Rd.

Applicant: Leo & Kathryn Vecellio

Architect: Bridges, Marsh & Associates, Inc.

Project Description: Expansion of existing 2 story garage and associated landscape/hardscape.

Call for disclosure of ex parte communication: Disclosure by Messrs. Garrison, Ives and Ms. Shiverick.

Mr. Marsh presented an aerial photo, surrounding property photos, an existing and proposed site plan, a floor plan of addition, elevations, detail sheets, a color sample and described a proposed change in the color for the pavers.

Motion made by Mr. Ives and seconded by Mr. Garrison to approve the project as presented.

Mr. Corey asked if there will be additional height to the landscaping on the south side for the neighbors. Mr. Marsh indicated that there is a large separation between this property and the neighbors.

Motion carried 6-0 with all in favor.

A lunch break was taken at 12:43 p.m. The meeting resumed at 1:45 p.m.

After the lunch break, Mrs. Vanneck asked for any public comment regarding the project B-019-2017, 120 Jungle Road. There was none.

[B-020-2017 Modifications](#)

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE

Address: 202 Onondaga Ave.

Applicant: 202 Onondaga LLC

Architect: Jaime Torres/Fairfax, Sammons & Partners

Landscape Architect: Matt Jackman/Nievera Williams Design

Project Description: Renovations to existing one story residence and partial 2nd floor addition to same. Landscape and hardscape changes included.

VARIANCE INFORMATION: The applicant is requesting approval to demolish greater than fifty percent (50%) of the existing cubic footage by taking off existing roof trusses and adding a second story addition with a pitched roof off the one story house. The following variances are being requested: a) an east side yard setback of 11.8 feet in lieu of the 15 foot minimum required, b) a west side yard setback to remain of 9.8 feet in lieu of the 12.5 foot minimum setback required.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Torres presented an aerial photo, a survey, a site plan, a streetscape, CCR details, floor plans, colored rendered elevations, section details, existing property photos, existing exterior photos and material details.

Mr. Ives asked the architect if he considered the style of the area when creating his design. Mr. Torres stated that he did a survey of the area and felt the design was consistent with surrounding homes. Some more discussion continuing about the styles in the area. Mr. Ives also asked about the floor to ceiling heights. Mr.

Torres responded. Mr. Ives thought it was consistent with the street and thought the design was an improvement on the lot. He was in favor of the shutters.

Mr. Garrison asked about their choice to use stone rather than stucco. Mr. Torres stated he did not feel stone was appropriate for the style. Mr. Garrison also pointed out how the design respected both east and west neighbors by its design.

Ms. Grace was in favor of the design but questioned whether it fit on the street.

Mr. Corey expressed concern about the variances that were requested and questioned whether the house could be designed without any variances. Mr. Torres responded and explained the design.

Mrs. Vanneck thought since the request was to remove more than 50% of the home, it would be wise to demolish the existing house and rebuild new. She also agreed that the house could be built without variances.

Mr. Garrison was not in favor of a home design that creates a need for a variance.

Mr. Ives was in favor of the design and thought it would be a nice addition to the area.

Mr. Vila agreed that the scale of the house was good and sensitive to the neighbors. He was in favor of the project and spoke about preservation of the existing home.

Ms. Shiverick liked the details on the house and was in favor of the project.

Mr. Corey asked about the shutters. Mr. Torres responded.

Mr. Torres explained how the design had broken up the mass of the home as well as reviewed the details of the home.

Mr. Jackman presented the proposed landscape and hardscape plan for the project. He showed a site plan, renderings and elevations.

Ms. Shiverick suggested that the hedge on the exterior view was too much and needed to be shorter.

Susan Gary, 229 Onondaga Ave., asked if the neighbors in favor of the project could speak first.

Allison Brown, 1465 Laurie Lane, was in favor of the design and thought it would be an improvement to the neighborhood.

Susan Gary, 229 Onondaga Ave., objected to the size and mass of the proposed home.

Per Lorentzen, 231 Osceola Way, expressed his objections to the two story home.

Bill Metzger, 277 Esplanade Way, read a letter which applauded the design of his two story home where the second story portion is in the rear of the home.

John Dotterer, 1470 N. Ocean Blvd., spoke on behalf of Jacqueline Murphy and G. Ben Turnipseed as well as himself. He submitted a compilation of letters of objections to the clerk. He expressed concerns about the scale of the proposed home.

Mr. Corey asked to rule on the variances first and thought the home could be designed without any variances. Ms. Grace agreed with Mr. Corey.

Motion by Mr. Ives and seconded by Ms. Shiverick that the implementation of the proposed variances will not cause negative architectural impacts to the subject property. Motion failed 2-5 with Ms. Grace, Vanneck and Messrs. Garrison, Vila and Corey opposed.

A second motion made by Mr. Corey and seconded by Mr. Vila that the proposed project can be designed in an architecturally suitable manner which conforms to our code of ordinances without the need for a variance. Motion carried 5-2 with Mr. Ives and Ms. Shiverick opposed.

Mr. Torres asked if the motion referred to a design without a second story. Mrs. Vanneck responded. Mr. Vila suggested putting the second story in the attic.

A third motion made by Mr. Corey and seconded by Mr. Garrison to defer the project to the June 28, 2017 meeting for restudy. Motion carried 6-1 with Mr. Ives opposed.

[B-021-2017 Additions/Modifications](#)

Address: 1900 S. Ocean Blvd.

Applicant: Keith Frankel

Architect: Keith Williams/Nievera Williams Design

Project Description: Main entry gate and columns and service gate with columns.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Williams stated his requests to install main drive entry and service gates. He presented renderings of the gates and columns for the main and service entrance.

Mr. Vila thought that the proposed gates did not relate to the architecture and thought the scale of the piers was incorrect. He was not in favor of the proposal. Mr. Garrison agreed.

Motion made by Mr. Garrison and seconded by Mr. Vila to defer the project to the May 24, 2017 meeting for restudy. Motion carried with all in favor opposed.

[B-023-2017 Modifications](#)

Address: 234 Kenlyn Rd.

Applicant: Sterling Kenan

Architect: Caroline Forrest/MP Design & Architecture

Landscape Architect: Keith Williams/Nievera Williams Design

Project Description: Renovations to existing garage. New hardscape and landscape.

Call for disclosure of ex parte communication: Disclosure by several members.

Ms. Forrest presented the proposed modifications to the garage. She showed an existing and proposed site plan, existing photos of the property, surrounding neighborhood photos, existing and proposed floor plans, existing and proposed elevations and provided a history of the project.

Mr. Williams presented the proposed landscape and hardscape modifications. He presented an existing and proposed site plan and rendered elevations.

Mr. Vila asked about the number of guests the proposed driveway would accommodate. Mr. Williams responded. Mr. Vila suggested to fence the front garden. Mr. Williams agreed.

Motion made by Mr. Vila and seconded by Mr. Corey to approve the project as presented. Motion carried with all in favor.

[B-022-2017 New Construction](#)

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES

Address: 1430 N. Ocean Blvd.

Applicant: Valerie and Greg Frost

Architect: Caroline Forrest/MP Design & Architecture

Landscape Architect: Keith Williams/Nievera Williams Design

Project Description: New 164.5 S.F. Beach Cabana Addition with new landscape and hardscape.

SPECIAL EXCEPTION INFORMATION: The applicant is requesting a special exception with site plan review to allow construction of a 164.5 square foot beach cabana that requires the following variances: 1) To construct a 164.5 square foot beach cabana that is on a lot with frontage

of 90.52 feet in lieu of the 100 foot required, 2) To allow the beach cabana to have a west setback of 4.37 feet from the property line in lieu of the 10 foot minimum required.

Call for disclosure of ex parte communication: Disclosure by several members.

Ms. Forrest showed the Commissioners a site plan, streetscape existing photos of the area, elevations, roof plan, floor plan and renderings for the proposed beach cabana.

Mr. Williams presented the proposed landscape and hardscape plan for the proposed cabana.

Mr. Vila asked about the proposed landscaping by the beach. Mr. Williams responded.

Motion made by Mr. Garrison and seconded by Mr. Ives that the implementation of the proposed variance will not cause negative architectural impacts to the subject property. Motion carried with all in favor.

A second motion made by Mr. Garrison and seconded by Mr. Ives to approve the project as presented. Motion carried with all in favor.

[B-024-2017 Demolition/New Construction](#)

Address: 144 Seminole Ave.

Applicant: Ebil Management Limited

Architect: Daniel Menard/LaBerge & Menard, Inc.

Project Description: Demolition of existing 1-story single family residence and construction of a new 2-story single family residence, new hardscape and landscape.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Menard presented the request for demolition for the existing home. He presented a survey, a history of the home, surrounding property photos, a streetscape, interior and exterior photos of the existing home.

Motion made by Mr. Ives and seconded by Mr. Corey to approve the demolition as presented with the caveats to sod and irrigate the property within 30 days. Motion carried with all in favor.

Mr. Menard presented plans for the proposed project. He showed the Commissioners a site plan, floor plans, roof plan, inspiration photos, elevations, detail sheets and showed a video of the proposed home.

Mr. Garrison asked about the proposed color of the home and asked that it be included on the plans. Mr. Menard stated the color. Mr. Garrison asked about

the height of the door. Mr. Menard stated it was 7'6". Mr. Garrison thought there were too many design elements occurring on the front façade.

Mr. Corey was in favor of the side load garage and center entrance. He felt the details were clean and worked well. He agreed with Mr. Garrison that the front elevation needed restudy. He pointed out an error on the plans where the elevations did not match. Mr. Menard stated that the rendered elevations were correct and stated he brought new plans for the record.

Mr. Vila asked for details for the eave, gutters, overhangs and front door. Mr. Vila also asked about the details on the front façade. Mr. Menard responded. Mr. Vila asked that the plans are corrected to reflect the current design. Mr. Vila questioned the use of glass panels on the railings. Mr. Vila suggested to change the floor plan to allow an entry through the pantry. Mr. Menard thought that was a good suggestion.

Ms. Shiverick was in favor of the design and the glass panels on the railings. She asked for more details to be included at the next presentation.

Ms. Grace asked about the window surround details. Mr. Menard responded.

Mr. Ives expressed his concern about the design, use of coquina and thought it needed major redesign.

Mr. Garrison agreed with Mr. Ives. He asked for details on the applied sills. He also requested a section through the roof and windows.

Mr. Corey suggested to break up the front façade rather than making it symmetrical. Mr. Menard appreciated the suggestion.

Mrs. Vanneck agreed with the other Commissioners. She requested more details and a streetscape at the next presentation.

A second motion made by Mr. Garrison and seconded by Mr. Corey to defer the project to the June 28, 2017 meeting for restudy as well as requested more details in the next presentation. Motion carried with all in favor.

[B-026-2017 Demolition/New Construction](#)

Address: 100 Via Del Lago

Applicant: 1020 South Ocean LLC

Architect: Ralph Cantin, A.I.A. & Phillip James Dodd/Bespoke Residential Design, LLC.

Landscape Architect: Fernando Wong/Fernando Wong Outdoor Living Design

Project Description: Demolition of 100 Via Del Lago and the construction of a new two-story Mediterranean home, landscape and hardscape on the combined lot 1020 South Ocean Blvd. and 100 Via Del Lago.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Cantin presented the request for demolition for the existing home. He presented a drawing of the home, exterior and interior photos of the home and a survey.

Motion by Mr. Corey and seconded by Mr. Ives to approve the demolition as presented with the caveats to sod and irrigate the property within 30 days. Motion carried with all in favor.

Mr. Cantin presented an aerial map, surrounding property photos, site setbacks, and a streetscape.

Mr. Dodd presented the plans for the new residence. He showed the Commissioners elevations, renderings, floor plans, detail sheets and spoke about the materials to be used on the home.

Please note: A short break was taken at 4:16 p.m. to allow the Commissioners to view the model. The meeting resumed at 4:26 p.m.

Mr. Garrison stated that he thought the design was well organized, very detailed and was extremely well done. He added it would be a great addition to the town.

Mr. Corey agreed with Mr. Garrison and stated it was a pleasure to review the plans. He suggested that the glazing to be reduced on the tower windows as well as making the windows slimmer. Mr. Dodd stated he would consider the suggestion.

Mr. Ives was in favor of the design. He suggested that the overall height may need to be reduced slightly. Mr. Cantin responded with the heights details. Mr. Dodd stated that they made sure to design the home without any variance requests.

Mr. Vila asked about the quoins courses proposed. Mr. Dodd responded. Mr. Vila asked about the metal railings to be used and suggested that Mr. Dodd look at Ms. Shiverick's metal railings on her home.

A second motion made by Mr. Vila and seconded by Mr. Corey to approve the project as presented. Motion carried with all in favor.

Mr. Wong presented the proposed landscape and hardscape design for the project. He presented a site plan and elevations. He presented different landscaping options of the exterior wall on the overhead projector.

Mr. Corey thought the landscaping was not tall enough and felt too busy. Mr. Wong responded with comments about his design.

Mr. Vila commented on the landscaping and suggested extending the paved parking area another 20 feet. Mrs. Vanneck agreed.

Mr. Ives was in favor of the design.

Ms. Grace thought the landscape complimented the architecture and that the scale was good.

A third motion made by Mr. Ives and seconded by Mr. Garrison to approve the landscaping plan as presented with the caveat to add landscaping on the front side of the property as shown on the overhead projector. Motion carried with all in favor.

[B-027-2017 Additions/Modifications](#)

Address: 228 Via Las Brisas

Applicant: Maximo Haddad

Architect: Patrick Segraves/SKA Architect + Planner

Landscape Architect: Steve West/Parker-Yanette Design Group, Inc.

Project Description: Major renovation of existing 2-story 12,728 square foot home. Partial demolition of previous addition and pool gazebo (2,138 square feet). Addition of 2,100 square foot garage and loggia. Final landscape and hardscape to be included.

Call for disclosure of ex parte communication: Disclosure by several members.

Mrs. Vanneck asked about the concern addressed in the letter received from the HOA. Mr. Segraves responded.

Mr. Segraves presented the proposed modifications to the existing residence. He showed the Commissioners a survey, a contextual site plan, an aerial map, a streetscape, exterior and interior photos, existing and proposed floor plans, section details, colored renderings and elevations. Mr. Segraves presented a change to the front entrance on the overhead projector.

Mrs. Vanneck stated she was glad the front door would remain.

Mr. West presented the proposed changes to the landscape and hardscape materials. He presented exterior photos of the residence, a site plan, a rendered site plan, and elevations.

Mr. Ives was in favor of keeping the front door. He expressed concern about the two pools and the porte cochère.

Ms. Grace was in favor of the three French doors. She asked about the window over the front door. Mr. Segraves stated that the original entrance would remain.

Mr. Vila asked to eliminate the porte cochère. He also asked about the landscaping in the NW corner. Mr. West responded.

Mr. Corey was not in favor of the porte cochère.

Motion made by Mr. Vila and seconded by Mr. Corey to approve the project as presented with the exception of the porte cochère. Motion carried with all in favor.

[B-028-2017 Lighting](#)

Address: 160 Brazilian Ave.

Applicant: PEMS Partnership Limited

Architect: Keith Spina/Glidden Spina

Project Description: Install 4 new site lighting poles and fixtures in parking lot.

Call for disclosure of ex parte communication: Disclosure by several members.

Miguel Alonzo from Glidden Spina, presented the four lights proposed for safety and security in the parking lot. He showed the Commissioners an electrical site plan, photos of the existing parking light and details of the proposed light figures.

Mr. Corey agreed that the lot needed more light but did not think the proposed lights were appropriate. He suggested to add nicer lights similar to the town lights. He also suggested that the 4,000K color was too white and that 3,000K color was more appropriate.

Mr. Alonzo stated that the pole and light would be painted black.

Mr. Ives agreed with Mr. Corey's recommendation.

Mr. Vila disagreed with Mr. Corey and Mr. Ives and was in favor of the proposed lights. He suggested that the added expense of the more ornate light fixtures was not warranted.

Motion made by Mr. Corey and seconded by Mr. Grace to defer the project to the May 24, 2017 meeting to restudy the project and to consider lighting more appropriate for the area.

Mr. Alonzo stated he did bring a different, more decorative option but would require five lights rather than the four proposed. The Commission were not in favor of the alternate lighting proposal. Mr. Alonzo stated they were trying to limit the number of fixtures.

Motion carried 6-1 with Mr. Vila opposed.

B-030-2017 Modifications

Address: 2100 S. Ocean Blvd.

Applicant: 2100 Condominium Association, Inc.

Architect: Roger Hansrote/ACI, Inc.

Project Description: Install new bronze aluminum impact resistant storefront at the main entrance of the North and South Buildings with precast trim. Remove “X” column support at the West end of the porte-cochere and replace with vertical columns. Modifications to guardhouse to include installing bronze aluminum impact rated sliding glass doors and windows to match existing, reduce the roof overhang from 2’-0” to 1’-0”, remove the raised planter walls at the East and West elevations and install a planter flush with grade, and relocate the existing AC unit from the guardhouse planter to the planting area North of the drive.

Call for disclosure of ex parte communication: Disclosure by several members.

Richard Leji, with ACI, Inc., presented the proposed modifications to the condominium. He presented a site plan, existing and proposed elevations, and photos of the existing building, lighting for the planters, proposed plans for the porte cochère area and some fenestration changes to an existing storefront.

Many of the Commissioners were not in favor of removing the X columns, which they believe one of the distinct features to the building. There were suggestions made to provide more light to the area, such as adding skylights.

Mr. Leji presented changes to the guardhouse, which included reducing the overhang by one foot, removing a planter and fenestration changes. He presented photos of the existing guardhouse.

Ms. Shiverick was in favor of the guardhouse changes.

Mr. Vila suggested looking at other solutions for the guardhouse.

Motion made by Mr. Vila and seconded by Mr. Ives to defer the project to the May 24, 2017 meeting for further study. Motion carried with all in favor.

Mr. Leji asked Mr. Vila if the entire project was to be deferred, including the changes to the storefront. Mr. Vila thought the fenestration changes for the storefront were acceptable.

Motion amended by Mr. Vila and seconded by Mr. Ives to defer the project to the May 24, 2017 meeting for further restudy with the exception of the approval of the storefront fenestration. Motion carried with all in favor.

B-032-2017 Additions/Modifications

Address: 215 Arabian Rd.

Applicant: 215 Arabian LLC

Architect: Kevin Asbacher, AIA

Project Description: The renovation of and addition to an existing two story residence originally designed by Lester Geisler in 1937. A second floor addition accommodating a new master suite is to be added over the existing family room and a new screened porch is to be added east of the family room. New windows, doors, roofing, pool, hardscape and final landscape.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Asbacher presented the proposed modifications to the residence. He showed the Commissioners a neighborhood site plan, a streetscape, neighboring property photos, demolition plan, site plan, floor plans, roof plan, elevations, colored renderings, and section details.

Mr. Vila suggested lowering the ridge by two feet on the secondary mass to the right of the main house, on the south elevation, so that it is subservient. Mr. Asbacher agreed to restudy this part of the design. Mr. Vila asked for the same consideration for the screen porch.

Mr. Corey agreed with Mr. Vila and thought the addition should be stepped back.

Ms. Shiverick was happy the house was begin saved. She suggested adjusting the roof pitch on the east side. She was in favor of the new floor plan.

Ms. Grace agreed with Ms. Shiverick. She also stated she preferred the current front door and was in favor of the railing above the front door.

Motion made by Mr. Garrison and seconded by Mr. Vila to defer the project to the May 24, 2017 meeting to restudy the addition. Motion carried with all in favor.

[B-033-2017 Additions/Modifications](#)

Address: 2299 Ibis Isle Rd.

Applicant: JR International Overseas LTD

Architect: Krsto Stamatovski

Project Description: Application for a front gate at drive entrance; revision of stucco type for the house; location of security lights.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Stamatovski presented the proposed modifications to the residence. He showed the Commissioners a site plan, a design of the proposed gate, elevations, the proposed location of security lights and details for the lights.

Mr. Vila was in favor of the gate, its proposed location and the material changes.

Mr. Corey questioned the need for the gate.

Mrs. Vanneck expressed concern about the trees that were to remain around the edge of the property. She was not in favor of the faux turf proposed.

Mr. Stamatovski stated that the plan presented was one that he thought had been approved by the Commission. Mrs. Vanneck stated that the Commission would not have approved the removal of the trees as well as the faux turf.

Mr. Ives was in favor of the gate.

Mr. Garrison asked about the state of the hedge and landscaping.

Mr. Lindgren stated that they are not asking for any changes to the landscaping. He also stated that the inspectors would compare the installed landscaping to the approved plan.

Motion made by Mr. Vila and seconded by Mr. Ives to approve the project as presented with the exception of any landscape changes. Motion carried 4-3 with Ms. Vanneck, Grace and Mr. Corey opposed.

D. **MINOR PROJECTS - OLD BUSINESS**

A-003-2017 Modifications

Address: 686 Island Dr.

Applicant: Robert F. Greenhill

Architect: YRA Design

Project Description: Exterior window and door replacement.

At the January meeting, a motion carried to defer the project to the February 22, 2017 meeting to restudy different window and door options. At the February meeting, a motion carried to defer the project to the March 22, 2017 meeting.

Please note: The architect has requested to withdraw the application.

A-006-2017 Modifications

Address: 329 Worth Ave.

Applicant: Via Roma Condominium Association, Inc.

Architect: David Lawrence

Project Description: Paint window frames, replace via flooring, replace via ceiling, add cast stone base, add cast stone sills, re-stucco walls to smooth texture, replace via lighting.

At the March meeting, a motion carried to defer the project to the April 26, 2017 meeting for restudy.

Please note: The architect requests a one-month deferral to the May 24, 2017 meeting.

[A-008-2017 Modifications](#)

Address: 146 Gulfstream Rd.

Applicant: Carlos Arredondo

Architect: Harold Smith/Smith and Moore Architects, Inc.

Project Description: Removal of a second floor covered balcony; replacement of balconies; entry door replacement; entry door surround; roof eave modifications.

At the March meeting, a motion carried to approve the project as presented with the caveat to bring back an alternative solution for the window trim and the roof over the bay window.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Smith presented the proposed modifications to the residence. He showed the Commissioners elevations and renderings of the changes.

Mr. Garrison thought the new proposed trim gave the house character and was in favor of the proposed copper roof.

Motion by Mr. Garrison and seconded by Mr. Ives to approve the project as presented. Motion carried 6-1 with Ms. Shiverick opposed.

E. [MINOR PROJECTS-NEW BUSINESS](#)

[A-011-2017 Modifications](#)

Address: 171 Dunbar Rd.

Applicant: Palm Beach Dunbar LLC

Architect: Steve Parker/Parker-Yannette Design Group, Inc.

Project Description: Hardscape and landscape renovation plan.

Call for disclosure of ex parte communication: Disclosure by Mr. Garrison and Mrs. Vanneck.

Mr. West presented the proposed modifications to the residence. He showed the Commissioners photos of surrounding properties, existing photos of the residence, a site plan, a rendered site plan, rendered elevations and a detailed plant list.

Mrs. Vanneck asked about an existing ficus tree. Mr. West presented a change on the overhead projector.

Motion made by Mr. Vila and seconded by Mr. Ives to approve the project as presented. Motion carried with all in favor.

[A-012-2017 Modifications](#)

Address: 156 Dolphin Rd.

Applicant: John P. Dewing, Jr.

Architect: Donald J. Skowron, Jr.

Project Description: Proposed parking and turn out space located in north east corner of the property; repair and replace existing. Driveway with associated landscape and hardscape changes to the site.

Call for disclosure of ex parte communication: Disclosure by Mrs. Vanneck and Messrs. Ives and Corey.

Mr. Skowron showed the Commissioners a site plan for the proposed parking space. He asked for their comments since the space is non-conforming. He explained his dilemma with the design.

Mrs. Vanneck stated she knew the owner and the need for a larger driveway.

Mr. Garrison asked what type of approval Mr. Skowron requesting. Mr. Lindgren stated he thought Mr. Skowron would be returning with a full presentation. Mr. Skowron asked for a hardscape approval.

Motion made by Mr. Garrison and seconded by Mr. Vila to approve the project as presented. Motion carried with all in favor.

[A-014-2017 Modifications](#)

Address: 183 N. County Rd.

Applicant: Palm Beach Framemakers Inc.

Contractor: Assured Storm Protection Inc.

Project Description: Installation of HVHZ SuperNova Accordion Shutters for 4 openings in white.

Call for disclosure of ex parte communication: Disclosure by several members.

Justin Howen, with Assured Storm Protection Inc., presented the proposed shutters for the building. He discussed the proposed location for the shutters.

Motion made by Mr. Garrison to approve the project as presented.

Mr. Corey was not in favor of the proposed shutters.

Ms. Shiverick asked for clarification on the operation of the shutters.

Mrs. Vanneck asked if the shutters were already installed. Mr. Howen stated that they had not been installed.

Ms. Grace was in favor of the shutters.

Motion seconded by Mr. Vila. Motion carried 6-1 with Mr. Corey opposed.

[A-015-2017 Modifications](#)

Address: 449 Australian Ave.

Applicant: Cushing Investments, LLC

Architect: Kevin Asbacher/Asbacher Architecture

Project Description: Modifications to the side yard entry door and design of the exterior railings as previously approved; as well as the addition of a round window in the powder room, new pier lights on front site walls and an outdoor shower indicated on the exterior elevations (location approved on site plan at original ARCOM presentation.)

Call for disclosure of ex parte communication: Disclosure by several members.

Mrs. Vanneck questioned Mr. Asbacher about the amount of changes that had been completed. Mr. Asbacher stated that all of the changes have been completed.

Mrs. Vanneck, Mr. Corey and Mr. Garrison were not in favor of the post lights.

Motion made by Mr. Corey and seconded by Mr. Vila to approve all of the changes with the exception of the post lights. Motion carried 5-2 with Mr. Ives and Ms. Grace opposed.

[A-016-2017 Awning](#)

Address: 302 S. County Rd.

Applicant: Le Macaron Palm Beach LLC

Architect: None

Project Description: Awning color approval; change from original pink with white stripes to solid color. Store front window vinyl graphic lettering.

Call for disclosure of ex parte communication: Disclosure by several members.

Jason Rawding, storeowner, provided a history of the awnings. He presented photos of the previous and proposed awnings. He also presented the proposed vinyl graphics.

Mr. Lindgren talked about the reasons he did not administratively approve the project.

Motion made by Mr. Ives and seconded by Mr. Garrison to approve the project as presented as long as it met the Code requirements.

There was some discussion about the proposed color of the awning.

Motion carried 5-2 with Mr. Vila and Ms. Grace opposed.

IX. OTHER BUSINESS

None

X. ADDITIONAL COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

No comments were heard at this time.

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

No comments were heard at this time.

XII. ADJOURNMENT

Motion made by Mr. Vila and seconded by Mr. Ives to adjourn the meeting at 6:25 p.m. Motion carried with all in favor.

The next meeting will be held on Wednesday, May 24, 2017 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

Ann L. Vanneck, Vice Chairman
ARCHITECTURAL COMMISSION

kmc

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 061-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Renewal of a Contract Between the Town and Humana Dental Insurance Company, to Provide Administrative Services for Group Dental Coverage; in an Amount not to Exceed \$28,000 and Authorizing the Town Manager to Take Actions Necessary to Effectuate This Contract.

Presenter

Danielle Olson, Director of Human Resources

ATTACHMENTS:

- ▣ **Memorandum dated April 28, 2017 from Danielle Olson, Director of Human Resources**
- ▣ **Resolution 061-2017**
- ▣ **Exhibit A**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Danielle Olson, Director of Human Resources

Re: Plan Management Agreement with Humana Dental
Resolution No. 061-2017

Date: April 28, 2017

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 061-2017 authorizing the Town Manager to renew the Town's contract with Humana Dental Insurance Company in an amount not to exceed \$28,000.

GENERAL INFORMATION

The Town's dental insurance plan administrator is Humana Dental Insurance Company. The current contract for administrative services expired December 31, 2016. The Human Resources Department has been working with Willis of Florida, the Town's insurance broker and Humana Dental Insurance Company on a renewal contract (Exhibit A). Due to a change in the Willis team, the contract was delayed in its timely delivery to Town staff.

The renewal contract extends the relationship with Humana Dental through December 31, 2019. This contract maintains no change in the administrative (ASO) fee for 2017 and will remain at \$4 per employee per month. The annual cost will not exceed \$28,000. The contract also includes a contribution to the Town's wellness fund in the amount of \$1,000.

FUNDING/FISCAL IMPACT

Sufficient funds have been budgeted in the FY17 Self Insurance Health fund and in the OPEB trust to provide for the Town's applicable share of expenses for the plan proposed herein.

TOWN ATTORNEY REVIEW

The administrative service agreement has been reviewed by the Town Attorney and approved for legal form and sufficiency.

Attachments

DO:kw

RESOLUTION NO. 061-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE RENEWAL OF A CONTRACT BETWEEN THE TOWN AND HUMANA DENTAL INSURANCE COMPANY, TO PROVIDE ADMINISTRATIVE SERVICES FOR GROUP DENTAL COVERAGE; IN AN AMOUNT NOT TO EXCEED \$28,000 AND AUTHORIZING THE TOWN MANAGER TO TAKE ACTIONS NECESSARY TO EFFECTUATE THIS CONTRACT.

* * * * *

BE IT RESOLVED BY THE TOWN OF COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The renewal of the Town of Palm Beach Plan Management Agreement with Humana Dental Insurance Company, attached as Exhibit A, is approved.

Section 2. The Town Manager is hereby authorized to execute a contract on behalf of the Town of Palm Beach for administrative services for group health coverage with Humana Dental Insurance Company.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate this contract for administrative services for group dental coverage.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member

PLAN MANAGEMENT AGREEMENT

for

Administrative Services

between

HUMANADENTAL INSURANCE COMPANY

and

TOWN OF PALM BEACH

This Plan Management Agreement for administrative services is made and entered into by and between **HumanaDental Insurance Company**, a Wisconsin corporation with administrative offices in De Pere, Wisconsin, and **Town of Palm Beach** with principal offices in Palm Beach, Florida.

This Agreement is effective this first day of January, 2017.

In consideration of the mutual promises and covenants contained in this Agreement, together with all exhibits, the Client and HumanaDental Insurance Company hereby agree as follows:

ARTICLE I
Definitions

- 1.1 Agreement means this Plan Management Agreement for administrative services.
- 1.2 Client means Town of Palm Beach.
- 1.3 COBRA means the Federal Consolidated Omnibus Budget Reconciliation Act of 1986, as amended.
- 1.4 Employer means the employer of a Participant.
- 1.5 Participant means an employee or former employee of an Employer who is or may become eligible to receive a benefit, or whose beneficiaries may be or become eligible to receive a benefit under the provisions of the Plan.
- 1.6 Plan means the health care plan (or plans) maintained by the Client, or portions of that plan (or plans), with respect to which administrative services are to be provided under this Agreement by the Plan Manager. The Plan is identified in Exhibit "A" of this Agreement as to proper name and as to type.
- 1.7 Plan Administrator (or Administrator) means the person named in the documents describing the Plan as responsible for the operation and administration of the Plan. If no such person is identified, then the person establishing or maintaining the Plan will be deemed to be the Plan Administrator.
- 1.8 Plan Manager means HumanaDental Insurance Company, acting in accordance with this Agreement.

ARTICLE II
Relationship Between the Parties

- 2.1 In performing its obligations under this Agreement, the Plan Manager operates in accordance with the provisions of the Plan as established and authorized by the Plan Administrator. In this context, the Plan Manager's normal operating procedures, practices and rules will be followed unless they are inconsistent with the Plan.
- 2.2 The Plan Manager does not have discretionary authority or responsibility in the administration of the Plan. The Plan Manager will not exercise discretionary authority or control respecting the disposition or management of assets of the Plan.
- 2.3 The Plan Administrator and not the Plan Manager is ultimately responsible for interpreting the provisions of the Plan and determining questions of eligibility for Plan participation.
- 2.4 Accordingly, except as may otherwise be expressly provided herein, the Plan Manager is not a trustee, sponsor, or fiduciary with respect to directing the operation of the Plan or managing any assets of the Plan.
- 2.5 The Plan Manager may act as an agent of the Client authorized to perform specific actions or conduct specified transactions only as provided in this Agreement.
- 2.6 Plan benefits shall be funded exclusively through the Plan. The Plan Manager is not responsible or accountable for providing funds to pay Plan benefits under any circumstances.
- 2.7 Except with respect to duties expressly assumed hereunder by the Plan Manager, the Plan Manager is not responsible for maintaining the Plan in compliance with the requirements of the Internal Revenue Code or any applicable laws and regulations governing or affecting the Plan.

ARTICLE III
General Duties of Client

- 3.1 The Client will identify and describe the Plan as to type (e.g. single employer) on Exhibit "A" of this Agreement.
- 3.2 The Client assures that sufficient funds will be available on a timely basis to honor all claims reimbursements under the Plan. Sufficient funds for making claims payments must be made available, in accordance with this Agreement, to enable services under this Agreement to continue without interruption.
- 3.3 The Client promises that all methods employed to fund the Plan shall comply with all applicable laws or regulations.
- 3.4 The Client agrees to furnish each Participant written notification of the source of funding for Plan benefits as required by applicable law.

- 3.5 The Client promises that current copies of the documents describing the Plan will be provided timely to the Plan Manager along with other appropriate materials governing the administration of the Plan. These documents and materials may include employee booklets, summary descriptions, employee communications significantly affecting the Plan, and any amendments or revisions.
- 3.6 The Client promises that timely written notice will be provided to the Plan Manager of the Plan's management policies and practices, interpretations of the benefit provisions of the Plan, and changes in the Plan provisions. The Plan Manager is not responsible for failure to administer the Plan properly if directed otherwise by the Client or if materials are not provided timely by the Client to the Plan Manager to implement changes.
- 3.7 The Client shall provide accurate information to the Plan Manager as to the number and names of persons covered by the Plan and any other information necessary to enable the Plan Manager to provide the services required by this Agreement. This information shall be kept current on at least a monthly basis. The Plan Manager is not responsible for any claims paid in error due to inaccurate eligibility information.
- 3.8 The Client is responsible for selecting legal and/or tax counsel to provide advice to the Client about the law and the Plan. The Client acknowledges that the Plan Manager cannot provide professional tax or legal services to the Client.
- 3.9 The Client is responsible for compliance with all applicable provisions of law addressing the Client's duties in respect to the Plan. This includes compliance with all legal reporting and disclosure requirements, adoption and approval of all required documents respecting the Plan and compliance with state escheat and unclaimed or abandoned property laws. Even though the Plan Manager may be required to perform certain duties under this Agreement, such as preparing drafts of documents for approval and adoption, the Client agrees that the Plan Manager does not undertake the responsibility for legal compliance for any other person.
- 3.10 The Client will make full payment for services rendered under this Agreement when due. If the Plan Manager has not received payment by the due date, payment in full must be made before the end of a thirty (30) day grace period beginning the day after the due date, to ensure services under this Agreement continue without interruption. The Plan Manager reserves the right to issue written notice to the Client requesting payment of any deficiency in full within the thirty (30) day grace period.
- 3.11 The Client shall not direct the Plan Manager to act or refrain from acting in any way which would violate any applicable law or regulation. The Client shall not behave in any way which could implicate or involve the Plan Manager in a violation of these laws.
- 3.12 The Client will receive from the Plan Manager, a monthly invoice around the fifteenth (15th) of each month for payment due effective the first (1st) of the following month. The Client will reconcile their account and pay the monthly administrative fees from the total amount due on the Plan Manager's invoice. The Client pays their administrative fees by wire transfer equal to the monthly invoice. The amount of the fees may be adjusted monthly to reflect enrollment changes. The Client can arrange wire transfers by completing a form provided by the Plan Manager. Wire transfers will only be activated each month with prior approval from the Client. The Plan Manager must receive payment by the due date on the invoice.

- 3.13 The Client and the Plan Manager will, on at least a quarterly basis, reconcile enrollment data to ensure service is being properly administered to Participants and that administrative fees have been correctly billed and paid. If notice of a change in enrollment data is received by the Plan Manager more than sixty (60) days after the effective date of the change, the retroactive credit against fees will be limited to two (2) months.
- 3.14 In the event that the general obligations of this Article III may be construed in such a manner so as to conflict with more specific provisions of this Agreement regarding a particular issue, the more specific and comprehensive provisions shall be given effect.

ARTICLE IV

General Duties of Plan Manager

- 4.1 The Plan Manager shall process claims and make payments in accordance with the provisions of the Plan and related interpretations of the benefit provisions of the Plan which are made or approved by the Plan Administrator on a timely basis and confirmed in writing.
- 4.2 The Plan Manager shall be entitled to rely and act based upon documents, letters, electronic communications, or telephone communications which are confirmed in writing and provided to it by the Client or the Plan Administrator. Reliance will continue until the time the Client or the Plan Administrator notifies the Plan Manager in writing of any change or amendment to those communications.
- 4.3 The Plan Manager shall provide claimants who have had a claim wholly or partially denied with a written explanation of the reason for the denial. The Plan Manager shall provide claimants with information about what steps may be taken if the claimant wishes to submit the denied claim for review. These obligations of the Plan Manager will be discharged in accordance with the provisions of the Plan or authorization by the Plan Administrator.
- 4.4 The Plan Manager shall not be responsible for any delay or lack of performance of services under this Agreement attributable to the Client's failure to provide any information as required under this Agreement.
- 4.5 The Plan Manager will perform its duties under this Agreement using the same degree of ordinary care, skill, prudence, and diligence that a reasonable provider of administrative services would use in similar circumstances. This includes making a good faith effort to correct any mistake or clerical error which may occur due to actions or inaction by the Plan Manager undertaken in good faith once the error or mistake is discovered.
- 4.6 With respect to its obligations under this Agreement, the Plan Manager will maintain professional liability and errors and omissions insurance in amounts sufficient to protect against losses with respect to occurrences arising out of failure to properly perform its obligations under this Agreement. Proof of coverage is available upon request.
- 4.7 In the event that the general obligations of this Article IV may be construed in such a manner so as to conflict with more specific provisions of this Agreement with respect to a particular issue, the more specific and comprehensive provisions shall be given effect.

ARTICLE V
Claims Administration

- 5.1 The Client hereby delegates to the Plan Manager authority to make determinations on behalf of the Client or the Plan Administrator with respect to benefit payments under the Plan and to pay such benefits, as specified in this Article V. This section shall not apply to claims that involve eligibility issues only.
- 5.2 The Plan Manager will accept claims for benefits under the Plan which are made in accordance with procedures established in the Plan documents and submitted for payment during the term of this Agreement.
- 5.3 The Plan Manager will process claims in accordance with the provisions of the Plan which are in effect and which have been communicated to the Plan Manager by the Client at the time the services are provided.
- 5.4 Claims will be processed using the Plan Manager's normal claims processing procedures, practices and rules unless they are inconsistent with the provisions of the Plan. The Plan Manager shall comply with applicable U.S. Department of Labor claims procedures regulations and guidance with respect to notice procedures and content of a notice of adverse benefit determinations.
- 5.5 The Plan Manager will timely approve or deny claims submitted for payment in accordance with an initial determination by the Plan Manager or an appeal of a denied claim, except as provided in Article 5.6.
- 5.6 However, if the Plan Administrator makes a determination to approve or deny a claim which is different than the determination made by the Plan Manager, the Plan Manager will timely issue an approval or denial of the claim, provided the Plan Administrator's decision is first communicated to the Plan Manager in writing.
- 5.7 In the event a claim is wholly or partially denied in accordance with Article 5.5, above, the Plan Manager shall provide the Participant with a written explanation of the reason for the denial, and information as to what steps may be taken if the Participant wishes to appeal the claim denial.
- However, if a claim is wholly or partially denied in accordance with Article 5.6, above, the Plan Manager may decide that it will provide this explanation and information only as directed in special written instructions from the Plan Administrator which are acceptable to the Plan Manager.
- 5.8 Appeals of denied claims shall be processed in accordance with the applicable provisions of the Plan. The Client acknowledges that the Plan Administrator shall have the ultimate responsibility and authority to make final determinations with respect to claims and is responsible for providing Participants with a written explanation of that decision.
- 5.9 If adequate funds are not made available for the timely payment of claims, the Plan Manager may notify Participants and payees who may be affected if the Client or the Plan Administrator does not notify Participants and payees within fourteen (14) business days after written request by the Plan Manager to do so.

- 5.10 With respect to claims for which provider discounts are available ("Provider Discounts"):
- (a) The Client authorizes and directs the Plan Manager to process claims under this Agreement taking the Provider Discounts into account.
 - (b) However, the Client directs the Plan Manager that a Provider Discount will not be applied with respect to a claim if doing so would result in payment by the Plan of a greater expense than would be payable if the Provider Discount was not applied.

ARTICLE VI

Reports, Records and Audits

- 6.1. The Plan Manager will provide standard reports to the Client or the Plan Administrator as mutually agreed upon by the Plan Manager and the Client. Reports requested outside of the standard reports are considered "ad hoc reports" and may be made available for an additional cost, upon mutual agreement between the Client and the Plan Manager.
- 6.2. The Plan Manager will keep and maintain accounts and records pertaining to its activities under this Agreement which are required by law or by mutual agreement of the parties.
- 6.3. The Plan Manager will prepare and make available records required to assist the Client or the Plan Administrator regarding legal action or regulatory review and reporting, upon reasonable request by the Client. The Client agrees to reimburse the Plan Manager for its reasonable costs of these services and the preparation, duplication, and transmission of these records.
- 6.4. Audits are governed by the Plan Manager's policy regarding Client audit requests (available upon request). Audits may be conducted by the Client or a third party on behalf of the Client provided all security documents, non-disclosure agreements and authorizations are completed and accepted by the Plan Manager. Request for an audit must be received sixty (60) days prior to the date in which the Client is requesting to perform said audit. Audits for active Clients must be conducted within two (2) years of the last day of the Plan year to be audited. Audits for Clients that have terminated their Plan with the Plan Manager must be conducted within one (1) year of the last day of the Plan year to be audited. Any audit that requires a review of more than three hundred (300) claims or is requested for more than one (1) week on-site the Client agrees that it may be subject to additional costs, the estimate for these costs will be provided prior to scheduling the audit. The audit will not be scheduled until the Plan Manager and the Client are in mutual agreement of the estimated additional cost.
- 6.5. Claims records may be maintained in micro-photographic or electronic media format, in accordance with the Plan Manager's internal policies, rather than original hard copy. If the Client desires that original hard copy records be maintained, the Client must notify the Plan Manager in writing no later than forty-five (45) days after the effective date of this Agreement. The Plan Manager will then ship the original documents to a location specified by the Client, and the Client agrees to pay the cost for this service.

ARTICLE VII
Additional Administrative Services

- 7.1 Upon reasonable request by the Client or the Plan Administrator, the Plan Manager will provide standard language concerning Plan benefits to assist the Plan Administrator in the preparation of the Summary Plan Description ("SPD"). This service will be available at the commencement of this Agreement and on an as needed basis throughout the Plan year to assist the Client when language changes are made necessary from changes in Plan design and when language changes are made necessary due to new legislation or other governmental requirements. Notwithstanding the above, the Client understands that any language provided by the Plan Manager to the Client or the Plan Administrator shall not be construed as legal advice nor as a compliance delegation to the Plan Manager for the Client's Summary Plan Description obligations under applicable law.
- 7.2 The Plan Manager will work with the COBRA Service Provider in providing administrative services regarding COBRA continuation coverage provided under the Plan only as specified in Exhibit "B". The Client or the Employer shall continue to have all liability for funding of COBRA coverage benefits under the Plan.
- 7.3 The Plan Manager will assist the Client or the Plan Administrator in arranging to provide Utilization and/or Case Management services with respect to the Plan only as specified in Exhibit "C".
- 7.4 The Plan Manager will provide the following miscellaneous administrative services, following its normal procedures:
- (a) Production of basic Participant identification cards.
 - (b) Routine claims processing audit controls.
 - (c) Fraud investigation services.
- 7.5 The Plan Manager will provide "Subrogation/Recovery" services (in addition to routine application of the coordination of benefits provisions of the Plan) for identifying and obtaining recovery of claims payments from all appropriate parties through operation of the subrogation or recovery provisions of the Plan.
- (a) Subrogation / Recovery services will be provided by the Plan Manager following its normal procedures unless the Client proposes exceptions that are acceptable to the Plan Manager. Such services may only be performed by the Plan Manager or by subcontractors and/or counsel selected by the Plan Manager.
 - (b) Subrogation / Recovery services include the following activities:
 - (1) Investigation of claims and obtaining additional information to determine if a person or entity may be the appropriate party for payment;
 - (2) Presentation of appropriate claims and demands for payment to parties determined to be liable;
 - (3) Notification to Participants that recovery or subrogation rights will be exercised with respect to a claim; and

- (4) Filing and prosecution of legal proceedings against any appropriate party for determination of liability and collection of any payments for which such appropriate party may be liable.
 - (c) In the event of termination of this Agreement, Subrogation/Recovery services will be continued only in respect to claims processed under this Agreement and those continued services will be provided until completion. Subrogation/Recovery services will cease immediately if the termination of this Agreement results from a material default in the delivery of such subrogation services.
 - (d) The cost to the Client for providing services under this Article 7.5 is presented within Exhibit "F3.1 (a)", in accordance with Article IX. However, there will be no cost to the Client for recovery of claims payments made in error by the Plan Manager exclusive of any other cause. Also in this context, the Plan Manager may not be obligated to file and prosecute legal proceedings against persons for determination of liability and collection of any payments.
 - (e) Subrogation/Recovery services will be provided by the Plan Manager following its normal procedures when a group has contracted with a third party vendor (ex. Stop Loss carrier). Any recoveries are reported to the Client. The Client is responsible for any required notifications/reimbursements to their contracted third parties.
- 7.6 The Plan Manager may retain or coordinate with service providers, experts, or professional advisors to assist the Plan Manager in providing services under this Agreement. The Client shall reimburse the Plan Manager for these services if requested by or agreed to by the Client.
- 7.7 The Plan Manager will arrange access to one or more networks of dental providers which are presently available through an arrangement with the Plan Manager only as specified in Exhibit "D".
- 7.8 In the event the Client has 10% or more of its employees in the Plan terminated from the Plan, since the beginning of each renewal policy period, due to one of the following reasons:
- (1) The Client makes design changes to the Plan or employee benefit programs, including changes required by applicable law or regulatory action resulting in employees being terminated from the Plan; or
 - (2) The Client revises its corporate structure or organization resulting in employees being terminated from the Plan; or
 - (3) Due to employee choice of participation in the Plan, results in employees being terminated from the Plan

the Plan Manager will continue processing Claims, for the terminated employees, which are incurred prior to the date of such change as provided in Article V of this Agreement.

Such claims will be processed as long as this Agreement is in force. The Client will be billed an additional administrative fee per employee as provided under Exhibit "F3.1(c)".

This Article 7.8 will not apply in the event the Plan Administrator provides timely written notification to the Plan Manager directing that services described in this Article are not required.

ARTICLE VIII

Banking

- 8.1 The rights and obligations of the Client and the Plan Manager under this Article VIII shall be regulated through a "Banking Arrangement" substantially in the form presented in Exhibit "E".
- 8.2 The Client promises that sufficient funds will be available on a timely basis to honor all claims reimbursements under the Plan. Upon notice from the Plan Manager that additional funds are required, the Client promises that adequate funds will be immediately provided to fund claims approved.
- 8.3 The Client agrees that funds provided to honor all claims reimbursements under the Plan will be United States money, which may be transmitted by wire transfer or other medium agreed to by the Plan Manager and the Client.

ARTICLE IX

Costs of Administrative Services

- 9.1 The Plan Manager shall be entitled to a fee for services provided under this Agreement described on Exhibit "F" to this Agreement.
- 9.2 Payments received after the grace period (see Article 3.10) are subject to a late charge of 1.25% per month (or the maximum amount allowed by applicable law, if less) multiplied by the past due amount. The Client must pay the late charge along with all amounts due to the Plan Manager in order to bring the account current.
- 9.3 The Client and the Plan Manager understand and agree that the fees for services under this Agreement may be renegotiated in the event that substantial changes to the Plan would significantly increase or decrease the obligations or costs of providing administrative services with respect to the Plan.
- 9.4 The Plan Manager may assess additional fees for administrative costs associated with federal or state legislation (if applicable) implementation. The Plan Manager will provide advance notice to the Client in the event that an additional fee is required.

ARTICLE X

Contract Period

- 10.1 The effective date of this Agreement is January 1, 2017 (the "Effective Date"). This Agreement shall continue for an initial period of three (3) years from the Effective Date, unless terminated earlier as provided in Article XI, below.
- 10.2 This Agreement shall automatically renew for successive additional one-year periods unless it is terminated as provided in Article XI.

ARTICLE XI

Termination

- 11.1 This Agreement may be terminated by the Plan Manager at the end of any contract period upon advance written notice of at least one-hundred-eighty (180) days. This Agreement may be terminated by the Client at the end of any contract period upon advance written notice.
- 11.2 The Plan Manager, in its discretion, may terminate this Agreement before the end of any contract period upon thirty (30) days written notice, if the Client fails to cure any one or more of the following deficiencies before the end of the thirty (30) day notice period:
- (a) Failure to pay all or part of the fees payable under Article IX of this Agreement when due.
 - (b) Failure to provide adequate funds to honor claims reimbursement payments on a timely basis.
- 11.3 Either party may terminate this Agreement immediately upon written notice in the event of:
- (a) The bankruptcy, insolvency or liquidation of the other party; or
 - (b) The commission by the other party of any material breach of this Agreement which is not cured in connection with the performance of its duties under this Agreement. However, a material breach of this Agreement may be cured within thirty (30) days after written notice from the other party.
- 11.4 The Plan Manager, in its discretion, may terminate this Agreement upon written notice in the event of repeated occurrences (two (2) or more) of the conditions described in Article 11.2 or two (2) or more instances where services are interrupted in accordance with Article 3.10.
- 11.5 All obligations of the Plan Manager under this Agreement will end on the effective date of termination of this Agreement, even though the claim for benefits was incurred or submitted for payment prior to termination of this Agreement, unless a supplemental agreement is entered into prior to the termination date.
- 11.6 In the event of the termination of this Agreement, the Plan Manager will provide the Client or the Plan Administrator with reasonable access to records or information concerning the Plan in its possession, upon written request. The Plan Manager will within a reasonable time honor requests for copies of records and information provided they are reasonable and the Client agrees to pay for the services. The Plan Manager shall have the right to retain copies of such property and records as reasonably necessary or is otherwise required by law.
- 11.7 Upon termination of this Agreement, any monetary obligation of the Client to the Plan Manager shall become immediately due and payable.

- 11.8 Upon termination of this Agreement, the Client may elect to have the Plan Manager process claims for a run-out period of either three (3) or twelve (12) months. The administration fee for three (3) months of run-out will be equal to a one time payment of three (3) months worth of Administrative Fees. The administration fee for twelve (12) months of run-out will be equal to a one time payment of four (4) months worth of the Administrative Fees. The monthly run-out administration fee will be the full renewal Administrative fee times the average enrollment of twelve (12) months prior to written notice of termination. If commissions are to be paid to a broker during the run-out period, they should be included in the renewal Administrative Fee before calculating the amount to be billed to the Client for run-out. The total run-out administration fee must be paid in full to the Plan Manager by the Client no later than the fifteenth (15th) of the month prior to termination and an executed Supplemental Agreement must be received by the Plan Manager in order for claims processing to continue after the active Agreement period has expired. The Client agrees that the Plan Manager will have no obligation to process claims beyond the end date of the Supplemental Agreement.
- 11.9 Termination under this Article XI shall not cause either party to waive any rights it may have to exercise any remedies available to it under any other Article or Exhibit in this Agreement or under any applicable law.

ARTICLE XII

Confidentiality

- 12.1 For purposes of this Article XII:
- (a) Covered Person means an individual with respect to whom benefits may be or become payable under the provisions of the Plan.
 - (b) Private Health Information means any of the following categories of information:
 - (1) Patient Records includes, but is not limited to, all dental records, dentist and provider notes and bills and claims with respect to a Covered Person.
 - (2) Patient Information includes Patient Records and all written and oral dental information received about a Covered Person.
 - (3) Individually Identifiable Health Information means any other information, including demographic information, collected from an individual that:
 - (A) Is created or received by a dentist, dental plan, employer, or dental care clearinghouse; and
 - (B) Relates to the past, present, or future payment for the provision of dental care to an individual and identifies the individual, or with respect to which there is a reasonable basis to believe that the information can be used to identify the individual.
- 12.2 The obligations of the Plan Manager, Plan Administrator, and Client regarding information of a confidential or personal nature about individuals with respect to whom benefits may be or become payable under the provisions of the Plan are identified in a separate document entitled Confidentiality

- and HIPAA Privacy Business Associate Agreement, which is incorporated by reference herein.
- 12.3 The Plan Manager is directed to afford access to Private Health Information and other personal information to the persons identified by the Plan Administrator.
- 12.4 In connection with performing its obligations under this Agreement, it may become necessary for the Plan Manager to disclose to the Plan Administrator or the Client, their designees or third parties under contract with either of them ("Recipients", for purposes of this subsection) trade secret and/or proprietary information of the Plan Manager or its affiliates (referred to in this subsection collectively as "HumanaDental"). The Client and the Plan Administrator agree to safeguard and ensure the confidentiality of such trade secret and/or proprietary information, which shall include information relating to (i) the business of HumanaDental, its affiliates, their clients and representatives, (ii) third parties under contract with HumanaDental, (iii) dental service provider arrangements or contracts, (iv) dental service provider network arrangements or contracts, and (v) documentation relating to the computer systems utilized by HumanaDental.
- (a) Access to the trade secret and/or proprietary information described above will be permitted for Recipients only; it may be used by Recipients only in a manner necessary to accomplish the purposes described above with respect to Private Health Information and other personal information; and it may not be disclosed to any third parties, including their employees that do not have a need to know, without authorization by HumanaDental. Access to such records or information does not constitute a transfer of ownership, permission to appropriate, or license to use the same for any purpose not contemplated under this Agreement.
- (b) The Client understands and agrees that the Client (or its designee) must recognize and abide by restrictions upon disclosure of information and/or systems that are imposed by contracts between HumanaDental and third parties or by law, regulation, or order of a court or regulatory agency.
- In regard to the above, Client is not precluded from releasing information required to be released pursuant to the terms of Florida's public records law or otherwise as required by law. In the event of a request for said records pursuant to the applicable law, Client shall advise Plan Manager, in writing, of such request immediately affording Plan Manager an opportunity to intervene.
- 12.5 Upon termination of this Agreement, records containing Private Health Information or other personal information in the possession of the Plan Manager will be either delivered to the Plan Administrator or destroyed when the Plan Manager's records retention obligations have been fulfilled. If such delivery or destruction is not feasible, the protections of this Agreement will continue to apply to those records and further uses and disclosures of the Private Health Information or other personal information shall be limited to those purposes that make the return or destruction of the information infeasible. See attached language required under Florida law relating to public records which is hereby incorporated as Exhibit "G" to this Agreement.
- 12.6 The Client and the Plan Manager agree that they will require other persons or entities that receive Private Health Information or other personal information regarding Covered Persons and/or trade secret or propriety information in connection with and as permitted by this Agreement to agree in writing to observe the protections described herein and as required by HIPAA as minimum safeguards against improper disclosure of such information.

ARTICLE XIII
Hold Harmless

- 13.1 Subject to the limitations of Florida Statute Section 768.28, the Client agrees to indemnify and hold the Plan Manager harmless against any and all loss, liability, or damage (including payment of reasonable attorney's fees) which the Plan Manager may incur by reason of failure of the Client or its employees, agents or representatives to abide by the provisions of the Plans or this Agreement or to administer the Plans or assets and funds of the Plans in a prudent and proper manner; failure of the Plans or documents describing the Plan prepared or adopted by the Plan sponsor to comply with applicable laws; fraud, embezzlement, willful misconduct, or intentional disregard on the part of the Client or its employees, agents or representatives; disputes concerning denials of benefits or benefit payments made by or at the direction of the Client or the Plan Administrator; or actions taken by the Plan Manager at the direction of the Client or the Plan Administrator.
- 13.2 The Plan Manager agrees to indemnify and hold the Client harmless against any and all loss, liability, or damage (including payment of reasonable attorney's fees) which the Client may incur by reason of the failure of the employees, agents or representatives of the Plan Manager to abide by this Agreement, or fraud, embezzlement, willful misconduct or intentional disregard on the part of the Plan Manager or its employees, agents, or representatives. The Plan Manager will not be liable on account of actions or inaction undertaken by it in good faith and performed in accordance with the provisions of this Agreement or for the cost of benefits under the Plan which are claimed or awarded to a Participant.
- 13.3 The obligations under this Article XIII shall continue beyond the term of this Agreement as to any act or omission which occurred during the term of this Agreement.
- 13.4 In the event that the general obligations of this Article XIII may be construed in such a manner so as to conflict with more specific provisions of this Agreement with respect to a particular issue, the more specific and comprehensive provisions shall be given effect.

ARTICLE XIV
Taxes and Assessments

- 14.1 If a tax or other assessment, including a premium tax, with respect to the Plan (other than an income tax with respect to the fees earned by the Plan Manager) is imposed upon the Plan Manager, the Plan Manager will provide written notification to the Client together with a copy of the tax bill or assessment within ten (10) business days of receipt.
- 14.2 If the Plan Manager pays the tax or assessment, the Client shall reimburse the Plan Manager for any amounts paid plus reasonable out-of-pocket expenses immediately upon notification by the Plan Manager that the tax has been paid.

ARTICLE XV
Defense of Actions

- 15.1 The Client and the Plan Manager agree to cooperate with respect to (a) the determination, settlement and defense of any and all claims for benefits undertaken by the Plan Manager pursuant to this Agreement, and (b) the settlement of and conduct of a defense against any claim for benefits which has been denied, which may include attending hearings and trials and assisting in securing the attendance of witnesses and giving of evidence.
- 15.2 The payment of legal fees arising out of any transaction or activity under this Agreement shall be the responsibility of the person incurring the expense, except as provided in Article XIII. However, legal fees incurred by the Plan Manager and attributable to a request, direction, or demand by the Client, the Plan Administrator, or the Employer shall be the responsibility of the person making the request, direction or demand. Legal fees incurred by the Plan Manager and attributable to the defense of claims determinations made in accordance with this Agreement shall be the obligation of the Client.

ARTICLE XVI
Miscellaneous

- 16.1 Ancillary Agreements. The Client agrees to execute or cause to be executed all ancillary agreements appropriate and necessary to enable the services described in this Agreement to be performed.
- 16.2 Entire Agreement. This Agreement (including the Exhibits and Plan documents as incorporated herein by reference) constitutes the entire agreement between the parties with respect to the Plan, and there are no agreements, representations or warranties regarding the subject matter of this Agreement between the parties other than those set forth or provided for in this Agreement (including the Exhibits and Plan documents as incorporated by reference).
- 16.3 Assignment. Neither the Plan Manager nor the Client may assign or otherwise transfer its rights and obligations under this Agreement to any other person or entity without the prior written consent of the other party. However, the functions to be performed by the Plan Manager may at any time be transferred to an affiliate of the Plan Manager. Any other attempted assignment or delegation shall render this Agreement voidable at the option of the non-assigning party.
- 16.4 Notices. All notices to the Client under this Agreement shall be personally delivered or sent by a method no less rapid than first class mail, with postage prepaid, or facsimile, to the Client at the following address:

Attn: Danielle Olson
Town of Palm Beach
360 S. Country Road
Palm Beach, Florida 33480
Telephone: 561-838-5400
FAX: 561-838-5451
Email: dolson@townofpalmbeach.com

All notices to the Plan Manager under this Agreement shall be personally delivered or sent by a method no less rapid than first class mail, with postage prepaid, or facsimile, to the Plan Manager at the following address:

Attn: Tami Quiram
HumanaDental Insurance Company
1100 Employers Boulevard
Green Bay, Wisconsin 54344
Telephone: 920-337-8469
Email: tquiram@humana.com

- 16.5 Severability. If any provision of this Agreement is determined to be unenforceable or invalid, such determination will not affect the validity of the other provisions contained in this Agreement. Failure to enforce any provision of this Agreement does not affect the rights of the parties to enforce such provision in another circumstance. Neither does it affect the rights of the parties to enforce any other provision of this Agreement at any time.
- 16.6 Applicable Law. This Agreement shall be governed by and construed in accordance with the internal laws of the State of Florida to the extent not preempted by federal law.
- 16.7 Amendment. This Agreement may be amended by the Client and the Plan Manager at any time by a writing duly executed by an appropriate officer of the Plan Manager and the Client.
- 16.8 Effect of Payment of Administration Charges. This Agreement shall be considered executed by the Plan Manager and the Client, upon signature of both the Plan Manager and the Client.
- 16.9 Dispute Resolution. If a dispute arises between the parties with respect to any matter hereunder, the following procedure shall be implemented (except that any party may seek injunctive relief from a court where appropriate in order to maintain the status quo while this procedure is followed):
- (a) The parties shall hold a meeting promptly, attended by persons with decision making authority regarding the dispute, to attempt in good faith to negotiate a resolution of the dispute; provided, however, that no such meeting shall be deemed to vitiate or reduce the obligations and liabilities of the Parties hereunder or be deemed a waiver by a party hereto of any remedies to which such party would otherwise be entitled.
 - (b) If, within ten (10) business days after such meeting, the parties have not succeeded in negotiating a resolution for the dispute, they agree to submit the dispute to mediation in accordance with the Model Procedure for Mediation of Business Disputes of the Center for Dispute Resolution of the Institute for Conflict Prevention and Resolution ("CPR").
 - (c) The parties will jointly appoint a mutually acceptable mediator, seeking assistance from the CPR if they are not able to agree upon such an appointment within 20 days. The parties shall participate in good faith in the mediation and related negotiations for at least 20 days.
 - (d) The Plan Manager shall not disrupt the coverage of any member during the dispute resolution process.
 - (e) Venue in regard to any dispute not resolved by mediation shall be in the state or federal courts having jurisdiction of the matter in Palm Beach County, Florida.

IN WITNESS WHEREOF, the Client and the Plan Manager have executed this Agreement on _____, 20__.

TOWN OF PALM BEACH

(By) _____
(signature)

Name: _____

Title: _____

HUMANADENTAL INSURANCE COMPANY

(By) _____
Tami Quiram
President

EXHIBIT A

Identification of the Plan

Town of Palm Beach Employee Dental Plan

(Dental Coverage)

(A Governmental Plan)

EXHIBIT B

COBRA Administration Services

DEFINITIONS

- B1.1 "COBRA" means the Federal Consolidated Omnibus Budget Reconciliation Act of 1986, as amended, which requires health care continuation coverage through amendments to the Employee Retirement Income Security Act of 1974, the Internal Revenue Code of 1986, and the Public Health Services Act of 1944.
- B1.2 "COBRA Service Provider" means a provider of COBRA administrative services retained by the Client or the Employer to provide specific COBRA administrative services as described in this Exhibit "B".
- B1.3 "Covered Person" means an individual with respect to whom benefits may be or become payable under the provisions of the Plan.
- B1.4 "Qualified Beneficiary" means a current or former employee of the Employer who is entitled to continued coverage under the Plan through COBRA and a spouse or dependent of a current or former employee who is entitled to continued coverage under the Plan through COBRA. A Qualified Beneficiary under COBRA law also includes a child born to the current or former employee during the coverage period or a child placed for adoption with the current or former employee during the coverage period. At the time COBRA election is made, these individuals are also referred to as a "COBRA Continuee".

DUTIES OF THE PLAN MANAGER

- B2.1 The Plan Manager will provide claims processing and other administrative services as described in this Agreement with respect to COBRA Continuees as Covered Persons under the Plan.
- B2.2 The Plan Manager will not determine questions of eligibility for COBRA continuation under the Plan.
- B2.3 The Plan Manager will record a termination date for each COBRA Continuee as designated to the Plan Manager by the Employer or the Plan Administrator (the "Termination Date"). After the Termination Date such individual will no longer be considered to be a COBRA Continuee and a Covered Person. The Plan Manager will not provide services under this Agreement with respect to any COBRA Continuee insofar as those services may pertain to time periods occurring after the Termination Date.

DUTIES OF THE COBRA SERVICE PROVIDER

- B3.1 The COBRA Service Provider will notify the Plan Manager and the Employer of an individual's election of COBRA continuation coverage.
- B3.2 The COBRA Service Provider will, in accordance with its regular practices, bill COBRA Continuees for the costs payable by them for COBRA continuation coverage under the Plan on a monthly basis.
- B3.3 The COBRA Service Provider will, in accordance with its regular practices, collect the amounts billed in accordance with Exhibit "B3.2" on a monthly basis from COBRA Continuees. A thirty-one (31) day grace period will be allowed for payment of the amount due.

DUTIES OF THE CLIENT OR THE EMPLOYER

- B4.1 The Client or the Employer will retain a COBRA Service Provider who is responsible for providing all notices required by COBRA to Qualified Beneficiaries.
- B4.2 The Client and the Employer understand and agree that the Employer is solely responsible for compliance with COBRA and for deciding all questions, including matters of clerical error, arising out of COBRA Continuees' eligibility for COBRA continuation coverage.
- B4.3 The Client and the Employer understand and agree that the Plan Manager is in no way responsible and does not assume responsibility for compliance with any obligations of the Employer under COBRA. Performance of services under this Agreement shall not be construed by the Client or the Employer that the Plan Manager endorses, warrants, or represents that the COBRA continuation coverage provided by the Employer is in compliance with any legal obligation of the Employer.
- B4.4 Notification to the Plan Manager and COBRA Service Provider by the Employer, or the Plan Administrator of the termination date, qualifying event and eligibility of an individual to receive COBRA continuation coverage.
- B4.5 Notification to the COBRA Service Provider by the Employer or the Plan Administrator of the appropriate amounts due for coverage under the Plan.
- B4.6 The Client and the Employer understand and agree that the Client shall inform each affected entity (e.g. HMO) of the existence of this Agreement and, by separate written agreement or otherwise, secure each entity's acceptance of its pertinent provisions.

NOTICES

- B5.1 The Plan Manager shall be entitled to rely and act based upon documents, letters, electronic communications, or telephone communications which are confirmed in writing and provided to it by the Client or the Employer. Reliance will continue until the time the Client or the Employer notifies the Plan Manager in writing of any change or amendment to those communications.
- B5.2 Notices provided by the Client regarding these COBRA Administration Services to the Plan Manager shall be personally delivered or sent by a method no less rapid than first class mail, with postage prepaid, or facsimile, to the Plan Manager at the following address:

Attn: Tami Quiram
HumanaDental Insurance Company
1100 Employers Boulevard
Green Bay, Wisconsin 54344
Telephone: 920-337-8469
Email: tquiram@humana.com

EXHIBIT C

Utilization / Case Management Services

“NO SERVICES PROVIDED”

EXHIBIT D

Networks

DEFINITIONS

- D1.1 "Covered Services" means services or supplies to which a dental provision of the Plan might apply.
- D1.2 "Dental Provider" means any dentist or any other provider of dental services or supplies which are Covered Services under the terms of the Plan.
- D1.3 "Network" means a network of Preferred Providers which is available to provide services with respect to Participants in connection with this Agreement.
- D1.4 "Preferred Provider" means a Dental Provider that is available by virtue of this Agreement to furnish services or supplies with respect to Participants under applicable utilization management or case management provisions of the Plan.
- D1.5 "Preferred Provider Services" means Covered Services provided by a Preferred Provider or for emergency care.
- D1.6 "Service Area" means the Zip Code Areas in which each Network provides dental services in accordance with the terms of this Agreement and the Plan.
- D1.7 "Zip Code Area" means the geographical area described by any five-digit zip code established by the United States Post Office.

NETWORKS

- D2.1 The Plan Manager will engage one or more Networks to provide Covered Services under the Preferred Provider Services provisions of the Plan, within each Service Area served by the Networks. The Plan Manager will provide a listing of Network locations and Preferred Provider locations within each Service Area.

PROVIDERS

- D3.1 The Client agrees that the Plan Manager shall not be held responsible for the actions of Dental Providers, including providing dental services, and that in no event shall the hold harmless and indemnity provisions of this Agreement apply against the Plan Manager with respect to any expense caused by the acts or omissions of Dental Providers.

- D3.2 The Plan Manager represents that provider agreements entered into by it in connection with its obligations under this Agreement comply with all of the requirements of applicable law. With respect to its obligations under this Agreement, the Plan Manager will exercise due diligence in selecting Dental Providers.
- D3.3 The Plan Manager acknowledges that providers of professional dental services under contract with a Network maintained by the Plan Manager or by companies under common control with it comply with credentialing standards no less stringent than those prevailing in the industry.

EXHIBIT E

BANKING AGREEMENT (WEEKLY AS ISSUED)

In order to facilitate the transfer of claims payment funds in connection with the Client's obligations under the Plan Management Agreement, the Client and Plan Manager agree to the following terms and conditions:

Under this method of claims payment, claims are paid by means of **checks and Electronic Funds Transfer (EFT's)** drawn against the Claims Payment Account set up by the Plan Manager.

- E1.1 The Plan Manager will inform the Client two days in advance of the amount of the electronic payment that must be paid from the Client's Designated Account for checks and EFT's issued the previous week. The Client will be informed each Monday of the amount of the checks and EFT's issued the previous week.
- E1.2 The Client will establish and maintain a Designated Account which will fund claims checks and EFT's under the Plan Management Agreement.
 - (a) The Client will initiate an electronic payment to fund the Claims Payment Account. The electronic payment is to be effective on Wednesday following the receipt of the weekly funding request.
 - (b) The Client will pay any banking fees charged to service the Designated Account.
- E1.3 With respect to the Claims Payment Account:
 - (a) Amounts credited to the Claims Payment Account by the Client will be made from the Client's general assets or a fund established by the Client.
 - (b) The Plan Manager will pay any banking fees charged to service the Claims Payment Account.
 - (c) No interest will be paid with respect to balances in the Claims Payment Account.
 - (d) The Client has made an advanced claim funding payment to the Claims Payment Account in the amount of **\$22,400**. This amount represents an estimated nineteen (19) days of claims expense activity with respect to the Plan.
 - (e) The advanced claim funding amount will be increased if the claim account incurs overdrafts due to an inadequate advanced claim funding amount. In the event it is later determined that an increase in the amount of the advanced claim funding is necessary due to increased claims activity, or an increase in the amount of electronic claims payments to providers, the Plan Manager will present the proposed new advanced claim funding amount to the Client. If the Client does not deposit these additional funds into the Claims Payment Account, the Plan Manager has the right to hold claim processing until the additional advanced claim funding has been received into the Claims Payment Account.

- (f) The Client will reimburse the Plan Manager for any bank fees related to overdrafts caused by the Client in the Claims Payment Account.
 - (g) Upon termination of this Agreement, all remaining money in the Claims Payment Account will be returned to the Client after all claims and fees have been paid.
- E1.4 The Plan Manager will provide a monthly financial reconciliation statement that reports Claims Payment Account activity.
- E1.5 While this Plan Management Agreement is in effect, the Client and the Plan Manager may agree in writing to change this Banking Arrangement. However, any such change shall not affect continuing obligations under the Plan Management Agreement or liability of the Client for checks and EFT's authorized for payment, fees incurred as provided in this Agreement, and/or any due and agreed upon balance requirements in effect prior to the effective date of the change.
- E1.6 Persons to contact at the Client's location regarding banking issues:

Primary Contact

Name: Amy Wood
Phone Number: (561) 227-6332
E-mail: awood@townofpalmbeach.com

- E1.7 The Claims Payment Account is identified:

Bank Name: BB&T Bank
Bank City/State: Louisville, KY
ACH Transit Routing Number: 083900680
Wire Transit Routing Number: 083900680
Name of Account: HIC Town of Palm Beach ASO
Account Number: 5182799663

EXHIBIT F

Schedule of Fees

F1.1 The monthly fees presented in this Exhibit “F” are valid for the period of time beginning January 1, 2017 and ending on December 31, 2019, except as otherwise stated.

F2.1 General:

Administrative Fees:

<u>Line of Coverage</u>	<u>Composite</u>
Dental*	\$3.70
Access Fee	\$.30

* Printing/Mailing of Summary Plan Descriptions is not included in the Administrative Fee listed above.

F3.1 Specific:

- (a) Under Article 7.5 of this Agreement, the administrative fee for providing Subrogation / Recovery Services is 30% of all amounts recovered under that Article. The administrative fee will be applied towards the gross recovery, exclusive of any legal fees. Fees are calculated based on gross recovery. Expenses incurred are taken out of the Plan Manager’s fee when it is the Plan Manager’s choice to retain counsel. If the Client requests legal action outside the normal course of handling, it will be the Client’s responsibility to pay legal fees incurred.
- (b) With respect to access to provider networks in accordance with Article 7.7 of this Agreement or other similar provider arrangements arranged through the Plan Manager, the Client understands that a special access fee may be payable, depending upon the network or arrangement. The Client and the Plan Manager agree that the Client will be obligated to pay any special fee under this Exhibit “F3.1(b)” only upon advance written notice to and written consent by the Client.
- (c) The fee payable for run-out claims processing under Article 7.8 of this Agreement can be one of two options. The Client can choose for the Plan Manager to process run-out claims for either three (3) or twelve (12) months. The fee for handling these run-out claims for three (3) months is equal to three (3) months of Administrative fees or for twelve (12) months is equal to four (4) months of Administrative fees. The run-out fee will be calculated based on the total number of employees that were terminated from the Plan. The total run-out fee must be received by the Plan Manager to begin the claims processing for the selected run-out period.

F4.1 Payment:

- (a) Fees set forth in Exhibit “F2.1” are payable to the Plan Manager once per month, unless otherwise indicated.
- (b) Any special access fees payable under Exhibit “F3.1(b)” shall be paid by the Client to the Plan Manager as billed.

EXHIBIT G

Public Records Law

In accordance with Florida Statutes 119.0701, the contractor shall comply with public records laws, specifically to:

- (1) Keep and maintain public records required by the public agency to perform the service.
- (2) Upon request from the public agency's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
- (3) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the public agency.
- (4) Upon completion of the contract, transfer, at no cost, to the public agency all public records in possession of the contractor or keep and maintain public records required by the public agency to perform the service. If the contractor transfers all public records to the public agency upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements of retaining public records. All records stored electronically must be provided to the public agency, upon request from the public agency's custodian of public records, in a format that is compatible with the information technology systems of the public agency.

A copy of Section 119.0701, Florida Statutes, has been provided to the contractor.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

Town Clerk, or designee

Phone: 561-831-5400

Email: dolson@townofpalmbeach.com

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 062-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$62,814, to Isuzu Truck of Ocala, for a 2017 Tilt Cab and Chassis With a Combination Stake/Dump Body Truck Via FSA Bid No. 16-VEH, as Referenced in RFQ No. 56-2017, and Establishing a Project Budget of \$64,000.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 18, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 062-2017**
- ▣ **RFQ No. 56-2017**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G Bradford, Town Manager

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

RE: Approval of a Purchase Order to Isuzu Truck of Ocala for Vehicle Acquisitions
Resolution No. 062-2017

DATE: April 18, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 062-2017 approving a purchase order to Isuzu Truck of Ocala for one (1) 2017 Isuzu cab and chassis truck with a combination stake/dump body in the amount of \$62,814 via the Florida Sheriffs Association Contract 16-VEH14.0, (Specification #6) and establishing a total budget of \$64,000.

GENERAL INFORMATION

It is necessary, at this time, to replace the existing truck used for streets, sidewalks and grounds maintenance and repair. Funds are reflected within the FY17 Equipment Replacement Fund. The existing truck is ten (10) years old and has reached the end of its useful life. This equipment is scheduled for replacement in 2017.

FUNDING/FISCAL IMPACT

Funds for these purchases will come from the Equipment Replacement Fund in the amount of \$62,814. Sufficient funding was previously approved in the FY17 budget for this purchase.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachment

cc: Jane Struder, Director of Finance
Eric B. Brown, Assistant Director of Public Works/Operations
Chester Purves, Services Manager
Dean Mealy, Purchasing Manager

RESOLUTION NO. 062-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF \$62,814, TO ISUZU TRUCK OF OCALA, FOR A 2017 TILT CAB AND CHASSIS WITH A COMBINATION STAKE/DUMP BODY TRUCK VIA FSA BID NO. 16-VEH, AS REFERENCED IN RFQ NO. 56-2017, AND ESTABLISHING A PROJECT BUDGET OF \$64,000.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order to Isuzu Truck of Ocala in the amount of \$62,814 for the procurement of a 2017 Isuzu tilt cab and chassis with a combination stake/dump body truck and establishes a project budget of \$64,000.

Section 2. The Town Manager is hereby authorized to execute this contract on behalf of the Town of Palm Beach for these services.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach, assembled this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



**TOWN OF PALM BEACH
REQUEST FOR QUOTATION
RFQ No. 56-2017**

**2017 ISUZU NF154
FSA Spec 6
Due by 2pm, Wednesday April 21, 2017**

INTENT AND SCOPE

It is the intent to obtain pricing, in accordance with the **Florida Sheriff's Association's Contract # 16-VEH14.0**, which covers and includes all required equipment and freight, necessary for and reasonably incidental for full and complete execution of this purchase.

All terms, conditions and specifications of the **Florida Sheriff's Association Contract # 16-VEH14.0** shall apply.

SCHEDULE OF BID ITEMS

The undersigned as bidder does declare that no other persons other than the bidder herein named has any interest in this bid or in the contract to be taken, and that it is made without any connection with any other person or persons making bid for the same article, and is in all respects fair and without collusion or fraud.

The undersigned further declares that he has carefully examined the specifications and is thoroughly familiar with its provisions and with the quality type and grade of materials called for therein.

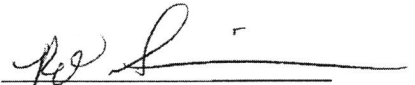
The undersigned further declares that he proposes to furnish the equipment called for within the specified time for the following price:

1. TERMS Net 30		2. F.O.B. DESTINATION		3. SHIPMENT VIA		4. QUOTATION VALID UNTIL
Item	Description /Specifications	Quantity	Unit	Unit Cost		
1.	FSA Specification No. 06– 2017 Isuzu Tilt Cab Chassis / (Dual Rear Wheel) 4x2, Model NF154 , with all standard equipment as specified by the manufacturer for this model and FSA's base specification requirements, included and made part of the FSA contract as awarded by specification, by zone.	1	EA	\$ <u>36,799⁰⁰</u>		
2.	NU154 NRR – GVWR Upgrade 19,500	1	EA	\$ <u>6,543⁰⁰</u>		
3.	NPRNF254 – 111" cab to axle, minimum	1	EA	\$ <u>331⁰⁰</u>		

Company Name: Isuzu Truck of Ocala Authorized Signature: [Signature]

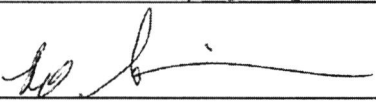
Continued.....

Item	Description /Specifications	Quantity	Unit	Unit Cost Extended Cost
4.	WALTCO – 1,500 lb lift gate (hydraulic) 2000 lb 32X72+4	1	EA	\$ <u>4,980⁰⁰</u>
5.	14FLAT – Manufacturer's certified factory 14' flatbed wide body for dual rear wheels to include appropriate mirrors – specify. 10 ga. H.S. smooth steel floor cross members on 12" centers. (Requires 111' CA). May be dealer installed. REQUIRES MIN 17,950 GVWR	1	EA	\$ <u>11,450⁰⁰</u>
6.	UZF – Backup alarm – Factory Installed	1	EA	\$ <u>111⁰⁰</u>
7.	BUC – Backup camera with 3.5" LCD (rear mounted camera to provide wide angle field of vision at rear of vehicle) – Dealer Installed	1	EA	\$ <u>1,350⁰⁰</u>
8.	VC516ES – Hoist – added Dump Option	1	EA	\$ <u>1,250⁰⁰</u>
TOTAL (ITEMS 1 THRU 8):				\$ <u>62,814⁰⁰</u>

Company Name: Isuzu Truck of Ocala Authorized Signature: 

e Proposer certifies that this proposal is submitted in accordance with the specification in its entirety and with full understanding of the conditions governing this RFQ. The undersigned representative submits this proposal and certifies that they are an authorized representative of the Proposer who may legally bind the Proposer.

Firm: Isuzu Truck of Ocala

*Signature:  Name/Title: ROBERT SCHARPNICK / MUNICIPAL SALES

Address: 3950 W. Hwy 326 Ocala FL Zip: 34482

Federal ID#: 59-1219617

Telephone Number: (407) 295-3846 Fax: (407) 291-8408

E-Mail Address: bscharpnick@orlandofreightliner.com

Date: 4-12-17

*Failure to affix signature may result in disqualification of proposal.

Name of Bidder's Contact Person: BOB SCHARPNICK

Address: 2455 S. ORANGE BLOSSOM TRAIL APOKA FL 32703

Phone Number: 407-295-3846 Fax Number: 407-291-8408

Email Address: bscharpnick@orlandofreightliner.com

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 063-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$24,368, to Duval Ford, for a 2017 Ford Transit Utility Cargo Van Via FSA Bid No. 16-VEH14.0, as Referenced in RFQ No. 55-2017, and Establishing a Project Budget of \$26,000.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 18, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 063-2017**
- ▣ **RFQ No. 55-2017**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G Bradford, Town Manager

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

RE: Approval of a Purchase Order to Duval Ford for Vehicle Acquisitions
Resolution No. 063-2017

DATE: April 18, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 063-2017 approving a purchase order to Duval Ford for one (1) 2017 Ford Transit Utility Cargo Van in the amount of \$24,368 via the Florida Sheriffs Association Contract 16-VEH14.0, (Specification #37) and establishing a total budget of \$26,000.

GENERAL INFORMATION

It is necessary, at this time, to replace the existing van used in the General Maintenance Bureau for building and grounds maintenance and repair. Funds are reflected within the FY17 Equipment Replacement Fund. The existing truck is ten (10) years old and has reached the end of its useful life. This equipment is scheduled for replacement in 2017.

FUNDING/FISCAL IMPACT

Funds for these purchases will come from the Equipment Replacement Fund in the amount of \$24,368. Sufficient funding was previously approved in the FY17 budget for this purchase.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachment

cc: Jane Struder, Director of Finance
Eric B. Brown, Assistant Director of Public Works/Operations
Chester Purves, Services Manager
Dean Mealy, Purchasing Manager

RESOLUTION NO. 063-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF \$24,368, TO DUVAL FORD, FOR A 2017 FORD TRANSIT UTILITY CARGO VAN VIA FSA BID NO. 16-VEH14.0, AS REFERENCED IN RFQ NO. 55-2017, AND ESTABLISHING A PROJECT BUDGET OF \$26,000.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order to Duval Ford in the amount of \$24,368 for the procurement of a 2017 Ford Transit Utility Cargo Van and establishes a project budget of \$26,000.

Section 2. The Town Manager is hereby authorized to execute this contract on behalf of the Town of Palm Beach for these services.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach, assembled this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



**TOWN OF PALM BEACH
REQUEST FOR QUOTATION
RFQ No. 55-2017**

**2017 FORD TRANSIT UTILITY CARGO VAN E1Z
FSA Spec 37**

Due by 2pm, Wednesday April 19, 2017

INTENT AND SCOPE

It is the intent to obtain pricing, in accordance with the **Florida Sheriff's Association's Contract # 16-VEH14.0**, which covers and includes all required equipment and freight, necessary for and reasonably incidental for full and complete execution of this purchase.

All terms, conditions and specifications of the **Florida Sheriff's Association Contract # 16-VEH14.0/FSA16-VEL 24.0** shall apply.

SCHEDULE OF BID ITEMS

The undersigned as bidder does declare that no other persons other than the bidder herein named has any interest in this bid or in the contract to be taken, and that it is made without any connection with any other person or persons making bid for the same article, and is in all respects fair and without collusion or fraud.

The undersigned further declares that he has carefully examined the specifications and is thoroughly familiar with its provisions and with the quality type and grade of materials called for therein.

The undersigned further declares that he proposes to furnish the equipment called for within the specified time for the following price:

1. TERMS Net 30		2. F.O.B. DESTINATION		3. SHIPMENT VIA	4. QUOTATION VALID UNTIL <i>9/31/2017</i>
Item	Description /Specifications	Quantity	Unit	Unit Cost	
1.	<u>FSA Specification No. 37</u> – 2017 FORD TRANSIT UTILITY CARGO VAN E1Z, with all standard equipment as specified by the manufacturer for this model and FSA's base specification requirements, included and made part of the FSA contract as awarded by specification, by zone.	1	EA	\$ <i>20,586-</i>	
2.	101A – BASE TRIM PACKAGE	1	EA	\$ _____	
3.	99M – 3.7L V6 ENGINE	1	EA	\$ _____	

Company Name *Duval Ford* Date: *4-14-17*

Item	Description /Specifications	Quantity	Unit	Unit Cost
4.	17B – FIXED SIDE AND PASSENGER GLASS	1	EA	\$ _____
5.	STD – POWER WINDOWS / DOOR LOCKS	1	EA	\$ _____
6.	BUC – BACKUP CAMERA	1	EA	\$ _____
7.	R1Y – T-250 / LOW ROOF / 130" WHEELBASE / PASS SLIDE DOOR / 9,000 GVWR	1	EA	\$ _____
8.	T250 – UPGRADE TO TRANSIST T-250 – 9,000 GVWR PACKAGE, minimum, Base Transit T250 LOW ROOF SWB R1Z 9000# gwvr; includes side and rear fixed cargo door glass and all base equipment, 3950# payload capacity,	1	EA	\$ <u>1,800.00</u>
9.	87R – Additional Key (s) or Key FOB (s) when applicable. Keys: 2 additional (4 total) with FOBs	1	EA	\$ <u>74.00</u>
10.	43B – Backup alarm, factory installed	1	EA	\$ <u>124.00</u>
11.	942 – Daytime running lights	1	EA	\$ <u>44.00</u>
12.	VV – Vent visors – stick on style	1	EA	\$ <u>140.00</u>
13.	FPLR – Full partition & industrial ladder rack for 135" WB, KARGO MASTER; Partition with swing door for low roof van and double clamp & lock ladder rack.	1	EA	\$ <u>1,600</u>
14.	YZ – Exterior: Oxford White	1	EA	\$ _____
15.	VK – Interior: Pewter Vinyl	1	EA	\$ _____
TOTAL (ITEMS 1 THRU 15):				\$ <u>24,368.00</u>

Company Name: Duval Ford

Date: 4-14-17

The Proposer certifies that this proposal is submitted in accordance with the specification in its entirety and with full understanding of the conditions governing this RFQ. The undersigned representative submits this proposal and certifies that they are an authorized representative of the Proposer who may legally bind the Proposer.

Firm:

Duval Ford

*Signature:

Bambi

Name/Title:

Bambi Darr Govt Sales

Address:

1616 Cassat Ave Jacksonville FL

Zip:

32210

Federal ID#:

27-3646082

Telephone Number:

(904) 381-6596

Fax:

(904) 387-6816

E-Mail Address:

bambi.clarr@duvalfleet.com

Date:

4-14-17

*Failure to affix signature may result in disqualification of proposal.

Name of Bidder's Contact Person:

Bambi Darr

Address:

1616 Cassat Ave Jacksonville FL 32210

Phone Number:

904-381-6596

Fax Number:

904-387-6816

Email Address:

Bambi.clarr@duvalfleet.com



DUVAL State Employee Contract Pricing

State Employees, as well as County and City Employees and their immediate families, can now get their new Ford car, truck or SUV at **COST** using State Employee Contract Pricing

CALL: (800) 646-0584 or go to www.duvalford.com

TOWN OF PALM BEACH

Prepared for:		Contract Holder	DATE:
TOWN OF PALM BEACH		Duval Ford Fleet Sales	4/6/17
CHET PURVES		Bambi Darr	
561-838-5440		(Work) 904-381-6596	
CPurves@TownofPalmBeach.com		(Fax) 904-387-6816	
		Bambi.Darr@duvalfleet.com	
		1616 Cassat Ave. Jax, FL 32210	SOUTH
PLEASE CONFIRM RECEIPT OF QUOTE VIA EMAIL			
<i>I appreciate your interest and the opportunity to quote. Prices are published by the Florida Sheriff's Association/ Florida Association of Counties & Florida Fire Chiefs' Association Automotive Contract #FSA16-VEL14.0 chassis / FSA16-VEL24.0. (www.flsheriffs.org) If you have any questions regarding this quote please call! Vehicle will be ordered white exterior unless specified on purchase order.</i>			
Labor	Code	Equipment	Price
0	SPEC 37	2017 FORD TRANSIT UTILITY CARGO VAN E1Z	\$ 20,586.00
0	101A	BASE TRIM PACKAGE	NC
0	99M	3.7L V6 ENGINE	NC
0	17B	FIXED SIDE AND PASSENGER GLASS	NC
0	STD	POWER WINDOWS/ DOOR LOCKS	NC
0	BUC	BACKUP CAMERA	NC
0	R1Y	T-250/ LOW ROOF/ 130" WHEELBASE/ PASS SLIDE DOOR/ 9,000 GVWR	INCL
0	T250	UPGRADE TO TRANSIST T-250	\$ 1,800.00
0	87R	ADDITIONAL KEYS- INCLUDES (2) KEYS AND FOBS	\$ 74.00
0	43B	BACKUP ALARM	\$ 124.00
0	942	DAYTIME RUNNING LIGHTS	\$ 44.00
0	VV	VENT VISORS- STICK ON STYLE	\$ 140.00
0	FPLR	FULL PARTITION & INDUSTRIAL LADDER RACK	\$ 1,600.00
0			
0	YZ	EXTERIOR: OXFORD WHITE	NC
0	VK	INTERIOR: PEWTER VINYL	STD
	VENDOR COMMENTS	PLEASE CLEARLY NOTATE ON YOUR PURCHASE ORDER WHERE DUVAL FORD IS TO SHIP YOUR VEHICLE, HOW THE VEHICLE IS TO BE TITLED, AND WHERE THE INVOICE IS TO BE MAILED.	
UNIT COST			\$ 24,368.00
TOTAL QUANTITY 1			TOTAL PURCHASE \$ 24,368.00

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 064-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Purchase Order No. 170171 to Navistar Inc., in the Amount of \$7,500, for the Procurement of Parts for the Remaining FY17 Budget, Thereby Increasing the Total Purchase Order Amount from \$24,500 to \$32,000.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 18, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 064-2017**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Approve Change Order Increasing a Purchase Order to Navistar Inc.
Resolution No. 064-2017

DATE: April 18, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 064-2017 approving a change order to Purchase Order No. 170171 with Navistar Inc., for the purchase of International OEM parts in the amount of \$7,500 increasing the total budget from \$24,500 to \$32,000 for the remainder of FY17 repairs.

GENERAL INFORMATION

The Town's Vehicle Maintenance Bureau utilizes Navistar Inc's., national cooperative purchasing agreement through the local International dealer, Rechtein International, as a Sole Source vendor for the procurement of OEM (original equipment) parts for the fleets twenty-three (23) heavy duty trash cranes, dump trucks, sanitation trucks, recycling trucks, and water resources sewer vacuum truck.

Since the start of this FY17 budget cycle, staff has had to purchase items on seven (7) different occurrences in which the parts cost over \$1,000 and up to \$4,340 on items such as turbo kits, transmissions, emission controllers and pump assemblies. The equipment requiring these repairs range from four (4) to seven (7) years in life and are used extensively on a daily basis providing waste collection, transport, and disposal service for the residents. It is necessary for us to increase our anticipated budget from \$24,500 to \$32,000 to assure we have sufficient funds in our purchase order for the remainder of the fiscal year.

FUNDING/FISCAL IMPACT

There are sufficient funds in the FY17 Public Works operating budget to accomplish this work.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

cc: Jane Struder, Director of Finance
Eric B. Brown, Assistant Director of Public Works/Operations
Chester Purves, Services Manager
Dean Mealy, Purchasing Manager

RESOLUTION NO. 064-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, INCREASING PURCHASE ORDER NO. 170171 TO NAVISTAR INC., IN THE AMOUNT OF \$7,500, FOR THE PROCUREMENT OF PARTS FOR THE REMAINING FY17 BUDGET, THEREBY INCREASING THE TOTAL PURCHASE ORDER AMOUNT FROM \$24,500 TO \$32,000.

* * * * *

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

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order increase of \$7,500 to Navistar Inc., for procurement of parts for the remaining FY17 budget, thereby increasing the total purchase order amount from \$24,000 to \$32,000.

Section 2. The Town Manager is hereby authorized to execute a change order on behalf of the Town of Palm Beach for the additional procurement requirements.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the additional procurement needs for the project, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 065-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Universal Electric of Florida, Inc., and C.R. Dunn, Inc., for Electrical Maintenance and Repair Services in a Cumulative Total Amount Not-to-Exceed \$174,000.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 13, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 065-2017**
- ▣ **Bid No. 2013-06D - Universal Electric**
- ▣ **Bid No. 2013-06D - C.R. Dunn**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Tom Bradford, Town Manager

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

RE: Authorization to Extend Electrical Maintenance and Repair Services Contracts
Resolution No. 065-2017

DATE: April 13, 2017

STAFF RECOMMENDATION

Town staff recommends that the Town Council approve Resolution No. 065-2017 to authorize the fourth (4th) twelve-month extension of the Electrical Maintenance and Repair Services contracts to Universal Electric of Florida, Inc., and C.R. Dunn, Inc., in a cumulative total amount not-to-exceed \$174,000.

GENERAL INFORMATION

Universal Electric of Florida, Inc., (Universal Electric) and C.R. Dunn, Inc., (C.R. Dunn) were awarded the Electrical Maintenance and Repair Services contract, per Bid No. 2013-06, via Resolution No. 85-2013. Universal Electric performs services on the street light systems, in Town buildings and on the Town docks. C.R. Dunn performs work on the traffic signals and in the Town's pump and lift stations. The exact dollar amount of work issued in any given category of work will depend on the required work during that year and the facility requiring the work based upon rates agreed to in the original contract in the total amount not to exceed \$174,000.

During the previous year, the contractors performed and completed a variety of projects at various Town facilities. Universal Electric, and C.R. Dunn have both performed satisfactorily and the contract provides for the option of four (4) twelve-month renewals.

FUNDING/FISCAL IMPACT

Sufficient funds are available within the FY17 budget to complete this work.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachment

cc: Jane Struder, Director of Finance
Eric Brown, P.E., Assistant Director of Public Works
Brett Madison, Facilities Division Manager
Dean Mealy, Purchasing Manager

RESOLUTION NO. 065-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CONTRACT EXTENSION TO UNIVERSAL ELECTRIC OF FLORIDA, INC., AND C.R. DUNN, INC., FOR ELECTRICAL MAINTENANCE AND REPAIR SERVICES IN A CUMULATIVE TOTAL AMOUNT NOT-TO-EXCEED \$174,000.

* * * * *

WHEREAS, a contract was awarded on June 11, 2013 to Universal Electric of Florida, Inc., and C.R. Dunn, Inc., to provide electrical maintenance and repair services; and

WHEREAS, Universal Electric of Florida, Inc., and C.R. Dunn, Inc. have provided acceptable service under that contract; and

WHEREAS, that contract allows for four (4) twelve-month extensions.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The fourth (4th) contract extension for electrical maintenance and repair services from Universal Electric of Florida, Inc., and C.R. Dunn, Inc., is approved. Costs for services performed pursuant to these contracts shall be as stated therein but shall not exceed a cumulative amount of \$174,000 for a period of twelve (12) months, beginning June 24, 2017 and ending June 23, 2018.

Section 2. The Town Manager is hereby authorized and directed to execute this contract extension on behalf of the Town of Palm Beach.

Section 3. The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the implementation of these services, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

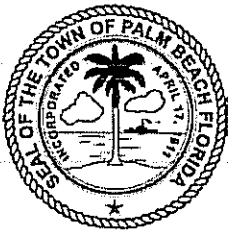
Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



TOWN OF PALM BEACH

PURCHASING DIVISION

April 12, 2017

Universal Electric of Florida
6784 N.W. 17 Ave.
Ft. Lauderdale, FL 33309
Email: Phil@universalphilco.com
Attn: Phillip Kroyman

Ref: Bid No. 2013-06 – Electrical Services
Year 5 of Contract – 4th Renewal
BID 2013-06D

Dear Mr. Kroyman:

As specified in the referenced bid document, we have the option to renew the existing contract for another one year period if it is mutually agreeable to all parties.

Our current contract expires on 06/19/2017. Please advise by signature below, if a one-year extension of our current contract at same terms, conditions, specifications and pricing stated in your submittal to Bid No. 2013-06 would be acceptable.

Please, complete and return this form to the Purchasing Division by no later than 2:00 PM April 17, 2017. Your response may be emailed to sshea@townofpalmbeach.com or faxed to 561-835-4688.

Sincerely,

Sandy Shea
Public Works Buyer

X

I hereby agree to a one year extension of the subject bid.

I do not approve a one year extension of the subject bid for the following reasons:

Phil Kroyman Jr
SIGNATURE

04.13.2017

DATE

Phillip L Kroyman Jr
NAME (PRINT)

951 Okeechobee Road • Suite D • West Palm Beach, Florida 33401
Telephone: (561) 838-5406 • Facsimile (561) 835-4688

Website: www.townofpalmbeach.com



Recycled Paper

April 12, 2017

C.R. Dunn, Inc
1202 Pope Lane
Lake Worth, FL 33460
Email – Chuck@crdunn.net
Attn: Charles G. Fitch

Ref: Bid No. 2013-06 – Electrical Services
Year 5 of Contract – 4th Renewal
BID - 2013-06D

Dear Mr. Fitch:

As specified in the referenced bid document, we have the option to renew the existing contract for another one year period if it is mutually agreeable to all parties.

Our current contract expires on 06/23/2017. Please advise by signature below, if a one-year extension of our current contract at same terms, conditions, specifications and pricing stated in your submittal to Bid No. 2013-06 would be acceptable.

Please, complete and return this form to the Purchasing Division by no later than 2:00 PM April 17, 2017. Your response may be emailed to sshea@townofpalmbeach.com or faxed 561-835-4688.

Sincerely,

Sandy Shea
Public Works Buyer

 X I hereby agree to a one year extension of the subject bid.

 I do not approve a one year extension of the subject bid for the following reasons:

Charles G Fitch
SIGNATURE

April 14, 2017
DATE

Charles G Fitch
NAME (PRINT)

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 066-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing Authorization for a Contract Extension for Tree Trimming and Pruning Services to Zimmerman Tree Service, in an Amount Not-to-Exceed \$178,900 for Tree Trimming and Pruning Services, and Establishing a Project Budget of \$187,850.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 14, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 066-2017**
- ▣ **Bid No. 2015-08B**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Authorization for a Contract Extension for Tree Trimming and Pruning Services
to Zimmerman Tree Service
Resolution No. 066-2017

DATE: April 14, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 066-2017, authorizing a contract extension to Zimmerman Tree Service, for tree trimming and pruning services in an amount not-to-exceed \$178,900, and establish an overall budget of \$187,850.

GENERAL INFORMATION

The operation for trimming and pruning of the Town's trees was changed in FY10 from a Town staff operation to utilizing a professional tree trimming contractor. This change has been very successful. The contractor trims the royal palms twice a year and performs maintenance trimming on other trees in Town owned parks and rights-of-way. Coconut palm tree trimming is contracted separately.

The vendor provides an hourly price based on using two (2) or three (3) men crews and the crews are supervised under the direction of the Town arborist and/or the Parks Bureau Supervisor. The trimming and pruning historically averages 800 hours for the two (2) man crews and 200 hours for the three (3) man crews. This bid also includes provisions for the trimming of the historic and specimen trees and to provide maintenance of traffic while performing their services. All maintenance of traffic is included.

The Town issued Bid No. 2015-08 for the tree trimming and pruning services. On March 24, 2015, Zimmerman Tree Service was awarded the contract and has performed satisfactorily. The contract provides for the option of four (4) twelve (12) month renewals with all original terms, conditions, and pricing. This is the second (2nd) renewal to this contract. The contractor has requested a CPI increase of 1.6% as detailed in the terms of their contract. This will increase their hourly rate for each of the crew structures and the overall cost based on the bid quantities to \$178,900. A five percent (5%) contingency has been included in the overall budget for unforeseen conditions or special trimmings.

FUNDING/FISCAL IMPACT

Sufficient funds exist in the Public Works operating budget to accomplish this work.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachment

cc: Jane Struder, Director of Finance
Eric B. Brown, P.E., Assistant Director of Public Works
Brett Madison, Facilities Division Manager
Dean Mealy, Purchasing Manager

RESOLUTION NO. 066-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING AUTHORIZATION FOR A CONTRACT EXTENSION FOR TREE TRIMMING AND PRUNING SERVICES TO ZIMMERMAN TREE SERVICE, IN AN AMOUNT NOT-TO-EXCEED \$178,900 FOR TREE TRIMMING AND PRUNING SERVICES, AND ESTABLISHING A PROJECT BUDGET OF \$187,850.

* * * * *

WHEREAS, a contract was awarded on March 24, 2015, to Zimmerman Tree Service to provide tree trimming and pruning services to the Town of Palm Beach; a copy of which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, vendor has agreed to an extension of the terms and conditions of the said contract, which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, Zimmerman Tree Service has provided acceptable service under that contract; and
WHEREAS, that contract allows for four (4) twelve (12) month extensions.

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 authorizes a contract extension to Zimmerman Tree Service, in an amount not-to-exceed \$178,900 for Town-Wide tree trimming and pruning services, and establishes an overall project budget of \$187,850.

Section 2. The Town Manager is hereby authorized to execute this contract extension on behalf of the Town of Palm Beach for this improvement.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

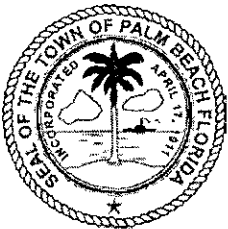
Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



TOWN OF PALM BEACH

PURCHASING DIVISION

January 12, 2017

Zimmerman Tree Service
4660 71st Court South
Lake Worth, FL 33463
Email: mickey@zimmermantreeservice.com

Ref: Bid No. 2015-08 – Tree Trimming and Pruning Services
Year 3 of Contract – 2nd Renewal
BID 2015-08B

Dear Mickey:

As specified in the referenced bid document, we have an option to renew the existing contract for another one year period if it is mutually agreeable to all parties.

Our current contract expires on **6/18/2017**. Please advise by signature below, if a one-year extension of our current contract at same terms, conditions, specifications and pricing stated in your bid dated February 25, 2015 would be acceptable.

Please, complete and return this form to the Purchasing Division by no later than 2:00 PM, January 13, 2017. Your response may be emailed to sshea@townofpalmbeach.com or faxed to 561-835-4688. If you have any questions, please feel free to contact me at 561-227-7009 or email.

Sincerely,

Sandy Shea

Sandy Shea
Public Works Buyer

 X I hereby agree to a one year extension of the subject bid.

 I do not approve a one year extension of the subject bid for the following reasons:

Requesting consideration of page 8, item #11 on Bid # 2015-08

for the consumer price index increase, by the hour.


SIGNATURE

1/12/2017
DATE

Thomas Danks



TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 067-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Construction Phase Engineering Services to Mock Roos & Associates, Inc., in an Amount of \$34,570 for the Australian Avenue Sanitary Sewer and Parking Lot Improvements, and Establishing a Construction Phase Budget of \$38,500.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 21 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 067-2017**
- ▣ **Mock Roos Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Approval of a Purchase Order for Construction Phase Engineering Services for the Australian Avenue Sanitary Sewer and Parking Lot Improvements
Resolution No. 067-2017

DATE: April 21, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 067-2017 approving a Purchase Order for Construction Phase Engineering Services to Mock Roos and Associates, Inc. (MRA), for the Australian Avenue Sanitary Sewer and Parking Lot Improvements, in the amount of \$34,570 and establishing an engineering services budget of \$38,500 including contingency.

GENERAL INFORMATION

Contained in the Accelerated Capital Improvement Program (ACIP)-Phase 2 is the construction phase of the Australian Avenue Parking Lot Sanitary Sewer Modifications. The Australian Avenue Parking Lot Sanitary Sewer Modifications was designed along with several other gravity sewer replacements projects under the Sanitary Gravity Sewer Replacement program in ACIP Phase 1. The Australian Avenue sanitary sewer segment located in the employee parking lot is the last sewer line to be replaced under the ACIP.

The project also includes improvements to the Town's Australian Avenue parking lot. The improvements consist of removing the existing aged asphalt, where in several areas was identified as being less than an 3/4-inch-thick and, in one location, the road base was failing. The scope will also include modifying the parking lot layout to gain three (3) parking spaces and planting a six (6) foot hedge along the south side of the parking lot.

The construction phase engineering services will include plan updates, shop drawing reviews, site visits, maintaining daily reports, progress photos, scheduling, conducting meetings, preparing meeting minutes, and assisting Town staff with onsite observations, inspections, etc.

We have negotiated a Construction Phase Engineering Service contract with MRA in the amount of \$34,570. Staff recommends a Construction Phase Engineering Service contingency of ten percent (10%), resulting in a total budget of \$38,500.

FUNDING/FISCAL IMPACT

Funding for the Australian Avenue Sanitary Sewer Modifications construction phase engineering services is fully contained within the Accelerated Capital Improvement Program-Phase 2.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jane Struder, Director of Finance
Patricia Strayer, P.E., Town Engineer
Michael Roach, P.E. Project Engineer
Dean Mealy, Purchasing Manager

RESOLUTION NO. 067-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER FOR CONSTRUCTION PHASE ENGINEERING SERVICES TO MOCK ROOS & ASSOCIATES, INC., IN AN AMOUNT OF \$34,570 FOR THE AUSTRALIAN AVENUE SANITARY SEWER AND PARKING LOT IMPROVEMENTS, AND ESTABLISHING A CONSTRUCTION PHASE BUDGET OF \$38,500.

* * * * *

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

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order to Mock Roos & Associates, Inc., in an amount of \$34,570 for Construction Phase Engineering Services for the Australian Avenue Sanitary Sewer and Parking Lot Improvements project, and establishes a construction phase budget of \$38,500.

Section 2. The Town Manager is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for this improvement.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



MOCK • ROOS

CONSULTING ENGINEERS

April 21, 2017

Mr. Michael Roach, P.E.
Town of Palm Beach
P.O. Box 2029
Palm Beach, FL 33480-2029

Ref. No. B6016.00
Subject: Australian Avenue Parking Lot Sanitary Sewer Modifications Engineering During Construction Assistance Services

Dear Michael:

We are submitting the attached *Proposal To Provide Australian Avenue Parking Lot Sanitary Sewer Modifications Engineering During Construction Assistance Services*. Please review the attached documents and return one signed copy of the *Proposal* to our office as our authorization to proceed with the Scope of Services outlined in the proposal.

We will provide the Scope of Services on an hourly basis, plus reimbursable expenses. We anticipate the total fee to provide the Scope of Services will be \$34,570.00.

If you have any questions please contact me at 683-3113, extension 293. Thank you for using Mock•Roos on this project. We look forward to working with you.

Sincerely,

MOCK, ROOS & ASSOCIATES, INC.

GGG:jeh
Enclosure

Copies: Patricia Strayer, P.E.
Bookkeeping

Garry G. Gruber, P.E.
Senior Vice President

Proposal to Provide Australian Avenue Parking Lot Sanitary Sewer Modifications Engineering During Construction Assistance Services

Services to be provided by: Mock•Roos

Services provided to (Client): Town of Palm Beach

Proposal Date: April 21, 2017

Proposal Terms

A. Project Understanding:

The Town has bid the Australian Avenue Parking Lot Sanitary Sewer Modifications project and intends to construct the project during the Town's active construction season from May 2017 to October 2017.

Mock•Roos will perform services as outlined in **B. Scope of Services** below:

B. Scope of Services:

Sanitary Sewer and Parking Lot Modifications

Task 1 – Provide the Contractor with up to 4 sets of Conformed Contract Documents for the Contractor to review and for use during construction, 3 signed and sealed sets of Construction Drawings for the Contractor's Records, and provide one CD containing the Project AutoCAD (version 2016) drawings for the contractor's use preparing Record Drawings (one CD to the Town and 1 signed and sealed set of specifications and drawings to the Town).

Task 2 – Conduct a Pre-Construction meeting with the Contractor and the Town. Prepare and distribute the pre-construction meeting minutes.

Task 3 – Provide Mock•Roos staff to review Contractor's fabrication shop drawing and engineering submittals for conformance with the Contract Documents. Up to two reviews per shop drawing submittal are included to address comments as appropriate. Provide hard copies with a submittal log to the Contractor and Town.

Task 4 – Attend up to four (4) construction meetings between the Contractor, the Town, and Mock•Roos during the construction period and prepare and distribute meeting minutes taken up for the meetings. It is assumed that meetings will be held at the Town's Public Works office.

Task 5 – Provide a Mock•Roos field representative to perform site observations of the Contractor's Work during the construction period. Up to 12 hours per week for the estimated two-month active construction period are included in this proposal. Prepare and review Mock•Roos field observation reports.

Task 6 – Perform the services of a professional engineer to perform periodic site observations of the day-to-day work activities for conformance with the Contract Documents.

Task 7 – Review, recommend, and prepare minor field directive changes and/or contingency expenditures, as requested by the Contractor or the Town. Services related to major changes or change order proposals will be negotiated at that time.

Task 8 – Attend two onsite pay application review meetings between the Contractor, Mock•Roos, and the Town. Provide review and payment recommendations for the Contractor's one final pay application.

Task 9 – Perform one "substantial completion" and one "final completion walk-through" with the Contractor, Mock•Roos, and the Town for facilities completed during the construction season.

Task 10 – Review Contractor's record drawing and O&M submittal to check for conformance with the Contract Documents and the design intent. Up to two reviews of the submittals are included.

Task 11 – Provide project management duties and coordination with the Town throughout Project duration of the above tasks.

Landscaping Improvements

Task 1 – Assist the Town to develop a sketch of the proposed landscaping improvements that will be provided to the Contractor for use preparing a proposal for the improvements. The services of a Landscape architect are not included with this proposal and it is our understanding that the project is exempt from permitting and ARCOM.

Task 2 – Review the contractors furnished proposal and recommend/prepare an allowance expenditure for the landscaping improvements.

Task 3 – Perform the services of a professional engineer to perform periodic site observations of the day-to-day work activities during the installation of the landscaping.

Task 4 – Perform one "final completion walk-through" with the Contractor, Mock•Roos, and the Town for the installation of the landscaping improvements.

C. Additional Services:

1. Any services not included in the Scope of Services will be considered Additional Services.

2. Additional Services can be provided upon Mock•Roos receiving a revised scope of services and approved change order from the Town.

D. Fees and Rates:

1. The total fee to provide the Scope of Services on an hourly basis with a not to exceed fee of \$34,570.00.
2. Mock•Roos can provide Additional Services at the Mock•Roos hourly rates in effect at that time, plus any reimbursable expenses, or for an agreed upon lump sum fee.

E. Conditions:

1. All terms become valid upon Mock•Roos receiving one complete copy of this proposal within 30 days of its date.
2. In case of discrepancies, the terms of this proposal supersede those of previous agreements.

F. Acceptance and Authorization to Proceed:

1. This proposal is acceptable and Mock•Roos has authorization to proceed with the Scope of Services. This authorization becomes valid upon Mock•Roos receiving a Purchase Order for these services.

MOCK•ROOS

Signed: _____

Name: Garry G. Gruber, P.E.

Title: Senior Vice President

Date: April 21, 2017

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda Resolutions

Agenda Title

RESOLUTION NO. 068-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2017-20 and Approving a Construction Contract to Hinterland Group, Inc., for the Australian Avenue Sanitary Sewer and Parking Lot Improvements, in the Amount of \$228,580 and Establishing a Construction Phase Budget of \$252,000.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 25, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 068-2017**
- ▣ **Bid Tab Sheet**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Award Bid 2017-20 and Approve a Construction Contract for the Australian Avenue Sanitary Sewer and Parking Lot Improvements Project
Resolution No. 068-2017

DATE: April 25, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 068-2017 awarding Bid No. 2017-20 and approving a Construction Contract to Hinterland Group, Inc., for the Australian Avenue Sanitary Sewer and Parking Lot Improvements Project in the amount of \$228,580 and establishing a construction phase budget of \$252,000.

GENERAL INFORMATION

Contained in the Accelerated Capital Improvement Program (ACIP)-Phase 2 is the construction phase of the Australian Avenue Parking Lot Sanitary Sewer Modifications. The Australian Avenue Parking Lot Sanitary Sewer Modifications was designed along with several other gravity sewer replacements projects under the Sanitary Gravity Sewer Replacement program in ACIP Phase 1. The Australian Avenue sanitary sewer segment located in the employee parking lot is the last sewer line to be replaced under the ACIP.

The project also includes improvements to the Town's Australian Avenue parking lot. The improvements consist of removing the existing aged asphalt, where in several areas was identified as being less than an 3/4-inch-thick, and in one (1) location the road base was failing. The scope will also include modifying the parking lot layout to gain three (3) parking spaces and planting a six (6) foot hedge along the south side of the parking lot.

Traffic impacts will be minimal, as the work is contained within the Town's employee parking lot on Australian Avenue. Traffic impacts to Australian Avenue will be limited to trucks entering and leaving the parking lot and deliveries to the site.

The Town received three (3) quotes on April 25, 2017. A copy of the tabulation sheet is The quotes ranged from \$228,580 to \$326,540. The lowest responsible bid was from Hinterland Group, Inc. in the amount of \$228,580. Staff recommends awarding a Construction Contract to

Hinterland Group, Inc., for the bid amount of \$228,580, and establishing a construction phase budget of \$252,000.

FUNDING/FISCAL IMPACT

Funding for the Sanitary Sewer Improvements in the amount \$66,300 is fully contained within the Town's Accelerated Capital Improvement Program, Phase 2. Improvements to the Australian Avenue parking lot for \$160,700 will be funded from the Town's Pay-as-you-go 307 funds. And the landscaping improvements for \$25,000 will be funded from the Public Works Department operating budget. Total construction phase budget for the project is \$252,000.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Michael Roach, P.E., Project Engineer
Dean Mealy, Purchasing Manager

RESOLUTION NO. 068-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 2017-20 AND APPROVING A CONSTRUCTION CONTRACT TO HINTERLAND GROUP, INC., FOR THE AUSTRALIAN AVENUE SANITARY SEWER AND PARKING LOT IMPROVEMENTS, IN THE AMOUNT OF \$228,580, AND ESTABLISHING A CONSTRUCTION PHASE BUDGET OF \$252,000.

* * * * *

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 awards Bid No. 2017-20 and approves a Construction Contract to Hinterland Group, Inc., in the amount of \$228,580, for the Australian Avenue Sanitary Sewer and Parking Lot Improvements, and establishes a construction phase budget of \$252,000.

Section 2. The Town Manager is hereby authorized to execute this contract on behalf of the Town of Palm Beach for this improvement.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



TOWN OF PALM BEACH

Bid No. 2017-20

Australian Avenue Sanitary Sewer
and Parking Lot Improvements
TABULATION

Due: 4/25/17 @ 2 p.m.

Vendor: Address: Telephone: Fax: Contact: E-mail:	D.S. Eakins Construction Corporation		Hinterland Group, Inc.	Johnson-Davis Incorporated
	1481 Kinetic Road		992 W. 15th Street	601 Hillbrath Dr.
	Lake Park, FL 33403		Riviera Beach, FL 33404	Lantana, FL 33462
	561-842-0001		561-640-3503	561-588-1170
	561-842-0009		561-640-3504	561-585-5252
	S. Steven Eakins, Jr. ssteve@dseakins.com		Daniel Duke III dduke1@hinterlandgroup.com	Scott J. Johnson sjohnson@johnsondavis.com

Item No.	Description	Qty	Unit	Price per Unit	Total	Price per Unit	Total
GENERAL CONDITIONS							
GC-1	MOBILIZATION & GENERAL CONDITIONS (MAX 10% OF TOTAL BID)	1	L.S.	\$ 17,500.00	\$ 17,500.00	\$ 20,000.00	\$ 20,000.00
GC-2	BOND & INSURANCE REQUIREMENTS	1	L.S.	\$ 5,000.00	\$ 5,000.00	\$ 7,500.00	\$ 7,500.00
GC-3	LAYOUT, SURVEY & RECORD DRAWINGS	1	L.S.	\$ 10,615.00	\$ 10,615.00	\$ 5,000.00	\$ 5,000.00
GC-4	PROFESSIONAL VIDEOTAPING - PRECONSTRUCTION CONDITIONS	1	L.S.	\$ 1,250.00	\$ 1,250.00	\$ 1,000.00	\$ 1,000.00
GC-5	TRENCH SAFETY COMPLIANCE	1	L.S.	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00
GC-6	NPDES COMPLIANCE	1	L.S.	\$ 1,438.00	\$ 1,438.00	\$ 500.00	\$ 500.00
GENERAL CONDITIONS SUBTOTAL				\$ 36,803.00		\$ 34,500.00	

SANITARY SEWER							
C-1	8" SDR 26 PVC SEWER PIPE	125	L.F.	\$ 75.00	\$ 9,375.00	\$ 100.00	\$ 12,500.00
C-2	STANDARD MANHOLE	2	EA	\$ 6,265.00	\$ 12,530.00	\$ 8,500.00	\$ 17,000.00
C-3	DOG HOUSE MANHOLE	1	EA	\$ 13,512.00	\$ 13,512.00	\$ 11,500.00	\$ 11,500.00
C-4	CUT-IN AND REPAIR/COAT EXISTING MANHOLE	1	EA	\$ 10,695.00	\$ 10,695.00	\$ 2,500.00	\$ 2,500.00
C-5	REINSTATE LATERAL SERVICE AND CLEANOUT	1	L.S.	\$ 2,885.00	\$ 2,885.00	\$ 1,500.00	\$ 1,500.00
SANITARY SEWER SUBTOTAL				\$ 48,997.00		\$ 45,000.00	

PARKING LOT PAVEMENT							
P-1	GRAVITY WALL WITH TYPE "D" CURB TOPPER	86	L.F.	\$ 438.00	\$ 37,668.00	\$ 100.00	\$ 8,600.00
P-2	TYPE "D" CURB	500	L.F.	\$ 48.00	\$ 24,000.00	\$ 25.00	\$ 12,500.00
P-3	8" OF GRAVEL AND FILTER FABRIC	425	S.F.	\$ 5.50	\$ 2,337.50	\$ 8.00	\$ 3,400.00
P-4	PARKING LOT DEMOLITION	1	L.S.	\$ 14,434.00	\$ 14,434.00	\$ 20,000.00	\$ 20,000.00
P-5	3/4" OF S-III ASPHALT (FINAL LIFT)	1	L.S.	\$ 23,277.50	\$ 23,277.50	\$ 15,000.00	\$ 15,000.00
P-6	3/4" OF S-III ASPHALT (FIRST LIFT)	1	L.S.	\$ 22,315.00	\$ 22,315.00	\$ 18,000.00	\$ 18,000.00
P-7	FURNISH SUPPLEMENTAL BASE AND REWORK BASE	1	L.S.	\$ 23,169.60	\$ 23,169.60	\$ 10,000.00	\$ 10,000.00
P-8	WHEEL STOPS	51	EA	\$ 42.00	\$ 2,142.00	\$ 80.00	\$ 4,080.00
P-9	STRIPING, TRAFFIC PAINT, AND SIGNS	1	L.S.	\$ 3,716.00	\$ 3,716.00	\$ 10,000.00	\$ 10,000.00
P-10	NEW PULL BOX, WIRE AND RELOCATE LIGHT AND PULLBOX	1	L.S.	\$ 8,532.00	\$ 8,532.00	\$ 6,500.00	\$ 6,500.00
P-11	INSTALL SPEARE CONDUIT AND PULL BOX	1	L.S.	\$ 5,710.00	\$ 5,710.00	\$ 2,400.00	\$ 2,400.00
P-12	INSTALL CALUSIA HEDGE 6" TALL FULL SCREENING	122	L.F.	\$ 88.00	\$ 10,736.00	\$ 50.00	\$ 6,100.00
PARKING LOT PAVEMENTS SUBTOTAL				\$ 178,037.60		\$ 116,580.00	



TOWN OF PALM BEACH

Bid No. 2017-20

**Australian Avenue Sanitary Sewer
and Parking Lot Improvements
TABULATION**

Due: 4/25/17 @ 2 p.m.

Vendor:		D.S. Eakins Construction Corporation		Hinterland Group, Inc.		Johnson-Davis Incorporated	
Address:		1481 Kinetic Road Lake Park, FL 33403		992 W. 15th Street Riviera Beach, FL 33404		601 Hillbrath Dr. Lantana, FL 33462	
Telephone:		561-842-0001		561-640-3503		561-588-1170	
Fax:		561-842-0009		561-640-3504		561-585-5252	
Contact:		S. Steven Eakins, Jr. steve@dspeakins.com		Daniel Duke III dduke1@hinterlandgroup.com		Scott J. Johnson sjohnson@johnsondavis.com	
E-mail:							
Item No.	Description	Qty	Unit	Price per Unit	Total	Price per Unit	Total

LANDSCAPING ALLOWANCE

L-1	LANDSCAPE ALLOWANCE FOR IMPROVEMENTS TO THE FRONT OF THE PARKING LOT - TOWN TO SELECT MATERIAL		ALLOWANCE		\$ 25,000.00		\$ 25,000.00
LANDSCAPING ALLOWANCE SUBTOTAL				\$	25,000.00	\$	25,000.00
CONTINGENCY							
A-1	CONTINGENCY		ALLOWANCE		\$ 7,500.00		\$ 7,500.00
CONTINGENCY SUBTOTAL				\$	7,500.00	\$	7,500.00
BID TOTAL				\$	296,337.60	\$	326,540.00

ALTERNATE BID ITEM

AB-1	PREMIUM GRAY WHEEL STOP (SEE SHEET C5-1, DETAIL 6, NOTE 2) TOPPER	51	EA	\$ 141.00	\$ 7,191.00	\$ 120.00	\$ 6,120.00
				\$	7,191.00	\$	155.00
						\$	7,905.00

Opened by: John Cmar

Witnessed by: Duke Basha

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 069-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Pre-Construction Contract and Approving a Change Order to Purchase Order No. 170866 in the Amount of \$43,054 to Hedrick Brothers Construction, Inc., for the Second Task Associated with Pre-Construction Phase Services for the Seaview Park and Palm Beach Recreation Center Improvements, for a Total Amount of \$76,142 and Accepting a Donation of \$43,054 from Friends of Recreation Which Represents an Advanced Contribution, Which will be Designated as a Grant Off-Set Toward Their One-Third (1/3) Share of the Project Costs Previously Committed.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 24, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 069-2017**
- ▣ **Pre-Construction Proposal Task2**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Amending a Pre-Construction Services Agreement with Hedrick Brothers Construction Inc. and Increasing Purchase Order No. 170866 for the Seaview Park Improvements and Recreation Center Project; RFQ No. 2016-45
Resolution No. 069-2017

DATE: April 24, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 069-2017 for pre-construction phase services (Task 2) for the Seaview Park Improvements and Recreation Center Project, and authorizing the Town Manager to increase the existing Purchase Order with Hedrick Brothers Construction Inc. (Hedrick Brothers), in an amount of \$43,054 and resulting in a total revised amount of \$76,142, with an established budget of \$80,000.

Town staff also recommends acceptance of a donation in the amount of \$43,054 from the Friends of Recreation, which shall be considered an advanced contribution towards their previous commitment to fund one-third (1/3) of the project costs.

GENERAL INFORMATION

The Town Council previously authorized, at the February 14, 2017 meeting, that the purchase order be issued for an initial amount of \$33,088 for the first of two (2) pre-construction tasks including the progress meetings, plan review, constructability review, and design development estimate/schedule. That first task is underway and the design development report and associated cost estimate will be completed by Hedrick Brothers by May 16.

Now that the project was approved at the Town Council meeting on April 13, 2017, the remaining task for development of the detailed cost estimate, schedule, bidding phase of the project, and Guaranteed Maximum Price (GMP) is in the amount of \$43,054. The pre-construction agreement with Hedrick Brothers that was already executed was written to reflect that two-phased approach.

Task 1 was funded by the Friends of Recreation through an advanced contribution of their committed one-third (1/3) share of the project costs. The Friends of Recreation has offered to

fund Task 2 of the pre-construction services with another advanced contribution to be credited towards their one-third (1/3) share to cover the entire cost of said task.

If Task 2 is approved, the final pre-construction report and GMP proposal are expected to be submitted by mid-July for consideration by the Town Council at their meeting on August 8, 2017.

FUNDING/FISCAL IMPACT

Sufficient funds are being donated to pay for these pre-construction phase services subject to the project cost-sharing approved at the Town Council meeting on April 12, 2017. As indicated in the backup for that item, the design fee and pre-construction services will be included in the overall project total, to be a one-third (1/3) cost share by the Town.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

The resolution has been reviewed and approved by the Town Attorney for legal form and sufficiency.

Attachment

cc: Beth Zickar, Director of Recreation
Jane Struder, Director of Finance
Eric Brown, Assistant Director, Public Works
Dean Mealy, Purchasing Manager

RESOLUTION NO. 069-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PRE-CONSTRUCTION CONTRACT AND APPROVING A CHANGE ORDER TO PURCHASE ORDER NO. 170866 IN THE AMOUNT OF \$43,054 TO HEDRICK BROTHERS CONSTRUCTION, INC., FOR THE SECOND TASK ASSOCIATED WITH PRE-CONSTRUCTION PHASE SERVICES FOR THE SEAVIEW PARK AND PALM BEACH RECREATION CENTER IMPROVEMENTS, FOR A TOTAL AMOUNT OF \$76,142 AND ACCEPTING A DONATION OF \$43,054 FROM FRIENDS OF RECREATION WHICH REPRESENTS AN ADVANCED CONTRIBUTION, WHICH WILL BE DESIGNATED AS A GRANT OFF-SET TOWARD THEIR ONE-THIRD (1/3) SHARE OF THE PROJECT COSTS PREVIOUSLY COMMITTED.

* * * * *

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

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order increase in the amount of \$43,054 to Hedrick Brothers Construction, Inc., for the second pre-construction phase services task for the Seaview Park and Palm Beach Recreation Center Improvements project resulting in a revised purchase order total of \$76,142 subject to receipt of a donation of \$43,054 which shall represent a contribution towards and not in addition to the grant commitment previously made, from the Friends of Recreation.

Section 2. The Town Manager is hereby authorized to execute this contract on behalf of the Town of Palm Beach for this improvement.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project work, including issuing any purchase orders or necessary change order work as recommended by the Public Works Director, within the authorized budget.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member

Task 2

90% Construction Docs / GMP	Qty.	U	Unit Cost	Total
Project Executive	40.0	hrs	\$140.00	\$5,600
Project Manager	80.0	hrs	\$91.00	\$7,280
Chief Estimator	80.0	hrs	\$101.00	\$8,080
Estimator No. 1	120.0	hrs	\$81.00	\$9,720
Estimator Coordinator	120.0	hrs	\$45.00	\$5,400
Project Superintendent	24.0	hrs	\$71.00	\$1,704
Burkhardt Construction	1.0	ls	\$5,325.00	\$5,325
Reproductions of Drawings	1.0	ls	\$1,300.00	\$1,300
Postage - USPS	1.0	ls	\$100.00	\$100
Postage - Fed-X	1.0	ls	\$100.00	\$100
Legal Notices	2.0	ls	\$800.00	\$1,600
Total 90% Construction Docs / GMP				\$46,209
Total 90% Construction Docs / GMP				\$46,209
Total Preconstruction Subtotal				\$46,209
Insurance			1.30%	\$601
Constructors Fee			8.00%	\$3,745
Total Preconstruction				\$50,554
Hedrick Brothers Pre-Construction Contribution				-\$7,500
Grand Total Preconstruction				\$43,054
Recommended Contingency to be carried by ToPB				\$0

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 070-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2017-17 for Lake Trail Improvements from Royal Poinciana Way to the Sailfish Club and Approving a Construction Contract to R and D Paving, LLC in the Amount of \$902,541.75 and Establishing a Construction Phase Budget of \$952,541.75.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 21, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 070-2017**
- ▣ **Bid Tab Sheet - Bid No. 2017-17**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Award of Bid No. 2017-17 and Approve a Construction Contract for the Lake Trail Improvements Project
Resolution No. 070-2017

DATE: April 21, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 070-2017 awarding Bid No. 2017-17 and approving a construction contract to R and D Paving, LLC (R&D), for the Lake Trail Pavement Improvements Project, in the amount of \$902,541.75 and establishing a construction phase budget of \$952,541.75, including contingency.

GENERAL INFORMATION

The pedestrian pathway (bike path) on Lake Trail is located parallel to the seawall along the Intracoastal waterway from Royal Palm Way to Reef Road. The approximate five (5) miles of asphalt pavement has had asphalt overlays and top coating applications applied to it throughout the years, along with other patch repairs. The Lake Trail is in varying degrees of disrepair throughout the length of the trail. This construction is designed to repair and improve these deficiencies, and is scheduled to be completed during the 2017 construction season. In addition to the bike path, the pathway access points from the adjacent residential streets are deteriorating as well, but due to budget constraints, the access points will be addressed at a later date.

The project design includes extending Lake Trail by traversing Bradley Park. The design connects Lake Trail from Royal Poinciana Way south to the proposed sidewalk at the base of the new Flagler Memorial Bridge. At this time, the new trail extension cannot be connected to the proposed sidewalk on the south side of Royal Poinciana Way because it is part of the new bridge construction which will be completed within the next few months.

The Town advertised the construction services bid for the Lake Trail Improvements Project on March 19, 2017, and received four (4) bids at the April 20, 2017 bid opening. The lowest responsive bid was received from R&D, in the amount of \$902,541.75. Staff recommends awarding R&D a construction contract in the amount of \$902,541.75, and establishing a construction budget of \$952,541.75.

FUNDING/FISCAL IMPACT

Funding for this project is contained within the Accelerated Capital Improvement Program, Phase 2.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jane Struder, Director of Finance
Eric B. Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jeffrey M. Sanon, P.E., Project Engineer
Doug Terry, Water Resources Manager
Brett Madison, Facilities Maintenance Manager
Dean Mealy, Purchasing Manager

RESOLUTION NO. 070-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 2017-17 FOR LAKE TRAIL IMPROVEMENTS FROM ROYAL POINCIANA WAY TO THE SAILFISH CLUB AND APPROVING A CONSTRUCTION CONTRACT TO R AND D PAVING, LLC IN THE AMOUNT OF \$902,541.75 AND ESTABLISHING A CONSTRUCTION PHASE BUDGET OF \$952,541.75.

* * * * *

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 awards Bid No. 2017-17 and approves a construction contract to R and D Paving, LLC, in the amount of \$902,541.75 for the Lake Trail Drainage Improvements Project and establishes a construction phase budget of \$952,541.75.

Section 2. The Town Manager is hereby authorized to execute this contract on behalf of the Town of Palm Beach for this improvement.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



TOWN OF PALM BEACH
Bid No. 2017-17

Lake Trail Drainage Improvements

TABULATION

Date: 4/20/17 @ 2 p.m.

Vendor:	DP Development of the Treasure Coast, LLC	R & D Paving, LLC	Rosso Site Development, Inc.
Address:	605 Bolvedere Road Suite #13 West Palm Beach, FL 33405	400 Executive Center Drive, Suite 400 West Palm Beach, FL 33401	1302 South J Street Lake Worth, FL 33460
Telephone:	954 972 5086	561 471 4100	561 689 0889
Fax:	954 972 5087	561 471 8348	561 689 2851
Contact:	Patrick Burrico	Tom Uhlig	Blair R Simpson
E-mail:		randdpaving@rcol.com	

Item No.	Description	Qty	Unit	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total
ITEM A – PROJECT GENERAL CONDITIONS									
A-1	MOBILIZATION & GENERAL CONDITIONS	1	L.S.	\$ 223,000.00	\$ 223,000.00	\$ 120,000.00	\$ 120,000.00	\$ 80,000.00	\$ 80,000.00
A-2	BONDS & INSURANCE REQUIREMENTS	1	L.S.	\$ 16,000.00	\$ 16,000.00	\$ 10,000.00	\$ 10,000.00	\$ 14,250.00	\$ 14,250.00
A-3	MAINTENANCE OF TRAFFIC	1	L.S.	\$ 20,000.00	\$ 20,000.00	\$ 68,000.00	\$ 68,000.00	\$ 15,000.00	\$ 15,000.00
A-4	NPDES COMPLIANCE	1	L.S.	\$ 36,000.00	\$ 36,000.00	\$ 32,400.00	\$ 32,400.00	\$ 1,500.00	\$ 1,500.00
A-5	PRE-CONSTRUCTION VIDEO	1	L.S.	\$ 8,300.00	\$ 8,300.00	\$ 3,000.00	\$ 3,000.00	\$ 1,500.00	\$ 1,500.00
A-6	PROST-CONSTRUCTION VIDEO	1	L.S.	\$ 8,300.00	\$ 8,300.00	\$ 3,000.00	\$ 3,000.00	\$ 1,500.00	\$ 1,500.00
ITEM A SUBTOTAL				\$	311,600.00	\$	236,400.00	\$	113,750.00

ITEM B – IMPROVEMENTS (NORTH LAKE TRAIL)									
B-1	CLEARING AND GRUBBING	1	L.S.	\$ 140,000.00	\$ 140,000.00	\$ 129,000.00	\$ 129,000.00	\$ 25,000.00	\$ 25,000.00
B-2	VARIABLE MILL ASPHALT (1" TO 1 1/2")	75	S.Y.	\$ 10.90	\$ 817.50	\$ 8.50	\$ 637.50	\$ 7.80	\$ 585.00
B-3	VARIABLE MILL ASPHALT (1" TO 2")	11200	S.Y.	\$ 10.90	\$ 122,080.00	\$ 8.50	\$ 95,200.00	\$ 7.50	\$ 84,000.00
B-4	VARIABLE MILL ASPHALT (2" TO 3")	6000	S.Y.	\$ 10.90	\$ 65,400.00	\$ 10.00	\$ 60,000.00	\$ 15.75	\$ 94,500.00
B-5	VARIABLE MILL ASPHALT (3" TO 4")	1500	S.Y.	\$ 11.75	\$ 17,625.00	\$ 11.00	\$ 16,500.00	\$ 23.10	\$ 34,650.00
B-6	MILL ASPHALT (EXPOSE CURB AND 1" BELOW CURB)	275	S.Y.	\$ 11.75	\$ 3,231.25	\$ 20.00	\$ 5,500.00	\$ 15.75	\$ 4,331.25
B-7	TYPE S-III ASPHALTIC CONCRETE (1" OVERBUILT TYPE S-III ASPHALTIC CONCRETE)	18900	S.Y.	\$ 13.30	\$ 251,370.00	\$ 13.50	\$ 255,150.00	\$ 9.45	\$ 178,605.00
B-8	REMOVE AND REPLACE CONCRETE (6" THICK)	250	TON	\$ 193.00	\$ 48,250.00	\$ 150.00	\$ 37,500.00	\$ 125.00	\$ 31,250.00
B-9	REMOVE AND REPLACE CONCRETE (6" THICK)	80	S.Y.	\$ 94.00	\$ 7,520.00	\$ 60.00	\$ 4,800.00	\$ 90.00	\$ 7,200.00
B-10	REMOVE AND REPLACE 4" WIDE HEADER CURE	90	L.F.	\$ 10.00	\$ 900.00	\$ 20.00	\$ 1,800.00	\$ 14.20	\$ 1,278.00
B-11	INSTALL MODIFIED FLUSH HEADER CURE	1200	L.F.	\$ 40.00	\$ 48,000.00	\$ 50.00	\$ 60,000.00	\$ 50.00	\$ 60,000.00
B-12	INSTALL TYPE 'D' CURE	200	L.F.	\$ 30.00	\$ 6,000.00	\$ 50.00	\$ 10,000.00	\$ 36.00	\$ 7,200.00
B-13	PAVEMENT RECONSTRUCTION (2' WIDTH)	350	S.Y.	\$ 45.00	\$ 15,750.00	\$ 20.00	\$ 7,000.00	\$ 33.55	\$ 11,742.50
B-14	PAVEMENT RECONSTRUCTION (6' WIDTH)	600	S.Y.	\$ 93.00	\$ 55,800.00	\$ 48.00	\$ 28,800.00	\$ 100.00	\$ 35,000.00
B-15	PAVEMENT RECONSTRUCTION (FULL WIDTH)	750	S.Y.	\$ 93.00	\$ 69,750.00	\$ 48.00	\$ 36,000.00	\$ 72.70	\$ 43,620.00
B-16	ROOT PRUNING/ROOT BARRIER	9	EA	\$ 350.00	\$ 3,150.00	\$ 3,000.00	\$ 27,000.00	\$ 575.00	\$ 5,175.00
B-17	CONCRETE FLUMES	7	EA	\$ 2,075.00	\$ 14,525.00	\$ 1,000.00	\$ 7,000.00	\$ 650.00	\$ 4,550.00
B-18	DUNBAR ROAD DRAINAGE IMPROVEMENTS	1	L.S.	\$ 23,000.00	\$ 23,000.00	\$ 13,200.00	\$ 13,200.00	\$ 8,500.00	\$ 8,500.00
B-19	RESET ELECTRICAL BOX	1	EA	\$ 1,100.00	\$ 1,100.00	\$ 500.00	\$ 500.00	\$ 450.00	\$ 450.00
B-20	SOD (MATCH EXISTING)	2800	S.Y.	\$ 10.45	\$ 29,260.00	\$ 7.50	\$ 21,000.00	\$ 8.00	\$ 22,400.00
B-21	ADJUST VALVE BOXES	15	EA	\$ 450.00	\$ 6,750.00	\$ 300.00	\$ 4,500.00	\$ 300.00	\$ 4,500.00
B-22	ADJUST MANHOLES RING AND COVER	55	EA	\$ 700.00	\$ 38,500.00	\$ 350.00	\$ 19,250.00	\$ 355.00	\$ 19,525.00
B-23	STOP BAR	5	EA	\$ 300.00	\$ 1,500.00	\$ 150.00	\$ 750.00	\$ 400.00	\$ 2,000.00
B-24	PATHWAY DIVIDER STRIPING	500	L.F.	\$ 2.50	\$ 1,250.00	\$ 2.00	\$ 1,000.00	\$ 2.40	\$ 1,200.00
ITEM B SUBTOTAL				\$	1,004,078.75	\$	858,887.50	\$	734,511.75

ITEM C – TRAIL EXTENSION AT BRADLEY PARK									
C-1	CLEARING AND GRUBBING	1	L.S.	\$ 8,700.00	\$ 8,700.00	\$ 5,000.00	\$ 5,000.00	\$ 8,200.00	\$ 8,200.00
C-2	TYPE S-III ASPHALTIC CONCRETE	600	S.Y.	\$ 13.30	\$ 7,980.00	\$ 13.50	\$ 8,100.00	\$ 9.45	\$ 5,670.00
C-3	BLACK BASE	600	S.Y.	\$ 57.25	\$ 34,350.00	\$ 48.00	\$ 28,800.00	\$ 32.00	\$ 19,200.00
C-4	D CURB	200	L.F.	\$ 28.00	\$ 5,600.00	\$ 20.00	\$ 4,000.00	\$ 33.55	\$ 6,710.00
C-5	TREE REMOVAL AND REPLANTING, WATERING	8	EA	\$ 1,800.00	\$ 14,400.00	\$ 1,000.00	\$ 8,000.00	\$ 750.00	\$ 6,000.00
C-6	SOD (MATCH EXISTING)	2000	S.F.	\$ 1.50	\$ 3,000.00	\$ 1.00	\$ 2,000.00	\$ 1.75	\$ 3,500.00
C-7	EARTHWORK	1	L.S.	\$ 7,300.00	\$ 7,300.00	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00
ITEM C SUBTOTAL				\$	81,330.00	\$	65,900.00	\$	54,280.00
BID TOTAL (ITEMS A, B & C)				\$	1,397,008.75	\$	1,161,187.50	\$	902,541.75

Submitted bid shows Item B Subtotal of \$734,511.75
Submitted bid shows Item B-25 Unit Price of \$1,200.00 (obvious error).

Opened by: John Omar

Witnessed by: Duke Basha



TOWN OF PALM BEACH

Bid No. 2017-17

Lake Trail Drainage Improvements

TABULATION

Due: 4/20/17 @ 2 p.m.

Item No.	Description	Qty	Vendor:			DP Development of the Treasure Coast, LLC			J.W. Cheatham, LLC			R & D Paving, LLC			Rosso Site Development, Inc.		
			Address:	Telephone:	Fax:	Address:	Telephone:	Fax:	Address:	Telephone:	Fax:	Address:	Telephone:	Fax:	Address:	Telephone:	Fax:
			605 Belvedere Road Suite #13 West Palm Beach, FL 33405	954 972 5086		7396 Westport Place West Palm Beach, FL 33413	561 471 4100		400 Executive Center Drive, Suite 400 West Palm Beach, FL 33401	561 588 6681		1302 South J Street Lake Worth, FL 33460	561 689 0889				
			954 972 5087			561 471 8348			561 284 6541			561 689 2851					
			Patrick Burrico			Tom Uhlig			Matt Donnell			Blair R Simpson					
			E-mail:						randdpavingllc@aol.com								
			Unit	Price per Unit	Total	Unit	Price per Unit	Total	Unit	Price per Unit	Total	Unit	Price per Unit	Total	Unit	Price per Unit	Total

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 071-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing an Increase to Purchase Order No. 170885 to GL Distributors, Inc. in the Amount of \$10,001 for Approving Purchase of Bullet Proof Vests and Shirt Carriers for a New Total Budget of \$30,000; and Providing an Effective Date.

Presenter

Kirk W. Blouin, Director of Public Safety

ATTACHMENTS:

- ▣ **Memorandum dated April 25, 2017, from Kirk W. Blouin, Director of Public Safety**
- ▣ **Resolution No. 071-2017**
- ▣ **Exhibit A**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Kirk W. Blouin, Director of Public Safety

Re: Approval of Increase of Purchase Order 170885
Resolution No. 71-2017

Date: April 25, 2017

STAFF RECOMMENDATION

Staff recommends the Mayor and Town Council adopt Resolution No. 71-2017 approving an increase of \$10,001 to Purchase Order 170885 to GL Distributors, Inc. to cover the cost of new and replacement bullet proof vests and vest shirt carriers for the remainder of Fiscal Year 2017 bringing the new overall Purchase Order total to \$30,000.

GENERAL INFORMATION

To date, the Police Department has purchased 20 bullet proof vests and 100 shirt carriers for new hires and for officers whose vest were expiring. Under the current NASPO Value Point Master Agreement #2016-197, Level II bullet proof vests cost \$696.00 and the GH Uniform Shirt Carriers cost \$121.80 each. We anticipate needing approximately 6-8 more vests and 12-16 more shirt carriers (2 shirt carriers per vest) for approximately \$940 per set, by the end of Fiscal Year 2017.

FUNDING/FISCAL IMPACT

It is anticipated that the Police Department will be able to absorb this expense in the current FY2017 approved budget.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and is approved as recommended.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed this resolution and approved for legal form and sufficiency.

KWB/lsg

cc: Jane Struder, Director of Finance
Duke Basha, Acting Assist. Purchasing Manager

RESOLUTION NO. 71-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING AN INCREASE TO PURCHASE ORDER NO. 170885 TO GL DISTRIBUTORS, INC. IN THE AMOUNT OF \$10,001 FOR APPROVING PURCHASE OF BULLET PROOF VESTS AND SHIRT CARRIERS FOR A NEW TOTAL BUDGET OF \$30,000; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Purchasing Division is hereby authorized to increase Purchase Order No. 170885 in the amount of \$10,001 for a total of \$30,000 to GL Distributors, Inc. for the purchase of bullet proof vests and shirt carriers for the remainder of Fiscal Year 2017 increasing the total amount paid under Purchase Order 170885 to \$30,000.

Section 2. The bullet proof vests and shirt carriers are purchased under NASPO Value Point Master Agreement #2016-179 which is attached hereto as Exhibit A and is hereby incorporated within this Resolution and made a part hereof.

Section 4. The Town Manager is authorized to execute any and all documents necessary to effectuate this purchase order.

Section 5. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED IN A REGULAR, ADJOURNED SESSION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH THIS 9TH DAY OF MAY, 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member



GH Armor Systems, Inc.

Pricing Effective Date: January 10, 2017

NASPO ValuePoint Master Agreement # 2016-179



READY IS THE ONLY OPTION.

Product Description	Item #	Gender (M, F, N)	NIJ - CPL Model Designation	NIJ Standard	Threat Level	MSRP	Discount % from MSRP	Contract (Ceiling) Price Per Quantity				Delivery Time Frame	
								1+	1-10	11-25	26-50		51+
BALLISTIC VESTS - CONCEALABLE													
Ethos IIIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-ETHOS-III-A-M-2	M	GPXIIA	0101.06	IIIA	\$ 1,550.00	42%	N/A	\$ 899.00	\$ 899.00	\$ 899.00	\$ 868.00	45 Days (Qty 1-50)
Ethos IIIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-ETHOS-III-A-N-2	N	GPXIIA	0101.06	IIIA	\$ 1,550.00	42%	N/A	\$ 899.00	\$ 899.00	\$ 899.00	\$ 868.00	45 Days (Qty 1-50)
Ethos IIIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-ETHOS-III-A-M-1	M	GPXIIA	0101.06	IIIA	\$ 1,475.00	42%	N/A	\$ 855.50	\$ 855.50	\$ 855.50	\$ 826.00	45 Days (Qty 1-50)
Ethos IIIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-ETHOS-III-A-N-1	N	GPXIIA	0101.06	IIIA	\$ 1,475.00	42%	N/A	\$ 855.50	\$ 855.50	\$ 855.50	\$ 826.00	45 Days (Qty 1-50)
Ethos IIIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-ETHOS-III-A-M-0	M	GPXIIA	0101.06	IIIA	\$ 1,425.00	42%	N/A	\$ 826.50	\$ 826.50	\$ 826.50	\$ 798.00	45 Days (Qty 1-50)
Ethos IIIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-ETHOS-III-A-N-0	N	GPXIIA	0101.06	IIIA	\$ 1,425.00	42%	N/A	\$ 826.50	\$ 826.50	\$ 826.50	\$ 798.00	45 Days (Qty 1-50)
Helix II (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-HELIX-II-M-2	M	GPAIL-2	0101.06	II	\$ 1,275.00	42%	N/A	\$ 739.50	\$ 739.50	\$ 739.50	\$ 714.00	45 Days (Qty 1-50)
Helix II (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-HELIX-II-N-2	N	GPAIL-2-F4	0101.06	II	\$ 1,275.00	42%	N/A	\$ 739.50	\$ 739.50	\$ 739.50	\$ 714.00	45 Days (Qty 1-50)
Helix II (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-HELIX-II-M-1	F	GPAIL-2-F4	0101.06	II	\$ 1,200.00	42%	N/A	\$ 696.00	\$ 696.00	\$ 696.00	\$ 672.00	45 Days (Qty 1-50)
Helix II (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-HELIX-II-N-1	F	GPAIL-2-F4	0101.06	II	\$ 1,200.00	42%	N/A	\$ 696.00	\$ 696.00	\$ 696.00	\$ 672.00	45 Days (Qty 1-50)
Helix II (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-HELIX-II-M-0	M	GPAIL-2	0101.06	II	\$ 1,150.00	42%	N/A	\$ 667.00	\$ 667.00	\$ 667.00	\$ 644.00	45 Days (Qty 1-50)
Helix II (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-HELIX-II-N-0	F	GPAIL-2-F4	0101.06	II	\$ 1,150.00	42%	N/A	\$ 667.00	\$ 667.00	\$ 667.00	\$ 644.00	45 Days (Qty 1-50)
Helix IIIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-HELIX-III-A-M-2	M	GPAILIA-2	0101.06	IIIA	\$ 1,525.00	42%	N/A	\$ 884.50	\$ 884.50	\$ 884.50	\$ 854.00	45 Days (Qty 1-50)
Helix IIIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-HELIX-III-A-N-2	N	GPAILIA-2	0101.06	IIIA	\$ 1,525.00	42%	N/A	\$ 884.50	\$ 884.50	\$ 884.50	\$ 854.00	45 Days (Qty 1-50)
Helix IIIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-HELIX-III-A-M-1	M	GPAILIA-2	0101.06	IIIA	\$ 1,450.00	42%	N/A	\$ 841.00	\$ 841.00	\$ 841.00	\$ 812.00	45 Days (Qty 1-50)
Helix IIIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-HELIX-III-A-N-1	N	GPAILIA-2	0101.06	IIIA	\$ 1,450.00	42%	N/A	\$ 841.00	\$ 841.00	\$ 841.00	\$ 812.00	45 Days (Qty 1-50)
Helix IIIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-HELIX-III-A-M-0	M	GPAILIA-2	0101.06	IIIA	\$ 1,400.00	42%	N/A	\$ 812.00	\$ 812.00	\$ 812.00	\$ 784.00	45 Days (Qty 1-50)
Helix IIIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-HELIX-III-A-N-0	N	GPAILIA-2	0101.06	IIIA	\$ 1,400.00	42%	N/A	\$ 812.00	\$ 812.00	\$ 812.00	\$ 784.00	45 Days (Qty 1-50)
LiteX II (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-II-M-2	M	GPBII-3	0101.06	II	\$ 1,125.00	42%	N/A	\$ 652.50	\$ 652.50	\$ 652.50	\$ 630.00	45 Days (Qty 1-50)
LiteX II (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-II-N-2	F	GPBII-3-F3	0101.06	II	\$ 1,125.00	42%	N/A	\$ 652.50	\$ 652.50	\$ 652.50	\$ 630.00	45 Days (Qty 1-50)
LiteX II (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-II-M-1	M	GPBII-3	0101.06	II	\$ 1,050.00	42%	N/A	\$ 609.00	\$ 609.00	\$ 609.00	\$ 588.00	45 Days (Qty 1-50)
LiteX II (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-II-N-1	F	GPBII-3-F3	0101.06	II	\$ 1,050.00	42%	N/A	\$ 609.00	\$ 609.00	\$ 609.00	\$ 588.00	45 Days (Qty 1-50)
LiteX II (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-II-M-0	M	GPBII-3	0101.06	II	\$ 1,000.00	42%	N/A	\$ 580.00	\$ 580.00	\$ 580.00	\$ 560.00	45 Days (Qty 1-50)
LiteX II (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-II-N-0	F	GPBII-3-F3	0101.06	II	\$ 1,000.00	42%	N/A	\$ 580.00	\$ 580.00	\$ 580.00	\$ 560.00	45 Days (Qty 1-50)
LiteX IIIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-III-A-M-2	M	GPBIIIA-2	0101.06	IIIA	\$ 1,275.00	42%	N/A	\$ 739.50	\$ 739.50	\$ 739.50	\$ 714.00	45 Days (Qty 1-50)
LiteX IIIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-III-A-N-2	N	GPBIIIA-2	0101.06	IIIA	\$ 1,275.00	42%	N/A	\$ 739.50	\$ 739.50	\$ 739.50	\$ 714.00	45 Days (Qty 1-50)
LiteX IIIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-III-A-M-1	F	GPBIIIA-2-F	0101.06	IIIA	\$ 1,200.00	42%	N/A	\$ 696.00	\$ 696.00	\$ 696.00	\$ 672.00	45 Days (Qty 1-50)
LiteX IIIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-III-A-N-1	M	GPBIIIA-2-F	0101.06	IIIA	\$ 1,200.00	42%	N/A	\$ 696.00	\$ 696.00	\$ 696.00	\$ 672.00	45 Days (Qty 1-50)
LiteX IIIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-III-A-M-0	M	GPBIIIA-2	0101.06	IIIA	\$ 1,150.00	42%	N/A	\$ 667.00	\$ 667.00	\$ 667.00	\$ 644.00	45 Days (Qty 1-50)
LiteX IIIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-LITE-X-III-A-N-0	F	GPBIIIA-2-F	0101.06	IIIA	\$ 1,150.00	42%	N/A	\$ 667.00	\$ 667.00	\$ 667.00	\$ 644.00	45 Days (Qty 1-50)
ProX IIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-PROX-II-A-M-2	M	P2AHL2D	0101.06	IIA	\$ 775.00	42%	N/A	\$ 449.50	\$ 449.50	\$ 449.50	\$ 434.00	45 Days (Qty 1-50)
ProX IIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-PROX-II-A-N-2	N	P2AHL2D	0101.06	IIA	\$ 775.00	42%	N/A	\$ 449.50	\$ 449.50	\$ 449.50	\$ 434.00	45 Days (Qty 1-50)
ProX IIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-PROX-II-A-M-1	M	P2AHL2D	0101.06	IIA	\$ 700.00	42%	N/A	\$ 406.00	\$ 406.00	\$ 406.00	\$ 392.00	45 Days (Qty 1-50)
ProX IIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-PROX-II-A-N-1	N	P2AHL2D	0101.06	IIA	\$ 700.00	42%	N/A	\$ 406.00	\$ 406.00	\$ 406.00	\$ 392.00	45 Days (Qty 1-50)
ProX IIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-PROX-II-A-M-0	M	P2AHL2D	0101.06	IIA	\$ 650.00	42%	N/A	\$ 377.00	\$ 377.00	\$ 377.00	\$ 364.00	45 Days (Qty 1-50)
ProX IIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-PROX-II-A-N-0	N	P2AHL2D	0101.06	IIA	\$ 650.00	42%	N/A	\$ 377.00	\$ 377.00	\$ 377.00	\$ 364.00	45 Days (Qty 1-50)
ProX IIIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-PROX-III-A-M-2	M	GPCLIA-2	0101.06	IIIA	\$ 925.00	42%	N/A	\$ 536.50	\$ 536.50	\$ 536.50	\$ 518.00	45 Days (Qty 1-50)
ProX IIIA (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-PROX-III-A-N-2	N	GPCLIA-2	0101.06	IIIA	\$ 925.00	42%	N/A	\$ 536.50	\$ 536.50	\$ 536.50	\$ 518.00	45 Days (Qty 1-50)
ProX IIIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-PROX-III-A-M-1	M	GPCLIA-2	0101.06	IIIA	\$ 850.00	42%	N/A	\$ 493.00	\$ 493.00	\$ 493.00	\$ 476.00	45 Days (Qty 1-50)
ProX IIIA (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-PROX-III-A-N-1	N	GPCLIA-2	0101.06	IIIA	\$ 850.00	42%	N/A	\$ 493.00	\$ 493.00	\$ 493.00	\$ 476.00	45 Days (Qty 1-50)
ProX IIIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-PROX-III-A-M-0	M	GPCLIA-2	0101.06	IIIA	\$ 800.00	42%	N/A	\$ 464.00	\$ 464.00	\$ 464.00	\$ 448.00	45 Days (Qty 1-50)
ProX IIIA (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-PROX-III-A-N-0	N	GPCLIA-2	0101.06	IIIA	\$ 800.00	42%	N/A	\$ 464.00	\$ 464.00	\$ 464.00	\$ 448.00	45 Days (Qty 1-50)
BALLISTIC VESTS AND PROTECTORS - TACTICAL													
Atlas T3 Tactical Plate Carrier (No Panels)	GH-AT3-VEST-CRR	N/A	N/A	N/A	N/A	\$ 590.00	44%	N/A	N/A	N/A	N/A	N/A	60 Days
Atlas T3 Ballistic Panels - Ethos IIIA	GH-AT3-VEST-EX3A	N	GPXIIA	0101.06	IIIA	\$ 1,150.00	42%	N/A	\$ 667.00	\$ 667.00	\$ 667.00	\$ 644.00	60 Days
Atlas T3 Ballistic Panels - Helix IIIA	GH-AT3-VEST-HX3A	N	GPAILIA-2	0101.06	IIIA	\$ 1,080.00	42%	N/A	\$ 626.40	\$ 626.40	\$ 626.40	\$ 604.80	60 Days
Atlas T3 Ballistic Panels - LiteX IIIA	GH-AT3-VEST-LX3A	N	GPBIIIA-2	0101.06	IIIA	\$ 780.00	42%	N/A	\$ 452.40	\$ 452.40	\$ 452.40	\$ 436.80	60 Days
Atlas T3 Ballistic Panels - ProX IIIA	GH-AT3-VEST-PX3A	N	GPCLIA-2	0101.06	IIIA	\$ 560.00	42%	N/A	\$ 324.80	\$ 324.80	\$ 324.80	\$ 313.60	60 Days
Atlas T5 Tactical Vest Carrier (No Panels)	GH-AT5-VEST-CRR	N/A	N/A	N/A	N/A	\$ 600.00	42%	N/A	\$ 348.00	\$ 348.00	\$ 348.00	\$ 336.00	60 Days
Atlas T5 Ballistic Panels - Ethos IIIA	GH-AT5-VEST-EX3A	N	GPXIIA	0101.06	IIIA	\$ 1,360.00	42%	N/A	\$ 788.80	\$ 788.80	\$ 788.80	\$ 761.60	60 Days
Atlas T5 Ballistic Panels - Helix IIIA	GH-AT5-VEST-HX3A	N	GPAILIA-2	0101.06	IIIA	\$ 1,280.00	42%	N/A	\$ 742.40	\$ 742.40	\$ 742.40	\$ 716.80	60 Days
Atlas T5 Ballistic Panels - LiteX IIIA	GH-AT5-VEST-LX3A	N	GPBIIIA-2	0101.06	IIIA	\$ 920.00	42%	N/A	\$ 533.60	\$ 533.60	\$ 533.60	\$ 515.20	60 Days
Atlas T5 Ballistic Panels - ProX IIIA	GH-AT5-VEST-PX3A	N	GPCLIA-2	0101.06	IIIA	\$ 660.00	42%	N/A	\$ 382.80	\$ 382.80	\$ 382.80	\$ 369.60	60 Days

Talon 2 (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-TALON-2-N-2	N	GP52-1	0115.00	2	\$ 900.00	42%	N/A	\$ 522.00	\$ 522.00	\$ 504.00	45 Days (Qty 1-50)
GH-TALON-2-M-1	GH-TALON-2-M-1	M	GP52-1	0115.00	2	\$ 825.00	42%	N/A	\$ 478.50	\$ 478.50	\$ 462.00	45 Days (Qty 1-50)
Talon 2 (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-TALON-2-N-1	N	GP52-1	0115.00	2	\$ 825.00	42%	N/A	\$ 478.50	\$ 478.50	\$ 462.00	45 Days (Qty 1-50)
GH-TALON-2-M-0	GH-TALON-2-M-0	M	GP52-1	0115.00	2	\$ 775.00	42%	N/A	\$ 449.50	\$ 449.50	\$ 434.00	45 Days (Qty 1-50)
Talon 2 (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-TALON-2-N-0	N	GP52-1	0115.00	2	\$ 775.00	42%	N/A	\$ 449.50	\$ 449.50	\$ 434.00	45 Days (Qty 1-50)
GH-TALON-3-M-2	GH-TALON-3-M-2	M	GP53-1	0115.00	3	\$ 1,000.00	42%	N/A	\$ 580.00	\$ 580.00	\$ 560.00	45 Days (Qty 1-50)
Talon 3 (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-TALON-3-N-2	N	GP53-1	0115.00	3	\$ 1,000.00	42%	N/A	\$ 580.00	\$ 580.00	\$ 560.00	45 Days (Qty 1-50)
GH-TALON-3-M-1	GH-TALON-3-M-1	M	GP53-1	0115.00	3	\$ 925.00	42%	N/A	\$ 536.50	\$ 536.50	\$ 518.00	45 Days (Qty 1-50)
Talon 3 (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-TALON-3-N-1	N	GP53-1	0115.00	3	\$ 925.00	42%	N/A	\$ 536.50	\$ 536.50	\$ 518.00	45 Days (Qty 1-50)
GH-TALON-3-M-0	GH-TALON-3-M-0	M	GP53-1	0115.00	3	\$ 875.00	42%	N/A	\$ 507.50	\$ 507.50	\$ 490.00	45 Days (Qty 1-50)
Talon 3 (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-TALON-3-N-0	N	GP53-1	0115.00	3	\$ 875.00	42%	N/A	\$ 507.50	\$ 507.50	\$ 490.00	45 Days (Qty 1-50)
COMBINATION VESTS - CONCEALABLE												
TalonX II/2 (2) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-TALONX-II/2-M-2	M	GPMI2-4	0101.06/0115.00	II/2	\$ 1,525.00	42%	N/A	\$ 884.50	\$ 884.50	\$ 854.00	45 Days (Qty 1-50)
GH-TALONX-II/2-N-2	GH-TALONX-II/2-N-2	N	GPMI2-4	0101.06/0115.00	II/2	\$ 1,525.00	42%	N/A	\$ 884.50	\$ 884.50	\$ 854.00	45 Days (Qty 1-50)
TalonX II/2 (1) Concealable Carrier and [STP] 5x8" Soft Trauma Plate	GH-TALONX-II/2-M-1	M	GPMI2-4	0101.06/0115.00	II/2	\$ 1,450.00	42%	N/A	\$ 841.00	\$ 841.00	\$ 812.00	45 Days (Qty 1-50)
GH-TALONX-II/2-N-1	GH-TALONX-II/2-N-1	N	GPMI2-4	0101.06/0115.00	II/2	\$ 1,450.00	42%	N/A	\$ 841.00	\$ 841.00	\$ 812.00	45 Days (Qty 1-50)
TalonX II/2 (0) Concealable Carriers and [STP] 5x8" Soft Trauma Plate	GH-TALONX-II/2-M-0	M	GPMI2-4	0101.06/0115.00	II/2	\$ 1,400.00	42%	N/A	\$ 812.00	\$ 812.00	\$ 784.00	45 Days (Qty 1-50)
GH-TALONX-II/2-N-0	GH-TALONX-II/2-N-0	N	GPMI2-4	0101.06/0115.00	II/2	\$ 1,400.00	42%	N/A	\$ 812.00	\$ 812.00	\$ 784.00	45 Days (Qty 1-50)
COMBINATION VESTS - TACTICAL												
BALCS Ballistic Panels, Small - TalonX II/2	GH-TX02-BALCS-SM	N	GPMI2-4	0101.06/0115.00	II/2	\$ 1,200.00	42%	N/A	\$ 696.00	\$ 696.00	\$ 672.00	60 Days
BALCS Ballistic Panels, Medium - TalonX II/2	GH-TX02-BALCS-MD	N	GPMI2-4	0101.06/0115.00	II/2	\$ 1,275.00	42%	N/A	\$ 739.50	\$ 739.50	\$ 714.00	60 Days
BALCS Ballistic Panels, Large - TalonX II/2	GH-TX02-BALCS-LG	N	GPMI2-4	0101.06/0115.00	II/2	\$ 1,450.00	42%	N/A	\$ 841.00	\$ 841.00	\$ 812.00	60 Days
BALCS Ballistic Panels, X-Large - TalonX II/2	GH-TX02-BALCS-XL	N	GPMI2-4	0101.06/0115.00	II/2	\$ 1,625.00	42%	N/A	\$ 942.50	\$ 942.50	\$ 910.00	60 Days
CARRIERS												
[OCC] Orion Concealable Carrier	GH-OCC	N/A	N/A	N/A	N/A	\$ 160.00	42%	N/A	\$ 92.80	\$ 92.80	\$ 89.60	45 Days (Qty 1-50)
[LPC] Low Profile Concealable Carrier	GH-LPC	N/A	N/A	N/A	N/A	\$ 135.00	42%	N/A	\$ 78.30	\$ 78.30	\$ 75.60	45 Days (Qty 1-50)
[USC] Uniform Shirt Carrier	GH-USC	N/A	N/A	N/A	N/A	\$ 210.00	42%	N/A	\$ 121.80	\$ 121.80	\$ 117.60	45 Days (Qty 1-50)
[TOC] Tactical Outer Carrier	GH-TOC	N/A	N/A	N/A	N/A	\$ 260.00	42%	N/A	\$ 150.80	\$ 150.80	\$ 145.60	45 Days (Qty 1-50)
[TRC] Tactical Response Carrier	GH-TRC	N/A	N/A	N/A	N/A	\$ 325.00	42%	N/A	\$ 188.50	\$ 188.50	\$ 182.00	45 Days (Qty 1-50)
[TRC-B] Tactical Response Carrier Bravo	GH-TRC-B	N/A	N/A	N/A	N/A	\$ 400.00	42%	N/A	\$ 232.00	\$ 232.00	\$ 224.00	45 Days (Qty 1-50)
[TRC-D] Tactical Response Carrier Delta	GH-TRC-D	N/A	N/A	N/A	N/A	\$ 450.00	42%	N/A	\$ 261.00	\$ 261.00	\$ 252.00	45 Days (Qty 1-50)
[CFC] Clean Front Carrier	GH-CFC	N/A	N/A	N/A	N/A	\$ 180.00	42%	N/A	\$ 104.40	\$ 104.40	\$ 100.80	45 Days (Qty 1-50)
[APB] APB Carrier	GH-APB	N/A	N/A	N/A	N/A	\$ 380.00	42%	N/A	\$ 220.40	\$ 220.40	\$ 212.80	45 Days (Qty 1-50)
[EMS] EMS Carrier	GH-EMS	N/A	N/A	N/A	N/A	\$ 265.00	42%	N/A	\$ 153.70	\$ 153.70	\$ 148.40	45 Days (Qty 1-50)
[EMS-M] EMS MOLLE Carrier	GH-EMS-M	N/A	N/A	N/A	N/A	\$ 230.00	42%	N/A	\$ 133.40	\$ 133.40	\$ 128.80	45 Days (Qty 1-50)
[QOC] Quilted Outer Carrier	GH-QOC	N/A	N/A	N/A	N/A	\$ 150.00	42%	N/A	\$ 87.00	\$ 87.00	\$ 84.00	45 Days (Qty 1-50)
[FIC] Firearms Instructor Carrier	GH-FIC	N/A	N/A	N/A	N/A	\$ 260.00	42%	N/A	\$ 150.80	\$ 150.80	\$ 145.60	45 Days (Qty 1-50)
BALLISTIC HELMETS												
GH-HB1-PAS-S	GH-HB1-PAS-S	N/A	N/A	0106.01	IIIA	\$ 500.00	42%	N/A	\$ 290.00	\$ 290.00	\$ 280.00	45 Days (Qty 1-50)
GH-HB1-PAS-D	GH-HB1-PAS-D	N/A	N/A	0106.01	IIIA	\$ 562.50	42%	N/A	\$ 326.25	\$ 326.25	\$ 315.00	45 Days (Qty 1-50)
GH-HB1-ACH-S	GH-HB1-ACH-S	N/A	N/A	0106.01	IIIA	\$ 675.00	42%	N/A	\$ 391.50	\$ 391.50	\$ 378.00	45 Days (Qty 1-50)
GH-HB1-ACH-M	GH-HB1-ACH-M	N/A	N/A	0106.01	IIIA	\$ 675.00	42%	N/A	\$ 391.50	\$ 391.50	\$ 378.00	45 Days (Qty 1-50)
GH-HB1-ACH-H	GH-HB1-ACH-H	N/A	N/A	0106.01	IIIA	\$ 675.00	42%	N/A	\$ 391.50	\$ 391.50	\$ 378.00	45 Days (Qty 1-50)
BALLISTIC SHIELDS												
Ballistic Shield - Level IIIA, 18x30" with 5x11" Viewport, Weapons Cut	GH-SHB2-WC-18X30	N/A	N/A	0108.01	IIIA	\$ 3,100.00	42%	N/A	\$ 1,798.00	\$ 1,798.00	\$ 1,736.00	45 Days (Qty 1-50)
GH-SHB2-WC-20X34	GH-SHB2-WC-20X34	N/A	N/A	0108.01	IIIA	\$ 3,450.00	42%	N/A	\$ 2,001.00	\$ 2,001.00	\$ 1,932.00	45 Days (Qty 1-50)
Ballistic Shield - Level IIIA, 24x36" with 5x11" Viewport, Weapons Cut	GH-SHB2-WC-24X36	N/A	N/A	0108.01	IIIA	\$ 4,450.00	42%	N/A	\$ 2,581.00	\$ 2,581.00	\$ 2,492.00	45 Days (Qty 1-50)
Ballistic Shield - Level IIIA, 24x48" with 5x11" Viewport, Weapons Cut	GH-SHB2-WC-24X48	N/A	N/A	0108.01	IIIA	\$ 5,050.00	42%	N/A	\$ 2,929.00	\$ 2,929.00	\$ 2,828.00	45 Days (Qty 1-50)
Ballistic Shield - Level IIIA, 18x24", Full Cut (No Viewport)	GH-SHB2-FC-18X24	N/A	N/A	0108.01	IIIA	\$ 1,950.00	42%	N/A	\$ 1,131.00	\$ 1,131.00	\$ 1,092.00	45 Days (Qty 1-50)
Ballistic Shield - Level IIIA, 18x30" with 5x11" Viewport, Full Cut	GH-SHB2-FC-18X30	N/A	N/A	0108.01	IIIA	\$ 3,100.00	42%	N/A	\$ 1,798.00	\$ 1,798.00	\$ 1,736.00	45 Days (Qty 1-50)
Ballistic Shield - Level IIIA, 24x36" with 5x11" Viewport, Full Cut	GH-SHB2-FC-20X34	N/A	N/A	0108.01	IIIA	\$ 4,450.00	42%	N/A	\$ 2,581.00	\$ 2,581.00	\$ 2,492.00	45 Days (Qty 1-50)
Ballistic Shield - Level IIIA, 24x36" with 5x11" Viewport, Full Cut	GH-SHB2-FC-24X36	N/A	N/A	0108.01	IIIA	\$ 4,450.00	42%	N/A	\$ 2,581.00	\$ 2,581.00	\$ 2,492.00	45 Days (Qty 1-50)
Ballistic Shield - Level IIIA, 24x48" with 5x11" Viewport, Full Cut	GH-SHB2-FC-24X48	N/A	N/A	0108.01	IIIA	\$ 5,050.00	42%	N/A	\$ 2,929.00	\$ 2,929.00	\$ 2,828.00	45 Days (Qty 1-50)
Ballistic Shield - Level III, 18x24", Weapons Cut (No Viewport)	GH-SHB3-WC-18X24	N/A	N/A	0108.01	III	\$ 4,750.00	42%	N/A	\$ 2,755.00	\$ 2,755.00	\$ 2,660.00	45 Days (Qty 1-50)
Ballistic Shield - Level III, 18x30", Weapons Cut (No Viewport)	GH-SHB3-WC-18X30	N/A	N/A	0108.01	III	\$ 5,350.00	42%	N/A	\$ 3,106.00	\$ 3,106.00	\$ 2,996.00	45 Days (Qty 1-50)
Ballistic Shield - Level III, 20x34", Weapons Cut (No Viewport)	GH-SHB3-WC-20X34	N/A	N/A	0108.01	III	\$ 6,400.00	42%	N/A	\$ 3,712.00	\$ 3,712.00	\$ 3,584.00	45 Days (Qty 1-50)
Ballistic Shield - Level III, 18x24", Full Cut (No Viewport)	GH-SHB3-FC-18X24	N/A	N/A	0108.01	III	\$ 4,400.00	42%	N/A	\$ 2,552.00	\$ 2,552.00	\$ 2,464.00	45 Days (Qty 1-50)
Ballistic Shield - Level III, 18x30", Full Cut (No Viewport)	GH-SHB3-FC-18X30	N/A	N/A	0108.01	III	\$ 5,250.00	42%	N/A	\$ 3,045.00	\$ 3,045.00	\$ 2,940.00	45 Days (Qty 1-50)
Ballistic Shield - Level III, 20x36", Full Cut (No Viewport)	GH-SHB3-FC-20X36	N/A	N/A	0108.01	III	\$ 6,700.00	42%	N/A	\$ 3,886.00	\$ 3,886.00	\$ 3,752.00	45 Days (Qty 1-50)
Ballistic Shield - Level III, 20x48", Full Cut (No Viewport)	GH-SHB3-FC-20X48	N/A	N/A	0108.01	III	\$ 8,550.00	42%	N/A	\$ 4,959.00	\$ 4,959.00	\$ 4,788.00	45 Days (Qty 1-50)
PLATES												
[STP] Soft Trauma Plate - 5x8"	GH-STP-5x8	N/A	N/A	N/A	N/A	\$ 45.00	42%	N/A	\$ 26.10	\$ 26.10	\$ 25.20	45 Days (Qty 1-50)
[STP] Soft Trauma Plate - 8x10"	GH-STP-8x10	N/A	N/A	N/A	N/A	\$ 62.50	42%	N/A	\$ 36.25	\$ 36.25	\$ 35.00	45 Days (Qty 1-50)
[HTP] Hard Trauma Plate - 5x8"	GH-HTP-5x8	N/A	N/A	N/A	N/A	\$ 45.00	42%	N/A	\$ 26.10	\$ 26.10	\$ 25.20	45 Days (Qty 1-50)
[LEO-H1] LEO H1 Plate - 5x8" Special Threat Plate, Handgun Threats, Full Cut, Multi-Curve	GH-LEO-H1-5X8FC	N/A	N/A	N/A	N/A	\$ 135.00	42%	N/A	\$ 78.30	\$ 78.30	\$ 75.60	45 Days (Qty 1-50)
[LEO-H1] LEO H1 Plate - 7x9" Special Threat Plate, Handgun Threats, Full Cut, Multi-Curve	GH-LEO-H1-7X9FC	N/A	N/A	N/A	N/A	\$ 170.00	42%	N/A	\$ 98.60	\$ 98.60	\$ 95.20	45 Days (Qty 1-50)
[LEO-H1] LEO H1 Plate - 8x10" Special Threat Plate, Handgun Threats, Full Cut, Multi-Curve	GH-LEO-H1-8X10FC	N/A	N/A	N/A	N/A	\$ 245.00	42%	N/A	\$ 142.10	\$ 142.10	\$ 137.20	45 Days (Qty 1-50)
[LEO-H1] LEO H1 Plate - 8x10" Special Threat Plate, Handgun Threats, Shooter's Cut, Multi-Curve	GH-LEO-H1-8X10SH	N/A	N/A	N/A	N/A	\$ 245.00	42%	N/A	\$ 142.10	\$ 142.10	\$ 137.20	45 Days (Qty 1-50)
[LEO-H1] LEO H1 Plate - 10x12" Special Threat Plate, Handgun Threats, Full Cut, Multi-Curve	GH-LEO-H1-10X12FC	N/A	N/A	N/A	N/A	\$ 290.00	42%	N/A	\$ 168.20	\$ 168.20	\$ 162.40	45 Days (Qty 1-50)

NII 06, Level IV Stand Alone, 6x8" Full Cut	GH-406-1905-6X8FC	N	D1600	0101.06	IV	\$ 412.50	42%	N/A	\$ 239.25	\$ 239.25	\$ 239.25	\$ 231.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 8x10" Full Cut	GH-406-1905-8X10FC	N	D1600	0101.06	IV	\$ 587.50	42%	N/A	\$ 340.75	\$ 340.75	\$ 340.75	\$ 329.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 8x10" Shooter's Cut	GH-406-1905-8X10SH	N	D1600	0101.06	IV	\$ 587.50	42%	N/A	\$ 340.75	\$ 340.75	\$ 340.75	\$ 329.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 10x12" Full Cut	GH-406-1905-10X12FC	N	D1600	0101.06	IV	\$ 687.50	42%	N/A	\$ 398.75	\$ 398.75	\$ 398.75	\$ 385.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 10x12" Shooter's Cut	GH-406-1905-10X12SH	N	D1600	0101.06	IV	\$ 687.50	42%	N/A	\$ 398.75	\$ 398.75	\$ 398.75	\$ 385.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 6x6" Full Cut	GH-406-1906-6X6FC	N	D1615	0101.06	IV	\$ 65.00	42%	N/A	\$ 95.70	\$ 95.70	\$ 95.70	\$ 92.40	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 6x8" Full Cut	GH-406-1906-6X8FC	N	D1615	0101.06	IV	\$ 212.50	42%	N/A	\$ 123.25	\$ 123.25	\$ 123.25	\$ 119.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 8x10" Full Cut	GH-406-1906-8X10FC	N	D1615	0101.06	IV	\$ 337.50	42%	N/A	\$ 195.75	\$ 195.75	\$ 195.75	\$ 189.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 8x10" Shooter's Cut	GH-406-1906-8X10SH	N	D1615	0101.06	IV	\$ 337.50	42%	N/A	\$ 195.75	\$ 195.75	\$ 195.75	\$ 189.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 10x12" Full Cut	GH-406-1906-10X12FC	N	D1615	0101.06	IV	\$ 400.00	42%	N/A	\$ 232.00	\$ 232.00	\$ 232.00	\$ 224.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 10x12" Shooter's Cut	GH-406-1906-10X12SH	N	D1615	0101.06	IV	\$ 400.00	42%	N/A	\$ 232.00	\$ 232.00	\$ 232.00	\$ 224.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 8x10" Full Cut	GH-406-1909-8X10FC	N	4400	0101.06	IV	\$ 250.00	42%	N/A	\$ 145.00	\$ 145.00	\$ 145.00	\$ 140.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 8x10" Shooter's Cut	GH-406-1909-8X10SH	N	4400	0101.06	IV	\$ 250.00	42%	N/A	\$ 145.00	\$ 145.00	\$ 145.00	\$ 140.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 10x12" Full Cut	GH-406-1909-10X12FC	N	4400	0101.06	IV	\$ 275.00	42%	N/A	\$ 159.50	\$ 159.50	\$ 159.50	\$ 154.00	45 Days (Qty 1-50)
NII 06, Level IV Stand Alone, 10x12" Shooter's Cut	GH-406-1909-10X12SH	N	4400	0101.06	IV	\$ 275.00	42%	N/A	\$ 159.50	\$ 159.50	\$ 159.50	\$ 154.00	45 Days (Qty 1-50)
Special Threat Stand Alone, 8x10" Full Cut	GH-ST-101-8X10FC	N/A	N/A	N/A	N/A	\$ 312.50	42%	N/A	\$ 181.25	\$ 181.25	\$ 181.25	\$ 175.00	45 Days (Qty 1-50)
Special Threat Stand Alone, 8x10" Shooter's Cut	GH-ST-101-8X10SH	N/A	N/A	N/A	N/A	\$ 312.50	42%	N/A	\$ 181.25	\$ 181.25	\$ 181.25	\$ 175.00	45 Days (Qty 1-50)
Special Threat Stand Alone, 10x12" Full Cut	GH-ST-101-10X12FC	N/A	N/A	N/A	N/A	\$ 337.50	42%	N/A	\$ 195.75	\$ 195.75	\$ 195.75	\$ 189.00	45 Days (Qty 1-50)
Special Threat Stand Alone, 10x12" Shooter's Cut	GH-ST-101-10X12SH	N/A	N/A	N/A	N/A	\$ 337.50	42%	N/A	\$ 195.75	\$ 195.75	\$ 195.75	\$ 189.00	45 Days (Qty 1-50)
FACE SHIELDS													
Ballistic Visor for PASGT or ACH Helmet - Level II	GH-HB1-BV2-1	N/A	N/A	N/A	II	\$ 987.50	42%	N/A	\$ 572.75	\$ 572.75	\$ 572.75	\$ 553.00	45 Days (Qty 1-50)
Ballistic Visor for PASGT or ACH Helmet - Level IIIA	GH-HB1-BV3A-1	N/A	N/A	N/A	IIIA	\$ 1,312.50	42%	N/A	\$ 761.25	\$ 761.25	\$ 761.25	\$ 735.00	45 Days (Qty 1-50)
CARRY BAGS (VEST, SHIELD, HELMET)													
[BAG] Vest Carry Bag	GH-BAG	N/A	N/A	N/A	N/A	\$ 55.00	42%	N/A	\$ 31.90	\$ 31.90	\$ 31.90	\$ 30.80	45 Days (Qty 1-50)
Helmet Carry Bag	GH-HB1-BAG	N/A	N/A	N/A	N/A	\$ 80.00	42%	N/A	\$ 46.40	\$ 46.40	\$ 46.40	\$ 44.80	45 Days (Qty 1-50)
ASK Carry Bag	GH-ASK-BAG	N/A	N/A	N/A	N/A	\$ 70.00	42%	N/A	\$ 40.60	\$ 40.60	\$ 40.60	\$ 39.70	45 Days (Qty 1-50)
ASK Enhanced Carry Bag	GH-ASK-ECB	N/A	N/A	N/A	N/A	\$ 120.00	42%	N/A	\$ 69.60	\$ 69.60	\$ 69.60	\$ 67.20	45 Days (Qty 1-50)
HELMET ACCESSORIES													
Rails for ACH Helmet (MD/LG Only)	GH-HB1-ACH-RAIL1	N/A	N/A	N/A	N/A	\$ 287.50	42%	N/A	\$ 166.75	\$ 166.75	\$ 166.75	\$ 161.00	45 Days (Qty 1-50)
NVG Shroud for ACH Helmet	GH-HB1-ACH-SH1	N/A	N/A	N/A	N/A	\$ 262.50	42%	N/A	\$ 152.25	\$ 152.25	\$ 152.25	\$ 147.00	45 Days (Qty 1-50)
Helmet Velcro Dot Kit	GH-HB1-ACH-VEL1	N/A	N/A	N/A	N/A	\$ 30.00	42%	N/A	\$ 17.40	\$ 17.40	\$ 17.40	\$ 16.80	45 Days (Qty 1-50)
Bungee System for ACH Rails	GH-HB1-ACH-BNG	N/A	N/A	N/A	N/A	\$ 30.00	42%	N/A	\$ 17.40	\$ 17.40	\$ 17.40	\$ 16.80	45 Days (Qty 1-50)
Helmet Cover for ACH Helmet	GH-HB1-COV-A	N/A	N/A	N/A	N/A	\$ 112.50	42%	N/A	\$ 65.25	\$ 65.25	\$ 65.25	\$ 63.00	45 Days (Qty 1-50)
Helmet Cover for PASGT Helmet	GH-HB1-COV-P	N/A	N/A	N/A	N/A	\$ 112.50	42%	N/A	\$ 65.25	\$ 65.25	\$ 65.25	\$ 63.00	45 Days (Qty 1-50)
Adjustable Retention Dial for ACH Helmet	GH-HB1-A-RET1	N/A	N/A	N/A	N/A	\$ 350.00	42%	N/A	\$ 203.00	\$ 203.00	\$ 203.00	\$ 196.00	45 Days (Qty 1-50)
SHIELD ACCESSORIES													
ID Decal for SHB2/SHB3 Ballistic Shields	GH-SHB23-ID1	N/A	N/A	N/A	N/A	\$ 55.00	42%	N/A	\$ 31.90	\$ 31.90	\$ 31.90	\$ 30.80	45 Days (Qty 1-50)
SHIELD LED LIGHTS													
LED Light for Ballistic Shield - Includes Battery and Charger	GH-SHB1-LED1	N/A	N/A	N/A	N/A	\$ 1,250.00	42%	N/A	\$ 775.00	\$ 775.00	\$ 775.00	\$ 700.00	45 Days (Qty 1-50)
LED Light for SHB2/SHB3 Ballistic Shields	GH-SHB23-LED1	N/A	N/A	N/A	N/A	\$ 1,300.00	42%	N/A	\$ 754.00	\$ 754.00	\$ 754.00	\$ 728.00	45 Days (Qty 1-50)
REPLACEMENT VEST STRAPS													
[RSK] Replacement Strap Kit for [OCC] Orion Concealable Carrier	GH-RSK	N/A	N/A	N/A	N/A	\$ 40.00	42%	N/A	\$ 23.20	\$ 23.20	\$ 23.20	\$ 22.40	45 Days (Qty 1-50)
[RSK] Replacement Strap Kit for [OCC] Low Profile Concealable Carrier	GH-RSK-LPC	N/A	N/A	N/A	N/A	\$ 35.00	42%	N/A	\$ 20.30	\$ 20.30	\$ 20.30	\$ 19.60	45 Days (Qty 1-50)
POUCHES													
Atlas Side Plate Pockets (Pair) - 6x6"	GH-A1-SIDE-6X6	N/A	N/A	N/A	N/A	\$ 100.00	42%	N/A	\$ 58.00	\$ 58.00	\$ 58.00	\$ 56.00	45 Days (Qty 1-50)
Atlas Side Plate Pockets (Pair) - 6x8"	GH-A1-SIDE-6X8	N/A	N/A	N/A	N/A	\$ 105.00	42%	N/A	\$ 60.90	\$ 60.90	\$ 60.90	\$ 58.80	45 Days (Qty 1-50)
QUAD Side Plate Pockets (Pair) - 6x6"	GH-QD1-SIDE-6X6	N/A	N/A	N/A	N/A	\$ 105.00	42%	N/A	\$ 60.90	\$ 60.90	\$ 60.90	\$ 58.80	45 Days (Qty 1-50)
QUAD Side Plate Pockets (Pair) - 6x8"	GH-QD1-SIDE-6X8	N/A	N/A	N/A	N/A	\$ 125.00	42%	N/A	\$ 72.50	\$ 72.50	\$ 72.50	\$ 70.00	45 Days (Qty 1-50)
Single Pistol Mag	GH-APKT-SPM	N/A	N/A	N/A	N/A	\$ 12.50	42%	N/A	\$ 7.25	\$ 7.25	\$ 7.25	\$ 7.00	45 Days (Qty 1-50)
Double Pistol Mag	GH-APKT-DPM	N/A	N/A	N/A	N/A	\$ 20.00	42%	N/A	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.20	45 Days (Qty 1-50)
Triple Pistol Mag	GH-APKT-TPM	N/A	N/A	N/A	N/A	\$ 20.00	42%	N/A	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.20	45 Days (Qty 1-50)
Single Flashbang	GH-APKT-FLSHS	N/A	N/A	N/A	N/A	\$ 32.50	42%	N/A	\$ 18.85	\$ 18.85	\$ 18.85	\$ 18.20	45 Days (Qty 1-50)
Double Flashbang	GH-APKT-FLSHD	N/A	N/A	N/A	N/A	\$ 37.50	42%	N/A	\$ 21.75	\$ 21.75	\$ 21.75	\$ 21.00	45 Days (Qty 1-50)
Double Smoke Grenade	GH-APKT-SMKD	N/A	N/A	N/A	N/A	\$ 42.50	42%	N/A	\$ 24.65	\$ 24.65	\$ 24.65	\$ 23.80	45 Days (Qty 1-50)
Double Frag Grenade	GH-APKT-DFRAG	N/A	N/A	N/A	N/A	\$ 30.00	42%	N/A	\$ 17.40	\$ 17.40	\$ 17.40	\$ 16.80	45 Days (Qty 1-50)
Handcuff	GH-APKT-CUFF	N/A	N/A	N/A	N/A	\$ 25.00	42%	N/A	\$ 14.50	\$ 14.50	\$ 14.50	\$ 14.00	45 Days (Qty 1-50)
Flashlight	GH-APKT-FLASH	N/A	N/A	N/A	N/A	\$ 40.00	42%	N/A	\$ 23.20	\$ 23.20	\$ 23.20	\$ 22.40	45 Days (Qty 1-50)
Radio	GH-APKT-RADIO	N/A	N/A	N/A	N/A	\$ 37.50	42%	N/A	\$ 21.75	\$ 21.75	\$ 21.75	\$ 21.00	45 Days (Qty 1-50)
Hydration	GH-APKT-UTIL	N/A	N/A	N/A	N/A	\$ 70.00	42%	N/A	\$ 40.60	\$ 40.60	\$ 40.60	\$ 39.70	45 Days (Qty 1-50)
Ultralight	GH-APKT-HYDRA	N/A	N/A	N/A	N/A	\$ 30.00	42%	N/A	\$ 17.40	\$ 17.40	\$ 17.40	\$ 16.80	45 Days (Qty 1-50)
Single M4/M16 Mag	GH-APKT-SM416	N/A	N/A	N/A	N/A	\$ 35.00	42%	N/A	\$ 20.30	\$ 20.30	\$ 20.30	\$ 19.60	45 Days (Qty 1-50)
Double M4/M16 Mag	GH-APKT-DM416	N/A	N/A	N/A	N/A	\$ 20.00	42%	N/A	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.20	45 Days (Qty 1-50)
Single M4/M16 Open Top Mag	GH-APKT-SM416OT	N/A	N/A	N/A	N/A	\$ 30.00	42%	N/A	\$ 17.40	\$ 17.40	\$ 17.40	\$ 16.80	45 Days (Qty 1-50)
Double M4/M16 Open Top Mag	GH-APKT-DM416OT	N/A	N/A	N/A	N/A	\$ 37.50	42%	N/A	\$ 21.75	\$ 21.75	\$ 21.75	\$ 21.00	45 Days (Qty 1-50)
Triple M4/M16 Open Top Mag	GH-APKT-TM416OT	N/A	N/A	N/A	N/A	\$ 20.00	42%	N/A	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.20	45 Days (Qty 1-50)
Shotgun, Vertical	GH-APKT-SHOTV	N/A	N/A	N/A	N/A	\$ 25.00	42%	N/A	\$ 14.50	\$ 14.50	\$ 14.50	\$ 14.00	45 Days (Qty 1-50)
Shotgun, Horizontal	GH-APKT-SHOTH	N/A	N/A	N/A	N/A	\$ 32.50	42%	N/A	\$ 18.85	\$ 18.85	\$ 18.85	\$ 18.20	45 Days (Qty 1-50)
40mm Grenade	GH-APKT-40MM	N/A	N/A	N/A	N/A	\$ 24.65	42%	N/A	\$ 24.65	\$ 24.65	\$ 24.65	\$ 23.80	45 Days (Qty 1-50)
Gas Mask	GH-APKT-GAS	N/A	N/A	N/A	N/A	\$ 42.50	42%	N/A	\$ 25.00	\$ 25.00	\$ 25.00	\$ 24.65	45 Days (Qty 1-50)

Admin	GH-APKT-ADMIN	N/A	N/A	N/A	N/A	\$ 37.50	42%	N/A	\$ 21.75	\$ 21.75	\$ 21.75	\$ 21.75	\$ 21.75	\$ 21.75	\$ 21.00	45 Days (Qty 1-50)
Dump	GH-APKT-DUMP	N/A	N/A	N/A	N/A	\$ 42.50	42%	N/A	\$ 24.65	\$ 24.65	\$ 24.65	\$ 24.65	\$ 24.65	\$ 24.65	\$ 23.80	45 Days (Qty 1-50)
Tourniquet	GH-APKT-TOURN	N/A	N/A	N/A	N/A	\$ 20.00	42%	N/A	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.20	45 Days (Qty 1-50)
Pick Any Five APKT A-Series Pouches *Limit 1 Hydration Pouch	GH-APKT-PICK5	N/A	N/A	N/A	N/A	\$ 150.00	42%	N/A	\$ 87.00	\$ 87.00	\$ 87.00	\$ 87.00	\$ 87.00	\$ 87.00	\$ 84.00	45 Days (Qty 1-50)
EMS MOLLE Pouch - Top-Load (Specific to IEMS-MI EMS MOLLE Carrier) *Not A-Series	GH-PKT-EMS-T	N/A	N/A	N/A	N/A	\$ 70.00	42%	N/A	\$ 40.60	\$ 40.60	\$ 40.60	\$ 40.60	\$ 40.60	\$ 40.60	\$ 39.20	45 Days (Qty 1-50)
EMS MOLLE Pouch - Drop-Down (Specific to IEMS-MI EMS MOLLE Carrier) *Not A-Series	GH-PKT-EMS-D	N/A	N/A	N/A	N/A	\$ 70.00	42%	N/A	\$ 40.60	\$ 40.60	\$ 40.60	\$ 40.60	\$ 40.60	\$ 40.60	\$ 39.20	45 Days (Qty 1-50)
B-Series Molle Pocket, Cuff, 1000D Cordura, 2-Ply, Reinforced	GH-BPKT-CUFF	N/A	N/A	N/A	N/A	\$ 44.00	42%	N/A	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 24.64	45 Days (Qty 1-50)
B-Series Molle Pocket, Cuff, LH 1000D Cordura, 2-Ply, Reinforced	GH-BPKT-CUFF-LH	N/A	N/A	N/A	N/A	\$ 44.00	42%	N/A	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 24.64	45 Days (Qty 1-50)
B-Series Molle Pocket, Cuff, RH 1000D Cordura, 2-Ply, Reinforced	GH-BPKT-CUFF-RH	N/A	N/A	N/A	N/A	\$ 44.00	42%	N/A	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 24.64	45 Days (Qty 1-50)
B-Series Molle Pocket, Double Pistol Mag, 1000D Cordura, 2-Ply, Reinforced	GH-BPKT-DMAG	N/A	N/A	N/A	N/A	\$ 44.00	42%	N/A	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 24.64	45 Days (Qty 1-50)
B-Series Molle Pocket, Magnetic Double Pistol Magazine, 1000D Cordura, 2-Ply, Reinforced	GH-BPKT-DMAG-M	N/A	N/A	N/A	N/A	\$ 75.00	42%	N/A	\$ 43.50	\$ 43.50	\$ 43.50	\$ 43.50	\$ 43.50	\$ 43.50	\$ 42.00	45 Days (Qty 1-50)
B-Series Molle Pocket, Radio, 1000D Cordura, 2-Ply, Reinforced	GH-BPKT-OC3	N/A	N/A	N/A	N/A	\$ 44.00	42%	N/A	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 24.64	45 Days (Qty 1-50)
B-Series Molle Pocket, Radio, 1000D Cordura, 2-Ply, Reinforced	GH-BPKT-RADIO	N/A	N/A	N/A	N/A	\$ 49.00	42%	N/A	\$ 28.42	\$ 28.42	\$ 28.42	\$ 28.42	\$ 28.42	\$ 28.42	\$ 27.44	45 Days (Qty 1-50)
B-Series Molle Pocket, Utility / Memo, 1000D Cordura, 2-Ply	GH-BPKT-UTIL	N/A	N/A	N/A	N/A	\$ 44.00	42%	N/A	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 24.64	45 Days (Qty 1-50)
J-Series Molle Pocket, 3X6, 1000D Cordura, 2-Ply	GH-JPKT-3X6	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, AR-30, 1000D Cordura, 2-Ply	GH-JPKT-AR30	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, ASP, 1000D Cordura, 2-Ply	GH-JPKT-ASP	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, ASP / Open Top, 1000D Cordura, 2-Ply	GH-JPKT-ASP-O	N/A	N/A	N/A	N/A	\$ 40.00	42%	N/A	\$ 23.20	\$ 23.20	\$ 23.20	\$ 23.20	\$ 23.20	\$ 23.20	\$ 22.40	45 Days (Qty 1-50)
J-Series Molle Pocket, Cuff, 1000D Cordura, 2-Ply	GH-JPKT-CUFF	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, Flashlight, 1000D Cordura, 2-Ply	GH-JPKT-FLASH	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, Double Pistol Mag, 1000D Cordura, 2-Ply	GH-JPKT-MAG	N/A	N/A	N/A	N/A	\$ 44.00	42%	N/A	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 24.64	45 Days (Qty 1-50)
J-Series Molle Pocket, Double Pistol Mag, 1000D Cordura, 2-Ply	GH-JPKT-MED	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, OCMK-3, 1000D Cordura, 2-Ply	GH-JPKT-OCMK3	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, Radio, 1000D Cordura, 2-Ply	GH-JPKT-RADIO	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, Tourniquet, 1000D Cordura, 2-Ply	GH-JPKT-TOUR	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, Utility / Memo, 1000D Cordura, 2-Ply	GH-JPKT-UTILITY	N/A	N/A	N/A	N/A	\$ 33.00	42%	N/A	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 19.14	\$ 18.48	45 Days (Qty 1-50)
J-Series Molle Pocket, Radio, 1000D Cordura, 2-Ply	GH-JPKT-RADIO	N/A	N/A	N/A	N/A	\$ 44.00	42%	N/A	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 24.64	45 Days (Qty 1-50)
G-Series Modular Molle Side Clip Kit, Set of (2)	GH-GPKT-MKT	N/A	N/A	N/A	N/A	\$ 27.00	42%	N/A	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.12	45 Days (Qty 1-50)
G-Series Embroidered ID Small	GH-GPKT-ID-EMB-S	N/A	N/A	N/A	N/A	\$ 14.00	42%	N/A	\$ 8.12	\$ 8.12	\$ 8.12	\$ 8.12	\$ 8.12	\$ 8.12	\$ 7.84	45 Days (Qty 1-50)
G-Series Embroidered ID Medium	GH-GPKT-ID-EMB-M	N/A	N/A	N/A	N/A	\$ 18.00	42%	N/A	\$ 10.44	\$ 10.44	\$ 10.44	\$ 10.44	\$ 10.44	\$ 10.44	\$ 10.08	45 Days (Qty 1-50)
G-Series Embroidered ID Large	GH-GPKT-ID-EMB-L	N/A	N/A	N/A	N/A	\$ 22.00	42%	N/A	\$ 12.76	\$ 12.76	\$ 12.76	\$ 12.76	\$ 12.76	\$ 12.76	\$ 12.32	45 Days (Qty 1-50)
G-Series Tactical Pouch, Gas Mask	GH-GPKT-P11	N/A	N/A	N/A	N/A	\$ 36.00	42%	N/A	\$ 20.88	\$ 20.88	\$ 20.88	\$ 20.88	\$ 20.88	\$ 20.88	\$ 20.16	45 Days (Qty 1-50)
G-Series Tactical Pouch, Shotgun Shell	GH-GPKT-P12	N/A	N/A	N/A	N/A	\$ 29.00	42%	N/A	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.24	45 Days (Qty 1-50)
G-Series Tactical Pouch, 40mm Grenade	GH-GPKT-P13	N/A	N/A	N/A	N/A	\$ 29.00	42%	N/A	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.24	45 Days (Qty 1-50)
G-Series Tactical Pouch, Open Top Single AR-15 Mag	GH-GPKT-P18	N/A	N/A	N/A	N/A	\$ 27.00	42%	N/A	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.12	45 Days (Qty 1-50)
G-Series Tactical Pouch, Open Top Double AR-15 Mag Side By Side	GH-GPKT-P19	N/A	N/A	N/A	N/A	\$ 39.00	42%	N/A	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 21.84	45 Days (Qty 1-50)
G-Series Tactical Pouch, EMT	GH-GPKT-P21	N/A	N/A	N/A	N/A	\$ 41.00	42%	N/A	\$ 23.78	\$ 23.78	\$ 23.78	\$ 23.78	\$ 23.78	\$ 23.78	\$ 22.96	45 Days (Qty 1-50)
G-Series Tactical Pouch, Double Pistol Mag	GH-GPKT-P23	N/A	N/A	N/A	N/A	\$ 29.00	42%	N/A	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.24	45 Days (Qty 1-50)
G-Series Tactical Pouch, Medium Utility / Gadget	GH-GPKT-P26	N/A	N/A	N/A	N/A	\$ 39.00	42%	N/A	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 21.84	45 Days (Qty 1-50)
G-Series Tactical Pouch, Single Flashbang	GH-GPKT-P28	N/A	N/A	N/A	N/A	\$ 29.00	42%	N/A	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.24	45 Days (Qty 1-50)
G-Series Tactical Pouch, 90 & UMP45 Mag	GH-GPKT-P31	N/A	N/A	N/A	N/A	\$ 39.00	42%	N/A	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 21.84	45 Days (Qty 1-50)
G-Series Tactical Pouch, Single Pistol Mag	GH-GPKT-P32	N/A	N/A	N/A	N/A	\$ 26.00	42%	N/A	\$ 15.08	\$ 15.08	\$ 15.08	\$ 15.08	\$ 15.08	\$ 15.08	\$ 14.56	45 Days (Qty 1-50)
G-Series Tactical Pouch, Rip-Away EMT	GH-GPKT-P41	N/A	N/A	N/A	N/A	\$ 66.00	42%	N/A	\$ 38.28	\$ 38.28	\$ 38.28	\$ 38.28	\$ 38.28	\$ 38.28	\$ 36.96	45 Days (Qty 1-50)
G-Series Tactical Pouch, Open Top Double AR-15 Mag Stacked	GH-GPKT-P42	N/A	N/A	N/A	N/A	\$ 36.00	42%	N/A	\$ 20.88	\$ 20.88	\$ 20.88	\$ 20.88	\$ 20.88	\$ 20.88	\$ 20.16	45 Days (Qty 1-50)
G-Series Tactical Pouch, Small Utility	GH-GPKT-P45	N/A	N/A	N/A	N/A	\$ 29.00	42%	N/A	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.82	\$ 16.24	45 Days (Qty 1-50)
G-Series Tactical Pouch, Single/Double Cuff	GH-GPKT-P47	N/A	N/A	N/A	N/A	\$ 27.00	42%	N/A	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.66	\$ 15.12	45 Days (Qty 1-50)
G-Series Tactical Pouch, Flashlight	GH-GPKT-P48	N/A	N/A	N/A	N/A	\$ 24.00	42%	N/A	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.44	45 Days (Qty 1-50)
G-Series Tactical Pouch, EMT Glove	GH-GPKT-P49	N/A	N/A	N/A	N/A	\$ 26.00	42%	N/A	\$ 15.08	\$ 15.08	\$ 15.08	\$ 15.08	\$ 15.08	\$ 15.08	\$ 14.56	45 Days (Qty 1-50)
G-Series Tactical Pouch, Single Kangaroo Pouch, (1) AR-15 Mag and (1) High Cap Pistol Mag	GH-GPKT-P50	N/A	N/A	N/A	N/A	\$ 44.00	42%	N/A	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 25.52	\$ 24.64	45 Days (Qty 1-50)
G-Series Tactical Pouch, Double Kangaroo Pouch, (2) AR-15 Mags and (2) High Cap Pistol Mags	GH-GPKT-P51	N/A	N/A	N/A	N/A	\$ 53.00	42%	N/A	\$ 30.74	\$ 30.74	\$ 30.74	\$ 30.74	\$ 30.74	\$ 30.74	\$ 29.68	45 Days (Qty 1-50)
G-Series Tactical Pouch, Triple Pistol Mag	GH-GPKT-P52	N/A	N/A	N/A	N/A	\$ 39.00	42%	N/A	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 21.84	45 Days (Qty 1-50)
G-Series Tactical Pouch, T&T	GH-GPKT-P54	N/A	N/A	N/A	N/A	\$ 61.00	42%	N/A	\$ 35.38	\$ 35.38	\$ 35.38	\$ 35.38	\$ 35.38	\$ 35.38	\$ 34.16	45 Days (Qty 1-50)
G-Series Tactical Pouch, Hand Held Radio	GH-GPKT-P56	N/A	N/A	N/A	N/A	\$ 24.00	42%	N/A	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.44	45 Days (Qty 1-50)
G-Series Tactical Pouch, Sidekick	GH-GPKT-P64	N/A	N/A	N/A	N/A	\$ 46.00	42%	N/A	\$ 26.68	\$ 26.68	\$ 26.68	\$ 26.68	\$ 26.68	\$ 26.68	\$ 25.76	45 Days (Qty 1-50)
G-Series Tactical Pouch, 4x4 Utility	GH-GPKT-P77	N/A	N/A	N/A	N/A	\$ 37.00	42%	N/A	\$ 21.46	\$ 21.46	\$ 21.46	\$ 21.46	\$ 21.46	\$ 21.46	\$ 20.72	45 Days (Qty 1-50)
G-Series Tactical Pouch, OC	GH-GPKT-P78	N/A	N/A	N/A	N/A	\$ 24.00	42%	N/A	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.92	\$ 13.44	45 Days (Qty 1-50)
G-Series Tactical Pouch, 4x8 Utility	GH-GPKT-P8	N/A	N/A	N/A	N/A	\$ 39.00	42%	N/A	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 22.62	\$ 21.84	45 Days (Qty 1-50)
G-Series Tactical Pouch, Radio	GH-GPKT-P9	N/A	N/A	N/A	N/A	\$ 32.00	42%	N/A	\$ 18.56	\$ 18.56	\$ 18.56	\$ 18.56	\$ 18.56	\$ 18.56	\$ 17.92	45 Days (Qty 1-50)
G-Series Tactical Pouch, Triple M4/M16 Mag Insert	GH-GPKT-PVAG	N/A	N/A	N/A	N/A	\$ 30.00	42%	N/A	\$ 17.40	\$ 17.40	\$ 17.40	\$ 17.40	\$ 17.40	\$ 17.40	\$ 16.80	45 Days (Qty 1-50)
G-Series Taser X26 Holster, RH	GH-GPKT-2545-2524	N/A	N/A	N/A	N/A	\$ 120.00	42%	N/A	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 67.20	45 Days (Qty 1-50)
G-Series Taser X26 Holster, LH	GH-GPKT-2546-2524	N/A	N/A	N/A	N/A	\$ 120.00	42%	N/A	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 67.20	45 Days (Qty 1-50)
G-Series Taser X2 Holster, RH, Narrow Mount	GH-GPKT-2550-2524N	N/A	N/A	N/A	N/A	\$ 120.00	42%	N/A	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 67.20	45 Days (Qty 1-50)
G-Series Taser X2 Holster, RH, Wide Mount	GH-GPKT-2550-2524W	N/A	N/A	N/A	N/A	\$ 120.00	42%	N/A	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 67.20	45 Days (Qty 1-50)
G-Series Taser X2 Holster, LH, Narrow Mount	GH-GPKT-2554-2524N	N/A	N/A	N/A	N/A	\$ 120.00	42%	N/A	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 67.20	45 Days (Qty 1-50)
G-Series Taser X2 Holster, LH, Wide Mount	GH-GPKT-2554-2524W	N/A	N/A	N/A	N/A	\$ 120.00	42%	N/A	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 69.60	\$ 67.20	45 Days (Qty 1-50)
ID PATCHES																
Tactical Vest ID (Single) - Front/Small	GH-ID-REAR-SM	N/A	N/A	N/A	N/A	\$ 20.00	42%	N/A	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.60	\$ 11.20	45 Days (Qty 1-50)
Tactical Vest ID (Single) - Rear/Large	GH-ID-REAR-LG	N/A	N/A	N/A	N/A	\$ 30.00	42%	N/A	\$ 17.40	\$ 17.40	\$ 17.40	\$ 17.40	\$ 17.40	\$ 17.40	\$ 16.80	45 Days (Qty 1-50)
ID's (Pair) for Shooter's Cut Front (SCF) PH1/PH2 Tactical Plate Harness	GH-HRN-ID-SCF	N/A	N/A	N/A	N/A	\$ 25.00	42%	N/A	\$ 14.50	\$ 14.50	\$ 14.50	\$ 14.50	\$ 14.50	\$ 14.50	\$ 14.00	45 Days (Qty 1-50)

ID's (Pair) for Full Cut Front (FCF) PH1/PH2 Tactical Plate Harness	GH-HRN-ID-FCF	N/A	N/A	N/A	N/A	\$ 25.00	42%	N/A	\$ 14.50	\$ 14.50	\$ 14.50	\$ 14.00	45 Days (Qty 1-50)
J-Series Embroidered Badge	GH-JPKT-BADGE	N/A	N/A	N/A	N/A	\$ 28.00	42%	N/A	\$ 16.24	\$ 16.24	\$ 16.24	\$ 15.68	45 Days (Qty 1-50)
J-Series Embroidered U.S. Flag	GH-JPKT-FLAG	N/A	N/A	N/A	N/A	\$ 10.00	42%	N/A	\$ 5.80	\$ 5.80	\$ 5.80	\$ 5.60	45 Days (Qty 1-50)
J-Series Name Tape	GH-JPKT-NAME	N/A	N/A	N/A	N/A	\$ 14.00	42%	N/A	\$ 8.12	\$ 8.12	\$ 8.12	\$ 7.84	45 Days (Qty 1-50)

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 072-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing an Increase to Purchase Order 170244 to Citation Communications, Inc. in the Amount of \$20,000 for Radio Repairs, Equipment, and System Upgrade and Approving a Total Budget of \$29,800; and Providing an Effective Date.

Presenter

Kirk W. Blouin, Director of Public Safety

ATTACHMENTS:

- ▣ **Memorandum dated April 25,2017, from Kirk W. Blouin, Director of Public Safety**
- ▣ **Resolution No. 72-2017**
- ▣ **Exhibit A**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Kirk W. Blouin, Director of Public Safety

Re: Approval of Increase of Purchase Order 170244
Resolution No. 72-2017

Date: April 25, 2017

STAFF RECOMMENDATION

Staff recommends the Mayor and Town Council adopt Resolution No. 72-2017, approving an increase of \$20,000 to Purchase Order 170244 to Citation Communications, Inc. to cover the cost of radio equipment and repairs as deemed necessary for the remainder of FY2017 for both Police and Fire Rescue and to cover the cost of upgrading the entire fleet of radios to the SR-10A system which is compatible with the new Symphony Console which was purchased in FY2016.

Purchase Order 170244 was previously approved by Resolution No. 167-2016 (Exhibit A) with a budget of \$9,800. Adopting Resolution No. 72-2017 would create a new budget of \$29,800 for PO 170244 for radio repairs, equipment and system upgrade (not covered by the annual maintenance contract with Citation Communications, Inc.).

GENERAL INFORMATION

The radios issued to police and fire-rescue personnel have a useful life of approximately 18-20 years. However, because of the increasing age of the radios and related equipment, the estimated funding for equipment and repairs in FY2017 has proven to be inadequate. Therefore, we are requesting an additional \$10,000 be added to PO 170244 for this purpose in order to repair/replace radios and related equipment as needed for the remainder of the fiscal year.

Additionally, in FY2016 the department purchased replacement Communication dispatching consoles which will be installed in the very near future. The radio fleet will require a software upgrade in order to support the new Symphony Consoles and other necessary technology upgrades to public safety radio communication systems for national interoperability compliance standards (approximately \$10,000).

FUNDING/FISCAL IMPACT

Both the Police and Fire-Rescue have funds available in their current FY2017 Approved equipment maintenance budgets to cover these expenses.

Approve Increase of Purchase Order 170244
Page 2

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and is approved as recommended.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed this resolution and approved for legal form and sufficiency.

KWB/lsg

cc: Jane Struder, Director of Finance
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 72-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING AN INCREASE TO PURCHASE ORDER NO. 170244 TO CITATION COMMUNICATIONS, INC. IN THE AMOUNT OF \$20,000 FOR RADIO REPAIRS, EQUIPMENT AND SYSTEM UPGRADE FOR A TOTAL BUDGET OF \$29,800; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Purchasing Division is hereby authorized to increase Purchase Order No. 170244 in the amount of \$20,000 to Citation Communications, Inc. for the following:

- a. \$10,000 for repairs and equipment necessary to maintain the fleet of radios not covered by the annual maintenance contract and;
- b. \$10,000 for the cost of an upgrade to the fleet of radios that supports the Symphony Consoles.

Section 2. Mayor and Town Council approve an overall budget for Purchase Order No. 170244 of \$29,800.

Section 3. A copy of Resolution No. 167-2016 is attached hereto as Exhibit A and is hereby incorporated within this Resolution and made a part hereof.

Section 4. The Town Manager is authorized to execute any and all documents necessary to effectuate this purchase order.

Section 5. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED IN A REGULAR, ADJOURNED SESSION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH THIS 9TH DAY OF MAY, 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member

RESOLUTION NO. 167-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING AND APPROVING PURCHASE ORDERS TO CITATION COMMUNICATIONS, INC. FOR THE ANNUAL SYSTEM MAINTENANCE AGREEMENT IN THE AMOUNT OF (\$34,908); AND FOR MISCELLANEOUS REPAIRS AND PARTS, AS NEEDED AND RECOMMENDED BY STAFF, IN THE AMOUNT OF (\$9,800); ESTABLISHING A TOTAL BUDGET OVERALL OF \$46,000; SUBJECT TO APPROVAL OF THE FISCAL YEAR 2017 BUDGET.

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 two (2) purchase orders to Citation Communication, Inc., as follows, subject to approval of Fiscal Year 2017 Budget:

a. For the FY2017 Annual System Maintenance Agreement in the amount of \$34,908 and;

b. For miscellaneous repairs and parts, as deemed necessary, in the amount of \$9,800;

Section 2. A copy of the System Maintenance Agreement and FY2017 service and parts pricing list is attached hereto as Exhibits A and B and are hereby incorporated within this Resolution and made a part hereof.

Section 3. An overall budget of \$46,000 for the annual system maintenance agreement, and miscellaneous repairs and parts, is hereby approved as stated herein above.

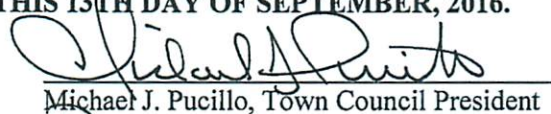
Section 4. The Town Manager is authorized to execute any and all documents necessary to effectuate this purchase order.

Section 5. This Resolution shall become effective immediately upon passage.

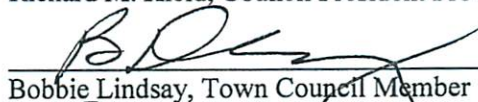
PASSED AND ADOPTED IN A REGULAR, ADJOURNED SESSION OF THE TOWN

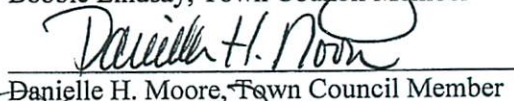
COUNCIL OF THE TOWN OF PALM BEACH THIS 13TH DAY OF SEPTEMBER, 2016.

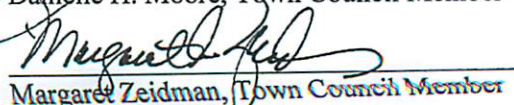

Gail L. Coniglio, Mayor


Michael J. Pucillo, Town Council President


Richard M. Kleid, Council President Pro Tem


Bobbie Lindsay, Town Council Member


Danielle H. Moore, Town Council Member


Margaret Zeidman, Town Council Member




Susan A. Owens, MMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 073-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of a Lenovo Server and Additional Memory on the State of Florida Contract 43211500-WSCA-15ACS and TCPN Contract R5110 to PCMG in the Amount of \$54,057.40 and Establishing a Budget of \$57,000 for Purchases in Fiscal Year 2017.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum dated April 27, 2017, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Resolution No. 073-2017**
- ▣ **PCM-G Quote**
- ▣ **AXIOM Quote**
- ▣ **Town of Palm Beach-Access ATG Services**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

Via: Jay Boodheshwar, Deputy Town Manager

From: Charles Kapachinski, Information Technology Manager

Re: Approval of Purchase of Lenovo Servers and Memory on State of Florida
Contract 43211500-WSCA-15-ACS and TCPN Contract # R150408
Resolution No. 073-2017

Date: April 27, 2017

STAFF RECOMMENDATION

The Office of Information Technology is requesting approval of Resolution No. 073-2017, for the purchase of one Lenovo Server via the State of Florida Contract 43211500-WSCA-15-ACS and TCPN Contract # R150408 including service to setup and configure the server, and additional memory for existing servers to PCMG in the amount of \$54,057.40, and establishing a budget of \$57,000 for this purchase for fiscal year 2017.

GENERAL INFORMATION

The Office of Information Technology is intending to migrate up to 22 of the Town's existing physical servers to its virtual environment. With this migration, we will need to expand the capacity of our existing virtual environment. IT is requesting an addition of a new server that will meet the system requirements of the existing environment as well as additional memory for the existing servers in this environment. This server and memory will be purchased under State of Florida Contract 43211500-WSCA-15-ACS and TCPN Contract # R150408, following Purchasing's guidelines for major purchases and to provide the Town with the best competitive prices for this equipment. We are also contracting with PCMG to setup and configure the server, providing the Town with a "turnkey" server solution.

PURCHASING REVIEW

The Purchasing Division has reviewed the contract documents and found them in compliance with piggybacking requirements. This procurement has been reviewed and approved by the Purchasing Division of the Finance Department.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed all documents as to legal form and sufficiency.

FUNDING/FISCAL IMPACT

This purchase of the server will come from the Office of Information Technology Equipment Replacement Fund budget and the purchase of the additional memory will come from the Minor Computer Equipment (001.15.125.513.50.52.17) account which is included in the FY2017 budget. The award is for \$54,057.40 to PCMG and will allow for the Town to purchase the designated server.

Attachments

Cc: Adis Pedraza, Purchasing Manager
Jane Struder, Finance Director

RESOLUTION NO. 073-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF A LENOVO SERVER AND ADDITIONAL MEMORY ON THE STATE OF FLORIDA CONTRACT 43211500-WSCA-15-ACS AND TCPN CONTRACT R5110 TO PCMG IN THE AMOUNT OF \$54,057.40 AND ESTABLISHING A BUDGET OF \$57,000 FOR PURCHASES IN FISCAL YEAR 2017.

WHEREAS, staff recommends approval of the purchase of Lenovo Server and memory on State of Florida Contract 43211500-WSCA-15-ACS and TCPN Contract R5110 to PCMG in the amount of \$54,057.40 and establishing a budget of \$57,000 for purchases in fiscal year 2017 and authorizing the Town Manager to execute the agreement and purchase from PCMG.

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

Section 1: The Town Council of the Town of Palm Beach hereby approves the purchase of one Lenovo Server and memory on State of Florida Contract 4321150-WSCA-15-ACS and TCPN contract R5110 in the amount of \$54,057.40 to PCMG and establishes a total budget of \$57,000.00.

Section 2: The Town Manager is hereby authorized to execute this purchase on behalf of the Town of Palm Beach.

Section 3: The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change orders as recommend by the Office of Information Technology.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member

Contact: Blossom Stephens
Phone: (800) 625-5468 x 38529
Fax: (310) 630-6829
E-mail: Blossom.Stephens@PCM-G.com

TOWN OF PALM BEACH
ACCOUNTS PAYABLE
PO BOX 2029
PALM BEACH, FL 33480
561-227-6310

Prices are subject to change without notice.

Contact: ATTN:CHARLES KAPACHINSKI
Ref.:
Quote: # B0183368
Date: 4/19/2017
Expires: 4/27/2017

Lenovo, State of Florida: 43211500-WSCA-15-ACS | TCPN Contract # R150408

Line	Qty.	Manufacturer	PCMG Part No.	Manufacturer Part No.	Product Description	Contract Number	Product Unit Price	Product Extended Price
1	1	LENOVO	40034619	70QQ001BUX	TS RD450 E5 2620V4 16GB FD ONL	43211500-WSCA-15-ACS-R150408	\$ 2,398.00	\$ 2,398.00
2	16	AXIOM	13327837	4X70F28591-AX	Axiom Memory - AX - DDR4 - 32 GB - LRDIMM		\$ 360.00	\$ 5,760.00
3	1	LENOVO	40044138	4XC0G88850	NET_BO LTS 520I PCIE ADAPTE	43211500-WSCA-15-ACS-R150408	\$ 325.00	\$ 325.00
4	2	LENOVO	13280073	4XB0G45734	HDD_BO G5 3.5400G EP SAS 12GBPS HS	43211500-WSCA-15-ACS-R150408	\$ 1,275.00	\$ 2,550.00
5	6	LENOVO	13458795	4XB0G88731	G5 3.5" 4TB 7.2K ENT. SAS 12GBPS HS-HD	43211500-WSCA-15-ACS-R150408	\$ 475.00	\$ 2,850.00
6	2	LENOVO	13267937	4XC0F28731	NET_BO LTS I350-T4 PCIE	43211500-WSCA-15-ACS-R150408	\$ 341.00	\$ 682.00
7	1	LENOVO	13279267	4XF0G45867	MECH_BO SYSTEM MANAGER PREMIUM	43211500-WSCA-15-ACS-R150408	\$ 85.00	\$ 85.00
8	1	LENOVO	13346394	4X70F28593	MEM_BO LTS 32GB SD CARD	43211500-WSCA-15-ACS-R150408	\$ 67.00	\$ 67.00
9	1	LENOVO	40044139	4XF0G88933	MECH_BO LTS SDHC FLASH ASSEMBLY MODULE	43211500-WSCA-15-ACS-R150408	\$ 31.40	\$ 31.40
10	1	LENOVO	13656607	5PS0K84995	3YR EXPRESS SUPPORT (24X7X4+KYD+PRI) TS	43211500-WSCA-15-ACS-R150408	\$ 415.00	\$ 415.00
11	2	VMWARE	13453779	VS6-OEPL-C-L1	VPP L1 VSPH6 OPERAT MGMT ENT PLUS 1 PRO		\$ 3,170.00	\$ 6,340.00
12	2	VMWARE	13453786	VS6-OEPL-P-SSS-C	PROD SNS VSPHERE 6		\$ 1,118.00	\$ 2,236.00
13	2	VMWARE	13453542	ST6-VSAN-C-L1	VIRTUAL SAN 6 FOR 1 PROC		\$ 1,697.00	\$ 3,394.00
14	2	VMWARE	13458497	ST6-VSAN-P-SSS-C	PROD SUP/SUB VIRTUAL SAN 6 1 PRC		\$ 592.00	\$ 1,184.00
15	12	ATG Services	TBA	TBA	Ad Hoc Hourly Rate On-site Services		\$ 225.00	\$ 2,700.00
Courier: UPS GROUND							Sub-total	\$ 31,017.40
Internal Use							Tax	\$ -
Ship-to: TOWN OF PALM BEACH INFORMATION SYSTEMS 360 S COUNTY RD							Shipping	\$ -
							Total	\$ 31,017.40

Software quotes are only valid in the month they are issued

195
IMPORTANT P.O.
INSTRUCTIONS

Please make P.O. out to 'PCM-G' (We are not able to process PO's made out to any of the subsidiary companies such as MacMail, PCM, TigerDirect or PCME).
Include PART #'s, QUOTE #, SIGNATURE, and the terms 'NET 30'. Please fax PO to fax number referenced above.
SOFTWARE LICENSING: Include END-USER NAME, PHONE #, and E-MAIL ADDRESS in SHIP-TO field on P.O.



PCM-G
14120 Newbrook Drive, Suite 100 - Chantilly, VA 20151

Duns #: 12-936-5420
Tax ID #: 33-0964088
HP Location ID-WSCA: 10041922

Contact: Blossom Stephens
Phone: (800) 625-5468 x 38529
Fax: (310) 630-6829
E-mail: Blossom.Stephens@PCM-G.com

TOWN OF PALM BEACH
ACCOUNTS PAYABLE
PO BOX 2029
PALM BEACH, FL 33480
561-227-6310

Contact: ATTN:CHARLES KAPACHINSKI
Ref.:
Quote: # B0278397
Date: 4/13/2017
Expires: 4/27/2017

Line	Qty.	Manufacturer	PCM-G Part No.	Manufacturer Part No.	Product Description	Contract Number	Product Unit Price	Product Extended Price
1	64	AXIOM ME	13327837	4X70F28591-AX	AXIOM 32GB DDR4-2133 ECC LRDIMM FOR LEN	R150408	\$ 360.00	\$ 23,040.00
TCPN CONTRACT #: R150408								
Courier: UPS GROUND								
Ship-to:								
Internal Use								
Sub-total							\$	23,040.00
Tax							\$	-
Shipping							\$	-
Total							\$	23,040.00

Software quotes are only valid in the month they are issued

IMPORTANT P.O. INSTRUCTIONS

Please make P.O. out to 'PCM-G'. We are not able to process PO's made out to any of the subsidiary companies such as MacMall, PCM, TigerDirect or PCME). Include **PART #**'s, **QUOTE #**, **SIGNATURE**, and the terms '**NET 30**'. Please fax PO to fax number referenced above. **SOFTWARE LICENSING**: Include **END-USER NAME**, **PHONE #**, and **E-MAIL ADDRESS** in **SHIP-TO** field on P.O.

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■ Cisco Unified Wireless	WCS, AP's, controllers, modules, endpoints
■ Cisco UC Data Center	Nexus, UC, Virtualization
■ Servers w/ Microsoft Operating Systems	Windows 2003, 2008, 2008R2, 2012, 2012R2,
■ Email	Exchange 2000, 2003, 2007, 2010, 2013, O365
■ Multi-Factor Authentication	RSA, multifactor.com, Microsoft Azure & others
■ Microsoft	Desktop, Server, Virtualization Products, System Center, Azure
■ EMC	CLARiiON, Celerra, Centera, RecoverPoint, Networker
■ VMware	vCenter, ESX, ESXi, Site Recovery Manager (SRM), Composer (VDM/VDI), ThinApps, Stage Mgr, Lab Mgr, P2V/V2V Converter, Capacity Planner & more
■ HP	Servers, Blade Servers, Storage and etc.
■ Riverbed	Steelhead appliances

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CERTIFIED ENGINEERS

MANUFACTURER	AUTHORIZATION	CERTIFIED PERSONNEL ON STAFF
CISCO	Gold Certified Partner	CCVP, CCIE, CCNA, CCDA, CCDA, CCSP, CUDS
EMC	Velocity Solution Provider; VSPEX	CP, EMCTA, EMCISA, SEA
Microsoft	LAR and SI VAR	MCSES, MCTS, MCP, MCNPS, MCSE, MCSA, MSV
VMware	Premier Corporate National Reseller	VCP, VTSP, VSP
HP	Elite Partner	MASE, ASE
LANDesk	Platinum Partner	CLE, CLESSM
Symantec	Platinum Partner	STS, SSIM, SCS, ASC, SSE, SS
NetApp	Gold Level National Reseller	-
Dell	Premier Partner	DBSS, DPES, DOSM, DPVS, CSQC, DROC

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Terms & Conditions (“T/C’s”)

1. ACCESS-ATG services are subject to the standard PCM Master Service Agreement (“MSA”) incorporated by reference herein. **The MSA will prevail if any conflict of terms arises.**
2. In consideration of the purchase of a block of hours, **expiring 1 year from date of purchase**, to be **PAID IN ADVANCE** or **PAID MONTHLY FOR HOURS WORKED (please circle one)**. Customer authorizes PCM to invoice for services performed under this agreement. Customer agrees to pay PCM by the due date set forth in the PCM invoice (including all applicable taxes).
3. The ACCESS-ATG block purchased must be used in **minimum 2 hour increments for remote or 8 hour increments for onsite support.**
4. ACCESS-ATG is not a 24/7 support program. **ACCESS-ATG is an all-inclusive professional services support program whose aim is to ensure your infrastructure is proactively maintained in an effort to reduce the risk of outages by superior engineering.** As such, time from ACCESS-ATG blocks must be used during business hours 8x5 unless pre-scheduled for after-hours, weekend or holiday work. Burn rate of block hours is subject to minimum use requirements and will be consumed at 1x rate for 8x5 support, 1.5x rate for after-hours support, and 2x rate for weekend/holiday support. Response time is best effort but ACCESS-ATG customers receive priority dispatch over all others.
5. ACCESS-ATG services are engaged by contacting the PCM Professional Services Delivery Team via email Access-ATG@pcm.com.
6. ACCESS-ATG services may be used to dispatch any engineer across any Tier 1 vendor PCM supports, such as **Cisco, EMC, HP, Microsoft, VMware**, etc. As we can expand our ACCESS-ATG offering, ACCESS-ATG customers will automatically have access to an ever growing diversity of professional services.
7. **Travel costs** may apply if services rendered onsite exceed the 50 mile limit from the assigned PCM resource.
8. **PCM also offers additional services which are not part of the ACCESS-ATG offering.** Please contact your PCM sales account executive for details about:
 - a) Carrier Provisioning (voice/data circuits via Qwest Communications)
 - b) Managed Services (proactive 24/7 network monitoring and response)
 - c) Hosted Services (virtual servers, array replication, remote data backup, & more)
9. **ACCESS-ATG is not a replacement for manufacturer level support** (i.e. Cisco SMARTnet & others) which offers other benefits not covered by ACCESS-ATG such as manufacturer hardware replacement, access to manufacturer technical support, and access to manufacturer website, downloads of firmware, software upgrades etc. online.
10. **Other PCM and manufacturer level services may be leveraged with ACCESS-ATG even though they are not included.** For example, if you have a Cisco SMARTnet contract and a ACCESS-ATG engineer determines that you have faulty hardware in your environment covered by manufacturer support, we can, at your option, open a ticket and handle all tasks therein to replace such hardware. Similarly, if you sign up for PCM Managed Services and our 24/7 NOC determines an issue in your network which requires onsite support; your ACCESS-ATG contract may be leveraged automatically to cover this requirement.
11. **ACCESS-ATG terms & conditions are subject to change** with prior notification to you, our customer. We are constantly improving our program and will keep you informed of such changes and new benefits as they arise.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and date set forth below:

Reduced Hourly					
Initial	Tier	Hour	Rate	Cost	Savings
	Ad Hoc	12	\$225.00/Hour*	\$2,700	Bundled Discount

* Discount for bundled Software and Hardware Purchase.

PAID IN ADVANCE or PAID MONTHLY FOR HOURS WORKED
(Please circle one.)

Town of Palm Beach

PCM Sales, Inc.

Printed Name

Printed Name

Signature

Signature

Title

Title

Date

Date

Customer PO Number *

Location(s) where Services will be provided *

1. Please specify the quantity of hours in the PO
2. Email a signed copy of the signature page and Purchase Order to Access-ATG@pcm.com
3. For any questions or inquiries, please contact your local PCM representative, call 310-337-5200 or email us at: Access-ATG@pcm.com

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 074-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase of a Dell Isilon Network Area Storage Solution on State of Florida Contract MNWNC-10943211500-WSCA-15-ACS to CDWG in the Amount of \$138,577.68 and Establishing a Budget of \$145,000 for Purchases in Fiscal Year 2017; and Authorizing the Town Manager to Execute this Purchase on Behalf of the Town.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum dated April 24, 2017, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Resolution No. 074-2017**
- ▣ **Florida EMC Naspro Valuepoint Contract**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

Via: Jay Boodheshwar, Deputy Town Manager

From: Charles Kapachinski, Information Technology Manager

Re: Approval of Purchase of Dell-EMC Isilon NAS on State of Florida
Contract MNWNC-10943211500-WSCA-15-ACS
Resolution No. 074-2017

Date: April 24, 2017

STAFF RECOMMENDATION

Staff recommends adoption of Resolution No. 074-2017, approving the purchase of a Dell EMC Isilon Network Area Storage (NAS) Solution via the State of Florida Contract MNWNC-10943211500-WSCA-15-ACS, and for service to setup and configure the storage solution to CDWG in the amount of \$138,577.68, and establishing a budget of \$145,000 for fiscal year 2017. Approval of said resolution will authorize the Town Manager to approve the requisition, sign the service agreement and expend the funds from the Equipment Replacement Fund FY2017 General Fund and Contingency funds for said purchase.

GENERAL INFORMATION

The Town has experienced continual challenges with the current disparate storage devices used to store town-wide data. The current disparate systems have experienced a variety of technical issues due to their age and the architecture of these legacy configurations. The systems lack stability, redundancy, resiliency and the ability to keep up with exponential data growth as a result of data retention regulations and the need for public transparency. The current devices have reached end of life and needs to be replaced with a more robust solution that aligns with the complex, high availability needs of Town demand. The proposed solution will provide necessary next-generation features that will provide; faster access speeds, redundancy and resiliency, as well as long-term scalability or the ability to easily expand as data growth exceeds provisioned space.

This solution will be purchased under State of Florida Contract MNWNC-10943211500-WSCA-15-ACS, following Purchasing's guidelines for major purchases and to provide the Town with the best competitive prices for this equipment. We are also contracting with CDWG

to setup and configure the server, providing the Town with a “turnkey” storage solution.

PURCHASING REVIEW

The Purchasing Division has reviewed the contract documents and found them in compliance with piggybacking requirements. This procurement has been reviewed and approved by the Purchasing Division of the Finance Department and award is hereby recommended to PCMG.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed all documents and approved for legal form and sufficiency.

FUNDING/FISCAL IMPACT

This purchase will come from the Office of Information Technology Equipment Replacement Fund budget in the amount of \$44,812.00 and is included in the FY2017 budget along with the remaining \$96,765.68 from FY 2017 General Fund contingency funds. The award is for \$138,577.68 to CDWG and will allow for the Town to purchase the designated storage solution.

Attachments

Cc: Adis Pedraza, Purchasing Manager
Jane Struder, Finance Director

RESOLUTION NO. 074-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF A DELL ISILON NETWORK AREA STORAGE SOLUTION ON STATE OF FLORIDA CONTRACT MNWNC-10943211500-WSCA-15-ACS TO CDWG IN THE AMOUNT OF \$138,577.68 AND ESTABLISHING A BUDGET OF \$145,000 FOR PURCHASES IN FISCAL YEAR 2017; AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THIS PURCHASE ON BEHALF OF THE TOWN.

WHEREAS, staff recommends approval of the purchase of Dell-EMC Network Area Storage Solution on State of Florida Contract MNWNC-10943211500-WSCA-15-ACS in the amount of \$138,577.68 and establishing a budget of \$145,000 for purchases in fiscal year 2017 and authorizing the Town Manager to execute the agreement and purchase from CDWG.

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 approval for the purchase of Dell-EMC Isilon NAS Solution on State of Florida Contract MNWNC-10943211500-WSCA-15-ACS in the amount of \$138,577.68 and establishing a budget of \$145,000 are hereby approved and the Town Manager is authorized to execute this purchase on behalf of the Town.

Section 3: Funding for said purchases shall come from A) FY 2017 Office of Information Technology Equipment Replacement Fund in the amount of \$44,812.00 and B) FY 2017 General Fund Contingency in the amount of \$96,765.68.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



140TB usable with 3 Years support



Prepared For: Town of Palm Beach
Customer #: 10249565
Attention: Kris
Project: Scale out file storage and backup
Date: 05/03/2017

Submitted By: Gina Sperando
 Account Manager
Phone: 877-535-5650
E-Mail: ginaspe@cdwg.com
Quote #: 6001010870 V02

Florida EMC Naspo ValuePoint Contract MNWNC-10943211500-WSCA-15-ACS

	Qty.	Part	Description	
Hardware	3	X410-SATA-002	X410-72T/64G/2X10GE+2X1GE	
	3	612-0015	64GB RAM	
	3	613-0008	10GBE DUAL-PORT SFP WITHOUT OPTICS	
	3	611-0046	72TB HDD/3.5IN	
	6	851-0209	CABLE, IB QDR, QSFP-QSFP, 3M	
	3	800-0012	PWRCRD,2,IEC320 C14-C13,208V UNIVERSAL	
	3	851-0099	2 SFP+ OPTICS KIT - 10GBE	
	2	851-0167	MELLANOX 8 PORT QDR SWITCH	
	2	800-0012	PWRCRD,2,IEC320 C14-C13,208V UNIVERSAL	
				Extended Sell
			Hardware Total:	\$90,519.52
Software	1	TRK-ENTERP DESC	CONADV/SNAP/QTA	
	3	201-0301-CF	SW: ENTERPRISE BUNDLE (TIER 3)=ID	
	3	200-0404-CF	INSIGHTIQ FOR ONEFS=ID	
				Extended Sell
			Software Total:	\$9,098.55
Hardware Support	1	M-PREHWI-001	PREMIUM HARDWARE SUPPORT (36 mos.)	
				Extended Sell
			Hardware Support Total:	\$28,130.19
Software Support	1	M-PRESWI-001	PREMIUM SOFTWARE SUPPORT (36 mos.)	
	1	M-PRESWI-001	PREMIUM SOFTWARE SUPPORT (36 mos.)	
				Extended Sell
			Software Support Total:	\$4,913.00
Services	1	PSINST-ESRS	ZERO DOLLAR ESRS INSTALL	
	1	PS-BAS-IMBSP	ISILON BASE PLUS IMPLEMENTATION	
	1	PS-BAS-INIS4U	ISILON 4U INSTALLATION BASE	
				Extended Sell
			Services Total:	\$10,829.42
				Extended Sell
			Solution Total:	\$143,490.68
			Incentive (Expires 05/31/17):	-\$4,913.00
			Grand Total:	\$138,577.68

Prepared By: Jeff Kirkton (Solution Architect)

Prices are contingent on final pricing approval from Manufacturer

Quote provided based on specification provided by customer. No workload validation has been done.

The terms and conditions provided on this link apply: <http://www.cdwg.com/content/terms-conditions/default.aspx>

Applicable Taxes and Shipping not shown.

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 075-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing Authorization for a Contract Extension for the Worth Avenue Commercial District Maintenance Program to Battalan Enterprises dba Property Works, in an Amount Not-To-Exceed \$135,865.31 and Establishing a Project Budget of \$149,455 for the Worth Avenue Commercial District Maintenance Program, Which is a Non-Advalorem Assessment Paid for by the Property Owners Within the Assessment Area.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 24, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 075-2017**
- ▣ **RFP 2016-24A**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Renewal of the Contract for the Worth Avenue Commercial District Maintenance Program - RFP No. 2016-24
Resolution No. 075-2017

DATE: April 24, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 075-2017, authorizing a contract extension to Battalan Enterprises dba Property Works (Property Works), for the Worth Avenue Commercial District Maintenance Program in a not-to-exceed amount of \$135,865.31, and establishing an overall budget of \$149,455.

GENERAL INFORMATION

The Worth Avenue Commercial District Maintenance Program includes a twice a year pressure washing and once a year sealing of the tabby sidewalk, weekly maintenance and cleaning of the common areas, fountain maintenance, landscape and streetscape maintenance. Equipment and landscape replacement is authorized on an “as required” basis.

The Town issued RFP No. 2016-24 for the Worth Avenue Commercial District Maintenance Program. On June 6, 2016, Property Works was awarded the contract and has performed satisfactorily. The contract provides for the option of four (4) twelve (12) month renewals with all original terms, conditions, and pricing. This is the first renewal of the contract. The contractor has requested a CPI increase of 1.6% as detailed in the terms of their contract. This will increase the overall cost based on bid quantities to \$135,865.31. The overall project budget is \$149,455 which includes a ten percent (10%) contingency to cover unforeseen conditions or special circumstances

FUNDING/FISCAL IMPACT

The proposal of Property Works falls within the adopted budget for this maintenance program, which includes the cost of utility services and a contingency in addition to the actual maintenance work contemplated by the RFP. This budget is contained in the 311 Worth Avenue Maintenance Fund. The source of funding for the fund is non-ad valorem assessments paid for by the benefitting property owners within the Worth Avenue Commercial District Assessment area.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Jane Struder, Director of Finance
Eric Brown, P.E., Assistant Director of Public Works
Dean Mealy, Purchasing Manager

RESOLUTION NO. 075-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING AUTHORIZATION FOR A CONTRACT EXTENSION FOR THE WORTH AVENUE COMMERCIAL DISTRICT MAINTENANCE PROGRAM TO BATTALAN ENTERPRISES DBA PROPERTY WORKS, IN AN AMOUNT NOT-TO-EXCEED \$135,865.31 AND ESTABLISHING A PROJECT BUDGET OF \$149,455 FOR THE WORTH AVENUE COMMERCIAL DISTRICT MAINTENANCE PROGRAM WHICH IS A NON-ADVALOREM ASSESSMENT PAID FOR BY THE PROPERTY OWNERS WITHIN THE ASSESSMENT AREA.

* * * * *

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

WHEREAS, a contract was awarded on June 6, 2016, to Battalan Enterprises dba Property Works for the Worth Avenue Commercial District Maintenance Program; a copy of which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, vendor has agreed to an extension of the terms and conditions of the said contract, which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, Battalan Enterprises dba Property Works has provided acceptable service under that contract; and

WHEREAS, that contract allows for four (4) twelve (12) month extensions.

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 authorizes a contract extension to Battalan Enterprises dba Property Works for the Worth Avenue Commercial District Maintenance Program in a not-to-exceed amount of \$135,865.31 and establishes a project budget of \$149,455.

Section 2. The Town Manager is hereby authorized to execute this contract extension on behalf of the Town of Palm Beach for these services.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said services, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



TOWN OF PALM BEACH

PURCHASING DIVISION

April 20, 2017

Preston Searls
Batallan Enterprises Inc., dba Property Works
1201 Roebuck Court
West Palm Beach, FL 33401
Email: preston@propertyworksonline.net

Ref: RFP No. 2016-24 – WORTH AVENUE COMMERCIAL DISTRICT MAINTENANCE PROGRAM
Year 2 of Contract – 1st Renewal
RFP 2016-24A

Dear Preston:

As specified in the referenced solicitation document, we have the option to renew the existing contract for another one-year period if it is mutually agreeable to all parties.

Our current contract expires on **June 6, 2017**. Please advise by signature below, if a one-year extension of our current contract at same terms, conditions, specifications and pricing stated in your submittal to RFP No. 2016-24 would be acceptable.

Please complete and return this form to the Purchasing Division by no later than **2:00 PM, April 25, 2017**. Your response may be emailed to sshea@townofpalmbeach.com or faxed to 561-835-4688.

Sincerely,

Sandy Shea
Buyer, Public Works



I hereby agree to a one year extension of the subject bid.



I do not approve a one year extension of the subject bid for the following reasons:

PROPERTYWORKS IS REQUESTING THE CURRENT
CPI FOR ITS RENEWAL.

SIGNATURE

APRIL 21, 2017

DATE

JASON BATALLAN

NAME (PRINT)



TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 076-2017 A Resolution of the Town Council of Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to PO No. 160900 to Auxis Managed Solutions, LLC. in the Amount of \$95,000 for the Provision of Information Technology Support Services for the Office of Information Technology.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum dated April 24, 2017, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Resolution No. 076-2017**
- ▣ **Auxis Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager
Jay Boodheshwar, Deputy Town Manager

From: Charles Kapachinski

Re: Extension of RFQ No. 19-2016 for Information Technology Support Services
Resolution No. 076-2017

Date: April 24, 2017

STAFF RECOMMENDATION

Staff recommends Town Council adopt Resolution No. 076-2017, increasing Purchase Order No. 160900 with Auxis Managed Solutions, LLC (Auxis), for information technology (IT) support services for the Office of Information Technology, in the amount of \$95,000.

GENERAL INFORMATION

As previously reported, staff is in the process of evaluating the Town's current IT organizational structure to determine what changes should be made to position it for long term success. To allow sufficient time to finalize the organizational assessment and implement required changes, while providing the necessary IT support services to ensure the Town's technology needs are being met, staff is recommending the extension of our agreement with Auxis. RFQ No. 19-2016 was issued in FY 2016 to obtain pricing in accordance with State of Florida Contract No. 973-561-010-1, Project Area 3: Operational and Support, for the provision of IT support services to augment Town staff. This was the basis for the original agreement with Auxis. A variety of services are available as needed, including:

- | | |
|--|----------------------------------|
| 1. Network Support | 6. SQL Database Support |
| 2. Windows Server Support | 7. Desktop Support |
| 3. Virtualization Support | 8. Business Applications Support |
| 4. Storage & Data Protection | 9. IT Management Support |
| 5. Infrastructure Applications Support | |

Auxis has provided staffing coverage for 3 vacant positions during the evaluation and hiring process, completed the migration of the Town's e-mail solution, IBM NOTES, to Microsoft Exchange (Exchange, SharePoint and Skype), provided routine business application service and support for Exchange where staff skills are limited, assisted with several critical server issues and provided expert-level assistance on systems related issues that exceeded staff knowledge or experience. Additionally, Auxis has provided information that has assisted with increasing Internet bandwidth that in turn has eliminated service gaps as a result of insufficient bandwidth levels.

PURCHASING REVIEW

This procurement has been reviewed and approved by the Purchasing Division of the Finance Department.

TOWN ATTORNEY REVIEW

This is a standard resolution in a form previously approved by the Town Attorney for legal form and sufficiency.

FUNDING/FISCAL IMPACT

Funding for the IT support services will be fully contained in the FY2017 Information Technology operating budget, through savings from previously vacant positions and deferment of certain expenditures that were originally planned for FY2017. The requested \$95,000 is a not to exceed number to ensure service gaps are met through the end of FY2017. No additional appropriation is required at this time.

Attachments

Cc: Adis Pedraza, Purchasing Manager
Jane Struder, Finance Director

RESOLUTION NO. 076-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CHANGE ORDER TO PO NO. 160900 TO AUXIS MANAGED SOLUTIONS, LLC. IN THE AMOUNT OF \$95,000 FOR THE PROVISION OF INFORMATION TECHNOLOGY SUPPORT SERVICES FOR THE OFFICE OF INFORMATION TECHNOLOGY.

* * * * *

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Manager is hereby authorized to execute a change order to PO No. 160900 on behalf of the Town of Palm Beach for the provision of information technology support services with Auxis Managed Solutions, LLC.

Section 2. The Town Manager, or his designee, is hereby authorized to take such further legal actions as may be necessary to effectuate the provision of information technology support services to the Town of Palm Beach.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of May, 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



**TOWN OF
PALM
BEACH
REQUEST**

Due Date: November 18, 2015 at 2:00 p.m.

INTENT AND SCOPE

It is the intent to obtain pricing, in accordance with *State of Florida Contract No. 973-561-010-1, Project Area 3: Operational & Support*, which covers and includes all required labor, materials, equipment and freight necessary for and reasonably incidental for full and complete execution of this project. All terms, conditions and specifications of State Contract No. 973-561-010-1 shall apply.

Attachment "A" describes the Statement of Work.

Attachment "B" describes the Quotation Guidelines and Requirements.

The attachments are to be considered part of this Request for Quotation (RFQ).

SCHEDULE OF BID ITEMS

The undersigned as bidder does declare that no other persons other than the bidder herein named has any interest in this bid or in the contract to be taken, and that it is made without any connection with any other person or persons making bid for the same article, and is in all respects fair and without collusion or fraud.

The undersigned further declares that they have carefully examined the specifications and is thoroughly familiar with its provisions and with the type of services called for therein.

The undersigned further declares that he proposes to furnish Information Technology Services, as specified, for the following prices:

Line	Description	Estimated Monthly Qty*	Unit of Measure	Rate	Total
1	Network Support	24	Hourly	\$92	\$2,203
2	Windows Server Support	40	Hourly	\$81	\$3,230
3	Virtualization Support	40	Hourly	\$81	\$3,230
4	Storage & Data Protection	20	Hourly	\$81	\$1,615

Company Name: Auxis, LLC Authorized Signature: R. D. Vega

Line	Description	Estimated Monthly Qty*	Unit of Measure	Rate	Total
5	Infrastructure Applications Support	24	Hourly	\$81	\$1,938
6	SQL Database Support	28	Hourly	\$103	\$2,880
7	Desktop Support	70	Hourly	\$56	\$3,927
8	Business Applications Support	26	Hourly	\$96	\$2,497
9	IT Management Support	12	Hourly	\$124	\$1,489
10	Monitoring	1	Lump Sum/ Month	\$7-\$22/Device (see SOW)	\$2,356 Monthly \$4,150 On-Time Setup
11	Remote Service Desk	1	Lump Sum/ Month	\$7.5-8.0/Ticket (see SOW)	\$12,000 Monthly \$18,000 One-Time Setup
Total					\$37,366 Monthly \$22,150 One-Time Setup

* Quantity shown is a monthly estimate for bid comparison purposes, only. Awarded Contractor(s) will be required to invoice the Town for actual hours worked.

The Proposer certifies that this proposal is submitted in accordance with the specification in its entirety and with full understanding of the conditions governing the aforementioned procurement. The undersigned

Firm: Auxis, LLC

**Signature: R. L. Vega Name/Title: CEO

Address 8151 Peters Rd., Third Floor, Plantation, FL Zip: 33324

Federal ID#: 452860845

Telephone Number: (954) 236-4000 Fax: (954) 236-6853

** Failure to affix signature may result in disqualification of proposal.

Name of Bidder's Contact Person: Jose Alvarez

Address: 8151 Peters Rd, Third Floor, Plantation, FL 33324

Phone Number: 954.236.4000

Fax Number:

954 236 6853

Email Address: Jose.Alvarez@auxis.com

REMARKS: See attached SOW.

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Consent - Other

Agenda Title

Request By the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's Fourth on Flagler Event

Presenter

Thomas G. Bradford, Town Manager

ATTACHMENTS:

- ▣ **Fourth on Flagler Memo**
- ▣ **Fourth on Flagler Memo Attachments**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

From: Thomas G. Bradford, Town Manager

Re: Request by the City of West Palm Beach for Town Sponsorship in the Amount of \$12,000 for the City's Fourth on Flagler Event

Date: April 28, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council authorize the expenditure of \$12,000 from the FY 2017 General Fund Contingency for the Town to once again be an official sponsor of the City of West Palm Beach's Fourth on Flagler July 4th Celebration.

GENERAL INFORMATION

Attached is a letter dated March 30, 2017, from Cinde Martin, Marketing Consultant for the City of West Palm Beach, requesting that the Town be an official sponsor of the Fourth on Flagler event. The attachment to Ms. Martin's letter identifies benefits of sponsorship.

The Town has previously sponsored this event, including last year for \$12,000. Since many Palm Beach residents enjoy the Fourth on Flagler fireworks, we believe this Town sponsorship is fair, provides a public benefit, and is good intergovernmental relations. Therefore, staff recommends Town Council approval of this request.

FUNDING/FISCAL IMPACT

If Town sponsorship of the Fourth on Flagler event is approved by the Town Council, the \$12,000 cost for this sponsorship will be expended from the FY 2017 General Fund Contingency Account.

Attachments

TGB:gp

cc: Jane Struder, Director of Finance



"The Capital City of the Palm Beaches"

March 30, 2017

Mr. Thomas Bradford
Town of Palm Beach
Correspondence via e-mail

Dear Mr. Bradford,

We are so grateful to have had The Town of Palm Beach's past support for the City of West Palm Beach's 4th on Flagler celebration for so many years. Thank You.

It's our 29th Anniversary this year and we are respectfully requesting the Town of Palm Beach again serve as a sponsor and donate \$ 12,000.00 to the event. As you know, we serve as the County's largest Fireworks display on the 4th of July.

This year, like last, we are also undertaking a 90-day Summer In Paradise Campaign to include an Arts In Public Places Project called Aesop's Tables. As part of the celebration we are including trolley and bike tours that include Palm Beach destinations. Discover the Palm Beaches is helping to fund us and will promote Summer In Paradise and Aesop's Tables to out of market visitors in Florida, Massachusetts, Philadelphia, New York and Chicago. We would LOVE to have the Town involved in and donate to our Summer In Paradise Program as well. Official Sponsorships begin at \$10,000.00.

We would happily make you an official sponsor of both projects for only \$ 15,000.00.

I've attached an outline of the benefits you will receive. Let me know if you have any other requests. We look forward to working with you on this year's 4th on Flagler! (And, hopefully on Summer In Paradise as well.)

Sincerely,

Cinde A. Martin
Marketing Consultant



OFFICIAL SPONSORSHIP
Town of Palm Beach

SATURDAY, JULY 4, 2017

Attendance approximately 120,000+

Join the City Of West Palm Beach for South Florida's largest and best Fourth of July Celebration. Celebrating our 29th year, 4th on Flagler has become the largest, free community celebration in Palm Beach County. This year we will be celebrating Palm Beach County in a BIG way. We invite the Town of Palm Beach to join us in providing this community service for all residents.

The celebration is heavily promoted on television – we are again working with WPBF-TV 25 again and we welcome our radio partners, Alpha Media USA which includes 97.9 WRMF, WIRK 103.1, SUNNY 107.9, BEATZ FM, 840 WFTL, 640 Fox Sports and X 102.3 with The Palm Beach Post supplying our print ads. With two stages, a kids area, an art area, delicious food and drink, and of course the grand star – the fireworks – this event is slated for good ole' Americana fun!

Benefits include:

- Corporate Display Areas; one (1) 10x10 tent on Flagler Drive
- Media Recognition
 - Corporate Inclusion in select print ads to run in The Palm Beach Post
 - Corporate Inclusion in select radio ads to run on Palm Beach Broadcasting
- Website Inclusion
- Collateral Inclusion
- Prominent Signage at Event; Inclusion on all Sponsor Boards
- VIP Ticket Package for Event
 - 1 VIP Parking Pass
 - 14 Tickets to the VIP Hospitality Area
- Right to pre and post event promotions (with City's prior approval)
- First right of refusal

PACKAGE VALUE - \$ 20+K ANNUALLY

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Board/Commission Annual Report

Agenda Title

Code Enforcement Board Annual Report

Presenter

James M. Ballentine, Jr., Chair

ATTACHMENTS:

- ▣ **Memodrandum dated April 25, 2017, by Kirk W. Blouin, Direcotr of Public Safety**
- ▣ **2017 Annual Report Fine List**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council
Via: Thomas G. Bradford, Town Manager
From: Kirk W. Blouin, Director of Public Safety
Re: Annual Report – Code Enforcement Board
Date: April 25, 2017

STAFF RECOMMENDATION

Staff recommends the Town Council hear the presentation of the Annual Report for 2016/2017 by James M. Ballentine, Jr., Chair of the Code Enforcement Board.

GENERAL INFORMATION

The following information is a summary of the activities of the Code Enforcement Board for the past year. Benjamin Alma, Code Enforcement Manager, is prepared to answer any questions from the Town Council.

The Code Enforcement Board consists of 9 members (7 regular members and 2 alternates). James M. Ballentine was elected as Chair at the April 2017 meeting and Cynthia Van Buren was elected as Vice Chair. The remaining regular members are Robert Donnelley, Matthew Natale, Scotch Peloso, Jay N. Nisberg and Daniel McDonnell. The two alternate members are Donald B. Scott, Jr. and Rosemary G. Carpenter.

From May 2016 through April 2017, the Code Enforcement Board heard 52 new code violation cases, 12 fine consideration cases, 4 requests for fine reductions and 1 case as old business. During this same period of time, the Town of Palm Beach collected \$74,975.00 in fines ordered by the Code Enforcement Board and \$7,875.00 in Code Enforcement administrative fees.

As of April 25, 2016, there are 6 properties with daily running fines which total \$1,642,150.00, 13 properties with non-running fines totaling \$751,377.84 and 6 non-property owners with non-running fines totaling \$1,750.00. Liens in favor of the Town have been filed against property owners where applicable.

Information for Town Council Meeting: 5/9/17
April 25, 2017
Page 2

Notice of Code Violation Citations written and collected from May 2016 to April 2017 in which the violator admits to guilt and pays the fine, totaled \$ 14,335.00

At the present time, the Code Enforcement staff is comprised of 1 civilian manager who also manages the parking enforcement function of the police department, a parking/code enforcement specialist and 2 full time code enforcement officers.

Code enforcement staff handled 1225 complaints from May 1, 2016 through April 25, 2017 of which 410 were self-initiated by the code enforcement officers. There were 1,813 inspections completed, 680 code violation written warnings, 339 verbal warnings, 211 notice of violation letters issued, 113 Notice of Violation Citations issued and 71 Board Orders issued. Staff also wrote 90 Right of Way violations for construction parking incidents.

Attached is a list of all properties with current outstanding code enforcement fines.

Attachment

KWB/ba

Code Enforcement Board Costs and Fines as of 4/25/2017

Case #	Name	Address	Date Board Order	CEB costs	Non-Running Fine	Daily Running Fine	Date Costs or Fine Assessed or started	Current Date or Date Fine Stopped	Total Due	Comments	Homestead/Foreclosure Status
07-2073	Robert & Beverly Lowden	129 Chilean Ave.	3/15/2007	\$150.00	\$477.84	\$250.00	3/14/2007	7/31/2007	\$35,377.84	\$150 CEB Cost 3/15/07; \$250/day start 3/14/07, end 7/31/07; Adv fee \$477.84	Homesteaded/Cannot Foreclose
07-2277	Susan Gibson	226 Pendleton Ave.	9/20/2007	\$150.00		\$250.00	9/29/2007	3/20/2008	\$43,400.00	\$150 CEB 9/20/07; \$250/day start 9/29/07, end 3/20/08 (sewer)	Homesteaded/Cannot Foreclose
07-2277	Susan Gibson	226 Pendleton Ave.	9/20/2007			\$250.00	10/17/2007	4/25/2017	\$869,500.00	\$250/day start 10/17/07 (doors and windows)	Homesteaded/Cannot Foreclose
08-2497	Palm Beach International Properties	235 Sunrise Ave.C-19	5/15/2008	\$150.00	\$250.00		5/15/2008	5/15/2008	\$400.00	\$150 CEB and \$250 Fine on 5/17/08	Commercial/Foreclosure costs exceed balance due
08-2498	Palm Beach International Properties	235 Sunrise Ave.C-19	5/15/2008	\$150.00	\$250.00		5/15/2008	5/15/2008	\$400.00	\$150 CEB and \$250 Fine on 5/17/08	Commercial/Foreclosure costs exceed balance due
08-2499	Palm Beach International Properties	235 Sunrise Ave. C-19	5/15/2008	\$150.00	\$500.00		5/15/2008	5/15/2008	\$650.00	\$150 CEB and \$500 Fine on 5/17/08	Commercial/Foreclosure costs exceed balance due
08-2500	Palm Beach International Properties	235 Sunrise Ave. C-19	5/15/2008	\$150.00	\$500.00		5/15/2008	5/15/2008	\$650.00	\$150 CEB and \$500 fine on 5/17/08	Commercial/Foreclosure costs exceed balance due
10-2706	Susan C. Lee	287 Pendleton Ave.	4/15/2010	\$150.00		\$250.00	4/10/2010	4/25/2017	\$643,150.00	\$250/day; start 4/10/10	Non-Homesteaded; Owner Occupied
CE 12-16	Robert & Beverly Lowden	129 Chilean Ave.	3/22/2012	\$150.00	\$0.00	\$250.00	4/7/2012	6/18/2015	\$291,900.00	\$150 CEB on 3/22/12 and \$250 fine start 4/7/12; fine stopped 6/18/15	Homesteaded
CE 14-152	Ellis & Nancy Parker	2165 Ibis Isle Rd. #8	3/20/2014	\$150.00	\$0.00	\$250.00	4/15/2014	7/23/2014	\$24,900.00	\$150 CEB on 3/20/14; \$250/day start 4/15/14 per 4/17/14 BO; final permit issued, compliance reached on 7/23/14	Not Homesteaded
CE 14-1091	160 Royal Palm LLC	160 Royal Palm Way	10/16/2014	\$150.00	\$0.00	\$250.00	9/22/2014	12/7/2014	\$19,150.00	\$250 fine starting 9/22/14 per 10/16/14 Board Order; last time over reading 12/6/14, fine stopped (put in as 12/7/14 on list as calculates to 12/6/14)	Commercial property
CE 14-1212	160 Royal Palm LLC	160 Royal Palm Way	12/18/2014	\$150.00	\$0.00	\$250.00	1/10/2015	11/17/2016	\$169,400.00	\$150 CEB on 12/18/14; \$250/day fine start 1/10/15 per 1/15/15 BO; temporary stop fine on 11/17/16 per Board Order	Commercial property
CE 14-1360	Robert & Beverly Lowden	129 Chilean Ave.	2/19/2015 and 3/19/15	\$150.00	\$0.00	\$250.00	2/27/2015	6/9/2015	\$25,650.00	\$150 CEB on 2/19/15; \$250/day starting 2/27/15 per 3/19/15 BO; debris removed on 6/9/15 - fine stopped	Homesteaded
CE 1506	224 Atlantic LLC	224 Atlantic Ave.	3/19/2015	\$150.00	\$0.00	\$250.00	4/11/2015	10/11/2016	\$137,400.00	\$150 CEB on 3/19/15; \$250/day start 4/11/15 per 4/16/15 BO; Compliance reached 10/11/16	Not Homesteaded

Code Enforcement Board Costs and Fines as of 4/25/2017

Case #	Name	Address	Date Board Order	CEB costs	Non-Running Fine	Daily Running Fine	Date Costs or Fine Assessed or started	Current Date or Date Fine Stopped	Total Due	Comments	Homestead/Foreclosure Status
CE 15-459	Paul Pomfret	168 Reef Rd.	9/17/2015	\$150.00	\$0.00	\$50.00	8/31/2015	9/24/2015	\$1,200.00	\$150 CEB on 8/20/15, paid on 9/16/15; \$50/day start 8/31/15 per BO dated 9/17/15; fine stop 9/24/15	Not Homesteaded
CE 15-461	Karin Jack	1047 S. Ocean Blvd.	7/16/2015	\$150.00	\$0.00	\$100.00	7/28/2015	4/25/2017	\$63,850.00	\$150 CEB on 7/16/15; \$100/day start 7/28/15	Not Homesteaded
CE 15-471	Arij Gasiunasen	260 Clarke Ave.	7/16/2015	\$150.00	\$0.00	\$0.00	7/16/2015	7/16/2015	\$150.00	\$150 CEB on 7/16/15; came into compliance on 7/17/15	Homesteaded
CE 15-780	Steve Demetro & Crown PDR & Collision Center LLC	515 N. Lake Way	8/20/2015	\$150.00	\$250.00	\$0.00	8/20/2015	8/20/2015	\$400.00	\$150 CEB and \$250 fine on 8/20/15	violator not property owner
CE 15-781	Steve Adams & Crown PDR & Collision Center LLC	515 N. Lake Way	8/20/2015	\$150.00	\$250.00	\$0.00	8/20/2015	8/20/2015	\$400.00	\$150 CEB and \$250 fine on 8/20/15	violator not property owner
CE 15-964	Matthew Gabelli	1157 N. Lake Way	11/19/2015	\$150.00	\$0.00	\$0.00	11/19/2015	11/19/2015	\$150.00	\$150 CEB Admin on 11/19/15, owes alarm fees	Not Homesteaded
CE 15-1068	Sheldon Kramer & Savecard Advertising	302 S. County Rd.	12/17/2015		\$250.00	\$0.00	12/17/2015	12/17/2015	\$250.00	\$150 CEB admin and \$250 CEB fine on 12/17/15; called to advise he would just pay, admission of guilt.	violator not property owner
CE 16-7	The Sweet Spot Inc.	100 Blk. Chilean Ave.	1/21/2016	\$150.00	\$125.00	\$0.00	1/21/2016	1/21/2016	\$275.00	\$150 CEB admin costs and \$125 fine on 1/21/16	violator not property owner
CE 16-406	Yoel Concepcion	2145 S. Ocean Blvd.	6/16/2016	\$150.00	\$125.00	\$0.00	6/16/2016	6/16/2016	\$275.00	\$150 CEB and \$125 Fine on 6/16/16	violator not property owner
CE 16-680	Joshua & Celeste Leader	232 Cherry Ln.	10/20/2016	\$150.00	\$0.00	\$250.00	11/5/2016	4/25/2017	\$42,900.00	\$150 CEB admin costs on 10/20/16; \$250/day fine start 11/5/16 per 11/17/16 BO	Not Homesteaded
CE 16-709	Cornelia M. Lorentzen	353 Seaspray Ave.	11/17/2016 and 12/15/16	\$150.00	\$0.00	\$100.00	12/3/2016	4/25/2017	\$14,450.00	\$150 CEB admin costs on 11/17/16; \$100 day fine strat 12/3/16 per 12/15/16 BO	Not Homesteaded
CE 16-1016	Karin Jack	1047 S. Ocean Blvd.	1/19/2017 & 2/16/17	\$150.00	\$0.00	\$100.00	2/11/2017	4/25/2017	\$7,450.00	\$150 CEB admin costs on 1/19/17; \$100 daily fine start 2/11/17 per BO dated 2/16/17	Not Homesteaded
CE 16-1091	Gary & Terri Schottenstein	270 El Bravo Way	3/16/2017	\$150.00	\$0.00	\$0.00	3/16/2017	3/16/2017	\$150.00	\$150 CEB on 3/16/17	Not Homesteaded
CE 16-1116	Susan C. Gibson	226 Pendleton Ave.	3/16/2017 & 4/20/17	\$150.00	\$0.00	\$100.00	4/18/2017	4/25/2017	\$850.00	\$150 CEB on 3/16/17; \$100/day fine imposed on 4/20/17 retro to 4/18/17	Homesteaded
CE 16-1130	Michael & Roberta Joseph	2288 Ibis Isle Rd. W.	2/16/2017	\$150.00	\$0.00	\$0.00	2/16/2017	2/16/2017	\$150.00	\$150 CEB admin costs on 2/16/17	Not Homesteaded
CE 17-227	Geryl T. Pearl	1237 N. Lake Way	4/20/2017	\$150.00	\$0.00	\$0.00	4/20/2017	4/20/2017	\$150.00	\$150 CEB admin costs on 4/20/17	Not Homesteaded
CE 17-221	Le Macaron Palm Beach LLC & Milton Partnership LTD	302 S. County Rd. AKA 296 S. County Rd.	4/20/2017	\$150.00	\$0.00	\$0.00	4/20/2017	4/20/2017	\$150.00	\$150 CEB admin costs on 4/20/17	Commercial property

Case #	Name	Address	Date Board Order	CEB costs	Non-Running Fine	Daily Running Fine	Date Costs or Fine Assessed or started	Current Date or Date Fine Stopped	Total Due	Comments	Homestead/Foreclosure Status
CE 17-301	LC Construction Florida Inc.	216 Sandpiper Dr.	4/20/2017	\$150.00	\$0.00	\$0.00	4/20/2017	4/20/2017	\$150.00	\$150 CEB on 4/20/17	violator not property owner
									\$2,395,277.84		

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Committee Reports

Agenda Title

Report of the Public Works Committee Meeting of March 31, 2017

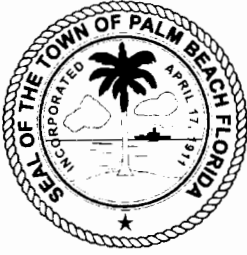
Margaret A. Zeidman, Chair

1. Use and Improvements of Public Beach Accesses
H. Paul Brazil, P.E., Director of Public Works

Presenter

ATTACHMENTS:

- ❑ **Report of the Public Works Committee Meeting of March 31, 2017**
- ❑ **Memorandum dated April 24, 2017, from H. Paul Brazil, P.E. Director of Public Works**
- ❑ **Palmo Way Beach Access Maintenance Agreement**
- ❑ **Photo**



TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE PUBLIC WORKS COMMITTEE MEETING HELD ON FRIDAY, MARCH 31, 2017

1 **I. CALL TO ORDER AND ROLL CALL**

2
3 The Public Works Committee Meeting was called to order on Friday, March 31, 2017, at 10:00
4 a.m., in the Town Council Chambers. On roll call, all Committee Member were found to be
5 present.
6

7 **II. APPROVAL OF AGENDA**

8
9 It was the consensus of the Public Works Committee to approve the Agenda.
10

11 **III. COMMUNICATIONS FROM CITIZENS**

12
13 There was none.
14

15 **IV. REQUEST FOR PUBLIC WORKS COMMITTEE DIRECTION REGARDING**
16 **AGREEMENTS FOR IMPROVEMENTS TO PUBLIC BEACH ACCESSES**

17 *Eric Brown, P. E., Assistant Director of Public Works*
18

19 Eric Brown, P.E., Assistant Director of Public Works, provided an overview of improvements
20 to the town's public beach access points, which included: past agreements, refinement of
21 current agreements, striking a balance between what is best for town Public Works access and
22 the residents. Additionally, he presented legal information from Town Attorney, John C.
23 Randolph which included maintaining compliance with public beach access regulations.
24

25 Discussion ensued regarding explanation of how the past agreements were handled, where the
26 boundaries of the private property and public property are, who will bear the cost of the
27 improvements to the public beach access, Town guidelines that need to be followed when
28 designing and constructing, recommendations to keep costs down due to equipment traffic for
29 beach maintenance, and Florida Law with signage to public access.
30

31 Frank Howington, 1236 N. Ocean Way, spoke regarding safety issues, no gate, at the public
32 beach access and believed that residents should not pay for restoration more than every 6 years..
33

34 Bill Brian, 1350 S Ocean Blvd., praised Rob Weber, Coastal Program Manager, for reaching
35 out to neighbors at the Angler entrance whenever machines would come through to do
36 maintenance and believed that other public beach accesses should share in pain.

Nancy Schroeder, 242 Kenlyn Rd, commented on improvements on Kenlyn beach access, specifically on who is responsible for it and noted that the residents of Kenlyn road paid for the gate to be replace/repared in 2002 after a storm.

Paul Brazil, P.E., Director of Public Works, clarified that only two public beach access points are viable for use due to the Army Corp of Engineer's limits of project area.

It was the consensus of the Public Works Committee to recommend this item to the Town Council for guidance on the overall process. Residents that want the renovation will be responsible for the following: 1) all costs; 2) compliance with the parameters set out in the signed agreement; 3) gates need to be properly marked according to state law.

V. REQUEST FOR PUBLIC WORKS COMMITTEE DIRECTION REGARDING STAFF PARTICIPATION WITH VARIOUS BEACH CLEAN UP EFFORTS

Robert Weber, Coastal Program Manager

Robert Weber, Coastal Program Manager, provided an overview on the history of the Town's beach cleaning services, the importance of volunteers and their participation in cleaning the public beaches, suggestions and direction regarding the use of Town resources for beach cleanup activities.

Diane Buhler, Founder of Friends of Palm Beach, gave a presentation on daily clean-up activities, and sought guidance on how to arrange for pick-up of 9 plastic bags a week on average. She suggested increases in funding to Public Works for the continued collection of trash. She also pointed out that much of the beach she cleans is county/public land, since she cleans east of the median high tideline.

Discussion ensued about the kind of trash picked up on the beach and how it is disposed of. Mrs. Zeidman stated that all trash must be placed into a container for safety of staff and residents. Ms. Moore suggested that more trash bins be placed at public accesses.

Paul Brazil, P.E., Director of Public Works, requested that the Public Works Committee let staff meet with Friends of Palm Beach a second time to provide a better recommendation to the Committee.

Rob Weber, Coastal Program Manager, provided an overview on the request of the installation of BlueTubes from a non-profit group and spoke regarding placement at public accesses and private residents.

Discussion ensued on positives and negatives of keeping the Blue Tubes clean, repurposing of the plastic bags, advertising decals, Town liability, and maintenance.

It was the consensus of the Public Works Committee to allow Staff to meet with Friends of Palm Beach a second time to provide a better recommendation and to table the item of the BlueTubes until the September 2017 meeting to allow the Citizen's Association has provided feedback from their pilot program with this product.

I. **CONSTRUCTION SCHEDULE UPDATE FOR SUMMER 2017**

Patricia Strayer, P.E., Town Engineer

Patricia Strayer, P.E., Town Engineer, presented: 1) an overview of the planned construction for this summer; 2) traffic congestion; 3) deadline extension for the Accelerated Capital Improvement Project Phase 2. She provided a complete demonstration of the Graphic Information System (GIS), which is a computer program that incorporates the location of every construction project on the island including those handled by the Town, FDOT, Gas and Water mains, and home renovations and demolition. The purpose of this system is to enhance planning at the least cost to resident's way of life. Better planning will lead to reduced road closures and traffic backups. The overlay system brings together Public Works, the Building Departments, the Police Department, and Code Enforcement.

Committee Members commended staff on the proposed GIS System.

John David Corey, 426 Australian Ave., inquired about offering suggestions for redoing the parking lot on Australian.

II. **UPDATE FOR IMPACTS TO TRAFFIC CONTROLLING AND REPORTING**

Patricia Strayer, P.E., Town Engineer, incorporated this item with the previous item.

III. **TOPICS FOR FUTURE MEETING**

Margaret Zeidman, Chair, asked that the selection process for engineering firms and construction firms be placed on the Agenda for the next meeting.

Danielle Moore, Committee Member, briefly talked about the responsibility of picking up pet waste.

Paul Brazil, Public Works Director, requested that the renovation of the West Coast Waste Water Treatment Facility, of which the Town is a partial owner, be placed on the next agenda for discussion.

IV. **ANY OTHER MATTERS**

There were none.

V. **ADJOURNMENT**

There being no further business, the Public Works Committee meeting of March 31, 2017, was adjourned at 12:13 p.m. on Friday, March 31, 2017.

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APPROVED:

Margaret A. Zeidman
Chair

ATTEST:

Susan A. Owens, MPA, MMC
Town Clerk

Date

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Use and Improvements of Public Beach Accesses

DATE: April 24, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council adopt the proposed process and draft agreement to provide a structured approach to the use and improvements of public beach accesses.

GENERAL INFORMATION

The Public Works Committee was referred this topic and at its meeting on March 31, 2017 they reviewed the various issues associated with these public beach accesses, including the funding, project and maintenance responsibilities for improvements in these locations. The Public Works Committee concurred with staff's recommendation to prepare a standard agreement that documents those responsibilities, especially with regard to the cost, effort and responsibility of the parties requesting the improvements. Similarly, the Committee also concurred with the recommendation to establish fair and equitable method of distributing the use of public beach accesses for beach construction activities by the Town (US Army Corps of Engineering projects, etc.), and identifying suitable locations and a rotational schedule for their use. (See the special considerations paragraph below.)

The proposed process to review and approve any local (neighborhood) improvements to the Town's public beach accesses would include the following elements:

- A majority of residents on any given street or neighborhood would need to agree with the proposed improvements, as documented by a signed petition.
- The residents by entering into an agreement to perform these improvements understand that the full cost of planning, designing, constructing and maintaining them would be borne by the residents' group requesting the improvements.
- The use of a professional design consultant is required at the residents' expense to prepare such plans, specifications, permit drawings, or other documentation as deemed necessary by the Town to define the project and improvements being sought.
- The project will be reviewed by Town staff, and bids solicited in accordance with the Town's purchasing guidelines.
- The project to construct the improvements will be managed by Town staff, and a contractor hired by the Town. The Town shall have final approval regarding the scope of work, as well as procurement, scheduling and construction of the project.
- Donations from the residents' group shall be made sufficient to cover the project costs.

- The maintenance of all installed landscaping and site improvements shall be the residents' responsibility.
- The use of the public beach access shall remain for the benefit of the general public and no private use of it is expressed or implied by the accomplishment of the improvements. Proper signage shall be required to adequately designate its public use.
- The Town reserves the right to use the public beach access for its use for any future need deemed necessary in the Town's interests. As stipulated in the agreement, the removal of said improvements if necessary and the restoration of same shall be at the residents' group expense.

The attached draft agreement is provided as a sample to be used and defines many of the points identified above. Since the residents of the Palmo Way neighborhood have asked to pursue such an agreement, it is written with their specific information included. Future agreements would be tailored to the specific residents' groups requesting similar improvements. A conceptual plan as developed by the Palmo Way Group is attached also for consideration. The final plan will be brought back to the Town Council for approval at a future date when the design consultant has prepared the plans, specifications and permits in sufficient detail to define the work and after Town staff has reviewed it. Approval and acceptance of the donation would be sought prior to bidding out the work.

SPECIAL CONSIDERATIONS

The Town's Coastal Management Program includes projects involving construction activities (beach nourishment, dune restoration, and Army Corps of Engineers work associated with inlet and channel dredging, etc.) These activities require access by heavy equipment to the beach and, in the past, has been provided at Onondaga Avenue (private property) and at Angler Avenue (public beach access). Similar access at Merrain Road is anticipated in the future as well as other public beach accesses farther south (Kenlyn Road and Palmo Way) in order to equitably distribute the disruption and impacts from construction. All existing beach access agreements should be upgraded to this new standard with written notice from Public Works in advance of expiration of the existing agreement or extension of the renewal thereof.

FUNDING/FISCAL IMPACT

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Eric B. Brown, P.E., Assistant Director of Public Works
Brett Madison, Facilities Division Manager
Robert Weber, Coastal Program Manager

PALMO WAY BEACH ACCESS

INSTALLATION, REMOVAL AND MAINTENANCE AGREEMENT

This agreement, made and entered into this _____ day of _____, 2017, by and between the Palmo Way Group and Mr. Frank Howington, residents of Palmo Way in the Town of Palm Beach, Palm Beach County, FL., whose mailing address is _____ Palmo Way, Palm Beach, FL 33480, herein after referred to as the "PALMO WAY GROUP", and the Town of Palm Beach, a municipal corporation, which has a mailing address of 360 South County RD., Palm Beach, FL 33480, hereinafter referred to as "TOWN", in consideration for mutual benefits to be derived from landscaping/site improvements and maintenance of the Town's beach access at North Ocean Boulevard and Palmo Way, hereinafter referred to as "BEACH ACCESS".

WHEREAS, the Palmo Way Group has requested that certain improvements be made to the Town's right-of-way and beach access located at the terminating point of Palmo Way and North Ocean Boulevard; and

WHEREAS, the Town is willing to allow for said improvements subject to the conditions stated herein; and

WHEREAS, the Palmo Way Group understands that this property is a public beach access and that said access is used by the Town for access of vehicles, heavy equipment, or materials to accomplish necessary coastal management maintenance or construction serving the public interest; and

WHEREAS, applicants/residents acknowledge, in requesting these improvements that residents shall be fully responsible for the costs of said improvements and the maintenance of same; and

WHEREAS, the Palmo Way Group understands that the Town has the right to remove said improvements at any time in its sole discretion.

NOW, THEREFORE, the parties hereby agree as follows:

Per approval of the Town Council at their meeting of _____, 2017, landscape and site improvements at the subject property are to be completed in accordance with a mutually agreeable plan (as indicated in the attached project plans and specifications). Such plan shall be developed by a professional licensed consultant retained by the Palmo Way Group, experienced in such work, and the consultant shall also participate as needed in any meetings or permit applications as may be required by the Town or the Florida Department of Environmental Protection (FDEP).

The resulting project plans and specifications shall be provided to the Town staff during the design development to afford opportunities for review and comment as required. These plans and specifications shall be of sufficient detail and clarity to allow the Town to solicit bids for the work in accordance with the Town's public purchasing guidelines, policies and procedures. The contractor selected will enter into a contract with the Town, and shall be able to meet all

permitting, insurance and construction requirements as defined by the bid documents and contract. The Palmo Way Group will be responsible for raising donations in the amount necessary to fund the complete and usable landscape and site improvements project as defined above.

The Town agrees to provide the project management and oversight by Town staff, which shall have the final approval in the scope of the work, as well as procurement, scheduling and construction of said project. The Town also agrees to pursue any necessary FDEP coastal construction permits associated with the approved project scope and plans/specifications. During construction, the project site may be closed to the public at the Town's discretion in the interest of safety and security.

Upon accomplishment of the installation of all approved landscape and site improvements associated with the project by the contractor, the Town will notify the Palmo Way Group of the final completion and allow use again by the public. Such use shall not be limited in any way to the general public and no private use of the beach access is expressed or implied by the accomplishment of this project. If the project scope includes any fencing, gate or other barrier adjacent to North Ocean Boulevard, such entrance shall include the proper signs posted to indicate the property as a public beach access.

The maintenance of all installed landscaping/site improvements shall be the responsibility of the Palmo Way Group, including but not limited to hardscape, landscape, plumbing, irrigation, retaining structures, and stairs. This maintenance responsibility shall also include the payment of any utilities (water, etc.) used on the property.

The Town reserves the right to use the property for any future need deemed necessary in the Town's interests. For example, in the event the Town needs access to the beach for heavy machinery use, the Town shall require the removal of the landscape/site improvements as required, at the Palmo Way Group's expense. The restoration of the beach access to its pre-existing condition after the required work is complete, shall also be at the Palmo Way Group's expense if so desired. Should the Palmo Way Group choose not to restore the beach access to its pre-existing condition, then the Town may restore the public beach access in any manner it chooses.

In the event the Palmo Way Group does not meet their responsibilities or obligations under this agreement, the Town will be under no further obligation to comply with the terms of this agreement. This agreement may be renewed annually. If either party chooses not to renew this agreement, they shall provide the other party thirty (30) days notice of same prior to the anniversary date of this agreement. This agreement may be revised or modified in the future, subject to terms and conditions mutually agreed upon.

As a condition of this agreement, the Palmo Way Group shall save protect, defend, and hold harmless the Town, its officers, employees, agents, and representatives against any claims or damages, including claims for attorney fees asserted or made by third parties resulting from the terms and conditions of this agreement or the use of the property covered hereunder for the purposes stated herein.

Signed, sealed, acknowledged on this ____ day of _____ 2017.

Original Signature of Witness

Authorized Representative for
Palmo Way Group

Typed/Printed Name of Witness

TOWN OF PALM BEACH

Original Signature of Witness

Thomas G. Bradford, Town Manager

Typed/Printed Name of Witness

RECOMMEND APPROVAL

Approved for Legal Form and Sufficiency

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

John C. Randolph, Esquire Town
Attorney

ATTEST:

Susan A. Owens, MMC
Town Clerk

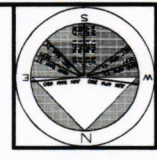
2016
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Conceptual Plan
 SCALE: NIS

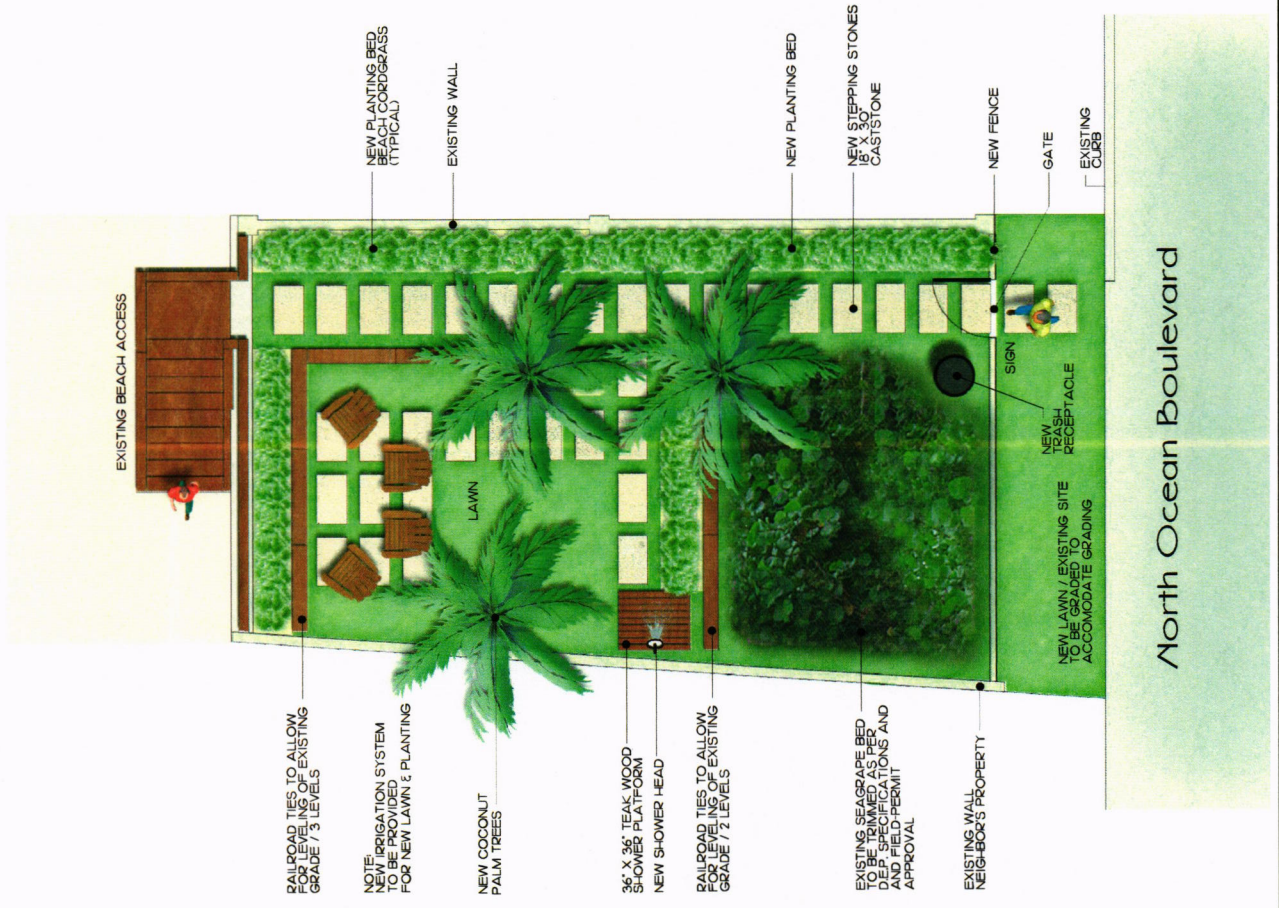
SHEET LI

LAUREATE
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 Newport Beach, CA 92660
 Tel: 949.261.1111
 Fax: 949.261.1112
 www.laureatearchitects.com

Palmo Road Beach Access
 Town of Palm Beach
 1 0 R D



JOB NUMBER: 160116-00 LA
 DRAWN BY: J. L. L. L.
 DATE: 05.17.2016



North Ocean Boulevard

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda Committee Reports

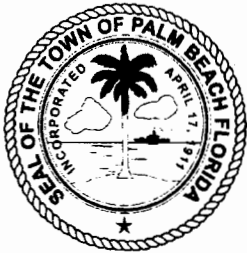
Agenda Title

Report of the Ordinances, Rules & Standards Committee Meeting of April 6, 2017
Bobbie Lindsay, Chair

Presenter

ATTACHMENTS:

- ▣ **ORS Report, April 06, 2017**



TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE ORDINANCES, RULES AND STANDARDS COMMITTEE MEETING HELD ON THURSDAY, APRIL 6, 2017

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules, and standards Committee (ORS) meeting was called to order on Thursday, April 6, 2017, at 9:30 a.m. On roll call, all of the Committee Members were found to be present.

II. PLEDGE OF ALLEGIANCE

Chair Lindsay led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion was made by Committee Member Araskog, and seconded by Char Lindsay to approve the agenda. The motion passed unanimously.

IV. COMMUNICATIONS FROM CITIZENS - None

V. REGULAR AGENDA

A. Old Business – none

B. New Business

1. Potential Amendment of Town Code, Relative to Service Charges for False Alarms (*Darrel Donatto, Deputy Fire Chief*)

Deputy Town Manager Jay Boodheshwar introduced Martin Deloach, who would provide a presentation regarding the Fire Rescue Department proposed changes to the Town Code to address the issue of false alarm charges.

Mr. Deloach provided an overview of the potential amendments to the Town Code in regard to service charges for false fire alarms.

Discussion ensued regarding false fire alarms being caused mainly by building contractors, modifying the current ordinance to allow fines to apply to contractors, providing a grace period, including false alarm fine information when the contractor permits are provided, the possibility of Fire-Rescue resource depletion as a result of responding to false alarms, limitation of the number of false alarms on a three-strike basis, the costs of response to false alarms, reaching out to the construction community for input before passing an ordinance, the current allowance of two chances for homeowners causing false alarm calls, conferring with legal counsel regarding the consistency of false alarm fines to homeowners and contractors, meeting with contractors to gather their input, the amount of the fine.

It was the consensus of the ORS Committee that staff would conduct research on the false fire alarm matter, and return to the ORS Committee at the next meeting with more information.

2. Study Regulations Regarding Landscape Activity within the Conservation Zoning District (*Veronica Close, Assistant Director of Planning, Zoning and Building*)

Deputy Town Manager Boodheshwar spoke regarding the landscape regulations in Chapter 66 of the Town Code, noting that staff was in the process of reviewing that section and more specifics would be available at the next ORS Committee meeting.

Veronica Close, Assistant Director, Planning, Zoning & Building Department, provided an overview of the issues concerning the Conservation Zoning District.

Discussion ensued regarding the prior performance of contractors with alleged or unintentional removal of native and invasive vegetation on Bingham Island, how to manage the process in the future, whether the Town should be involved in a selection process of who would be doing work, close supervision of contractors removing invasives, relocating or replanting vegetation in Conservation Districts, and the zoning ordinance that would be coming before the Town Council.

Rob Weber, Coastal Manager, spoke regarding concerns that he had identified in the area, which he had provided to the Planning, Zoning and Building Department as well as to the Florida Department of Environmental Protection (FDEP). FDEP had met with both the Audubon Society and the contractor who had done the previous work. He recommended continual coordination with FDEP.

Discussion ensued regarding the Audubon Society plans for work on Bingham Island, granting them another permit to plant native species, along with the proposed regulations specifying requirements for what would be done, specifying who could do the work, the desire of the Audubon Society to preserve the Conservation area as a sanctuary, and whether the Town should prohibit the use of heavy equipment in the Conservation area. The following changes were suggested to the proposed ordinance: Section 66(a), line 3 change "improvement;" to "improvements," changing Section 66(a), line 4 to "applications," prior to removal, changing Section 66(c)2 of the

proposed ordinance to say “applicant,” rather than owner, changing Section 66(c)3 to make it clear that invasives would not be mulched and then placed in the sanctuary, clarifying Section 66(d)(1)b to include “existing or disturbed vegetation,” in Section 66(c)(4) to add specifications as to who would be qualified to do the work, adding in language relating to heavy equipment, and discussion regarding consideration of requiring a permit fee.

Katy Carpenter, 206 Seaspray Ave., spoke regarding the committee that Audubon had organized regarding this project, thanked the staff in the Town who had been helpful with the project, the goals of Audubon aligning with the goals of the Town, the choice of a contractor by Audubon, who had been recommended by the County’s Environmental Resource Management group (ERM), the concerns of Audubon when they heard there may have been damage to native species, the determination that there was minimal damage by the Florida Department of Environmental Protection (FDEP), with no native trees removed, their commitment to ensure that even minimal damage did not occur again, the issue of kayak launching, the Florida Department of Transportation (FDOT) right-of-way, the map provided by Audubon for replanting, and the importance of replanting as soon as possible in order to accommodate the growing season, reduce the exposure of the beach, and access before construction takes place on the Southern Blvd. bridge.

It was the consensus of the ORS Committee to request that staff provide suggestions as to who should be doing work in all Conservation areas, and return with all changes to the proposed ordinance at the next ORS Committee meeting.

VI. ANY OTHER MATTERS

Deputy Town Manager Boodheshwar confirmed that staff would return to the May ORS Committee meeting with the false alarm fines issue, the proposed ordinance language related to Chapter 66 of the Town Code, work in Conservation areas, and input relative to the construction season issue, after staff meets with contractors. In addition, he noted that there are pending items that have not yet been assigned a date, which are the ride sharing issue, the drone ordinance, and the modification of construction hours, which had been remanded back to the ORS Committee by the Town Council.

VII. ADJOURNMENT

There being no further business, the Ordinances, Rules, and Standards Committee meeting was adjourned at 10:40 a.m.

APPROVED

Bobbie Lindsay
Chair

ATTEST:

Susan Eichhorn
Acting Town Clerk
Date: _____

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Status Report Regarding the Potential Sale of 5976 Okeechobee Blvd.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum dated May 1, 2017, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Appraisal dated November 18, 2016**
- ▣ **Letter dated March 31, 2017, from Carmax, Inc.**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Unsolicited Interest in Purchasing Town-Owned Property at 5976 Okeechobee Blvd.

Date: May 1, 2017

STAFF RECOMMENDATION

Staff recommends Town Council review the update provided below, relative to the potential sale of Town property located at 5976 Okeechobee Blvd. and provide direction to staff as you deem necessary.

GENERAL INFORMATION

At the August 16, 2016, Town Council meeting, staff presented the results of an appraisal completed by Callaway & Price, Inc. Real Estate Appraisers and Consultants for 5.88 acres of Town-owned property located at 5976 Okeechobee Blvd. After receiving the appraisal report and discussing previously received unsolicited offers for the 5.88 acres, staff was directed to prepare and issue a Request for Proposals (RFP) for the potential sale of the acreage in question, which fronts Okeechobee Blvd.

Subsequent to Council's direction, but prior to finalizing and issuing the RFP, Carmax, Inc. (Carmax) contacted the Town with an unsolicited letter of interest to purchase the entire acreage (28.4 acres) at said property. The letter of interest was presented to the Town Council at its November 8, 2016, meeting. After due consideration and extensive discussion, staff was directed to:

1. Hold the RFP for the potential sale of approximately 5.88 acres of frontage on Okeechobee Boulevard in abeyance until such time that Council determines if it wishes to consider selling the entire parcel or just the 5.88 acres of frontage on Okeechobee Blvd.
2. Order an appraisal for the entire 28.4-acre parcel, in an amount not to exceed \$4,000, to be funded from the General Fund Contingency, to determine the market value of the entire property.
3. Further explore the interest from Carmax to purchase the entire 28.4 acres of property at 5976 Okeechobee Boulevard and report back to Council.

Subsequent to the November 8, 2016, meeting an appraisal for the entire 28.4 parcel was completed and is attached for your reference. With regard to exploring a potential purchase agreement with Carmax, staff worked closely with Town Attorney, Skip Randolph, and his colleague at Jones Foster, Mark Dahlmeier, to discuss potential purchase terms and price. Discussions took place over a period of six (6) months with a team from Carmax but ultimately Carmax decided to cease discussions and pursue another site. See attached letter.

Staff is now seeking Council direction regarding next steps. Should we complete and issue the RFP for the sale of 5.88 acre fronting Okeechobee Blvd. as previously planned, prepare another RFP for the sale of the entire parcel, prepare an RFP for a long-term ground lease (partial acreage or full parcel), or something else?

Attachments

cc: John C. Randolph, Town Attorney
H. Paul Brazil, P.E., Director of Public Works
Kirk Blouin, Director of Public Safety
Jane Struder, Director of Finance

AN APPRAISAL OF
**THE 27.69-ACRE PARCEL OF LAND
LOCATED AT 5976 OKEECHOBEE BOULEVARD,
IN UNINCORPORATED
PALM BEACH COUNTY, FLORIDA**

FILE #16-75631

PREPARED FOR

TOWN OF PALM BEACH
C/O JOHN C. RANDOLPH, ESQUIRE

AS OF

NOVEMBER 18, 2016

BY

MICHAEL R. SLADE, MAI, SRA, CRE
CALLAWAY & PRICE, INC.



Callaway & Price, Inc.

Real Estate Appraisers And Consultants

www.callawayandprice.com

Licensed Real Estate Brokers

SOUTH FLORIDA

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Robert A. Callaway, MRICS
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Fax (772) 461-0809

Stuart
Phone (772) 287-3330
Fax (772) 461-0809

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Fax (321) 726-0384

Curtis L. Phillips, MAI
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CENTRAL FLORIDA

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Orlando, FL 32803
Phone (321) 726-0970
Fax (321) 726-0384

Curtis L. Phillips, MAI
Cert Gen RZ2085
clp@cpmel.com

Please respond to South Florida Office

E-Mail: mrs@cpwpb.com

December 12, 2016

Town of Palm Beach
c/o John C. Randolph, Esquire
Jones, Foster, Johnston & Stubbs, P.A.
505 South Flagler Drive, Suite 1100
West Palm Beach, Florida 33401

Dear Mr. Randolph:

We have made an investigation and analysis of the 27.69-acre parcel of land, located at 5976 Okeechobee Boulevard, in unincorporated Palm Beach County, Florida. The Subject Property will be further described both narratively and legally within the following Appraisal Report. The purpose of this investigation and analysis was to provide our opinion of the Market Value of the Fee Simple Estate of the Subject Property, "as if zoned commercial", as of November 18, 2016.

At the request of the client, we have valued the Subject Property "as if zoned commercial". For purposes of analyzing the Subject site via this scenario, we have employed the hypothetical condition that the entire site is zoned commercial which would include a compatible, commercial underlying land use. We have also based our analysis on the extraordinary assumption that while some measure of site work would be required to develop the approximate 7.5-acre landfill area, the soil conditions would be suitable and the potential costs would not be prohibitive (see Limiting Conditions 8 and 13).

This report has been prepared for our client and intended users, Jones, Foster, Johnston & Stubbs, P.A. and the Town of Palm Beach. The intended use is for internal decision making. The scope of work performed is specific to the needs of the intended user and the intended use. No other use is intended, and the scope of work may not be appropriate for other uses.

The scope of work performed included a complete analysis of the Subject Property. A detailed scope of work description is contained in the report.

Mr. John C. Randolph, Esquire
Jones, Foster, Johnston & Stubbs, P.A.
December 12, 2016
Page 2

Based upon the scope of the assignment, our investigation and analysis of the information contained within this report, as well as our general knowledge of real estate valuation procedures and market conditions, it is our opinion that the Market Value of the Fee Simple Estate of the Subject Property, with the hypothetical condition "as if zoned commercial", as of November 18, 2016, was: **\$14,300,000.**

A description of the property appraised, together with an explanation of the valuation procedures utilized, is contained in the body of the attached report. For your convenience, an Executive Summary follows this letter. Your attention is directed to the Limiting Conditions and underlying assumptions (especially Nos. 11-15) upon which the value conclusions are contingent.

Respectfully submitted,

CALLAWAY & PRICE, INC.

A handwritten signature in cursive script that reads "Michael Robert Slade".

Michael R. Slade, MAI, SRA, CRE
Cert Gen RZ116

A handwritten signature in cursive script that reads "James D. Murray, Jr.".

James D. Murray, Jr., Associate Appraiser
Cert Gen RZ2419

MRS/JDM/KPD :16-75631
Attachments

PROPERTY TYPE : Commercial Vacant Land

LOCATION : The Subject Property is located along the south side of Okeechobee Boulevard, approximately 1,950 feet west of Haverhill Road, in unincorporated Palm Beach County, Florida.

DATE OF VALUATION : November 18, 2016

PROPERTY DESCRIPTION:

LAND : Rectangular site containing approximately 1,206,307 square feet, or 27.69 acres. Approximately 7.5 acres of the western portion of the site consist of a yard debris landfill operated by the Town of Palm Beach.

BUILDING : A 5,000 sq. ft. community building built in 1974 and several small utility buildings situated on the site do not contribute to the overall value of the property, in our opinion.

ZONING : The Subject Property is zoned RH, Multifamily Residential High Density, by Palm Beach County (see Limiting Condition 14). At the request of the client, we have used a hypothetical condition that the entire site is zoned and/or has an underlying land use classification that allows for commercial development.

LAND USE PLAN : The Subject Property is designated CH/8, Commercial High Intensity with underlying Residential up to eight units per acre for the 3.47-acre portion along Okeechobee Road, and Utilities/Transportation for the remaining portion, by Palm Beach County. At the request of the client, we have used a hypothetical condition that the entire site is zoned and/or has an underlying land use classification that allows for commercial development.

HIGHEST AND BEST USE:

AS IF VACANT : Commercial Redevelopment

MARKET VALUE OF THE
FEE SIMPLE ESTATE OF
THE SUBJECT PROPERTY,
WITH THE HYPOTHETICAL CONDITION
"AS IF ZONED COMMERCIAL",
AS OF NOVEMBER 18, 2016 : \$14,300,000

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Qualifications:	
Michael R. Slade, MAI, SRA, CRE	
James D. Murray, Jr., Associate Appraiser	

CERTIFICATION

We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the parties involved.
4. We have performed services (July 2016), as an appraiser, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
6. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
8. The analyses, opinions, and conclusion were developed, and this report was prepared, in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) and The Interagency Appraisal and Evaluation Guidelines, December 10, 2010.
9. James D. Murray, Jr. has made a personal inspection of the property that is the subject of this report. Michael R. Slade, MAI, SRA, CRE, did not inspect the property.
10. No one provided significant real property appraisal assistance to the persons signing this certification.
11. The use of this report is subject to the requirements of the State of Florida relating to review by the Florida Real Estate Appraisal Board.
12. This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

13. The reported analyses, opinions and conclusions were developed, and this report was prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
14. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
15. As of the date of this report, Michael R. Slade, MAI, SRA, has completed the continuing education program for Designated Members of the Appraisal Institute.
16. As of the date of this report, James D. Murray, Jr., has completed the Standards and Ethics Education Requirements for Associate Members of the Appraisal Institute.



Michael R. Slade, MAI, SRA, CRE
Cert Gen RZ116



James D. Murray, Jr., Associate Appraiser
Cert Gen RZ2419

LIMITING CONDITIONS

1. Unless otherwise stated, the value appearing in this appraisal represents the opinion of the Market Value or the Value Defined AS OF THE DATE SPECIFIED. Market Value of real estate is affected by national and local economic conditions and consequently will vary with future changes in such conditions.
2. The value estimated in this appraisal report is gross, without consideration given to any encumbrance, restriction or question of title, unless specifically defined.
3. This appraisal report covers only the property described and any values or rates utilized are not to be construed as applicable to any other property, however similar the properties might be.
4. It is assumed that the title to the premises is good; that the legal description is correct; that the improvements are entirely and correctly located on the property described and that there are no encroachments on this property, but no investigation or survey has been made.
5. This appraisal expresses our opinion, and employment to make this appraisal was in no way contingent upon the reporting of predetermined value or conclusion.
6. No responsibility is assumed for matters legal in nature, nor is any opinion of title rendered. In the performance of our investigation and analysis leading to the conclusions reached herein, the statements of others were relied on. No liability is assumed for the correctness of these statements; and, in any event, the appraisers' total liability for this report is limited to the actual fee charged.
7. Neither all nor any part of the contents of this report (especially any conclusions, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or any of its designations) shall be disseminated to the public through advertising media, public relations media, news media, sales media or any other public means of communication without our prior written consent and approval.
8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions or the engineering, which might be required to discover these factors.
9. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation stachybotrys chartarum (mold), asbestos,

polychlorinated biphenyls, petroleum leakage, "Chinese drywall" or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, was not called to the attention of, nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test for such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is no such proximity thereto that would cause a loss in value. We are unaware of very wet conditions that may have existed for days or weeks which are required to grow mold. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.

10. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. The appraisers have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since the appraisers have no direct evidence relating to this issue, possible noncompliance with the requirements of ADA in estimating the value of the property has not been considered.
11. Our opinion of value was based on the assumption of competent marketing and management regarding the Subject Property. If there is no competent marketing and management, then the value contained herein may not apply.
12. The value indication estimated herein is based on the Subject site containing approximately 1,206,307 square feet, or 27.69 acres. This site area was obtained from the Boundary and Topographic Survey performed by Heller-Weaver and Sheremeta, Inc. (File # 06-15446.100-S, dated 2/18/06) provided by our client. It is noted that the site area (total of three parcels) indicated by the Palm Beach County Property Appraiser is 28.38 acres. In our opinion, the boundary survey is more reliable for our analysis. If the actual Subject site area differs significantly, the value opinion reached herein may not apply.
13. The Subject Property historically was an EPA Superfund site known as "Okeechobee Boulevard Yard Trash Site" (identified as FLN000407416). Our research indicated that the site was not on the national priorities list and the last activity was in early 2013. We have also learned that the property was a former fire arms training site and possibly a former Brownfield site. For purposes of this analysis it is assumed that there are no hidden or

unapparent conditions of the property or subsoil (see Extraordinary Assumptions and Limiting Condition 8).

14. According to the Palm Beach County Zoning Map, the Subject Property is zoned RH, Multifamily Residential High Density. However, historical zoning maps and other records (such as Resolution Nos. 80-375 and 73-618 which are referenced on the map) indicate that the northern approximate 3.47 acres fronting Okeechobee Boulevard retains a zoning of CG, General Commercial by Palm Beach County. We have considered the current zoning that shown on the zoning map (RH); however, our research revealed several points of evidence suggesting that the actual zoning of the northern 3.47 acres is General Commercial. For purposes of this analysis, at the request of the client, we have used a hypothetical condition that the entire site is zoned and/or has an underlying land use classification that allows for commercial development.



VIEW OF SUBJECT PROPERTY FACING SOUTH



ENTRANCE TO SUBJECT PROPERTY



VIEW OF PAVED DRIVE FACING SOUTH



VIEW FACING NORTHEAST FROM SITE INTERIOR



VIEW OF REAR PORTION OF SITE FACING SOUTH



VIEW OF POLICE LODGE BUILDING



VIEW OF MISCELLANEOUS IMPROVEMENTS



VIEW OF FENCED LANDFILL AREA FACING SOUTH



FACING EAST ALONG OKEECHOBEE BOULEVARD (SUBJECT AT RIGHT)



FACING WEST ALONG OKEECHOBEE BOULEVARD

AERIAL VIEW



DEFINITION OF THE APPRAISAL PROBLEM

Purpose, Date of Value, and Interest Appraised

The purpose of this investigation and analysis was to provide our opinion of the Market Value of the Fee Simple Estate of the Subject Property, with the hypothetical condition "as if zoned commercial", as of November 18, 2016.

Intended Use and User of Appraisal

This report has been prepared for our client and intended users, Jones, Foster, Johnston & Stubbs, P.A. and the Town of Palm Beach. The intended use is for internal decision making. The scope of work performed is specific to the needs of the intended user. No other use is intended, and the scope of work may not be appropriate for other uses.

Legal Description

LEGAL DESCRIPTION:

THE NORTHWEST ONE-QUARTER (NW1/4) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4), SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST,

ALONG WITH

THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST ONE-QUARTER (NW1/4) OF THE NORTHEAST ONE-QUARTER (NE1/4), SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA;

LESS AND EXCEPT THE NORTH 64.02 FEET OF THE THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST ONE-QUARTER (NW1/4) OF THE NORTHEAST ONE-QUARTER (NE1/4), SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THE WEST 52.47 FEET OF THE THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST ONE-QUARTER (NW1/4) OF THE NORTHEAST ONE-QUARTER (NE1/4), SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; AND THE WEST 53.46 FEET OF THE THE NORTHWEST ONE-QUARTER (NW1/4) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4), SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA;

SAID LANDS CONTAINING 27.693 ACRES MORE OR LESS.

SAID LANDS SITUATE WITHIN, PALM BEACH COUNTY, FLORIDA.

Source: Legal Description obtained from Boundary and Topographic Survey

Market Value

"As defined in the Agencies' appraisal regulations, the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. Buyer and seller are typically motivated;

- b. Both parties are well informed or well advised, and acting in what they consider their own best interests;
- c. A reasonable time is allowed for exposure in the open market;
- d. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- e. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Source: The Interagency Appraisal and Evaluation Guidelines, Federal Register, Volume 75, No. 237, December 10, 2010, Pgs. 61-62.

Fee Simple Estate

The Dictionary of Real Estate Appraisal, Sixth Edition 2015, by the Appraisal Institute, defines Fee Simple Estate on page 90 as follows:

"Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

Hypothetical Conditions

The Dictionary of Real Estate Appraisal, Sixth Edition 2015, by the Appraisal Institute, defines Hypothetical Conditions on page 113 as follows:

1. "A condition that is presumed to be true when it is known to be false."
2. "A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis."

"Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis."

At the request of the client, we have valued the Subject Property "as if zoned commercial". Our research revealed approximately 3.47 acres fronting Okeechobee Boulevard possibly retains a zoning of CG, General Commercial, and has an underlying future land use designation of CH/8, Commercial High with underlying residential density of 8 units per acre. However, the remaining portion of the Subject site (24.22+/- acres) has an underlying land use of UT, Utilities and Transportation and is zoned RH, Multifamily Residential High Density. For purposes of analyzing the Subject site via this scenario, we have employed the hypothetical condition that the

entire site is zoned commercial which would include a compatible, commercial underlying land use.

Extraordinary Assumptions

The Dictionary of Real Estate Appraisal, Sixth Edition 2015, by the Appraisal Institute, defines Extraordinary Assumptions on page 83 as follows:

“An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which if found to be false, could alter the appraiser’s opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal or economic characteristics of the Subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of data used in an analysis.”

No information was available pertaining to the suitability of the landfill area of the Subject Property for future development, nor was information provided regarding the potential scope or cost of site preparation. Therefore, we have based our analysis on the extraordinary assumption that while some measure of site work would be required to develop the landfill area, the soil conditions would be suitable and the potential costs would not be prohibitive (see Limiting Conditions 8 and 13).

Exposure Time

The Dictionary of Real Estate Appraisal, Sixth Edition 2015, by the Appraisal Institute, defines Exposure Time on page 83 as follows:

1. “The time a property remains on the market.”
2. “The estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. Exposure time is a retrospective opinion based on an analysis of past events assuming a competitive and open market.”

There is a requirement under Standard Two to report exposure time according to the latest USPAP publication. “Exposure Time” is different for various types of property under different market conditions.

We have reviewed the exposure time on the sales contained in the Sales Comparison Approach in this appraisal. Based on that data and the current market, it is our opinion that the Subject Property would have had an exposure time of approximately 12 months or less.

Marketing Time

The Dictionary of Real Estate Appraisal, Sixth Edition 2015, by the Appraisal Institute, defines Marketing Time on page 140 as follows:

“An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal.”

“Advisory Opinion 7 of the Appraisal Standards Board of The Appraisal Foundation and Statement on Appraisal Standards No. 6, “Reasonable Exposure Time in Real Property and Personal Property Market Value Opinions” address the determination of reasonable exposure and marketing time.”

As in most markets, properties that are priced competitively and marketed professionally will sell before others which are not. Based on this, the Subject should have a marketing time of less than 12 months, provided adequate financing is available, the property is listed for sale at market value and is marketed by a competent brokerage firm.

SCOPE OF WORK

According to the 14th Edition of The Appraisal of Real Estate, page 38, "Scope of work encompasses all aspects of the valuation process, including which approaches to value will be used; how much data is to be gathered, from what sources, from which geographic area, and over what time period; the extent of the data verification process; and the extent of property inspection, if any."

The scope of work decision is appropriate when it allows the appraiser to arrive at credible assignment results and is consistent with the expectations of similar clients and the work that would be performed by the appraiser's peers in a similar situation."

The first step in the appraisal process involved defining the appraisal problem, which included the purpose and date of value, determining the interest being appraised, intended use and user of the appraisal, and identifying the real estate (legal description). This step also determined if the appraisal were subject to any extraordinary assumptions or hypothetical conditions. As part of our analysis, we have employed an extraordinary assumption regarding soil conditions and the landfill (see Extraordinary Assumptions) and a hypothetical condition that the Subject site is zoned commercial (see Hypothetical Conditions).

The next step involved the inspection of the Subject Property in November 2016 by James D. Murray, Jr. Michael R. Slade, Jr., MAI, SRA, CRE, did not inspect the property. The inspection allowed us to understand the physical components of the Subject Property. In addition to the inspection of the Subject Property, we also we began the data-collection process and, subsequently, an analysis of the factors that affect the market value of the Subject Property, including a market area analysis, neighborhood analysis, and property data analysis. We gathered and reviewed information from the Palm Beach County Property Appraiser's Office, had numerous discussions with various planners with the Palm Beach County Planning and Zoning Department, spoke with representatives of the U.S. EPA and Florida Environmental Health Division, researched public records, and interviewed a representative of the property owner (Deputy Town Manager) to understand and describe the Subject Property.

The third step in the process was to determine the Highest and Best Use of the Subject Property as vacant. Through the Highest and Best Use analysis we determined the issues that have an effect on the final opinion(s) of value. To determine the Highest and Best Use, we relied on information obtained from the data-collection process. In our opinion the Highest and Best Use of the subject site is for commercial development (see discussion).

The fourth step was the application of the appropriate approach for the site valuation. *No approaches were specifically omitted from this appraisal either by the client or the appraiser.* Since the site is being valued as vacant, the most reliable way to estimate land value is by Sales Comparison. When few sales are available, however, or when the value indications produced through Sales Comparison need

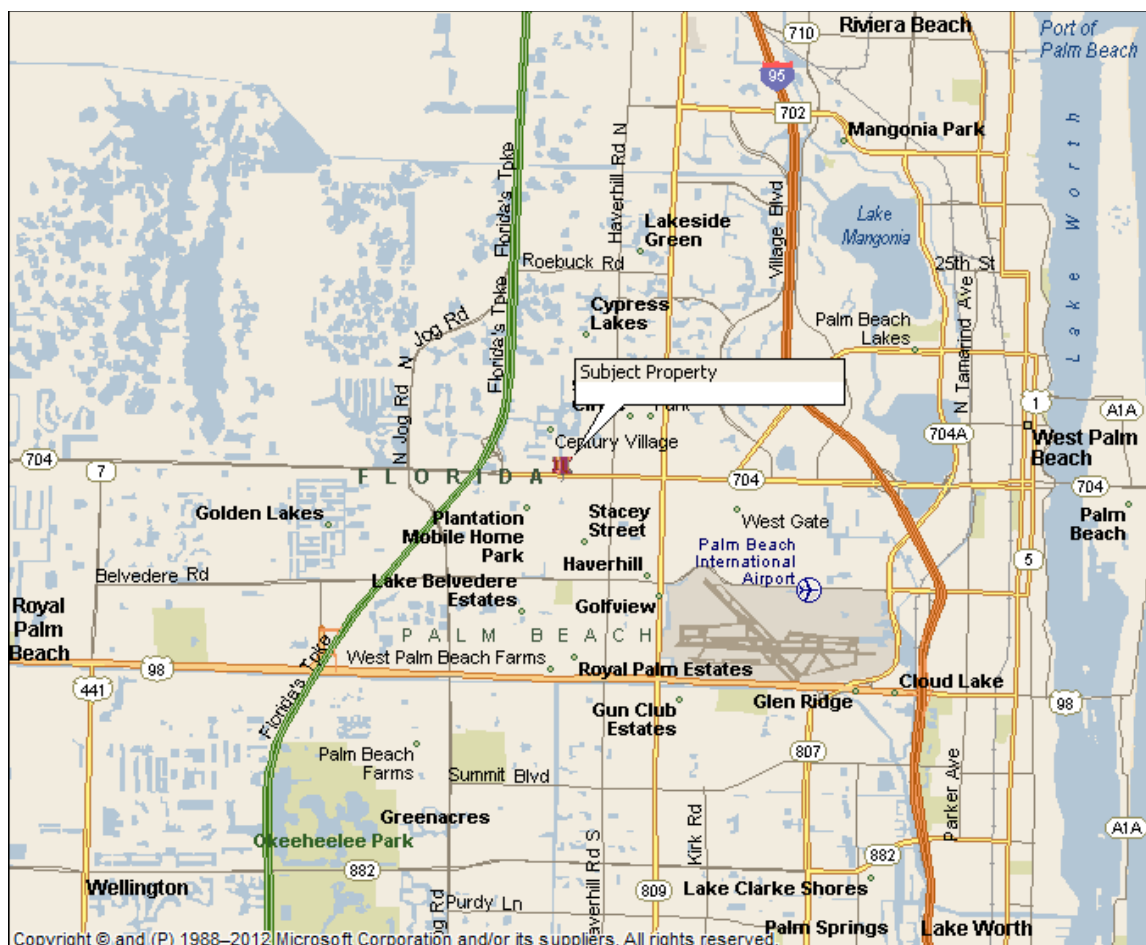
additional support, alternative techniques like extraction or allocation may be applied. In the case of the Subject Property the only approach used was the Sales Comparison Approach. Since only one approach to value was used, no reconciliation was needed.

NEIGHBORHOOD DATA

The relationship of the Subject Property with surrounding properties forms the basis of neighborhood analysis. The Appraisal of Real Estate, 14th Edition on page 165 states: "The boundaries of market areas, neighborhoods, and districts identify the areas that influence a subject property's value. These boundaries may coincide with observable changes in land use or demographic characteristics. Physical features such as structure types, street patterns, terrain, vegetation, and lot sizes help to identify land use districts. Transportation arteries (highways, major streets, and railroads), bodies of water (rivers, lakes, and streams), and changing elevation (hills, mountains, cliffs, and valleys) can also be significant boundaries."

The Subject neighborhood is considered to include the area bounded on the north by 45th Street, on the south by Forest Hill Boulevard, on the east by Interstate 95 and on the west by Florida's Turnpike. The majority of the Subject neighborhood is located in West Palm Beach, with the balance including portions of Haverhill and unincorporated Palm Beach County. The Subject neighborhood is located southwest of the West Palm Beach Central Business District (CBD).

Neighborhood Location Map



The neighborhood has excellent access with east/west travel provided by 45th Street to the north, Okeechobee Boulevard, Belvedere Road, Southern Boulevard, and Forest Hill Boulevard located in the south of the neighborhood. All these roadways have interchanges with Interstate 95. Okeechobee Boulevard and Southern Boulevard have Florida Turnpike interchanges, extend further west to U.S. Highway 441 (State Road 7) and progress further west into western Palm Beach County.

Okeechobee Boulevard is a primary east/west arterial roadway in West Palm Beach, and has interchanges with Florida's Turnpike and Interstate 95 (I-95). This four and eight lane road was recently improved at its I-95 interchange. The former cloverleaf interchange was replaced with a diamond-style interchange and a flyover bridge above I-95 for traffic from westbound Okeechobee to southbound I-95, widening Okeechobee to six lanes and adding one northbound and one southbound lane on I-95.

A connector route from I-95 into Palm Beach International Airport was completed. Florida's Turnpike runs parallel and to the west of I-95 and provides north/south access to points west of the immediate coastal areas. The Turnpike provides high speed access to points between Wildwood and Homestead, with Palm Beach County interchanges in Jupiter, Palm Beach Gardens, West Palm Beach, Lake Worth, Boynton Beach, Delray Beach, and Boca Raton.

The portion of Okeechobee Boulevard between Interstate 95 and Florida's Turnpike includes a high concentration of automobile dealerships and is commonly known as Automobile Row. The largest concentration of retail properties along Okeechobee Boulevard is at its intersection with Military Trail. At the southeast quadrant is the location of the Cross County Plaza, which was renovated into a major power center anchored by Big Kmart, Ross Dress for Less, Linen's N' Things and Winn Dixie. At the southwest quadrant is the Pine Trail Center, a renovated shopping center with an L.A. Fitness and a Marshall's as anchor tenants.

Development along Military Trail is primarily commercial in nature. This commercial development consists of a variety of neighborhood, community and strip shopping centers, discount specialty stores, financial institutions, sit-down and fast food restaurants, and small office buildings. Belvedere Road, in the neighborhood is dominated by the Palm Beach International Airport (PBIA), or airport related uses, i.e., rental car terminals. Across from the airport is the Palm Beach Kennel Club.

Southern Boulevard was transformed over the last decade from an important arterial roadway to a major east west expressway with bridges, flyovers, and on/off ramps at the major north south intersections. In doing this project numerous commercial and industrial properties formerly fronting Southern Boulevard now front the Southern Boulevard access road or were bought out and relocated to make room for this expressway.

The neighborhood is adequately served by public and private schools. Medical facilities are conveniently located near or within the neighborhood. Columbia Palms West Hospital is located along Southern Boulevard and is recognized as one of the

"Top 100 Hospitals in the USA," this hospital serves the western communities of Palm Beach County with 24-hour emergency service.

Conclusion

The neighborhood is an established residential, commercial and industrial area with adequate supporting facilities. The Subject neighborhood's easy access to other areas of Palm Beach County makes it desirable for many types of commercial, industrial and residential uses. This area has experienced extensive growth over the past several years with the help of the improving road networks. It is our opinion that the growth of the western communities and its surrounds create an atmosphere that bodes well for the neighborhood's future development prospects. In summary, the prospect for commercial property values is that they will likely continue to stabilize with some increase possible in the foreseeable future as the economy and the financial markets continue to strengthen.

PALM BEACH COUNTY MARKET OVERVIEW

All segments of the real estate market in Palm Beach County, as well as the entire state, were significantly impacted by the effects of the depressed state of the economy. However, limited new construction, job growth in the county, and investor purchases have fueled a strengthening of Palm Beach County's commercial and residential property markets. Overall demand for retail and office real estate product in the Palm Beach County market appears to be strengthening, and the market appears to have stabilized with signs of continued improvement.

Retail Market

According to the *CoStar Group, Inc.*, Third Quarter 2016, "Palm Beach County Retail Market Report," overall vacancies for *general retail* properties throughout the county were reported to average 2.9%, with the Subject's West Palm Beach submarket indicating 3.2% average vacancy. Quoted general retail rents county-wide ranged from \$17.84 to \$37.00 per square foot, and averaged \$24.42 on a net basis. The West Palm Beach submarket registered \$17.87 per square foot, at the lower end of the range of rents.

Regarding general retail space, year-to-date absorption of vacant space totaled 336,503 square feet in Palm Beach County, with 127,755 square feet of that absorption (or 38%) occurring in the West Palm Beach submarket. The total inventory of general retail space in West Palm Beach was reported to be 9,607,600 square feet. Countywide, there are currently 622,436 square feet of new space under construction, of which 484,084 square feet, or 78%, is in West Palm Beach.

General Retail Market Statistics

Third Quarter 2016

Market	Exsting Inventory		Vacancy			YTD Net Absorption	YTD Deliveries	Under Const SF	Quoted Rates
	# Blds	Total GLA	Direct SF	Total SF	Vac %				
Boca Raton	243	2,851,980	21,589	21,589	0.8%	61,331	51,209	27,354	\$37.00
Boynton/Lantana	369	3,013,023	36,767	41,367	1.4%	13,702	11,942	8,000	\$24.33
Delray Beach	408	3,400,438	131,415	131,415	3.9%	32,485	50,319	49,912	\$36.84
Jupiter	167	1,367,404	49,855	49,855	3.6%	(9,880)	15,770	27,500	\$17.84
North Palm Beach	489	4,673,930	194,570	194,570	4.2%	19,943	7,600	21,890	\$22.68
Palm Beach	217	1,877,955	45,684	45,684	2.4%	42,224	20,000	0	\$32.64
Palm Springs/Lake Worth	207	1,284,739	36,812	36,812	2.9%	41,618	9,910	3,696	\$20.99
Royal Palm Bch/Wellington	120	1,269,673	27,225	27,225	2.1%	7,325	14,600	0	\$33.77
West Palm Beach	1,207	9,607,600	305,106	305,106	3.2%	127,755	45,216	484,084	\$17.87
Totals	3,427	29,346,742	849,023	853,623	2.9%	336,503	226,566	622,436	\$24.42

Source: CoStar Property®

Office Market

According to the *CoStar Group, Inc.*, Third Quarter 2016, "Palm Beach County Office Market Report," overall office vacancies for total office properties throughout the county were reported to average 11.5%, with the Subject's West Palm Beach submarket also indicating 11.5%. The county's overall average vacancy rate was down slightly from the 12.6% reported at the end of the second quarter of 2016, 12.9% at the end of the first quarter, and 13.0% at the end of 2015.

The Subject's West Palm Beach submarket (including the CBD and suburban areas) vacancy rate of approximately 11.5% was down from 12.2% the prior quarter, and essentially the same the 11.6% reported for the end of 2015.

Total Office Market Statistics

Third Quarter 2016

Market	Existing Inventory		Vacancy			YTD Net Absorption	YTD Deliveries	Under Const SF	Quoted Rates
	# Blds	Total RBA	Direct SF	Total SF	Vac %				
Boca Raton	474	17,450,863	2,260,216	2,327,802	13.3%	281,751	0	0	\$28.97
Boynton/Lantana	203	2,750,007	404,755	406,219	14.8%	51,059	18,000	18,000	\$24.90
Delray Beach	364	3,939,421	788,253	789,333	20.0%	53,762	23,042	31,969	\$23.63
Jupiter	214	3,551,198	239,384	240,484	6.8%	57,540	13,750	0	\$27.99
North Palm Beach	392	8,643,306	578,322	582,307	6.7%	254,147	0	0	\$26.73
Palm Beach	158	2,536,584	266,665	271,137	10.7%	10,591	0	0	\$44.04
Palm Springs/Lake Worth	116	1,044,738	60,526	60,526	5.8%	83,024	62,305	0	\$25.59
Royal Palm Bch/Wellington	82	1,727,288	133,044	133,044	7.7%	9,430	14,182	17,360	\$29.01
West Palm Beach	805	13,505,661	1,513,528	1,549,660	11.5%	(2,588)	0	0	\$26.63
Totals	2,808	55,149,066	6,244,693	6,360,512	11.5%	798,716	131,279	67,329	\$27.82

Source: CoStar Property®

As shown, quoted rental rates for total office space ranged from a low of \$23.63 to a high of \$44.04 per square foot at the end of the third quarter of 2016. The average for the county was \$27.82 per square foot for total office space. The West Palm Beach submarket indicated an average quoted rental rate of \$26.63 per square foot for office space. According to the report, approximately 131,279 square feet of new office space was added to the market in 2016 by the end of the third quarter, none of which was in the West Palm Beach submarket. Another 67,329 square feet of office space was reported to be under construction in the county. There is currently no new office building construction occurring in West Palm Beach.

Conclusion – Retail and Office Markets

Overall, the general retail market is healthy with average vacancies returning to pre-recession levels last reported in 2007. The West Palm Beach submarket indicated quoted average rental rates at the lower end of the submarket ranges. Overall, however, the local market for general retail space in the Subject's location appears very healthy with strong demand, which is anticipated to remain the case into the foreseeable future.

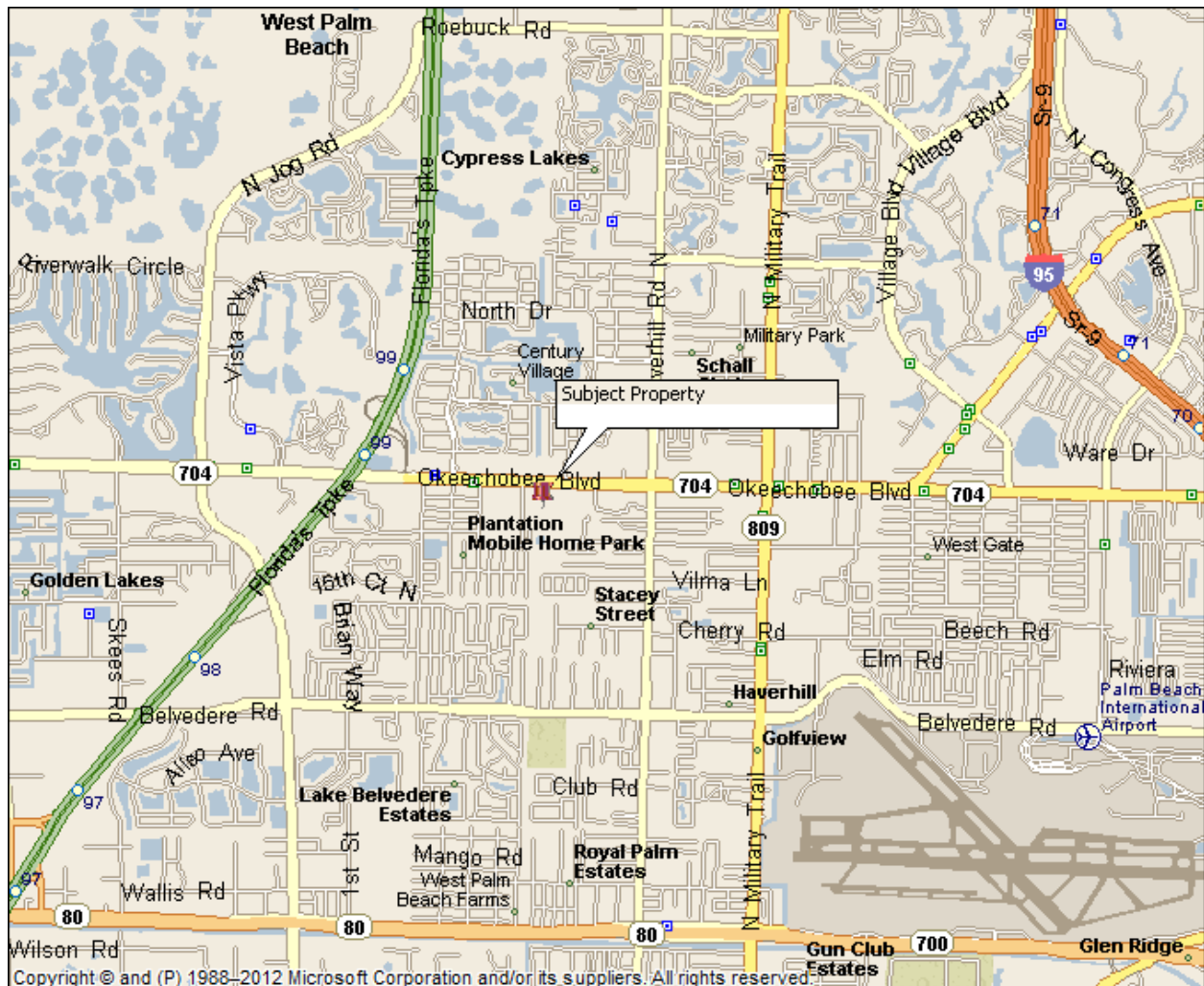
It appears that many Palm Beach County office submarkets are generally healthy and continue to strengthen after having been over-built. Vacancies have declined gradually from approximately 17.5% in the third quarter of 2013 to 11.5% at the end of the third quarter of 2016. No new competitive office properties are expected in the Subject's neighborhood for the foreseeable future. Overall, the Subject is located in a strong and stable office market that should, in our opinion, continue to remain so for the foreseeable future. In the long-term, it seems reasonable to assume that the retail and office market conditions will continue to improve.

PROPERTY DATA

Location

The Subject Property is located along the south side of Okeechobee Boulevard, approximately 1,950 feet west of Haverhill Road, in an unincorporated area of Palm Beach County. The street address of the site is 5976 Okeechobee Boulevard, West Palm Beach, Florida, 33417.

Location Map



Zoning

According to the Palm Beach County Zoning Map, the Subject Property is zoned RH, Multifamily Residential High Density. However, historical zoning maps and other records (such as Resolution Nos. 80-375 and 73-618 which are referenced on the map) indicate that the northern approximate 3.47 acres fronting Okeechobee

Boulevard retains a zoning of CG, General Commercial by Palm Beach County (see Limiting Condition 14). The RH, Multifamily Residential High Density, designation (which corresponds to the RM, Residential Multifamily district of the zoning code) is “intended primarily for the development of multiple family dwelling units”. The CG zoning district is “to encourage the development of intensive commercial uses providing a wide range of goods and services...”.

As requested by our client, we have analyzed and valued the Subject Property “as if zoned commercial” in terms of zoning with a compatible underlying commercial land use (see Hypothetical Conditions and Limiting Condition 14). It is noted that an offer to purchase the Subject Property has been received by the Town of Palm Beach for the intended use as a CarMax auto dealership. According to Palm Beach County’s Unified Land Development Code, this use would require a Class A Condition Use approval (in the CC, CG or IL zoning districts) from the Board of County Commissioners (BCC).

Land Use Plan

The Subject site has two separate future land use designations. The future land use designation for the 3.47-acre portion of the Subject Property fronting Okeechobee Boulevard is CH/8, Commercial High with underlying residential density of 8 units per acre, by Palm Beach County. The remaining portion of the site is designated UT, Utilities and Transportation, by the Comprehensive Land Use Plan of Palm Beach County. The intent of this district is to provide a full range of transportation or utility uses including solid waste and transfer stations and facilities. The zoning code indicates that only the PO (Public Ownership) zoning district is consistent with the UT future land use. The PO zoning district is “primarily intended for, although not limited to, public parks and recreation areas, public buildings and facilities, and other capital improvements of a significant nature.”

However, as stated, we have analyzed and valued the Subject Property “as if zoned commercial” (see Hypothetical Conditions and Limiting Condition 14).

Concurrency

In 1985, the Florida Legislature enacted the Local Government Comprehensive Planning and Land Development Regional Act (Chapter 163, Part II, Florida Statutes), commonly referred to as “The Growth Management Act”.

In 2011 the state legislature rescinded this law, and now each county can address almost all of these factors as they wish. Sanitary sewer, solid waste, drainage, and potable water are the only public facilities and services subject to the concurrency requirement on a statewide basis. If concurrency is applied to other public facilities, the local government comprehensive plan must provide the principles, guidelines, standards, and strategies, including adopted levels of service, to guide its application. In order for a local government to rescind any optional concurrency provisions, a comprehensive plan amendment is required. An amendment

rescinding optional concurrency issues is not subject to state review. To the best of our knowledge, we are not aware of any concurrency issues with the Subject Property.

We have not been provided a title search for the Subject Property. Based upon our inspection of the property records, no adverse deed restrictions or easements were noted.

The Subject Property is a rectangular site containing approximately 1,206,307 square feet, or 27.69 acres, according to the Boundary and Topographic Survey shown in the report Addenda. As depicted on the survey and Parcel Map below, the site has approximately 617 feet of frontage along Okeechobee Boulevard and a depth of approximately 1,953 feet. Access to the Subject Property is provided by Okeechobee Boulevard which currently has one curb cut. Access and exposure are considered to be excellent.

Aerial View



Utilities

All utilities are available to the Subject Property with sewer and water provided by Palm Beach County, telephone service by AT&T, and electrical service from FPL.

Topography

Based on the Topographic and Control Survey provided by our client and shown in the report Addenda, much of the Subject site is generally cleared, level and at approximate road grade with Okeechobee Boulevard. At the time of our inspection, there was no flooding or evidence of standing water.

A 5,000 square foot community building constructed in 1974 lies on the southern portion of the site, as well as several small utility buildings situated elsewhere on the site. The improvements are minimal and do not contribute to the overall value of the site.

However, approximately 7.5 acres of the site along the western boundary has historically been used as a landfill for vegetative debris ("yard trash") by the Town of Palm Beach. The site is regularly monitored by Palm Beach County Health Department for the Florida Department of Environmental Protection. According to Donna Beldsoe with the U.S. Environmental Protection Agency, jurisdiction of the former Superfund site was given to the state DEP in 2013, with oversight and monitoring handled by Palm Beach County. At that time, no further remedial action was required regarding contamination.

We were provided with a copy of the July 2015 Inspection Checklist which indicated that the yard trash disposal facility was operating and in compliance with maintenance regulations plan. Our inspection revealed, as shown in the photographs and on the topographic survey, several berms that would require leveling and possibly fill dirt in order to permit development (see Extraordinary Assumptions and Limiting Conditions 8 and 13).

Census Tract

The Subject site lies within Census Tract 0031.02.

Flood Hazard Zone

The Subject Property lies within Flood Zone "B", according to the Flood Insurance Rate Map (Panel Number 120192 0155 B), Revised October 15, 1982, prepared for the National Flood Insurance Program of the U.S. Department of Housing and Urban Development (H.U.D.). Flood Zone "B" indicates areas between limits of the 100-year flood and the 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.

Assessed Value and Taxes

The Subject Property's 2016 total assessed value and taxes are shown below.

2016 Assessment and Taxes					
<u>Folio Number</u>	<u>Land Value</u>	<u>Building Value</u>	<u>Total Assessed Value</u>	<u>Taxable Value</u>	<u>Taxes</u>
00-42-43-26-05-004-0000	\$2,519,394	\$3,162	\$2,522,556	\$0 *	\$0
00-42-43-26-00-000-1300	\$961,740	\$152,495	\$1,114,235	\$0 *	\$0
00-42-43-26-00-000-1340	\$7,806	\$0	\$7,806	\$0 *	\$0
	<u>\$3,488,940</u>	<u>\$155,657</u>	<u>\$3,644,597</u>	<u>\$0</u>	<u>\$0</u>
* municipal government owned/tax exempt					

Property History

It should be noted that this office has not performed a title search, nor has a title search been provided. According to public records, the Subject Property is under the ownership of the Town of Palm Beach which has owned the property for many years. It appears that the Subject was a portion of the land purchased from The Tennessee Company on August 17th, 1940 via a Warranty Deed recorded in the public records as O.R. Book 613, Page 228. According to the Town Manager of the Town of Palm Beach, the property is considered surplus land that developers and/or investors have becoming increasingly interested in acquiring. The property has not been actively marketed for sale and is not under contract for purchase; however unsolicited offers have been submitted for the northern 5.88 acres with increasingly high offer prices. We have reviewed two of these offers that were supplied by the property owner.

In February 2016, an offer was submitted to purchase the Subject site for \$3.4 million, or \$13.27 per square foot. The offer was contingent on the buyer subdividing the site and obtaining all government and tenant approvals, with binding lease commitments for 50% of a proposed commercial project. In addition, the seller would be responsible for all brokerage commissions.

In April 2016, another offer was submitted to purchase the 5.88 acres for \$4.4 million, or \$17.17 per square foot. This offer was also contingent on the buyer subdividing the site and obtaining a zoning change and approvals for up to 100,000 square feet of commercial space for banking, fast food, restaurants, general commercial services or retail.

More recently, the owners received an offer from CarMax for the entire 27.69 acres that is the Subject of this appraisal. Reportedly, the offer was \$16,000,000, or \$13.26 per square foot, but included terms not acceptable to the Town of Palm Beach. All of the offers were Letters of Intent and not binding contracts.

HIGHEST AND BEST USE

The Dictionary of Real Estate Appraisal, Sixth Edition 2015, by the Appraisal Institute defines Highest and Best Use on page 109 as follows:

1. "The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."
2. "The use of an asset that maximizes its potential and that is possible, legally permissible, and financially feasible. The highest and best use may be for continuation of an asset's existing use or for some alternative use. This is determined by the use that a market participant would have in mind for the asset when formulating the price that it would be willing to bid. (IVS)"
3. "The highest and most profitable use for which the property is adaptable and needed or likely to be needed in the reasonably near future. (Uniform Appraisal Standards for Federal Land Acquisitions)."

To estimate the Highest and Best Use of the Subject, we have considered those uses, which are legally permissible, physically possible, financially feasible, and maximally productive. Consideration was given to individual features of the land such as size, shape, location, access to roadways, and the availability of utilities. Consideration was also given to the surrounding land uses and the demand for property in the current real estate market.

The Subject Property is a 27.69-acre vacant site that runs along Okeechobee Boulevard and extends to a depth of approximately 1,953 feet. As discussed, much of the western portion of the site functions as a yard waste landfill. The current Highest and Best Use of the Subject site is for commercial development, based on the following criteria:

Legally Permissible

As mentioned in the Property Data section of the report, the Palm Beach County Zoning Map indicates that the Subject Property is zoned RH, Multifamily Residential High Density, while the underlying land use of the northern approximate 3.47 acres is CH/8, Commercial High with underlying residential density of 8 units per acre. The remaining 24.22 acres of the site is designated UT, Utilities and Transportation.

However, as requested by the client, we have analyzed and valued the Subject Property "as if zoned commercial" with a compatible underlying commercial land use (see Hypothetical Conditions and Limiting Condition 14).

Physically Possible

The vacant Subject site is rectangular in shape and contains approximately 27.69 acres. The site has excellent roadway exposure and access. Further, the site appeared to be high and dry at the time of our inspection. Although much of the site is generally level, the western portion that historically been used as yard debris landfill, has berms resulting from its ongoing operation. Although a potential buyer would consider the implications of the irregular topography in terms of potential for development, we have assumed that the scope or potential costs to remedy the issue would not be prohibitive (see Extraordinary Assumptions). The Subject site is physically well suited for a wide variety of uses due to its size, configuration, access and location, assuming the topography does not inordinately affect site work costs.

Financially Feasible

The surrounding land uses are an important consideration, especially with regard to the principle of conformity. The Subject's immediate neighborhood is predominantly commercial in nature due to the traffic volumes and exposure afforded by Okeechobee Boulevard, one of the most important commercial thoroughfares in the county. For reasons supported above, the Subject Property may be developed with a wide variety of commercial uses.

Demand for commercial uses, especially retail, has strengthened in recent years. The site offers extensive frontage and is suitable for a variety of uses. As mentioned in the Market Overview section of the report, retail and office rental rates have been rising in conjunction with tightening occupancies for existing space.

Based on the aforementioned factors, it is our opinion that razing the existing improvements for commercial redevelopment would be financially feasible at the Subject Property.

Conclusion – As Vacant

Therefore, based on an analysis of the Subject's neighborhood, prevailing land values, active market participants, as well as current economic conditions, it is our opinion that the Highest and Best Use of the Subject site is for commercial redevelopment. The most probable buyer of the Subject Property would be a mid-sized to institutional investor looking to purchase and develop the site now that market conditions are favorable for new commercial product.

LAND VALUE ANALYSIS

According to the 14th Edition of The Appraisal of Real Estate on page 44, the valuation of land begins by identifying the real estate and property rights valued, any encumbrances, use restrictions, and the land's physical characteristics. An appraiser can use several techniques to obtain an indication of land value:

- Sales Comparison
- Extraction
- Allocation
- Subdivision Development
- Land Residual
- Ground Rent Capitalization

Usually the most reliable way to estimate land value is by sales comparison. When few sales are available, however, or when the value indications produced through sales comparison need additional support, procedures like extraction or allocation may be applied. In the case of the Subject Property the only approach used was the Sales Comparison Approach.

As discussed, our analyses will value the Subject site hypothetically "as if zoned commercial" with a compatible underlying land use, which in our opinion is the Subject Property's Highest and Best Use.

Discussion of Vacant Commercial Land Sales

In order to estimate the value of the Subject as a commercial site, a search was made for sales with development potential similar to the Subject. We searched for recent sales of large commercial parcels or that were purchased for a commercial oriented use. Initially we researched for recent commercial sales of 10 acres or more, focusing on properties along Okeechobee Boulevard west of Interstate I-95 and the West Palm Beach CBD. We broadened our search geographically to include all of Palm Beach County, and back in time, as well as including slightly smaller parcels of commercial land.

Our search revealed four commercial transactions that occurred since early 2015 in addition to the current listing of a large commercial land parcel. We analyzed the Subject Property based on price per square foot of land basis, as this is the most recognized unit of comparison in this market, and also on a price per acre basis due to its larger than typical size for commercial land. All of the comparables were considered with regard to property rights appraised, financing, conditions of sale, time or market conditions, location/access, size, frontage/exposure, site quality, zoning/land use and approvals. The four *closed* comparable sales indicated a range of prices prior to adjustments from \$9.36 to \$18.45 per square foot. We also have researched current listings in the market area and included a 52-acre commercial parcel for sale along Okeechobee Boulevard. The asking price is \$22 million, which equates to \$9.71 per square foot.

The Subject Property and the comparables are summarized on the following chart and shown on the location map. Detailed sales write-ups and discussion of our adjustments follow.

VACANT COMMERCIAL LAND SALES Callaway & Price, Inc. #16-75631						
Sale Number	Subject Property	Sale 1	Sale 2	Sale 3	Sale 4	Listing 5
Record ID	-	9312	9259	8757	8823	-
O.R. BK/PG	-	28020/1261	28019/1027	27464/1634	27384/313	N/A
Date of Appraisal/Sale	11/18/16	December-15	December-15	April-15	March-15	Listing
Sale Price	-	\$17,250,000	\$2,900,000	\$7,200,000	\$22,750,000	\$22,000,000
Size - (Gross Acres)	27.69	26.42	7.11	13.82	28.30	52.00
Size - (Gross Sq. Ft.)	1,206,307	1,150,681	309,899	601,999	1,232,745	2,265,120
Price / Acre	-	\$653,013	\$407,630	\$520,984	\$803,889	\$423,077
Price / Sq. Ft.	-	\$14.99	\$9.36	\$11.96	\$18.45	\$9.71
Location	South side of Okeechobee Blvd., 1,950+/- feet west of Haverhill Road	SE quadrant of Donald Ross Rd. and I-95	North side of Okeechobee Blvd. on east side of Turnpike entrance	SWC of Okeechobee Blvd. and Skees Road	South side of Donald Ross Rd., 1/4 mile west of Central Blvd.	SE corner of Okeechobee Blvd. and State Road 7
City	Uninc. PB Co.	Palm Beach Gardens	Uninc. PB Co.	West Palm Beach	Palm Beach Gardens	Royal Palm Beach
Zoning	Commercial *	PCD	CG	CG	PCD	CG
Conditions of Sale	-	0%	20%	0%	0%	-15%
Time Adjustment	-	5%	5%	10%	10%	0%
Adj. Price Per SF	-	\$15.74	\$11.79	\$13.16	\$20.30	\$8.26
Physical Adjustments						
Location / Access	-	-15%	10%	0%	-15%	10%
Size	-	0%	-15%	-10%	0%	20%
Frontage / Exposure	-	0%	0%	0%	0%	0%
Site Quality	-	0%	-5%	5%	0%	0%
Zoning / Land Use	-	0%	0%	0%	0%	0%
Approvals	-	-15%	0%	0%	-15%	0%
Total Physical Adjustment	-	-30.00%	-10.00%	-5.00%	-30.00%	30.00%
Adjusted Price Per SF	-	\$11.02	\$10.61	\$12.50	\$14.21	\$10.73
Adjusted Price Per Acre	-	\$479,965	\$462,252	\$544,429	\$618,994	\$467,500

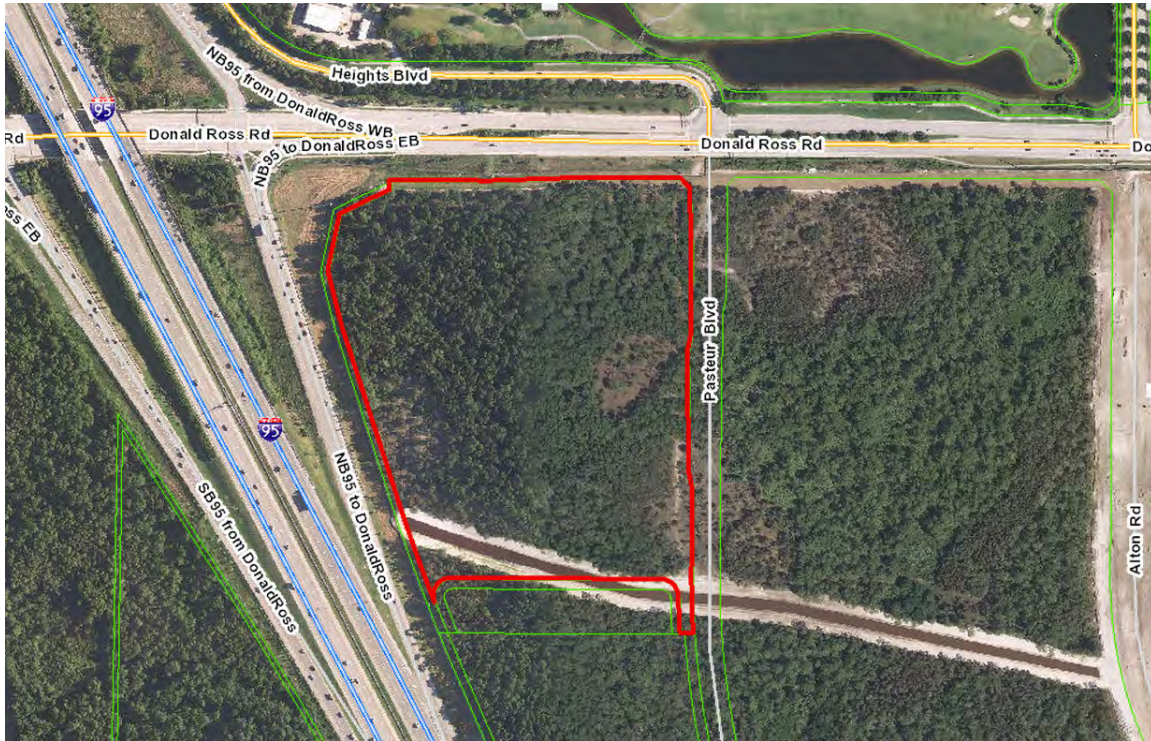
* see Extraordinary Assumption

Per Sq. Ft.:	Average	\$11.81
	Minimum	\$10.61
	Maximum	\$14.21
Per Acre:	Average	\$514,628
	Minimum	\$462,252
	Maximum	\$618,994

Commercial Land Sales Location Map



Land Sale No. 1



Property Identification

Record ID	9312
Property Type	Commercial, Vacant Land
Address	Donald Ross Road, Palm Beach Gardens, Palm Beach County, Florida
Location	Southeast quadrant of Donald Ross Rd. and I-95
Tax ID	52-42-41-26-03-002-0000
Legal Desc.	Tract "B-1" of Pasteur Plat One PB 120/PG 187

Sale Data

Grantor	Pasteur Commercial Investments, LLC
Grantee	Carrier Corporation
Sale Date	December 30, 2015
Deed Book / Page	28020/1261
Conditions of Sale	Market
Financing	Cash to seller
Verification	Confirmed by Matt Graham

Sale Price	\$17,250,000
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Land Data

Zoning	PCD
Topography	Heavily wooded, level and dry

Land Sale No. 1 (Cont.)

Utilities	All to site
Shape	Generally rectangular
Future Land Use	MXD, Mixed Use, w/BRP Overlay

Land Size Information

Gross Land Size	26.416 Acres, or 1,150,681 SF
Front Footage	Donald Ross Road

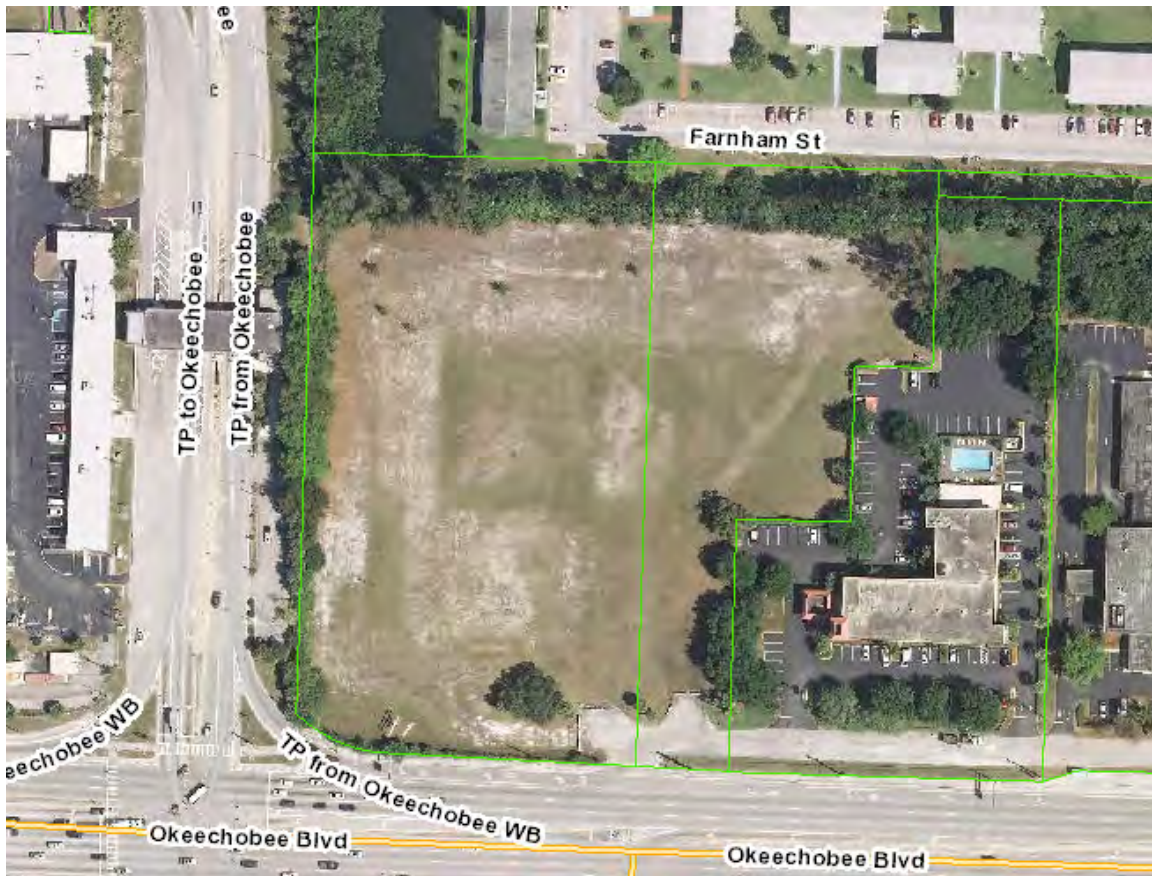
Indicators

Sale Price / Gross Acre	\$653,013
Sale Price / Gross SF	\$14.99

Remarks

This is the sale of a vacant tract with visibility from I-95. The buyer plans to build a corporate headquarters on site. The site is entitled for up to 700,000 square feet of development.

Land Sale No. 2



Property Identification

Record ID	9259
Property Type	Commercial, Acreage
Address	6255 Okeechobee Boulevard, Unincorp. Palm Beach Co., Florida 33417
Location	North side of Okeechobee Blvd. on east side of Turnpike entrance
Tax ID	00-42-43-22-00-000-5020; & -23-00-000-7030
Legal Desc.	Lengthy legal, lying in SE ¼ of STR 22 43 42

Sale Data

Grantor	OSLIC Holdings LLC
Grantee	DS Investments 1, LLC
Sale Date	December 24, 2015
Deed Book / Page	28019/1027
Property Rights	Fee Simple
Conditions of Sale	see comments
Financing	Cash to seller
Sale History	N/A

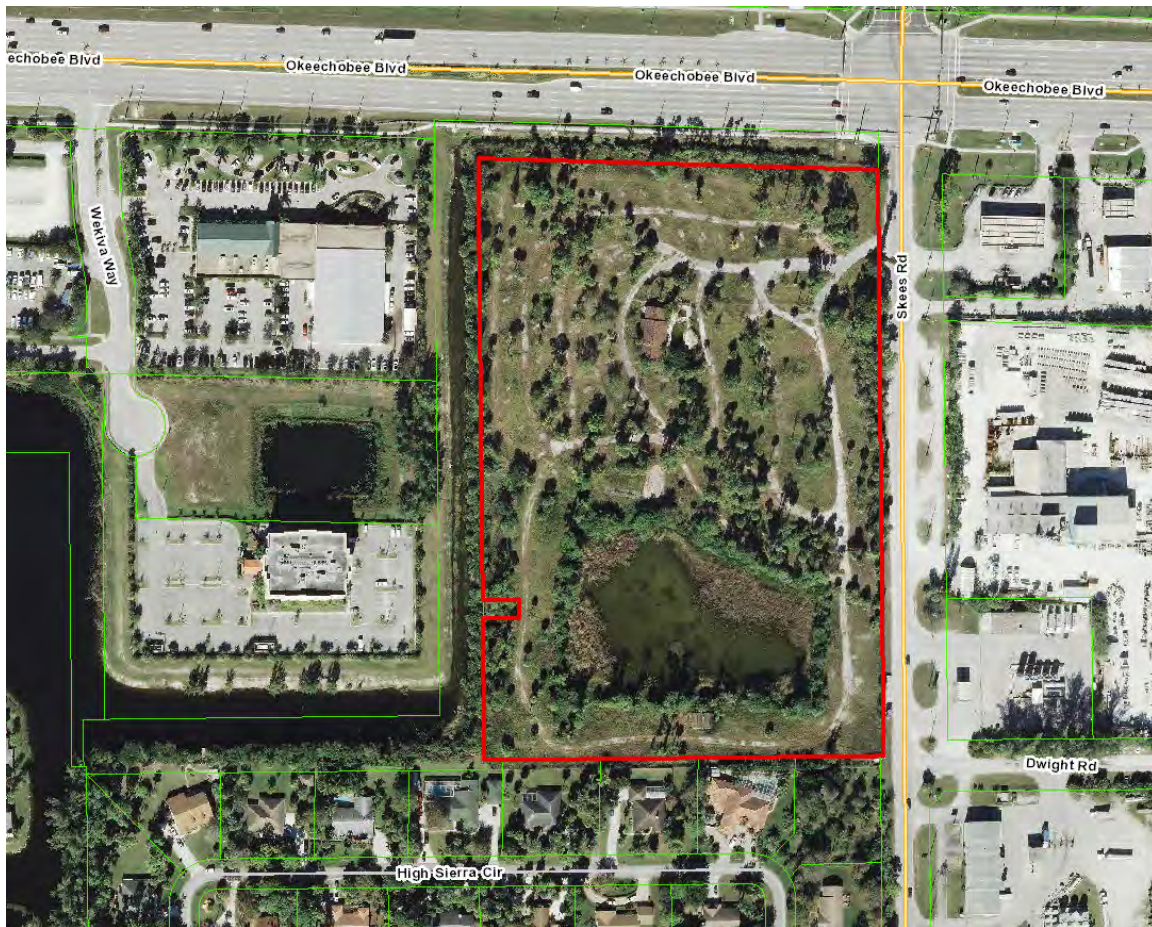
Land Sale No. 2 (Cont.)

Verification	Peter C. Kane; Other sources: Public Records, Confirmed by Jim Murray
Sale Price	\$2,900,000
<u>Land Data</u>	
Zoning	CG, General Commercial
Topography	Flat
Utilities	All to site
Shape	Irregular
Future Land Use	CH/8, Commercial High Intensity w/underlying 8 DU/Acre
<u>Land Size Information</u>	
Gross Land Size	7.114 Acres, or 309,899 SF
Front Footage	Okeechobee Boulevard; Florida's Turnpike
<u>Indicators</u>	
Sale Price / Gross Acre	\$407,630
Sale Price / Gross SF	\$9.36

Remarks

Vacant land that had previously been developed with an Econolodge Motel. Level, cleared with all utilities available; adjacent to La Quinta hotel at Florida's Turnpike. Property was marketed on and off for several years with the latest listing price of \$4,499,000. According to the broker who had expired listing, the property was sold by owner group liquidating assets of Old Standard Life Insurance Company which acquired the REO property from Western United Life Insurance Co. in May 2003. No approvals in place for redevelopment, but according to manager of adjacent La Quinta Inn, a Wawa station/market and hotel use are planned by current buyer.

Land Sale No. 3



Property Identification

Record ID	8757
Property Type	Vacant Commercial, Acreage
Address	7000 Okeechobee Boulevard, West Palm Beach, Palm Beach County, Florida 33411
Location	Southwest corner of Okeechobee Boulevard and Skees Road
Tax ID	74-42-43-27-03-001-0221
Legal Desc.	Lengthy legal

Sale Data

Grantor	JAG Palm Beach Replacement, LLC
Grantee	CMSJR Development Group, LLC
Sale Date	April 10, 2015
Deed Book / Page	27464/1634
Recorded Plat	5/58
Property Rights	Full
Conditions of Sale	Market
Financing	Cash to seller

Land Sale No. 3 (Cont.)

Verification Allen Long; Other sources: Confirmed by Rob Callaway

Sale Price \$7,200,000

Land Data

Zoning CG
Topography Flat
Utilities All to site
Shape Rectangle
Future Land Use Commercial

Land Size Information

Gross Land Size 13.820 Acres or 601,999 SF
Front Footage Okeechobee Boulevard; Skees Road

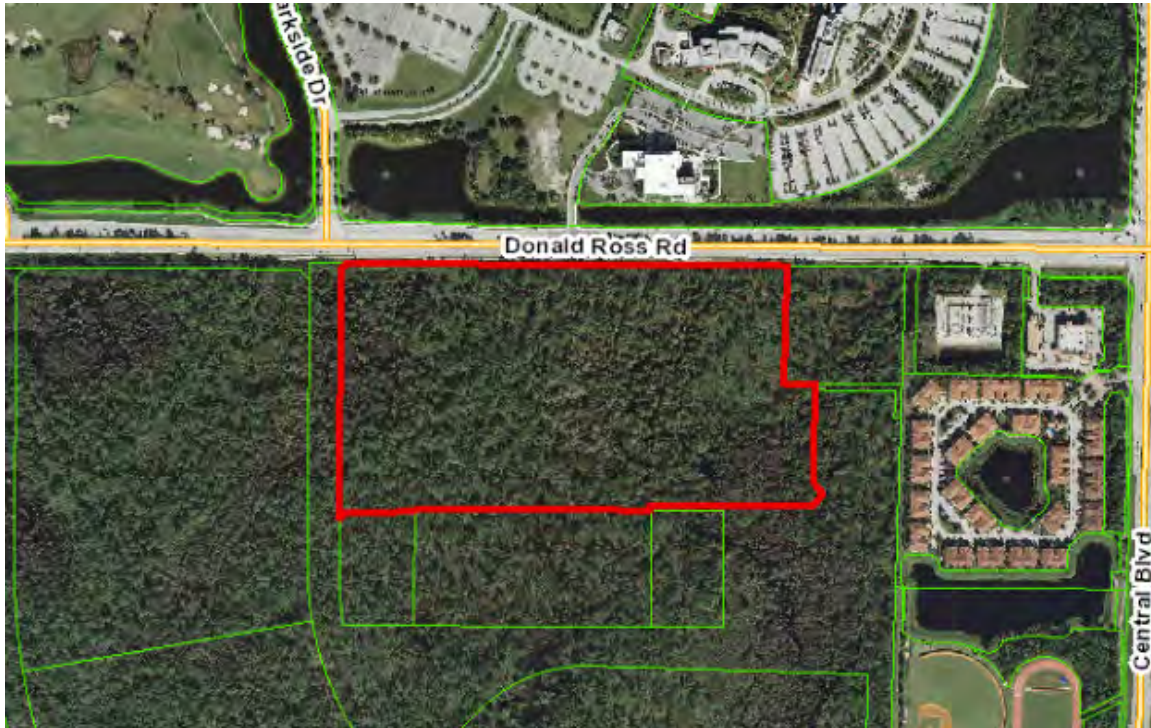
Indicators

Sale Price / Gross Acre \$520,984
Sale Price / Gross SF \$11.96

Remarks

The buyer is affiliated with residential home builder, Ansca Homes. There were no approvals in place. Site has a 1.49-acre pond (or 64,904 square feet). Owner says there is a requirement that the site provide approximately four acres of retention and detention area for both the development of the site and the neighboring residential subdivision to the south. The broker for the site indicated this retention area size is subject to change depending on the type and intensity of the development of the site and that it can be mitigated and/or minimized by providing decking and parking over the top of the area, similar to what the Braman car dealership did at the corner of Palm Beach Lakes and Okeechobee Boulevard.

Land Sale No. 4



Property Identification

Record ID	8823
Property Type	Commercial, Vacant Land
Address	Palm Beach Gardens, Palm Beach County, Florida 33418
Location	South side of Donald Ross Road, 1/4 mile west of Central Blvd.
Tax ID	52-42-41-26-00-000-1010
Legal Desc.	Lengthy legal, portion of Town Center District of Briger Tract DRI

Sale Data

Grantor	Parkside Retail Investments LLC
Grantee	NADG/Brock (Alton PBG) LP
Sale Date	March 5, 2015
Deed Book / Page	27384/313
Property Rights	Fee Simple
Conditions of Sale	Arm's length
Financing	Conventional financing
Verification	Other sources: Costar; public records, Confirmed by Jim Murray

Sale Price	\$22,750,000
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Land Data

Zoning	PCD, Planned Community District
---------------	---------------------------------

Land Sale No. 4 (Cont.)

Topography	Mostly level; heavily wooded
Utilities	All available
Shape	Rectangular
Future Land Use	MXD, Mixed Use w/approved Master Site Plan

Land Size Information

Gross Land Size	28.300 Acres, or 1,232,748 SF
Front Footage	Donald Ross Road

Indicators

Sale Price/Gross Acre	\$803,887
Sale Price/Gross SF	\$18.45

Remarks

This is the sale by Kolter of the major retail portion of Briger Tract (PCL C) to local retail developers (Brock Development) who is reportedly partnering with North American Development Group to develop Alton Town Center project. The site has entitlements for 375,000 sq.ft. of big box (175K sq.ft.), entertainment/lifestyle (150K sq.ft.) and necessity-based (50K sq.ft.) retail. Ground breaking is planned for early 2016. Kolter is currently putting in interior road and utility infrastructure including Alton Road which will run along parcel's western boundary. This site is directly south of Scripps, Max Planck and FAU's Abacoa campus.

Land Listing No. 5



Property Details

Price	\$22,000,000
Lot Size	52 AC
Total Lot Size	52 AC
Price/AC	\$423,076.92 /AC
Property Type	Land
Property Sub-type	Commercial/Other (land)
Features	Water Telephone Gas/Propane
Status	Active
LoopNet ID	18870147

Broker Information



Alan Long
Newmark Grubb Knight Frank
(561) 893-6283

Property Notes

Listing's Link: <http://www.loopnet.com/lid/18870147>

Lots

#	Price	Size	Price/Size	Description
Ste	\$22,000,000	52 AC	\$423,076.92 /AC	

Property Description

Lot Dimensions: 1,528.03 x 1,414.70Zoning: GC - General CommercialTraffic Count: 45,000 Daily traffic countPopulation: 54,529 (3 mile radius)Est. Median Household Income: \$57,421 (2013)

Location Description

SE Corner of Okeechobee and Route 7 in the Village of Royal Palm Beach.

Discussion of Adjustments

The five comparables, including the current listing, indicated a range of prices from \$9.36 to \$18.45 per square foot prior to adjustments. This data was considered to be the best available for direct comparison to the Subject Property with the hypothetical condition “as if zoned commercial” and representative of the current market.

Property Rights Conveyed, Terms of Financing and Conditions of Sale

All the sales in this analysis were transferred on a Fee Simple Estate, with the buyers receiving full property rights ownership. We are also unaware of any adverse deed restrictions or any other property rights limitations which would have adversely affected the sales. Therefore, no adjustment was considered necessary for property rights conveyed.

Adjustments for advantageous financing were also considered. None of the sales required adjustment for atypical financing. As a result, we have made no adjustment for cash equivalencies.

Adjustments for conditions of sale usually reflect the motivations of the buyer and seller at the time of conveyance. Within the confirmation process, detailed attention was made to ensure the conditions of each sale. Based upon the research performed, it is our opinion that all of the sales involved arm's length transactions and therefore required no adjustment for this factor. However, based on our research, Sale 2 was formerly developed with a motel and the site sat vacant for many years. The site was sold by an owner entity liquidating assets of a defunct life insurance company that had acquired the REO property from a merger or acquisition of another life insurance company. The distressed conditions of sale involving the liquidation of an REO asset warranted significant upward adjustment in our opinion.

In addition, Listing 5 is being actively marketed at the price represented in the chart. As this is an asking price, it is reasonable to assume that a prudent prospective buyer would begin negotiations by offering a lower price. To account for the likelihood of a lower sale price if the property is purchased, we have applied a downward adjustment for conditions of sale.

No other adjustments for atypical conditions of sale were necessary.

Time or Changes in Market Conditions

Market conditions generally change over time and may be caused by inflation, deflation, fluctuations in supply and demand, or other factors. The *closed* comparable sales occurred from March to December 2015. As discussed in the Market Overview, the demand for commercial properties has been increasing in recent years as indicated by declining vacancies and increasing rental rates. With

fewer vacant sites suitable for commercial development, buyers have in some cases redeveloped sites after razing existing improvements. As a result, it is evident that market conditions for vacant commercial properties have been improving in recent years.

After analyzing the sales data, it appears that all of the closed sales, which occurred approximately 11 to 20 months prior to the date of appraisal warranted upward adjustments for improving market conditions. We have applied reasonable upward adjustments to these sales for time/market conditions, with Sales 3 and 4, which occurred in early 2015, requiring more significant upward adjustments. No adjustment was applicable for the current listing.

Location/Access

The Subject Property is located along the south side of Okeechobee Boulevard approximately one-half mile east of the Florida Turnpike. Sale 3 was located along Okeechobee Boulevard in an area similar to that of the Subject Property. This sale was not adjusted based on its location.

Sale 1 was located along I-95 with superior access in a rapidly developing, high demand area of northern Palm Beach County. In close proximity is the FAU Jupiter Campus, Scripps and Max Planck biomedical research campuses, and Abacoa planned development. Sale 4 was also located in close proximity with excellent access and visibility. The overall economic demographics are superior to those surrounding the Subject Property. These two sales warranted downward adjustments for location.

The remaining comparables, Sales 2 and Listing 5, were considered to have inferior overall location/access characteristics and were adjusted upward adjustments. Although Sale 2 was located along Okeechobee Boulevard at the Florida Turnpike entrance, it had inferior access from Okeechobee Boulevard and no access from the Turnpike. Listing 5 had good exposure, but is more removed from Florida's Turnpike, I-95 and the more dense eastern, more densely developed areas of the county near the coast.

Size

The Subject Property contains 27.69 acres, according to the survey provided, which is large relative to most commercial land parcels. The comparable sales ranged from 7.11 to 52.00 acres. Typically, larger properties sell for less on a per square foot basis than smaller sites, and vice versa. Sales 1 and 4 were considered to be relatively similar to the Subject site in terms of size and were not adjusted for this factor.

Sales 2 and 3 were significantly smaller than the Subject site at only 7.11 and 13.82 acres, respectively, and were adjusted downward for size. Conversely,

Listing 5 comprised 55+/- acres and warranted an upward adjustment due to its considerably larger size.

Frontage/Exposure

The Subject site has 617+/- feet of frontage along Okeechobee Boulevard, a major commercial thoroughfare in central Palm Beach County. It benefits from excellent exposure as a commercial site. Overall, the sales generally benefitted from similar frontage and exposure, in our opinion. None of the sales warranted adjustment based on the aspects of frontage and exposure.

Site Quality

Much of the Subject site is rectangular, generally cleared of vegetation, with level and dry topography. However, the property is improved with a 5,000 square foot community/clubhouse building and several ancillary utility buildings. In addition, approximately 7.5 acres consists of an active yard debris landfill (see Extraordinary Assumption). Although the scope and costs required to reclaim the landfill area are not known, it is clearly a factor that a prospective buyer would consider in their due diligence and purchase decision. In terms of site quality, Sales 1, 4 and Listing 5 were considered to be generally similar with regard to site quality. These three properties are heavily wooded and would require clearing costs to allow for development. This factor was considered to essentially negate the Subject's inferior topography issues related to the demolition of the improvements. In our opinion, no adjustments were warranted for these comparables for site quality.

Sale 3, however, was inferior to the Subject site and required an upward adjustment for site quality. Sale 3 was rectangular in shape, but had a substantial retention pond area that negatively impacted potential development scenarios.

Finally, Sale 2 was a cleared site that was considered to be superior to the Subject Property in terms of overall site quality. The property had a slightly irregular configuration, but sufficient width and depth so as not to impede development. This sale warranted a downward adjustment, accordingly.

Zoning/Land Use

Under this valuation scenario, we have employed the hypothetical condition that the Subject Property is zoned commercial and has a compatible commercial underlying land use. The comparable sales were chosen due to their commercial nature and all benefitted from a general commercial designation or were part of a planned development targeting them for commercial use. As a result, none of the comparables warranted an adjustment for zoning/land use.

Site Plan Approvals

As of the appraisal date, the Subject Property had no entitlements in terms of site plan approval for a development project. In an active market sites with approvals are considered superior to those without, as it takes time, effort and money to move through the approval process. Sales 2 and 3 sold with any active approvals in place, or were subject to obtaining such entitlements. Similarly, Listing 5 does not have entitlements or site plan approvals in place. As a result, no adjustments were warranted for any of the comparables for this factor.

Sales 1 and 4, however, sold with entitlements for development, which was considered a significant benefit to the buyer in terms of risk, cost and timing. These two sales required downward adjustments for this superior attribute.

Listings

In light of strengthening market conditions, we have researched other listings of commercial sites along Okeechobee Boulevard. One such listing is a 7.30-acre commercial site located at 6166 Okeechobee Boulevard, in very close proximity to the Florida Turnpike. The asking price for the site is \$6,199,000, or \$19.49 per square foot. The site benefits from site plan approvals for two hotels totaling 200+ rooms. The site is rectangular with approximately 600 feet of frontage, and cleared level topography.

Another listing is a 9.30-acre commercial site located at 12900 Okeechobee Boulevard, in the Loxahatchee area seven miles west of the Florida Turnpike. The asking price for this site is \$2,995,000, or \$7.39 per square foot. The site is vested for 30,000 square feet of commercial space with site plan approval pending. The site is rectangular with approximately 730 feet of frontage along Okeechobee Boulevard and 550 feet along Folsom Road. It has level topography and is improved with a single family residence.

Conclusion – “As if Zoned Commercial”

As shown on the comparable sales chart displayed earlier, the sales and listing indicated an adjusted range from \$10.61 to \$14.21 per square foot, with an average of \$11.81 per square foot. By eliminating the low and high indications (Sales 2 and 4, respectively) the range narrows from \$10.73 to \$12.50 per square foot, with an average of \$11.42 per square foot. Sale 2 and 3 indicated the smallest net adjustments and reflected adjusted prices of \$10.61 and \$12.50 per square foot, respectively.

On a per acre basis, the sales and listing indicated an adjusted range from \$462,252 to \$618,994 per acre, with an average of \$514,628 per acre. Sales 2 and 3 indicated adjusted prices of \$462,252 and \$544,429 per acre.

As discussed throughout the report, our valuation is based on the Subject Property as zoned for commercial use, but not with entitlements/approvals in place for specific development. Further, the scope of the landfill and potentially topography issues are not known and may likely have an impact on a prospective buyer's purchase decision. In the Property History section of the report it was mentioned that the Subject Property owners have received an offer from CarMax for the entire 27.69 acres that is the Subject of this appraisal at a price of \$16,000,000, or \$13.26 per square foot, but included terms not acceptable to the Town of Palm Beach. The terms of the Letter of Intent were not provided for our review. As shown, the offer seems to be near the high end of the adjusted range of prices on a per square foot basis.

Based on the available market data, and our analyses considering the adjustments and listing information, it is our opinion that the Subject Property had a Market Value of \$11.75 to \$12.00 per square foot, "as if zoned commercial", as of November 18, 2016, or \$14,300,000, computed as follows:

1,206,307 Square Feet of Land X \$11.75 per Sq. Ft. = \$14,174,107
1,206,307 Square Feet of Land X \$12.00 per Sq. Ft. = \$14,475,684

Say, \$14,300,000

It is noted that this equates to a price per acre of \$516,432 which is well supported by the adjusted range.

ADDENDA

ENGAGEMENT LETTER



Callaway & Price, Inc.
Real Estate Appraisers And Consultants
www.callawayandprice.com
Licensed Real Estate Brokers

Please respond to the South Florida Office
E-Mail: mrs@cpwpb.com

November 4, 2016

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Town of Palm Beach
c/o John C. Randolph
Jones, Foster, Johnston & Stubbs, P.A.
505 South Flagler Drive, Suite 1100
West Palm Beach, Florida 33401

VIA EMAIL: smatias@jonesfoster.com

Dear Mr. Randolph:

We would be pleased to prepare an appraisal on the approximately 28.3 acres of land located at 5976 Okeechobee Blvd in West Palm Beach, Florida. It is our understanding that the purpose of the assignment is to estimate Market Value based on its present zoning and also zoning modified to commercial and/or industrial.

The intended user is Jones, Foster, Johnston & Stubbs, P.A. and the Town of Palm Beach. The intended use is for internal decision making. The scope of work performed is specific to the needs of the intended user and the intended use. No other use is intended, and the scope of work may not be appropriate for other uses.

The fee to complete the report will be \$3,500-\$4,000.

We need you to supply the survey for the property as well as any other information you deem appropriate.

Mr. John C. Randolph
November 4, 2016
Page Two

We will provide you with the completed appraisal in approximately 2 ½-3 weeks provided that we receive your authorization and information requested. **Please be aware that delays in our receipt of information requested could postpone completion.**

If the above is agreeable to you, please sign below as our authorization and return it together with the information requested and we will begin work immediately. This agreement is subject to the Agreements and Conditions listed on the attached pages, a copy of which should also be signed and returned to us. Our work will be done in accordance with the Appraisal Institute Code of Ethics and Standards of Professional Practice. Thank you for the opportunity to be of service.

Respectfully submitted,

CALLAWAY & PRICE, INC.

M.R. Slade

Michael R. Slade, MAI, SRA, CRE
Cert Gen RZ116

MRS:
Attachments

Client:

John C. Randolph

Accepted By\Date:

11/10/16

Name and Title (Printed or Typed):

Client Fed ID# or SS#:

Quotes16/Randolph2

John C. Randolph

John C. Randolph

Signature

John C. Randolph



CONDITIONS OF AGREEMENT

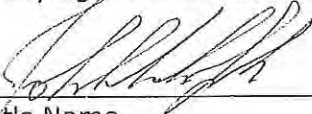
1. Premise: The completed report shall comply with the professional and ethical standards of the Appraisal Institute. The report will be addressed to the Client, or, as directed by the Client.
2. Compensation: The fee is due and payable as designated in the contract letter; the retainer is to be sent to the Appraiser along with the signed contract letter, which constitutes authorization to commence the assignment. The Appraiser's/Consultant's compensation is in no event contingent upon a predetermined value or conclusion.
3. Completion Date: Every effort will be made to deliver the report as per the specified date in the contract letter. If delays occur for reasons beyond the control of the Appraiser/Consultant, such as not receiving necessary data requested from the Client in a timely manner, changes in the scope of services of the assignment, acts of God, et cetera, the due date shall be extended.
4. Changes: The Appraiser/Consultant shall, to the best of his ability, complete the assignment in compliance with professional and ethical standards of the appraisal industry. Changes which are not in keeping with these standards will necessitate a new contract letter and renegotiation of the original fee; or billed on a time basis plus the original fee.
5. Cancellation: This agreement may be cancelled by the Client by written notice, or telephone followed by written notice. Appraiser/Consultant shall submit a statement based on professional time and expenses accrued, if applicable, for all services expended to the date of cancellation.
6. Additional Report Copies: Additional copies will be furnished upon request, and prepayment of \$1 per page per report.
7. Collection: All fees and expenses are due upon delivery of the final report. A late charge of 1.5% per month shall be imposed on balances unpaid 30 days after the statement date. If collection efforts become necessary, all costs for same, including court costs and attorney's fees will be added to the balance due. We are currently operating under an agreement with a collection agency which charges us 53.8%. IF THEIR COLLECTION SERVICES ARE REQUIRED, CLIENT'S TOTAL BALANCE DUE WILL BE INCREASED BY 53.8%.
8. Limiting Conditions: This agreement and the completed report shall be subject to the attached Limiting Conditions (also included in said report).



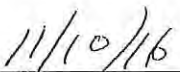
Conditions of Agreement

9. Confidential Data: Data assembled for the assignment will remain the property of the Appraiser/Consultant. Data provided by the Client will be held in file, unless otherwise instructed by the Client, and considered confidential. Appraiser/Consultant is authorized by the Client to disclose the report to appropriate representative of the Appraisal Institute to comply with the Bylaws and regulations of this professional organization.

I hereby agree to the Conditions of Agreement outlined above.



Client's Name



Date of Acceptance



LIMITING CONDITIONS

1. Unless otherwise stated, the value appearing in this appraisal represents the opinion of the Market Value or the Value Defined AS OF THE DATE SPECIFIED. Market Value of real estate is affected by national and local economic conditions and consequently will vary with future changes in such conditions.
2. The value estimated in this appraisal report is gross, without consideration given to any encumbrance, restriction or question of title, unless specifically defined.
3. This appraisal report covers only the property described and any values or rates utilized are not to be construed as applicable to any other property, however similar the properties might be.
4. It is assumed that the title to the premises is good; that the legal description is correct; that the improvements are entirely and correctly located on the property described and that there are no encroachments on this property, but no investigation or survey has been made.
5. This appraisal expresses our opinion, and employment to make this appraisal was in no way contingent upon the reporting of predetermined value or conclusion.
6. No responsibility is assumed for matters legal in nature, nor is any opinion of title rendered. In the performance of our investigation and analysis leading to the conclusions reached herein, the statements of others were relied on. No liability is assumed for the correctness of these statements; and, in any event, the appraiser's total liability for this report is limited to the actual fee charged.
7. Neither all nor any part of the contents of this report (especially any conclusions, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or any of its designations) shall be disseminated to the public through advertising media, public relations media, news media, sales media or any other public means of communication without our prior written consent and approval.
8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable. The appraiser assumes no responsibility for such conditions or the engineering which might be required to discover these factors.

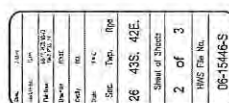


Limiting Conditions

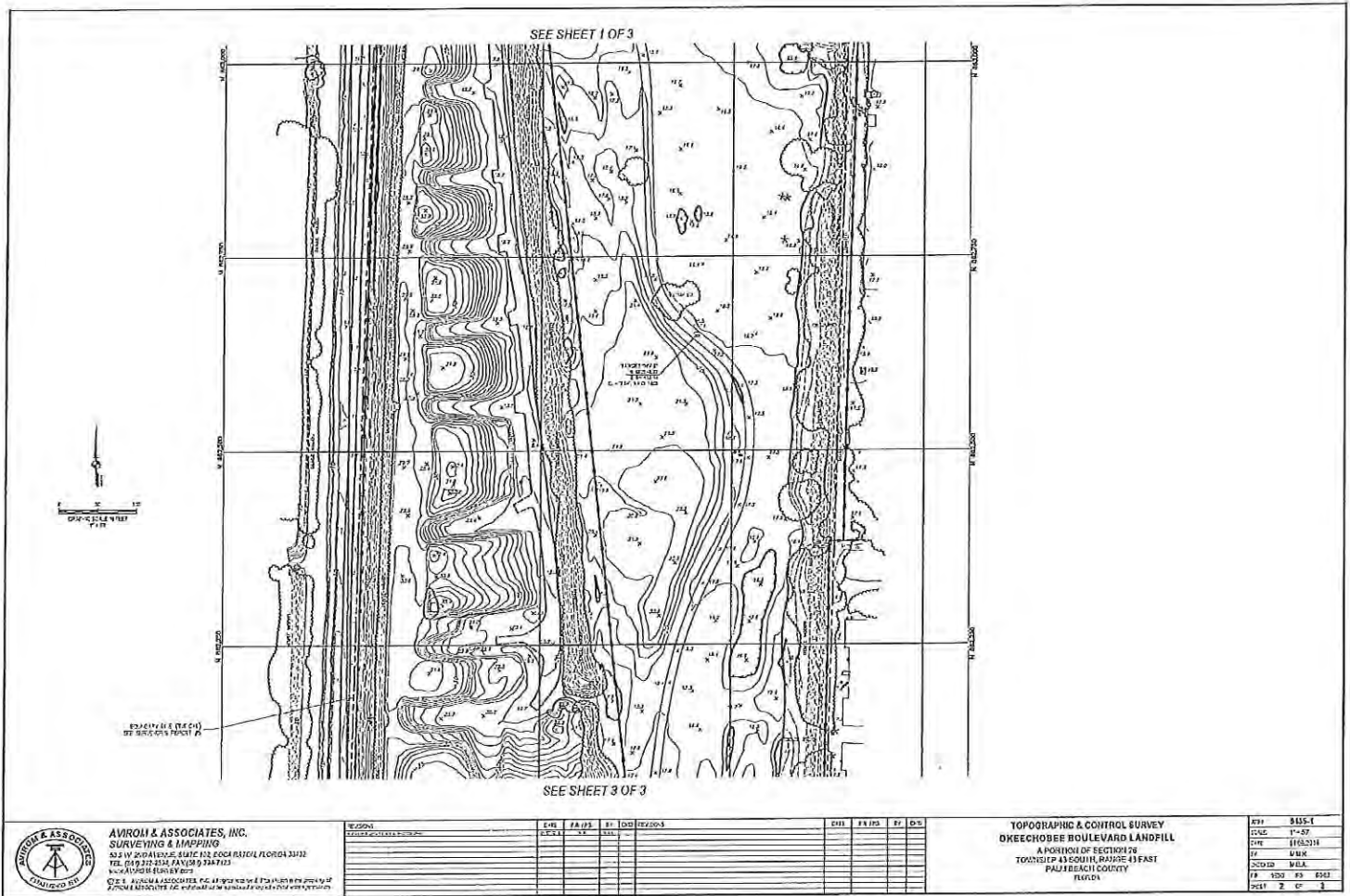
9. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation stachybotrys chartarum (mold), asbestos, polychlorinated biphenyls, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of, nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test for such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is no such proximity thereto that would cause a loss in value. We are unaware of very wet conditions that may have existed for days or weeks which are required to grow mold. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.
10. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. The appraiser has not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since the appraiser has no direct evidence relating to this issue, possible noncompliance with the requirements of ADA in estimating the value of the property has not been considered.

BOUNDARY AND TOPOGRAPHIC SURVEY

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TOPOGRAPHIC AND CONTROL SURVEY



QUALIFICATIONS



Qualifications - Michael R. Slade, MAI, SRA, CRE

Professional Designations\Licenses\Certifications

Member, Appraisal Institute, MAI Designation # 6864, and SRA Designation
Member, American Society of Real Estate Counselors, CRE Designation Florida
State-Certified General Real Estate Appraiser RZ116
Real Estate Broker BK0128222, State of Florida
Appraisal Institute Approved Instructor (1986-1993) for:
 Course 201 - Principles of Income Property Appraisal
 Course 310 - Basic Income Capitalization

Professional Experience

Principal, Callaway & Price, Inc. since 1981
Staff Appraiser, Callaway & Price, Inc., 1975 to 1981
Past Magistrate, Tax Appeal Hearings, Palm Beach County

Qualified As An Expert Witness

Broward County, Florida
Palm Beach County, Florida
Martin County, Florida
Federal District Court of Southern District of Florida
United States Bankruptcy Court Southern Florida
Supreme Court of the State of New York (for Florida properties)

Geographic Experience

Throughout Florida

Education

Masters of Business Administration, Florida Atlantic University
Bachelor of Science, Accounting, Florida Atlantic University
Society of Real Estate Appraisers:
 Course 101 - Introduction to Appraising Real Estate
 Course 201 - Principles of Income Property Appraising
 Course 202 - Advanced Applications
American Institute of Real Estate Appraisers:
 Course II - Urban Properties
 Course IV - Condemnation
 Standards of Professional Practice
Numerous seminars sponsored by the Appraisal Institute and other organizations



Organizations and Affiliations

Appraisal Institute:

- Past National Chairman of Professional Practice and Compliance & Enforcement Committee

- Past Member of Strategic Planning Committee

- Ethics Administration, Past Chairman

- Ethics & Counseling, Past National Vice Chairman

- Review & Counseling Division, Past National Chairman

- South Florida-Caribbean Chapter, Past President

American Society of Real Estate Counselors:

- Southern Florida Chapter, past Treasurer

Palm Beach County Housing Authority:

- Past Chairman/Board Member (Gubernatorial Appointment)

Chamber of Commerce of the Palm Beaches:

- Past Board of Directors, Past Member of the Executive Committee, Treasurer

- Economic Development Committee, Past Chair and Member

Society of Real Estate Appraisers (now Appraisal Institute):

- Young Advisory Council, Past National Chairman and Member

- Past Chairman of the Board of Directors of Boys Town of South Florida

- Past Guardian ad Litem Volunteer, South Florida

Awards and Honors

Robert L. Foreman Memorial Award from the Appraisal Institute, 1999

Alumni Talon Award from Florida Atlantic University, 2001

Volunteer of Distinction Award from the Appraisal Institute, 2012



**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**FLORIDA REAL ESTATE APPRAISAL BD
2601 BLAIR STONE ROAD
TALLAHASSEE FL 32399-0783**

850-487-1395

**SLADE, MICHAEL ROBERT
1410 PARK LANE SOUTH #1
JUPITER FL 33458**

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DETACH HERE

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD**

LICENSE NUMBER	
RZ116	

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2018



**SLADE, MICHAEL ROBERT
1410 PARK LANE SOUTH #1
JUPITER FL 33458**



ISSUED: 11/07/2016

DISPLAY AS REQUIRED BY LAW

SEQ # L1611070001364



Qualifications – James D. Murray, Jr.

Professional Designations\Licenses\Certifications

Florida State-Certified General Real Estate Appraiser RZ2419
Real Estate Salesperson SL517992, State of Florida

Professional Experience

Appraisal Consultant, Callaway & Price, Inc., from 2004
Commercial Real Estate Analyst, Interbay Funding, 2002 to 2004
Senior Manager, Real Estate Analyst, Ocwen Realty Advisors, 1996 to 2002
Real Estate Appraiser, Assistant Vice President, Landauer Associates, Inc., 1991-1996
Graduate Research Assistant, Real Estate Research Center, University of Florida, 1990-1991
Project Manager, Klusza and Associates, Inc., 1986-1989

Geographic Experience

Throughout Florida

Property Types

Auto Service and Repair	Office/Warehouse
Commercial Condos	Proposed Projects
Day Care Facilities	Restaurants
Mixed Use Properties	Retail
Mobile Home Parks	Self-storage Facilities
Motels/Hotels	Vacant Land
Multifamily Residential	Warehouse Distribution Centers
Office	

Education

Master of Business Administration, Real Estate Concentration, University of Florida
Bachelor of Science, Business Administration, with Honors, University of Florida
Appraisal Institute Courses:
Appraisal Principles Advanced Applications
Appraisal Procedures Report Writing and Valuation Analysis
Basic Income Capitalization Highest and Best Use and Market Analysis
General Applications
Advanced Income Capitalization
Standards of Professional Practice (Parts A, B, C)
Advanced Sales Comparison and Cost Approaches

Organizations and Affiliations

Appraisal Institute, Associate Member



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD
2601 BLAIR STONE ROAD
TALLAHASSEE FL 32399-0783

850-487-1395

MURRAY, JAMES D JR
1043 SHADY LAKES CIR S
PALM BEACH GARDENS FL 33418

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STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION

RZ2419

ISSUED: 11/21/2016

CERTIFIED GENERAL APPRAISER
MURRAY, JAMES D JR

IS CERTIFIED under the provisions of Ch.475 FS.
Expiration date : NOV 30, 2018 L1611210001116

DETACH HERE

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

LICENSE NUMBER	
RZ2419	

The CERTIFIED GENERAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2018

MURRAY, JAMES D JR
1043 SHADY LAKES CIR S
PALM BEACH GARDENS FL 33418



ISSUED: 11/21/2016

DISPLAY AS REQUIRED BY LAW

SEQ # L1611210001116

J-M Dixon
Real Estate Manager

March 31, 2017



Mr. Jay Boodheshwar
Deputy Town Manager
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Dear Jay,

I wanted to personally reach out to you and let you know that CarMax has made the difficult decision to pursue another site in the West Palm Beach trade area. While this is not public yet, I wanted to make sure you knew this in advance given the time, effort and all the accommodations you provided us in evaluating the Town's property. CarMax is a national retailer and, as a result, meets owners and their representatives throughout the United States. Without reservation, I can say working with you was immensely refreshing and that your knowledge of the site and your accessibility was second to none.

This decision was driven by a number of reasons, all of them completely out of your control, but sizing of the site was ultimately one factor that was taken into consideration. Accordingly, please let us know if the Town decides to issue an RFP for a smaller site.

Again, thank you and your staff for all the assistance in addressing the Town's property. You are truly a professional.

Sincerely,

A handwritten signature in blue ink that reads "JM Dixon".

JM Dixon
Real Estate Manager

cc: Mr. Paul F. Silver
Bonnie Miskel, Esquire

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Coastal Update:

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

a. Shoreline Condition Update

b. RESOLUTION NO. 077-2017 - A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Coastal Engineering Services to Applied Technology & Management, Inc., in an Amount of \$42,598 for an Alternatives Assessment of the Breakers/Clarke Avenue Beach Area, and Establishing a Professional Services Task Budget of \$50,000.

Presenter

ATTACHMENTS:

- ▣ **b. Memorandum dated April 27, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **b. Resolution No. 077-2017**
- ▣ **b. ATM Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Approve a Purchase Order for Coastal Engineering Services for Breakers/Clarke Avenue Beach Area
Resolution No. 077-2017

DATE: April 27, 2017

STAFF RECOMMENDATION

The Shore Protection Board (SPB) and Town staff recommend that Town Council approve Resolution No. 077-2017 approving a purchase order to Applied Technology & Management, Inc. (ATM), for coastal engineering services in the amount of \$42,598 for an Alternatives Assessment of The Breakers/Clarke Avenue Beach area and establishing professional services task budget of \$50,000, including contingency.

GENERAL INFORMATION

On March 23, 2017, The Breakers made a presentation to the SPB which outlined all the work that they completed over multiple years to address continued erosion in The Breakers/Clarke Avenue Beach area. The purpose of their presentation was to engage the SPB in a discussion and obtain their support for the project before The Breakers submitted a permit application to the State and Federal regulatory agencies. Due to several concerns that have yet to be resolved following the Town's peer review process, Town staff urged the SPB to delay approval of The Breakers' project until the peer review concerns were appropriately addressed.

The SPB concluded their March 23 meeting by unanimously requesting Town staff to work with The Breakers, the consultants, Humiston & Moore Engineers (HME) for The Breakers, and ATM for the Town, to find a solution.

The Breakers, Town staff, HME, and ATM all gathered at the Town's Public Works Department on April 4, 2017 to address various opinions in design approaches. The focus of the meeting was to find a solution together by primarily discussing project goals, 'permitability', and cost. While The Breakers have expressed a willingness to continue participating and have made their consultant available to the Town, they have made it clear that they feel that the next step should be taken by the Town and tasked to the Town's consultant.

Following the meeting, ATM has developed a scope of work to assess the Breakers' project alternatives in order to address the continued erosional stresses that have been identified between The Breakers and the Mid-Town Municipal Beach area. On April 26, 2017, ATM provided the Town with a proposal for an alternatives assessment that methodically considers goal setting, stakeholder engagement, and project analysis. This approach is consistent with how the Town has approached projects in the past. The work is expected to take three (3) months to complete (proposal is attached). On April 27, 2017, the SPB unanimously recommended for Town staff to advance the ATM proposal to Town Council.

Paul Leone of The Breakers attended the April 27 SPB meeting. Mr. Leone expressed his support of the approach as outlined by Mike Jenkins of ATM. One clarification that was offered by Mr. Leone was that ATM should not focus on what has been referred to as "The Breakers' preferred project", but to take another look at all The Breakers' alternatives and possibly come up with new ones. The ATM scope of work is not intended as a design and permitting effort.

If the work is approved by Town Council, the SPB members have committed to hold a meeting in September, if necessary, to review the results of ATM's work and to provide a recommendation to Town Council. The SPB typically does not meet between April and October.

FUNDING/FISCAL IMPACT

An Alternatives Assessment of the Breakers/Clarke Avenue Beach area was not included in the Town Council Adopted Ten (10) Year Coastal Management Plan. However, a sufficient amount of unappropriated funds exists in the Coastal Fund in support of this \$50,000 effort.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachment

cc: Jane Struder, Director of Finance
Robert Weber, Coastal Program Manager
Dean Mealy, Purchasing Manager

RESOLUTION NO. 077-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER FOR COASTAL ENGINEERING SERVICES TO APPLIED TECHNOLOGY & MANAGEMENT, INC., IN AN AMOUNT OF \$42,598 FOR AN ALTERNATIVES ASSESSMENT OF THE BREAKERS/CLARKE AVENUE BEACH AREA, AND ESTABLISHING A PROFESSIONAL SERVICES TASK BUDGET OF \$50,000.

* * * * *

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

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order for Applied Technology & Management, Inc., in an amount of \$42,598 for an Alternatives Assessment of The Breakers/Clarke Avenue Beach area, and establishes an engineering task budget of \$50,000.

Section 2. The Town Manager is hereby authorized to execute a purchase order on behalf of the Town of Palm Beach for these improvements, and is authorized to approve additional tasks, as necessary, within budget.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member



2047 Vista Parkway, Suite 201

WEST PALM BEACH, FL 33411

(561) 659-0041 FAX 659-3733

WWW.APPLIEDTM.COM

April 26, 2017

Rob Weber
Coastal Program Manager
Public Works Department
P.O. Box 2029
Palm Beach, FL 33480-2029

RE: Breakers/Clarke Avenue Alternatives Assessment

Dear Mr. Weber:

This letter is provided as a Work Proposal to assess project alternatives to address erosion within the Breakers/Clarke Avenue segment of the Mid-Town Nourishment Project. Given the high rates of erosion observed in this area following the 2015 renourishment project, additional consideration will be given to identify project modifications or alternatives to improve shoreline conditions and overall project performance.

This Work Order, when executed, shall be incorporated in and become an integral part of the Agreement for professional services between the Town of Palm Beach (TOWN), Florida and Applied Technology & Management (CONSULTANT), hereafter referred to as the Agreement.

This effort will be conducted on a Time and Materials Not to Exceed Basis at rates consistent with the CONSULTANT's General Services Agreement with the TOWN.

Scope of Services

The following is a description of the Scope of Services to be provided under this Work Proposal. The CONSULTANT shall provide the following services:

Task 1 – Goal Setting and Stakeholder Engagement

Under this task ATM will define the purpose of the project. Given the complexity of the area it is anticipated that the project purpose will address multiple issues related to a range of project stakeholders. Specific sub-tasks include the following.

Task 1.1 Project Goals

ATM will develop a goals spreadsheet which delineates each project goal, the key stakeholder to which the goal is most relevant and relevant information regarding the goal. This assessment will include consideration of performance parameters such as erosion rates, minimum beach dimensions, structure run-up and level of storm protection and will include the extent of the area of influence associated with actions within the area. To the extent possible the goals will be expressed within quantifiable (measurable) terms. Following delineation goals will be ranked in terms of relative importance.

Task 1.2 Stakeholder Engagement

Following development of the draft goals ATM will engage with relevant stakeholders in consultation with Town staff. At a minimum the following stakeholders will be consulted:

- Breakers Properties
- Este Laude Properties
- Florida Department of Environmental Protection
- USACE Regulatory Section
- Relevant Non-Governmental Organizations (NGO's)

It is assumed that one trip to Tallahassee will be required to consult with FDEP staff. All other meetings will be conducted locally. Stakeholder input will be solicited regarding the draft goals developed in Task 1.1 with an emphasis on building consensus, defining critical issues and identifying viable alternatives on a conceptual level.

Task 1 Deliverable: ATM will prepare a summary document providing summary results for the task including the goals spreadsheet and key conclusions from the stakeholder consultations.

Task 2 – Project Analysis

Under this task ATM will conduct a limited analysis of project alternatives in light of the results of Task 1. Specific sub-tasks include the following:

Task 2.1 Desktop Analysis of Erosion Rates and Renourishment Intervals

ATM will conduct a desktop analysis of project alternatives based on existing available modeling data conducted by others and in-house monitoring data of the project area. This assessment will quantify conceptual erosion rates within the area for various alternatives in conjunction with consideration of available volume and renourishment interval. This analysis will be conducted to provide objective performance criteria to support the cost/benefit analysis conducted in Task 2.3.

Task 2.2 SBEACH Analysis of Storm Level of Protection

ATM will conduct an SBEACH storm recession analysis of existing beach conditions within representative areas of the Mid-Town project area including Clarke Avenue. A total of 4 representative profiles will be considered for a range of storm return intervals. The level of protection provided by existing beach conditions will be assessed for each representative profile.

Task 2.3 Cost/Benefit Analysis of Alternatives

Based on efforts conducted in task 1, 2.1 and 2.2 a cost benefit analysis will be prepared for each project alternative. This analysis will include the preparation of project costs based on engineering judgment and available cost data. Costs for each alternative will be weighed against the relative benefit of each alternative as determined within Task 2.1. based on this analysis each alternative will be ranked in terms of relative cost to relative benefit.

Task 2 Deliverable: ATM will prepare a document providing summary results for the task including relevant analyses, figures and tables.

Task 3 – Alternatives Assessment

Under this task an assessment of each project alternative will be conducted based on the results of Tasks 1 and 2 with regard to regulatory perspectives, timeframes and corrective actions. Effort will include the following sub-tasks:

Task 3.1 Regulatory Assessment

Under this task alternatives will be screened based on regulatory requirements for both State and Federal approval. This screening will include consideration of endangered species, critical habitat and precedent relative to similar projects. Alternatives will be ranked based on the relative permissibility of each approach. It is important to note that this assessment will be conducted based on experience and precedent as final determination of permissibility is under the sole authority of the appropriate regulatory agencies.

Task 3.2 Timeframes and Corrective Actions

Under this task the relative timeframe for each alternative will be considered and ranked. In addition consideration will be given to any actions deemed of critical or immediate need which could warrant an expedited process.

Task 3.3 Path Forward Recommendations

Based on the analysis conducted within the previous scope tasks a summary recommendation of viable alternatives will be discussed. This narrative will include a discussion of non-viable alternatives and the reasoning behind this determination. Recommendations for further consideration and alternative implementation will be provided.

Task 3 Deliverable: ATM will prepare a document providing summary results for the task including final rankings and recommendations.

Compensation

This effort will be conducted on a Time and Materials Not to Exceed Basis for a total cost of **\$42,598.**

Project Schedule

All tasks will be completed within 90 days of receipt of Notice to Proceed.

Should you have any questions regarding this proposal, please feel free to contact me at your convenience.

Sincerely,

Applied Technology & Management, Inc.

A handwritten signature in dark ink, appearing to read 'M. G. Jenkins', with a stylized, cursive-like script.

Michael G. Jenkins, Ph.D., P.E.
Coastal Engineering Principal

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-wide Underground Utility Project:

Thomas G. Bradford, Town Manager

- a. Project Update
- b. Report of Fire Rescue Calls Related to Overhead Utility Lines
Deputy Fire Chief, Darrell Donatto
- c. Underground Utility Project Dashboard
Jane Struder, Director of Finance
- d. Discussion on Cost and Effectiveness of Cornerstone Solutions
Communications Program for Town-wide Undergrounding Project
Julie Araskog, Town Council Member

Presenter

ATTACHMENTS:

- ❑ **Project Update**
- ❑ **Report of Fire Rescue Calls Related to Overhead Utility Lines**
- ❑ **Underground Utility Project Dashboard and Monthly Report**
- ❑ **Cost and Effectiveness of Cornerstone Solutions Communications Program**
- ❑ **Underground Utilities Project Letter Dated May 3, 2017 From John O'Neill, P.A.**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

From: Thomas G. Bradford, Town Manager

Re: Townwide Underground Utilities Project Update

Date: May 2, 2017

STAFF RECOMMENDATION

Staff recommends the Town Council receive this project update and take action as deemed appropriate.

GENERAL INFORMATION

Assessment Credit

At your meeting on April 13 the Town Council requested that staff and consultants give consideration to inclusion of an assessment credit for those properties that are asked to provide multiple “boxes.” Staff has conferred with Habib Isaac with Raftelis, the assessment methodology firm, and with Heather Encinosa, the assessment attorney. We have a draft outline for the creation of an assessment credit as follows:

- If you provide a credit for multiple boxes you have to provide the credit for a single box.
- Any credit given will increase the cost for all other properties being assessed.
- The credit will only apply to the aesthetic equivalent benefit unit (EBU). The safety and reliability EBUs would not be creditable.
- Credits would not be given for AT&T or Comcast pedestals.
- Credits would not be given if the box is placed in the right-of-way, only if the box is on private property.
- One scenario is the bigger the box, the bigger the credit. Think of this concept in terms of the cubic foot size of the box. At one end of the spectrum is the standard switch cabinet and at the other end of the spectrum would be the “low-boy” transformer. For explanatory purposes only, if the standard aesthetic EBU is 1 (one) and if a standard switch cabinet (the largest “box” to be provided) were assigned a credit of .25, then a capacitor bank, a box of about 65”x 65” might be provided a credit of .1875 and a low-boy single phase transformer of 48”x 36” might be given a credit of .1250. The concept would be implemented in a mathematically proportional manner, but the bigger the box, the bigger the credit.
- The second scenario being considered looks at linear front footage of the property. If the linear front footage of the property is say 100 feet and a switch cabinet is 6 feet in length, then 6% of the total aesthetic view from the property has been affected and a credit

provided accordingly. This concept may require a determination of the average front footage of a lot in Town and all credits may have to be based on the average lot size frontage with the credit proportional to the size of the box in relation to the average front footage of the average lot in town.

If you have any thoughts on this, please advise as we will continue to fine tune this until we have a presentable concept that can be applied in a consistent manner as a part of the legal assessment process to be employed.

FPL Cost Reduction Proposal

On March 2, 2017, the Town wrote to FPL requesting consideration of seven additional areas where possible credits might be possible for the electric portion of the Town-Wide UG Project. On April 10 FPL responded positively about two of the seven suggestions which are enumerated below.

The Town felt that it should receive a full credit for the fact that FPL would incur no removal cost for new OH facilities that would be installed in all hardening projects/installations in the Town, if the Town were not to proceed with the UG Project. (That is, the CIAC calculation should reflect a reduction in the removal costs for existing OH facilities that would be removed anyway in any FPL hardening projects.) FPL responded by indicating that based on FPL's current plan to complete the hardening of all feeders within the next 5-7 years, FPL is willing to provide a full credit for the removal costs associated with existing overhead feeders that will be removed (i.e., FPL will not include those removal costs in the Town's CIAC calculation). However, to provide such a credit requires FPSC approval, which FPL is willing to pursue. **(Note: Based on previous OH/UG projects, FPL estimates the Town's credit for this could range from \$3 – 5 million.)** The Town's utility counsel does not agree that FPSC approval is required.

The Town requested a full credit against the Net Book Value of OH facilities that would be removed anyway if FPL were to install hardened facilities, in the event that the Town was not to proceed with the UG Project. FPL responded by indicating that based on FPL's current plan to complete the hardening of all feeders within the next 5-7 years, FPL is willing to provide a full credit for the remaining net book value associated with existing overhead feeders that will be removed (i.e., FPL will not include the net book value of those facilities in the Town's CIAC calculation). However, to provide such a credit requires FPSC approval, which FPL is willing to pursue. **(Note: Based on previous OH/UG projects, FPL estimates the Town's credit for this could range from \$0.3 - \$1 million.)** The Town's utility counsel does not agree that FPSC approval is required.

Based upon the foregoing, subject to further discussions with FPL and perhaps FPSC approval, there is great potential that we could reduce the costs by up to \$6 million based upon FPL's response. If so, the revised project cost will be \$92.6 million. If the Town Council approves the Palm Beach County 1 cent sales tax for use by the project which is estimated to generate \$5 million for the Town. If approved, the cost of the project to be borne by assessments will net to \$87.6 million. We continue to explore options with our utility counsel as to the next steps to take.

There may be merit in further exploring with FPL the other five suggestions the Town set forth in its letter of March 2.

AT&T, Comcast and RFI Update

AT&T responded to the Broadband RFI. Comcast did not. AT&T has not yet met with us and actually cancelled a meeting that had been set up to explore their interest. Comcast has been meeting with us to review cost saving options. We have signed a Non-Disclosure Agreement with Comcast. There is one other firm that responded to the RFI that we wish to interview, but scheduling a mutually acceptable time has been difficult.

Wireless Moratorium and Potential Need for Spare Conduit

As you know, the Town Council adopted a wireless moratorium last month. Two weeks ago we worked with the Town Attorney to bring in Gary Resnick, an attorney based in Ft. Lauderdale that specializes in telecommunications to help staff draft an ordinance that can be adopted within 180 days that will allow wireless use of public rights-of-way subject to the standards the Town deems important, such as undergrounding, but also crafted to be non-discriminatory.

Since your last meeting conversations with an engineer and an attorney revealed that the provision of a community wide underground conduit system leasable to wireless telecom firms is one way to potentially reduce in a significant way the negative aesthetic impact that 5G wireless technology can have on a community if the industry is left to its own devices.

In addition to the above, the more I contemplate the significance of this once in a century opportunity whereby our roadways will be opened up for the underground utilities project I think we might be remiss if we do not at least consider provision of a “backbone” system of conduit along the island to prepare for the future. I am not necessarily saying this for the provision of a revenue stream to help offset the cost of undergrounding, although that might be possible. In fact, I do not even think a conduit backbone or town-wide conduit system if we could afford it should even be a cost of the underground project. Likewise, I am not suggesting it for the provision of fiber based high-speed internet service for our residents and business owners, although that too might be possible. Instead, I think it should be contemplated for the future of your Town government.

You see, the world is on the cusp of tremendous technological changes that most of us cannot even begin to contemplate that will alter the socio-economic fabric of our society. Many among us will want nothing to do with the changes that are coming, but it is inevitable. This coming change has significant ramifications for municipalities and other forms of government too. Consider the concept of Smart City.

Smart City is a concept that entails integration of information and communication technology (ICT) and the Internet of things (IoT) technology in a secure fashion to manage a city's assets. These assets include information systems, transportation systems, including traffic and traffic signals, utilities, water supply networks, pumping stations, waste management, law enforcement, and other community services. A smart city uses urban informatics, the study of people in the context of cities and urban environments, and technology to improve the efficiency of services.

ICT allows city officials to interact directly with the community and the city infrastructure to monitor what is happening in the city, how the city is evolving, and how to enable a better quality of life. Through the use of sensors integrated with real-time monitoring systems, data are collected from citizens and devices, including infrastructure, then processed and analyzed. The information and knowledge gathered are keys to tackling inefficiency. Information and communication technology (ICT) is used to enhance quality, performance and interactivity of services, to reduce costs and resource consumption and to improve contact between citizens and government¹.

Simply put, if you want to have maximum operational efficiency of Town assets such storm water and sanitary sewer system pumping stations, traffic signals, security cameras, enhanced internal communications and a real time communications interface with the public, you have to have state of the art communications systems and that begins with underground conduit strategically placed throughout the island.

Peer Review Status

The RFQ for the peer review of the Master Plan and the engineer's opinion of cost has been issued and the deadline for response submittals is May 16 at 2:00 PM. Town Council member Maggie Zeidman and Underground Utilities Task Force member Susan Gary are members of the Peer Review consultant Selection Committee.

Financing RFP Status and Other

The short term financing RFP is also underway under the direction of Jay Glover, Managing Director, The PFM Group. Bank and/or financial institution responses are due on May 30. The results will be presented to you at your meeting on June 13, wherein you will also be provided the GMP numbers for the two contractors selected to do the work. The Task Force has chosen to hold its June meeting on June 9, in order to enable them to review the construction costs and opine on them for you for your June 13 meeting. The Master Plan approved by the Task Force will likely be presented to you in July for adoption.

South End UG Project Cost

At your meeting on April 13 you requested additional information in regard to the assessments contemplated for those properties south of Sloan's Curve. The properties south of Sloan's Curve represent 43% of all properties (3,696) to be assessed by the Town. Those same properties are anticipated to pay as a percentage of the total dollars to be paid to the Town, 27% of the cost to fund the project.

cc: Jay Boodheshwar, Deputy Town Manager
H. Paul Brazil, P.E. Director of Public Works
Jane Struder, Director of Finance
Patricia Strayer, Town Engineer
Kevin Schanen, P.E. Kimley-Horn

1 Smart City content appearing herein was condensed from Wikipedia.

Overhead and Underground Electrical Utility Emergencies

PALM BEACH FIRE RESCUE

MAY 9, 2017

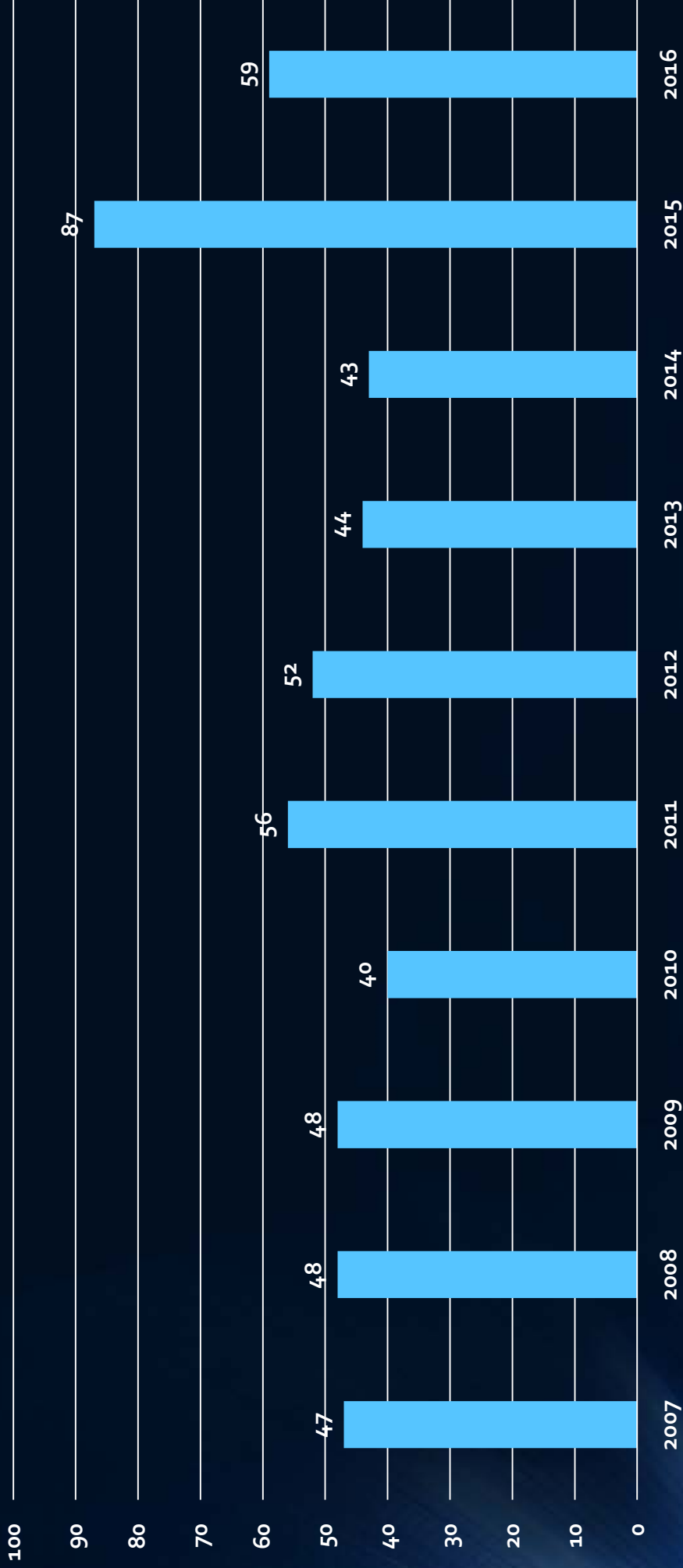


Electrical Utility Emergencies

- Electricity is dangerous; it can cause death, serious and permanent harm, fire, and significant property damage.
- Electricity is generally invisible to sight unless arcing and can travel at the speed of light.
- Palm Beach Fire Rescue is generally the first to respond to electrical utility emergencies in the Town.
- Over the ten year period studied (January 1, 2007 to December 31, 2016) Palm Beach Fire Rescue responded to :
 - 524 Overhead Electrical Utility Incidents – approximately 1 per week; and
 - 9 Underground Electrical Utility Incidents – less than 1 per year.

Overhead Electrical Utility Incidents

Total Power Line, Power Pole,
Power Pole Transformer Related Incident 2007-2016



Underground Electrical Utility Incidents

Underground Electrical Utility Related Incident 2007-2016

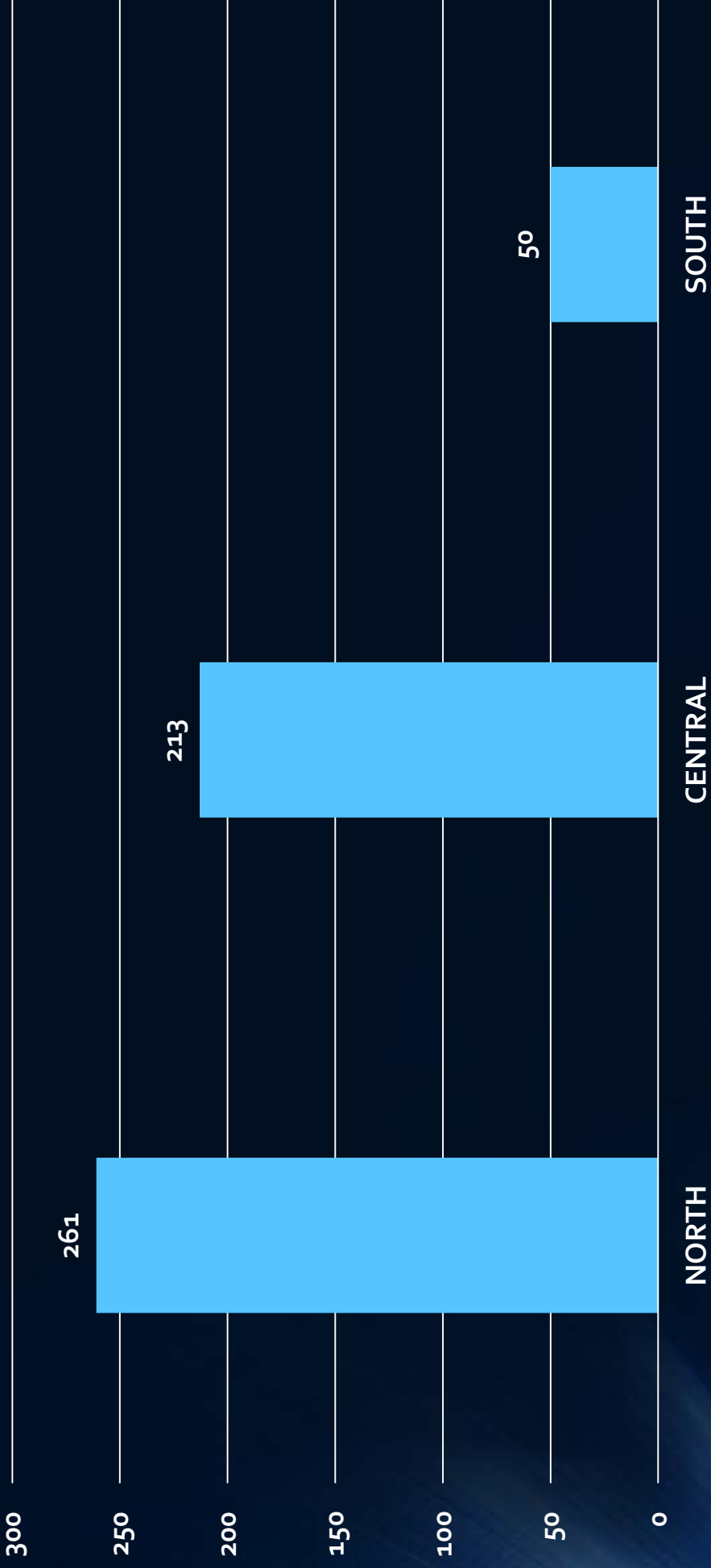


Distribution of Electrical Utility Incidents

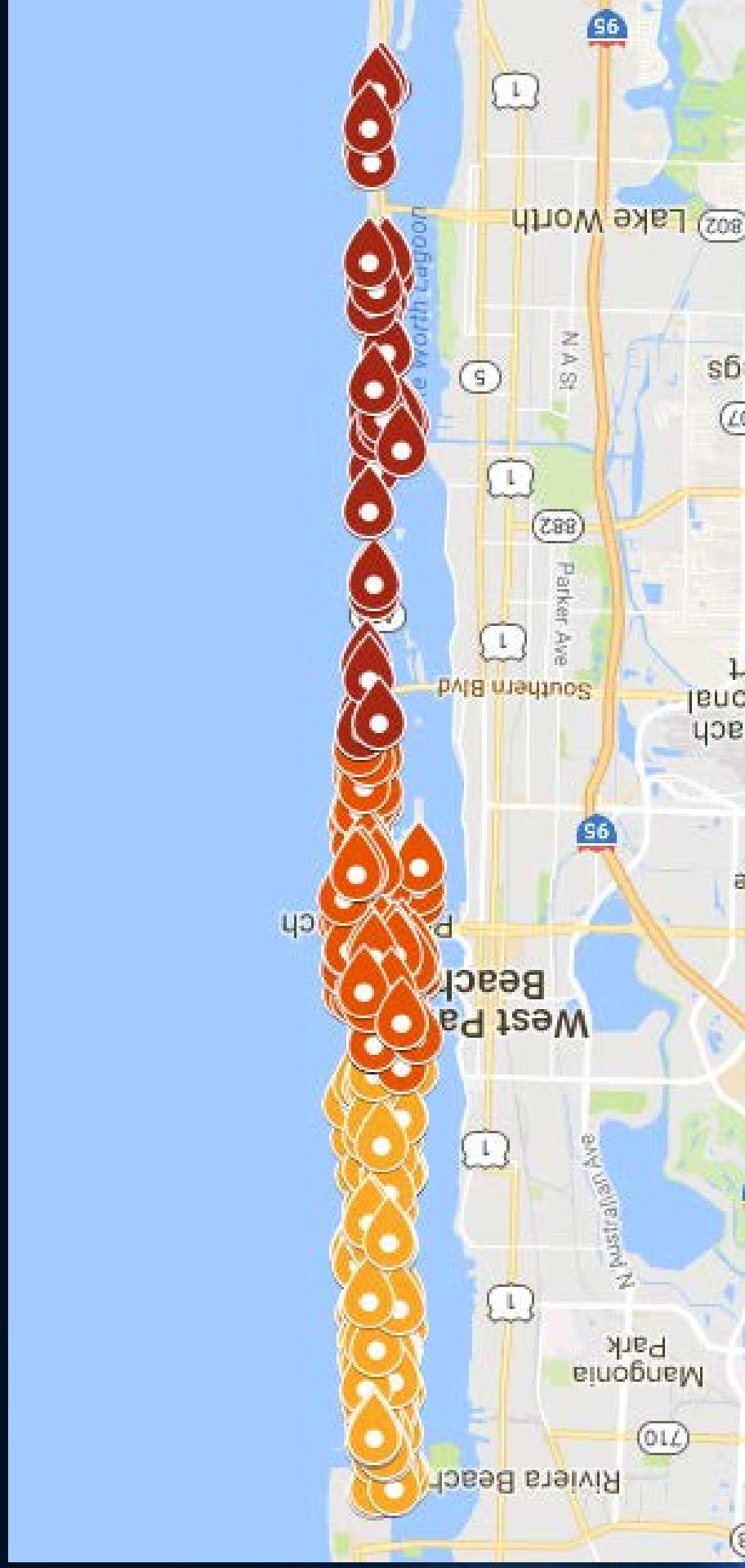
- We studied the geographical distribution of electrical utility incidents in the Town.
- North – From Royal Poinciana Way north to the Town's limits.
- Central – Between Royal Poinciana Way and Southern Blvd.
- South – From Southern Blvd south to the Town's limits.

Overhead Electrical Utility Incident Distribution

Power Line, Power Pole, Power Pole Transformer
Related Incident 2007-2016 by Zone

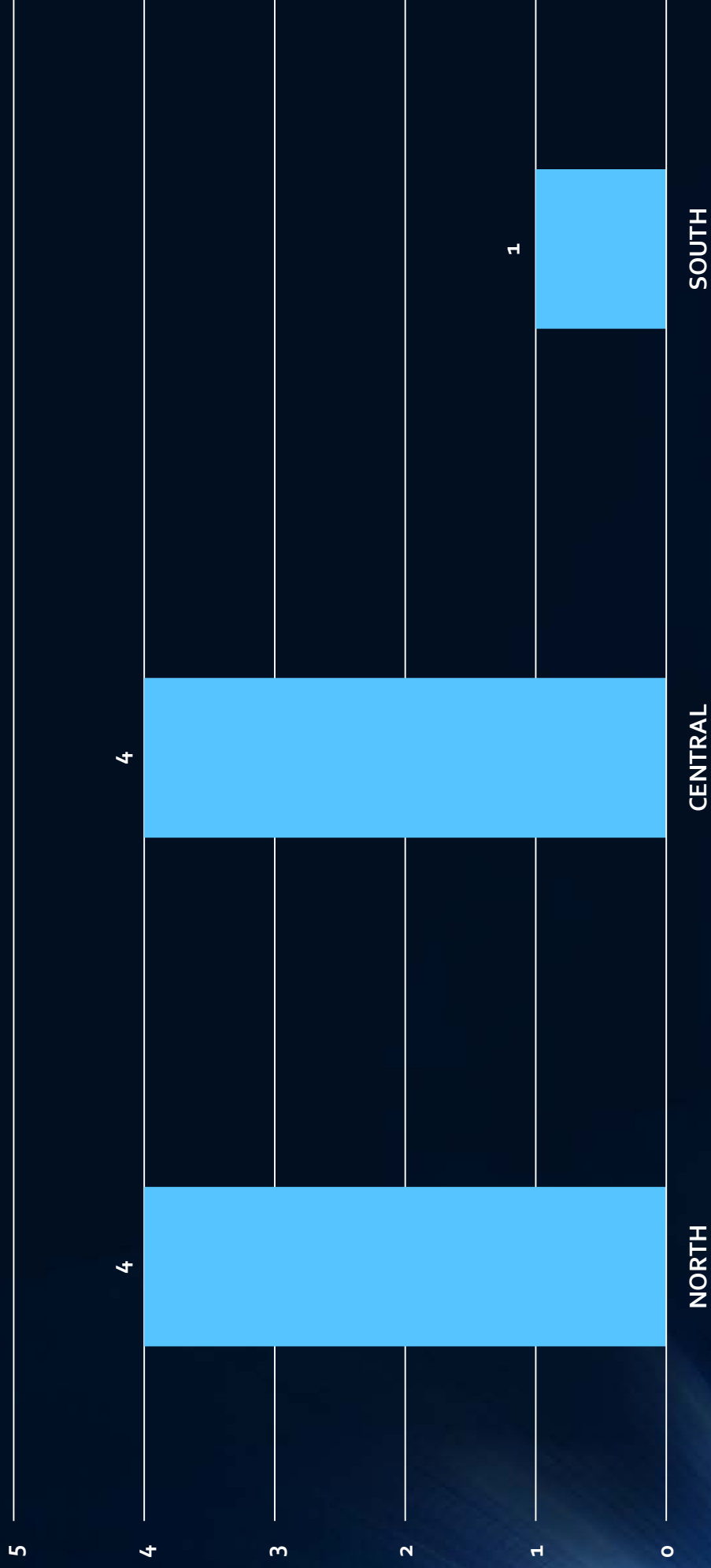


Map of Overhead Electrical Utility Incidents 2007-2016



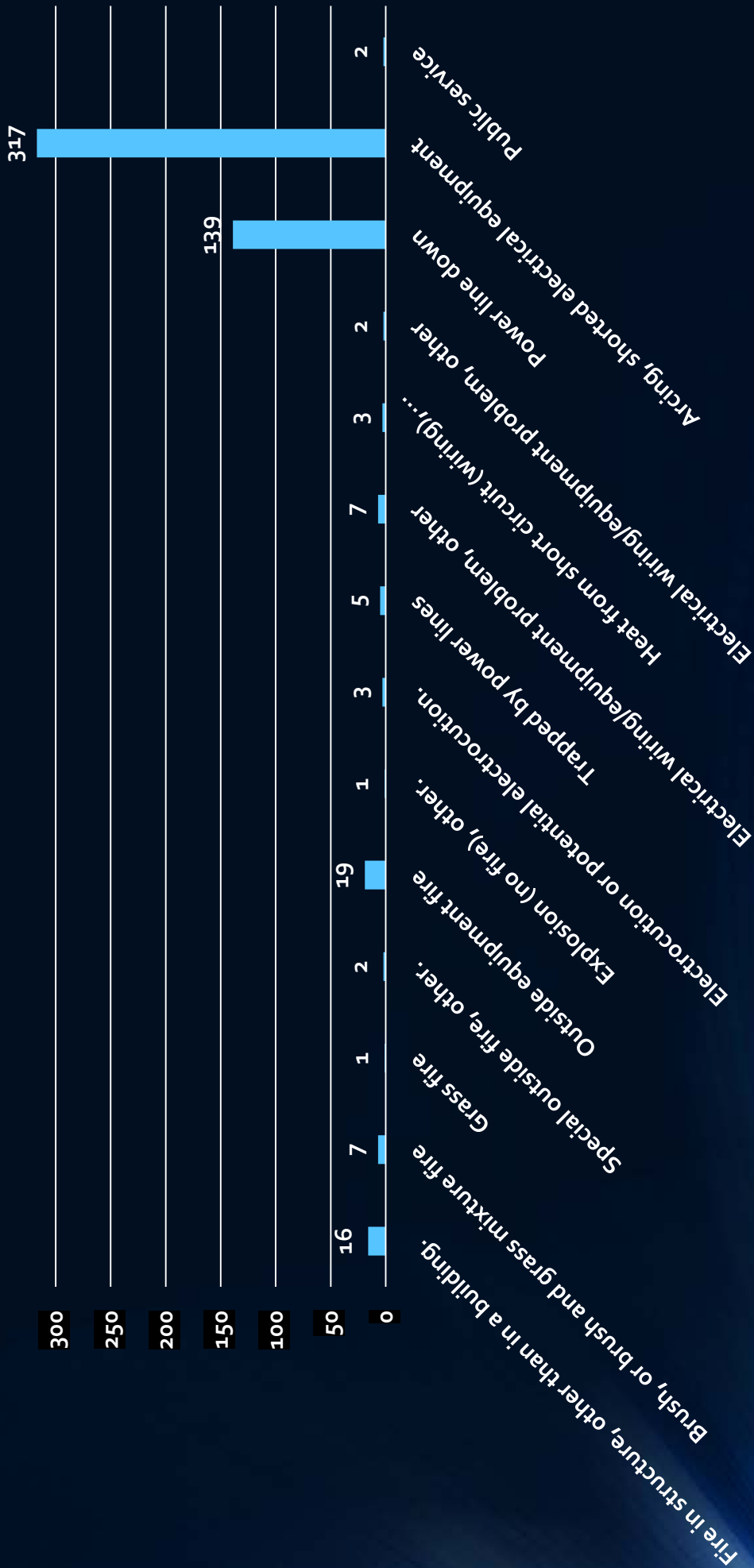
Underground Electrical Utility Incident Distribution

Underground Electrical Utility Related Incident 2007-2016 by Zone



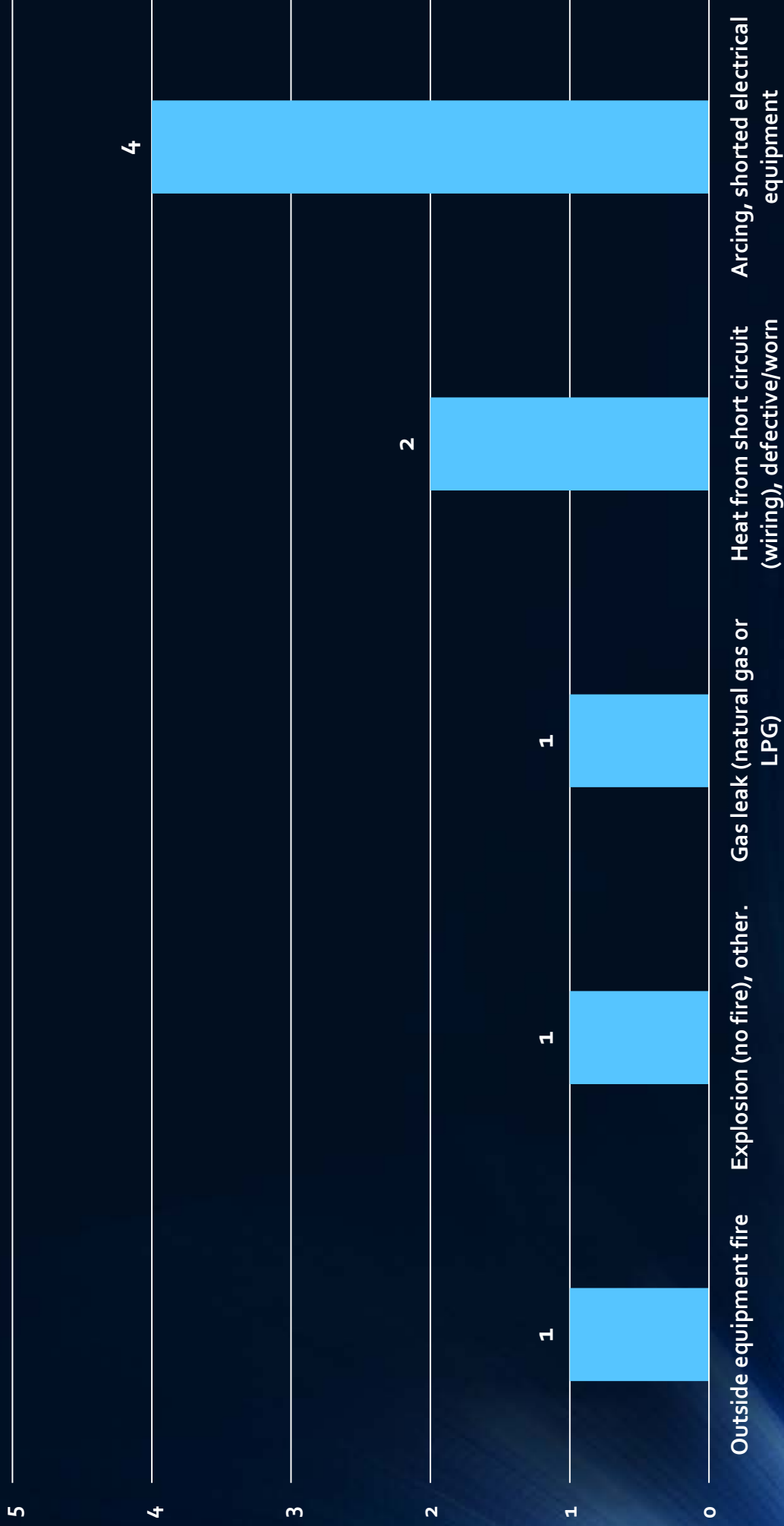
Overhead Electrical Utility Incident Types

Power Line, Power Pole, Power Pole Transformer
Related Incident 2007-2016 by Type



Underground Electrical Utility Incident Types

Underground Electrical Utility Related Incident 2007-2016 by Type



Palm Beach Electrical Utility Incidents

- Our existing overhead electrical utility infrastructure is aging and in need of replacement.
- Weather related events create a large number of electrical utility responses.
- Electricity is dangerous; it can cause death, serious and permanent harm, fire, and significant property damage. This is true whether it is overhead or underground.
- The frequency of incidents involving overhead electrical utilities (524) is much higher than those involving underground electrical utilities (9).

Power Line Down 3475 S Ocean Blvd Jan 30, 2017



Power Line Down 3475 S Ocean Blvd Jan 30, 2017



Tiki Hut Fire on La Costa Way March 7, 2017





Town Of Palm Beach Undergrounding Project

Report: April 2017

Updates

GO Bond is delayed. RFP for LOC has been issued
The Goldmacher lawsuit is proceeding

Status Legend

Green (1) - On Task
Yellow (2) - Caution
Red (3) - Not On Task

Engineering

Master Plan	Budget	1		95.97%	100.0%
	Schedule	1		98.00%	100.0%
North End Design	Budget	1		90.00%	100.0%
	Schedule	2		95.00%	100.0%
South End Design	Budget	1		90.00%	100.0%
	Schedule	2		92.00%	100.0%

Easement Acquisition

Easement Acquisition	1		65.00%	100.0%
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Financing

Financing	2		5.00%	100.0%
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Communications

Communications	Budget	1		34.71%	100.0%
	Schedule	1		72.00%	100.0%



Saves And Raves

Eliminated 2 switch cabinets in P1 South working with FPL - Savings \$54,000
Recognize FPL for pursuing FPSC approval for additional credits





Underground Utility Task Force Monthly Progress Report April 2017

Table of Contents

Dashboard Cover Page

1. Kimley-Horn Progress Report
2. Master Plan Gantt Chart
3. Project Design Gantt Chart
4. Budget Report
5. Financing Schedule – not included, in process of being updated
6. Interest Rate Forecast as of April 21, 2017

The following reports will be provided when applicable in future reporting:

- Easement Acquisition Report
- Communication Report
- Construction Updates and Status Report
- Safety and Reliability Reports
- Completion Milestones

Dashboard Notes:

- Overall Budget represents the percentage encumbered to date versus the total project budget of \$90 million.
- Amounts on dashboard are percentages of total budget and design completed related to master planning, north and south end design.
- We will be making additional changes in future dashboards to reflect a new section with monthly highlights, including UUTF and Town Council decisions affecting the project, and other format changes.

Prepared by the Finance Department
April 30, 2017

Town-Wide Undergrounding Project Progress Report Period: March 28, 2017 to April 27, 2017

I. Scope Update

A. General

- **Schedule:** Project schedule progress is shown below.
 - Master Planning is 98% complete
 - North End Design is 95% complete
 - South End Design is 92% complete
- **Budget:** Project is on budget as of April 15, 2017
 - Master Planning is at 96% of total task budget
 - North End Design is at 80% of total task budget
 - South End Design at 82% of total task budget

B. Master Planning Phase

- Received comments on the Draft master plan from the UUTF and worked on incorporating their review comments into the document.
- Developed and provided Master Plan Presentation to the UUTF at the April Meeting.
- Refined overall opinion of probable cost for the program based on value engineering activities and discussions with Town staff and utility owners.
- Meeting held with Comcast to further the discussion of overall program cost refinement for the Comcast elements.
- Presentations to the Civic Association and the Citizen's Association to provide a project update and master plan overview.
- Reviewed the Broadband Request for Information responses that were received on March 15, 2017. Meetings are being coordinated with respondents to discuss interest in more detail.

C. Detailed Design Phase

- Subconsultant/utility owner coordination regarding completion of various equipment location revisions due to the easement acquisition and value engineering process. Incorporation of these changes in the bid documents.
- Design progress on the FPL, AT&T, and Comcast conduit plans after receipt of their revised network designs for the north and south ends.
- Coordination with Town Attorney, Brannon & Gillespie, Waypoint Engineering, and FPL related to equipment locations and easement needs.
- Numerous field meetings and follow up coordination with residents, businesses, and condominiums to discuss easement requests were performed. Coordination with surveyor to develop legal sketches and descriptions for agreed upon easements.
- Coordination with FPL on revised easement/service locations based on resident/property owner meetings.

- Secondary service conductor design for commercial services (north/south ends).
- Development of Landscaping plans for the north and south ends.
- Coordination and follow up on the FDOT Utility Permit application.
- Coordination with the CMARs leading up to the sub-trade bidding process for both the north and south ends.
- Finalization of specification packages for CMAR use in the GMP development process.
- Progress meetings occurred to coordinate various elements of the project.

II. Upcoming Activities (April 28, 2017 – May 27, 2017)

A. Master Planning Phase

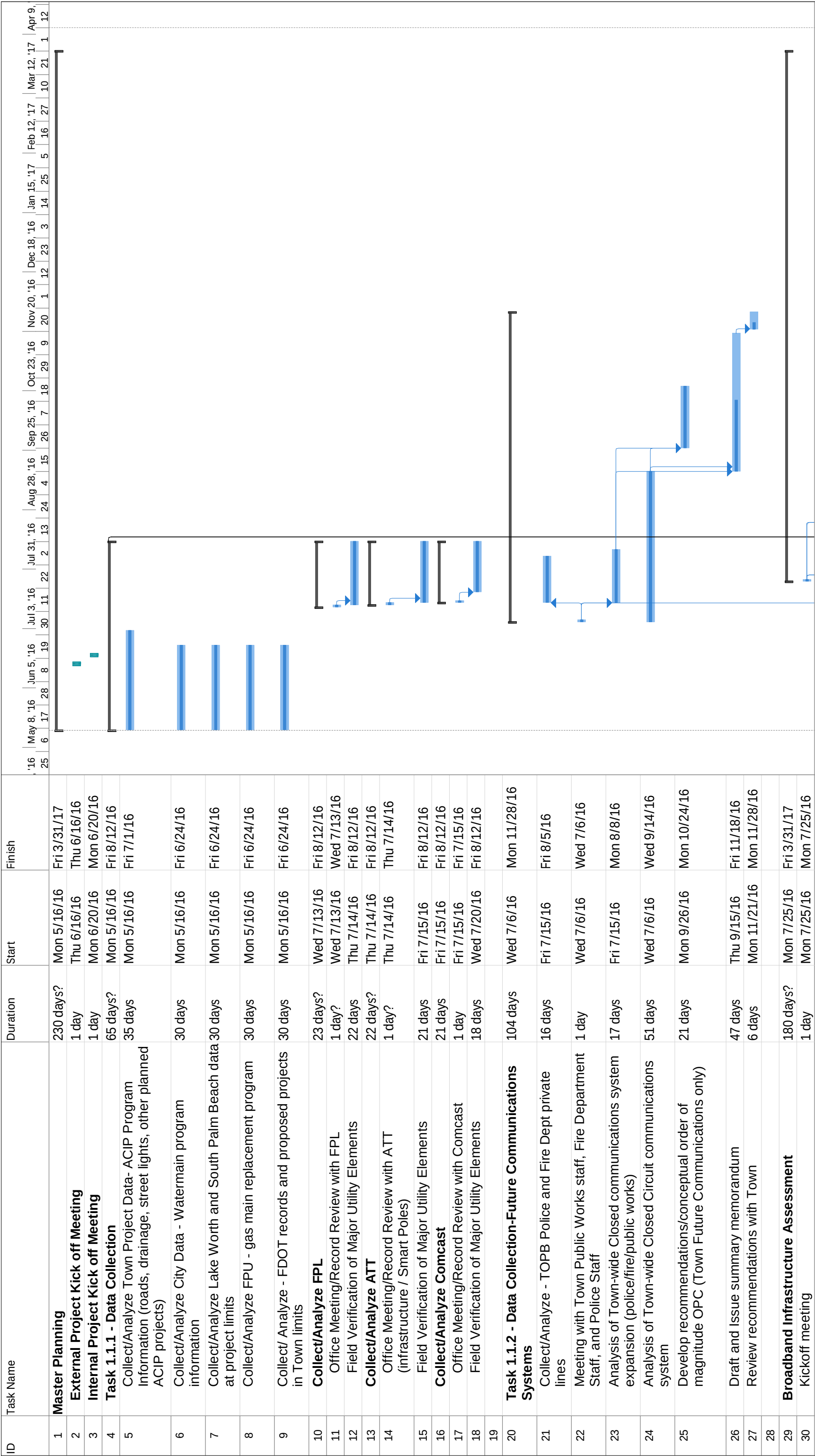
- Meetings will continue with consultant team, Town staff, utility providers and potential broadband providers to refine program costs.
- Finalize revisions to the master plan document.

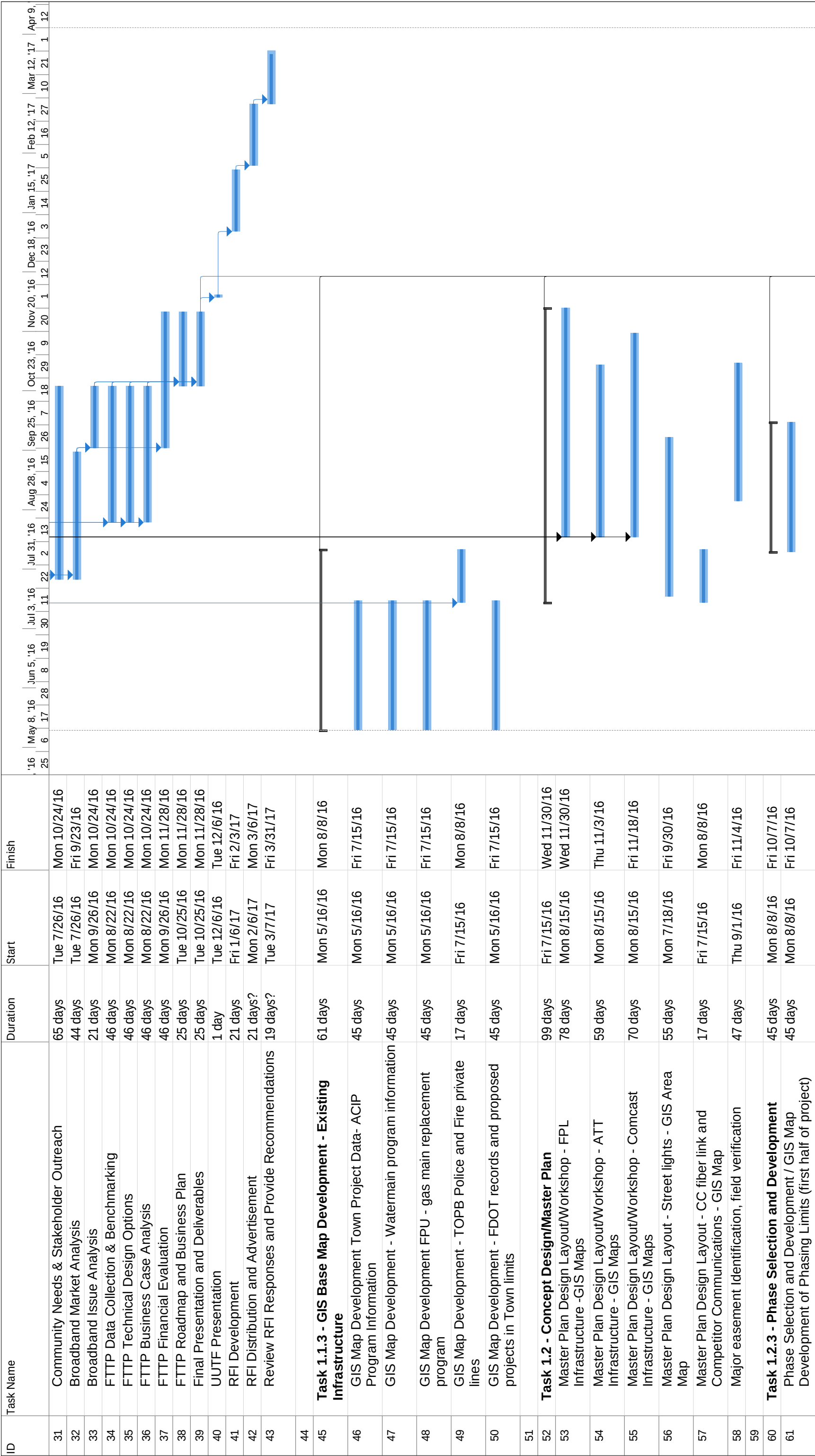
B. Detailed Design Phase

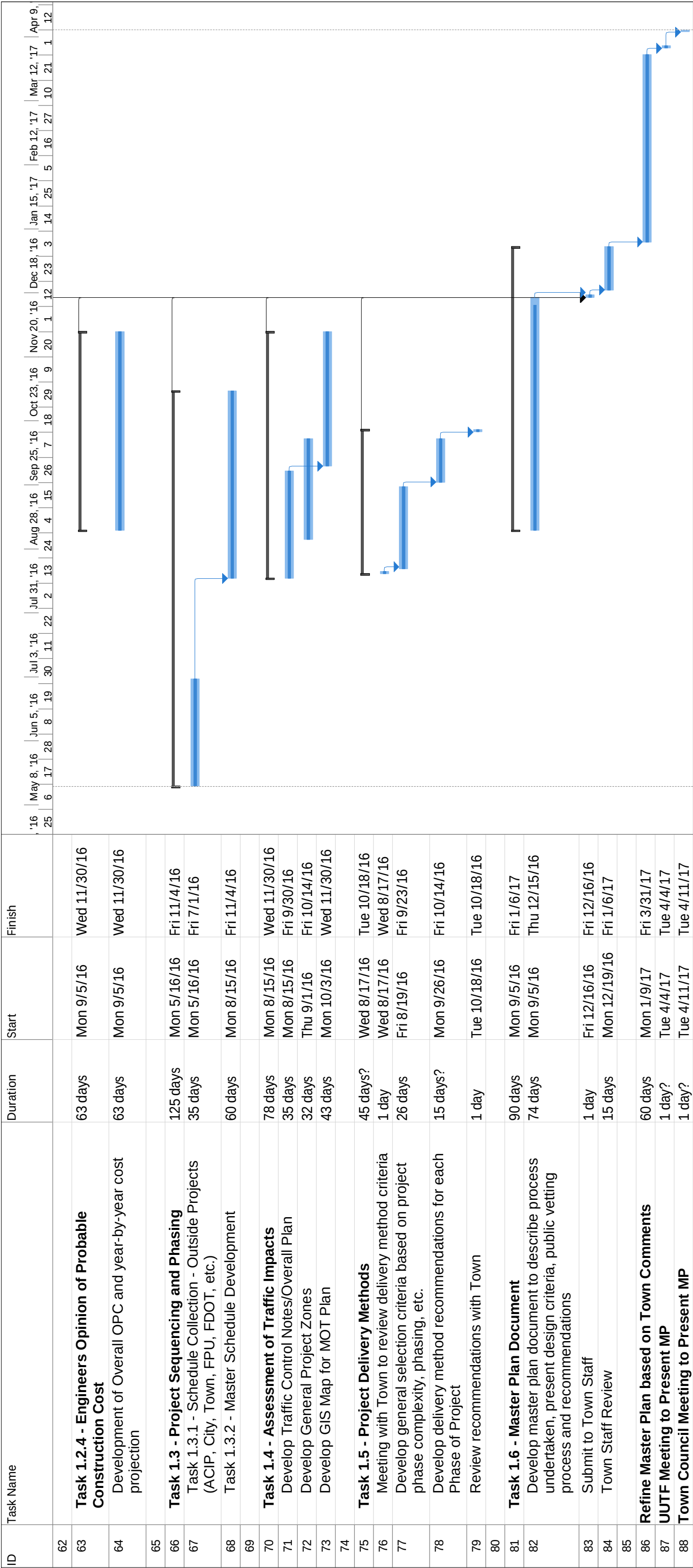
- We anticipate that we will continue to refine the bid documents based on progress with the easement acquisition process, coordination with the utility owners, value engineering activities, response to bidder questions, and various other minor design elements.
- Continued coordination with FPL / AT&T / Comcast to work out final coordination issues and communicate revisions requested by property owners through the easement acquisition process.
- The easement acquisition process will continue through the Town Attorney's office including field meetings with affected residents, businesses, and condominiums.
- The Construction Manager at Risk for both the north and south phases will complete bidding of the sub trades and development of the GMP.
- The GMP will be developed and negotiated between the CMARs and the Design Team/Town Staff.
- Receipt of the BCE/Agreements from FPL and Agreements/Invoices from AT&T and Comcast.
- Design Progress Meetings will continue to be held with the Design Team and Utility Owners.

III. Saves and Raves

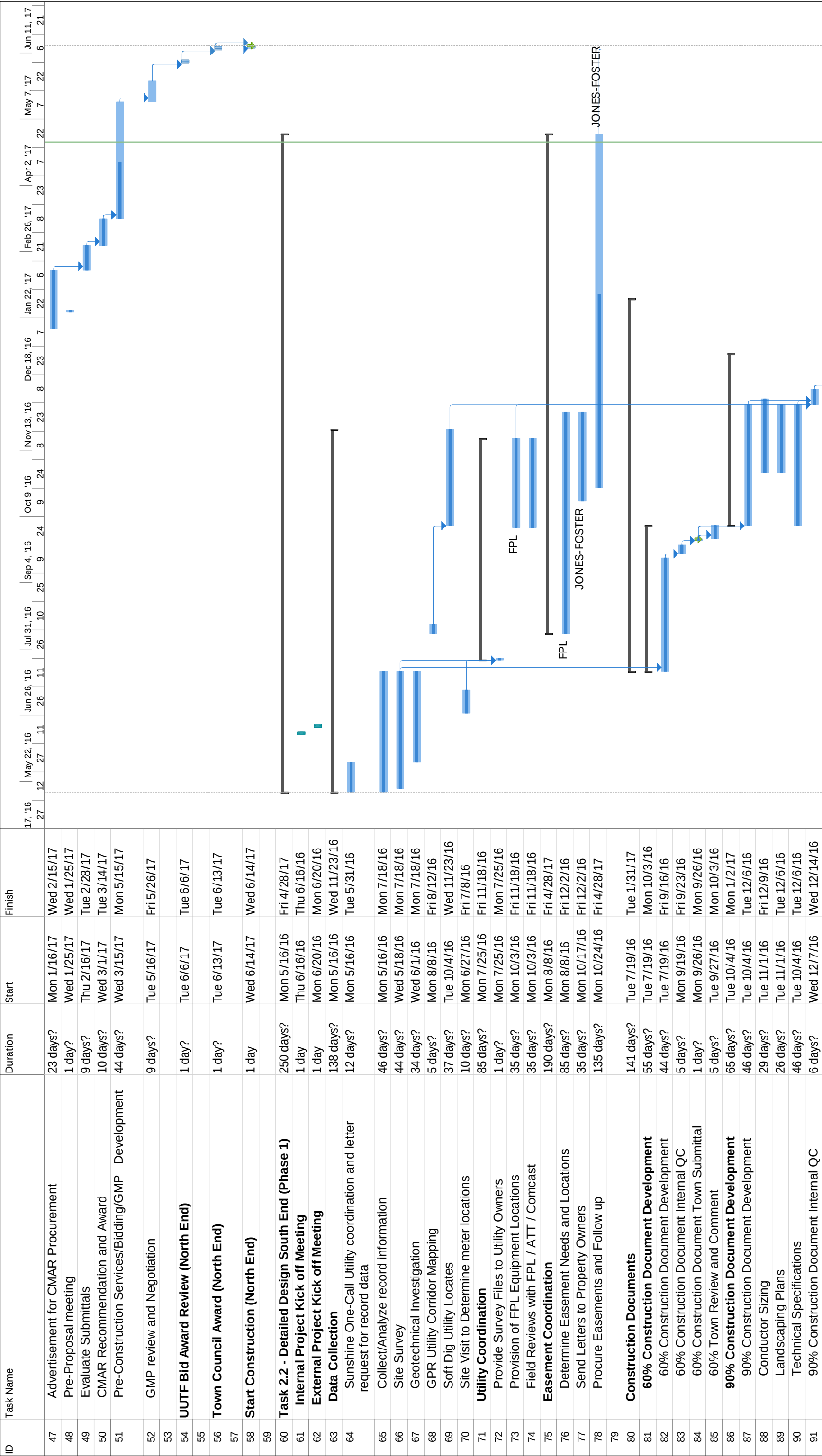
- A. *Saves*: Working with FPL, we were able to eliminate two switch cabinets in Phase 1 South. This yields a savings of approximately \$54,000.
- B. *Raves*: We would like to recognize FPL for being willing to pursue FPSC approval for additional credits that if approved, would offset some of the overall program costs.

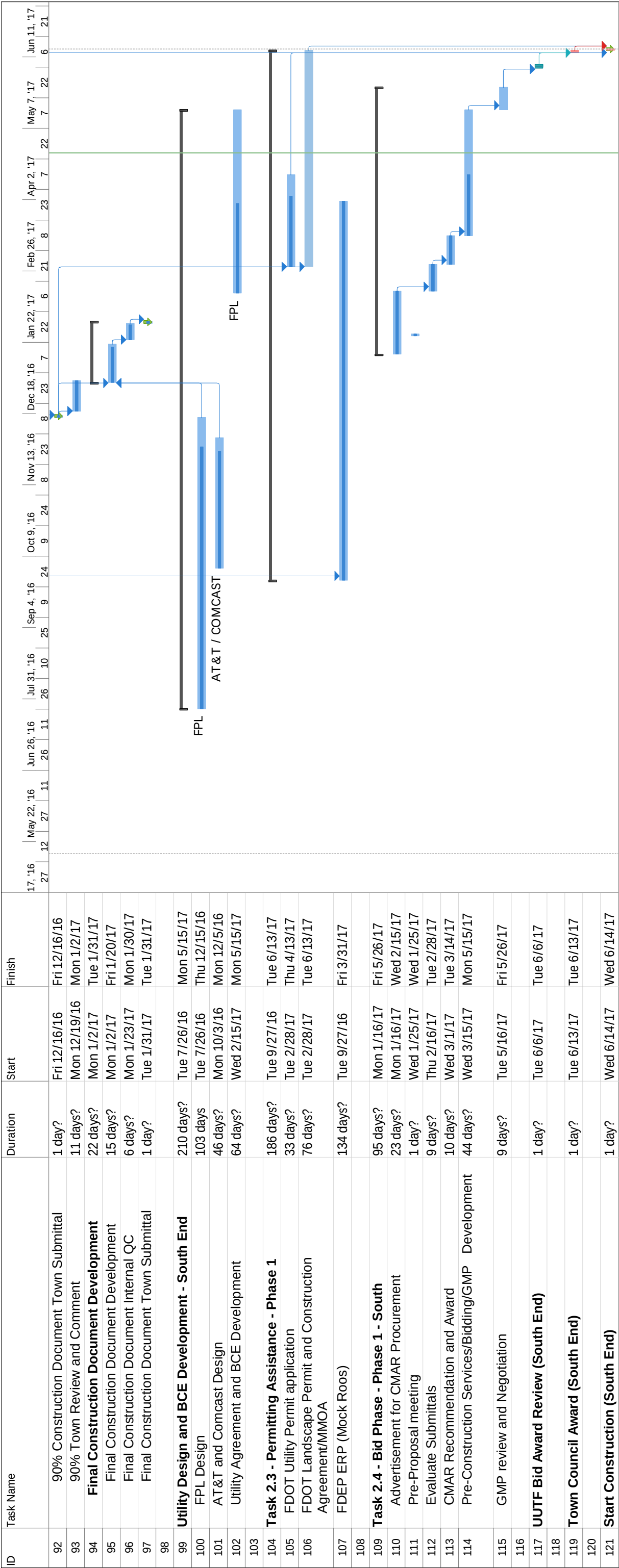






ID	Task Name	Duration	Start	Finish
1	Task 2.1 - Detailed Design North End (Phase 1)	250 days?	Mon 5/16/16	Fri 4/28/17
2	Internal Project Kick off Meeting	1 day	Thu 6/16/16	Thu 6/16/16
3	External Project Kick off Meeting	1 day	Mon 6/20/16	Mon 6/20/16
4	Data Collection	138 days?	Mon 5/16/16	Wed 11/23/16
5	Sunshine One-Call Utility coordination and letter request for record data	12 days	Mon 5/16/16	Tue 5/31/16
6	Collect/Analyze record information	46 days	Mon 5/16/16	Mon 7/18/16
7	Site Survey	44 days	Wed 5/18/16	Mon 7/18/16
8	Geotechnical Investigation	34 days	Wed 6/1/16	Mon 7/18/16
9	GPR Utility Corridor Mapping	5 days?	Mon 8/1/16	Fri 8/5/16
10	Soft Dig Utility Locates	37 days?	Tue 10/4/16	Wed 11/23/16
11	Site Visit to Determine meter locations	9 days	Mon 6/27/16	Fri 7/8/16
12	Utility Coordination	100 days?	Mon 7/25/16	Fri 12/9/16
13	Provide Survey Files to Utility Owners	1 day?	Mon 7/25/16	Mon 7/25/16
14	FPL Provision of Equipment Locations	25 days?	Mon 10/3/16	Fri 11/4/16
15	Field Reviews with FPL	10 days?	Mon 10/31/16	Fri 11/11/16
16	Field Reviews with ATT / Comcast	25 days?	Mon 11/7/16	Fri 12/9/16
17	Easement Coordination	190 days?	Mon 8/8/16	Fri 4/28/17
18	Determine Easement Needs and Locations	70 days?	Mon 8/8/16	Fri 11/11/16
19	Send Letters to Property Owners	30 days?	Mon 10/17/16	Fri 11/25/16
20	Procure Easements and Follow up	135 days?	Mon 10/24/16	Fri 4/28/17
21				
22	Construction Documents	141 days?	Tue 7/19/16	Tue 1/31/17
23	60% Construction Document Development	55 days?	Tue 7/19/16	Mon 10/3/16
24	60% Construction Document Development	44 days	Tue 7/19/16	Fri 9/16/16
25	60% Construction Document Internal QC	5 days?	Mon 9/19/16	Fri 9/23/16
26	60% Construction Document Town Submittal	1 day?	Mon 9/26/16	Mon 9/26/16
27	60% Town Review and Comment	5 days?	Tue 9/27/16	Mon 10/3/16
28	90% Construction Document Development	65 days?	Tue 10/4/16	Mon 1/2/17
29	90% Construction Document Development	46 days	Tue 10/4/16	Tue 12/6/16
30	Conductor Sizing	22 days?	Tue 11/1/16	Wed 11/30/16
31	Landscaping Plans	26 days?	Tue 11/1/16	Tue 12/6/16
32	Technical Specifications	46 days?	Tue 10/4/16	Tue 12/6/16
33	90% Construction Document Internal QC	6 days?	Wed 12/7/16	Wed 12/14/16
34	90% Construction Document Town Submittal	1 day?	Fri 12/16/16	Fri 12/16/16
35	90% Town Review and Comment	11 days?	Mon 12/19/16	Mon 1/2/17
36	Final Construction Document Development	18 days?	Fri 1/6/17	Tue 1/31/17
37	Final Construction Document Development	11 days?	Fri 1/6/17	Fri 1/20/17
38	Final Construction Document Internal QC	6 days?	Mon 1/23/17	Mon 1/30/17
39	Final Construction Document Town Submittal	1 day?	Tue 1/31/17	Tue 1/31/17
40				
41	Utility Design and BCE Development - North End	210 days?	Tue 7/26/16	Mon 5/15/17
42	FPL Design	103 days	Tue 7/26/16	Thu 12/15/16
43	AT&T and Comcast Design	44 days?	Mon 11/7/16	Thu 1/5/17
44	Utility Agreement and BCE Development	64 days?	Wed 2/15/17	Mon 5/15/17
45				
46	Task 2.4 - Bid Phase - Phase 1 - North	95 days?	Mon 1/16/17	Fri 5/26/17





Town of Palm Beach
Underground Utility Project
Budget and Actual Expenditures
As of April 29, 2017

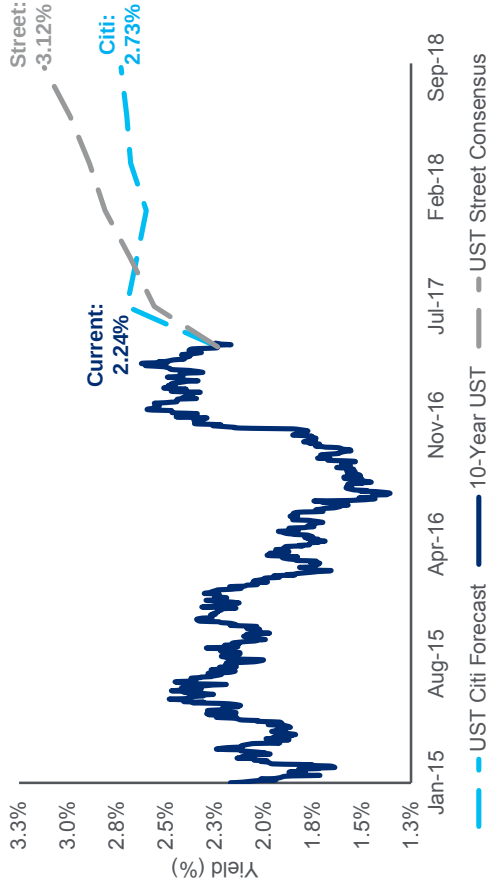
Task	Original Estimated Project Budget	Phase I Engineering Budget	Actual Expended to Date	% Complete of Phase 1 Engineering Budget	% Expended to date of Original Budget	% Encumbered to date of Original Budget
Project Engineering	\$ 5,400,000					
Survey Costs	\$ 1,232,000					
Task 1.1 - Data Collection & GIS Base Mapping		\$ 88,021	\$ 88,021	100.00%		
Task 1.1a Data Collection for Future Communications		23,511	11,756	50.00%		
Task 1.2 - Conceptual Design and Master Plan		161,756	153,668	95.00%		
Task 1.3 - Project Sequencing and Phasing		31,244	31,244	100.00%		
Task 1.4 - Assessment of Traffic Impacts		77,660	77,660	100.00%		
Task 1.5 - Project Delivery Methods		17,448	17,448	100.00%		
Task 1.6 - Master Plan Document		45,053	42,800	95.00%		
Task 1.7 - Meetings Master Planning Phase		113,135	113,123	99.99%		
Task 1.8 - Master Plan Phase 2		40,067	38,064	95.00%		
Subtotal Master Planning		\$ 597,895	\$ 573,784	95.97%		
Task 2.1 - Detailed Design North End Project (Onondaga to East Inlet)		472,063	424,857	90.00%		
Task 2.2 - Detailed Design South End (Sloan's Curve to Touthern Boundary)		619,411	557,470	90.00%		
Task 2.2A - Ibis Way PGD Improvements		14,583	13,125	90.00%		
Task 2.3 - Permitting Assistance		17,790	8,895	50.00%		
Task 2.4 - Bid Phase Assistance		42,166	8,433	20.00%		
Task 2.5 - Meetings - Design Phase		125,399	33,099	26.40%		
Legal Sketch and Description - Easements		34,000	9,705	28.54%		
Subtotal Design Phase		\$ 1,325,412	\$ 1,055,584	79.64%		
Task 3.1 - Public Outreach		282,519	98,071	34.71%		
Total Engineering and Survey Costs	\$ 6,632,000	\$ 2,205,826	\$ 1,727,439	78.31%	26.05%	33.26%
CM Project Management	\$ 3,415,000					
Utility Conversion Costs (FPL)	\$ 27,052,831					
FPL Engineering for Binding Cost Estimate		\$ 113,823				
North End Design			\$ 10,595			
South End Design			\$ 28,013			
Phase 3			\$ 11,759			
Phase 4			\$ 12,850			
Phase 5			\$ 12,757			
Phase 6			\$ 13,330			
Phase 7			\$ 11,359			
Phase 8			\$ 13,160			
Nightingale/LaPuerta Conversion Townwide Portion		\$ 74,900	\$ 74,900			
Total FPL Engineering Costs for Design		\$ 188,723	\$ 188,723	100.00%	0.70%	0.70%
Utility Conversion Costs (AT&T and Comcast)	\$ 8,900,000					
AT&T North End Design		\$ 5,000	\$ 5,000			
AT&T South End Design		\$ 5,000	\$ 5,000			
AT&T Nightingale/LaPuerta - Townwide Portion		\$ 30,555	\$ 30,555			
Comcast Nightingale/LaPuerta - Townwide Portion		\$ 8,885	\$ 8,885			
Comcast Preplanning and Design		\$ 12,015	\$ 12,015			
Total Utility Conversion Costs (AT&T and Comcast)		\$ 61,454	\$ 61,454	100.00%	0.69%	0.69%
Conversion of FPL Service Connections	\$ 10,075,000					
Landscape/Hardscape Restoration Costs	\$ 1,500,000					
Asphalt Milling and Resurfacing Costs	\$ 12,840,000					
Legal Costs/Easement Acquisition*	\$ 4,285,000	\$ -	\$ 153,093	0.00%	3.57%	3.57%
Sub-Total Project Budget	\$ 74,699,831					
Contingency @ 20%	\$ 14,939,966					
Total Estimated Project Budget	\$ 89,639,797					
Referendum Authorization	\$ 90,000,000	\$ 2,456,003	\$ 2,130,709	86.76%	2.37%	2.73%
Budget Amendment to Fund the UU Project from Town's Prepaid Contributions		\$ 2,530,250				
Amount Remaining from Original Budget Amendment		\$ 74,247				
FY17 Budget for UUTF						
Underground City of Lake Worth Section		\$ 200,000	\$ 26,827	13.41%		
Project Manager		\$ 130,000				
UU Funding - GF Allocation to Augment Program		\$ 430,200				
Total FY17 Budget Allocation		\$ 760,200	\$ 26,827	3.53%		
Cost Outside of the UU Project Budget						
Telecommunications Consultant	\$ 89,000	\$ 89,000	77,231	87%		
Peter Brandt (Kimley Horn Contract Negotiations)	\$ 35,000	25,000	16,332	65%		
Total Additional Costs	\$ 124,000	\$ 114,000	\$ 93,563	82.07%	75.45%	91.94%

*These costs are currently being paid from the General Fund until they can be reimbursed through the financing.

U.S. Rate Forecasts

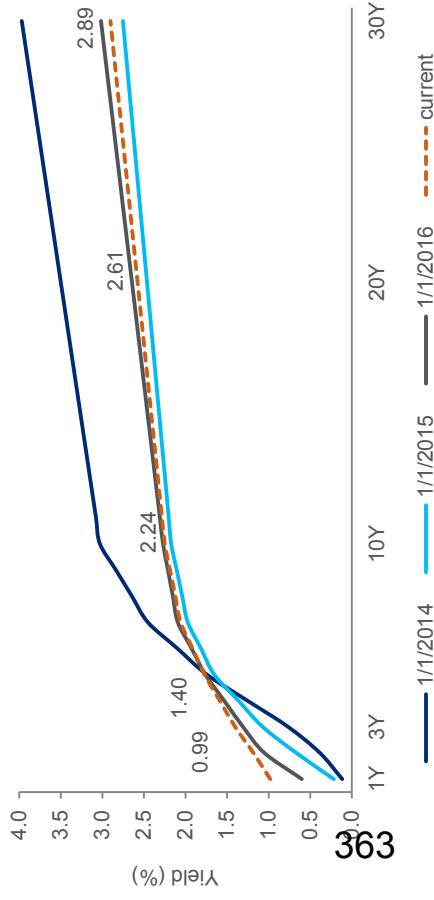
10-Year Treasury Yield Forecast

Citi and the Street forecast an elevated interest rate environment as we move into 2017



US Treasury Yield Curve

Rates have recently ticked down across the curve – mainly attributed to a risk-off trading sentiment

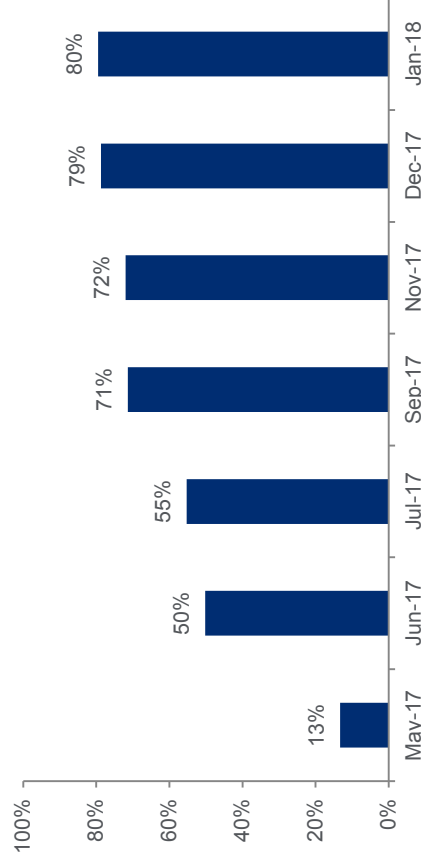


Rate Forecasts

5-Year Treasury	Current	2Q17	3Q17	4Q17	1Q18	2Q18	3Q18
Citi's Forecast	1.77%	2.15%	2.20%	2.20%	2.25%	2.30%	2.35%
10-Year Treasury	Current	2Q17	3Q17	4Q17	1Q18	2Q18	3Q18
Citi's Forecast	2.24%	2.70%	2.65%	2.60%	2.68%	2.70%	2.73%
Economists' Consensus		2.58%	2.69%	2.82%	2.89%	2.99%	3.12%
30-Year Treasury	Current	2Q17	3Q17	4Q17	1Q18	2Q18	3Q18
Citi's Forecast	2.89%	3.35%	3.30%	3.25%	3.33%	3.35%	3.38%
Economists' Consensus		3.17%	3.27%	3.36%	3.44%	3.53%	3.66%
Fed Funds (upper limit)	Current	2Q17	3Q17	4Q17	1Q18	2Q18	3Q18
Citi's Forecast	1.00%	1.25%	1.50%	1.50%	1.75%	2.00%	2.25%
Economists' Consensus		1.15%	1.35%	1.50%	1.65%	1.85%	2.05%

Expectations of Next Fed Increase in Rates

Market bets of a Fed rate increase in May currently stand at 13%, with the probability of a rate hike before the end of 2017 standing at 80%



Town of Palm Beach			
Undergrounding Summary for Cornerstone Services			
Month	Hours / Labor Costs	Material Costs	Total Costs
May 2016	\$ 900.00		\$ 900.00
June 2016	\$ 2,025.00		\$ 2,025.00
July 2016	\$ 2,725.00		\$ 2,725.00
August 2016	\$ 3,285.00		\$ 3,285.00
September 2016	\$ 3,285.00	\$ 1,764.85	\$ 5,049.85
October 2016	\$ 4,015.00	\$ 2,545.92	\$ 6,560.92
November 2016	\$ 8,890.00	\$ 18,245.36	\$ 27,135.36
December 2016	\$ 7,485.00	\$ 5,604.72	\$ 13,089.72
January 2017	\$ 4,015.00	\$ 2,700.00	\$ 6,715.00
February 2017	\$ 5,989.00	\$ 7,071.53	\$ 13,060.53
March 2017	\$ 7,240.00	\$ 500.00	\$ 7,740.00
Total Costs	\$ 49,854.00	\$ 38,432.38	\$ 88,286.38
Full Budget (12 months)	\$ 104,000.00	\$ 90,000.00	\$ 194,000.00
Percent of Full Budget	48%	43%	46%

Cornerstone Solutions



Town of Palm Beach **Undergrounding Project Communication Summary** *(May 2016 – March 2017)*

1) Emails

- Setup a secure, dedicated undergrounding email program.
- We have helped add approximately 1300 email addresses to the Town's distribution list to increase outreach via e-communications.
- Seven emails have been sent on various topic
 - Newsletters
 - Updates
 - Master Plan Information
 - Meeting Reminders and Invitations
 - Broadband Assessment Survey Request
- Average open rate far exceeds industry average – 33%
- Custom graphics, headers and easy to read navigation buttons created

2) Social Media

- Dedicated Facebook platform
- 189 total likes
- Customized headers and profile pictures
- 100% response rate with questions answered within 1 hour on average

3) Printed Communications

- Direct mail including project newsletters, notices and information for residents
 - FPL Meter Review
 - FPL Meter Review #2
 - Newsletter November
 - Newsletter December
 - Master Plan Update February
 - Internet Survey Request
 - Nightingale and La Puerta Mailer 1
 - Nightingale and La Puerta Mailer 2
- Town wide mailers to 11,000 addresses cost an average of \$.43 (with postage)

4) Custom Undergrounding website

- Mobile friendly
- User friendly with easy to read navigation buttons
- 170 new email addresses collected through online forms

- Weekly updates with articles, alerts, agendas and UUTF information
- 5) **Dashboard Technology** – provided guidance for development and future formats
- 6) **Media Relations**
- La Puerta Story
 - Internet Survey
 - Lake Towers Interview
 - Master Plan information during planning and presentations
- 7) **Community outreach** meetings with residents
- Civic Association Updates (2)
 - Citizens Association Updates (2)
 - Flagler Rotary
 - Palm Beach Board of Realtors
 - Preservation Foundation
 - La Palma Condo Association
 - South County Road Association (upcoming) - April 28
 - Garden Club (upcoming) - May 11
 - Have reached out to Condo Associations and Community Groups
- 8) **Broadband Assessment Survey**
- Assisted Town in outreach to meet goals for number of responses needed
 - Direct mail, phone and email communications
- 9) **La Puerta and Nightingale Project**
- Project updates and schedules mailed to residents
 - Communications
 - o Project Description and Scope (October)
 - o Project Schedule (February)
 - o Project Schedule Update (April)
 - c. Media management for interview onsite
- 10) **Meeting, Advisory Support and Oversight**
- Attend all UUTF meetings for project updates
 - Attended three Town meetings when Undergrounding issues relevant to project require communications services
 - Attend progress meetings with project team as scheduled monthly.
 - Provide advisory support to task force members, Kimley Horn, Town staff and project partners as needed.
 - Oversight and approvals for all work and content managed through Kimley Horn, Public Works AND Town Manager's office.



INVOICE

421 South Dixie Highway • West Palm Beach, FL 33401-5807
Tel: (561) 659-2367 • Fax: (561) 659-3380

SOLD TO:

Jon
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

SHIP TO:

Jon
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

P.O. NUMBER	INVOICE NUMBER	INVOICE DATE	SALES REPRESENTATIVE	ACCOUNT NUMBER	PAGE NUMBER		
PO# 495	24218	10/21/16	Bill Vitale	000263	Pg 1/1		
PD	SHIP VIA	TERMS	JOB NUMBER				
		Net 30	00013623				
QUANTITY	QTY SHIPPED	UN	ITEM DESCRIPTION	TX	UNIT PRICE	EXTENDED PRICE	
100/2	100/2		#495 TPB Undergrounding La Puerta A & B 2 Versions	T		\$161.00	
RECEIVED BY: <i>Rum LeeBore</i>				PLEASE PAY FROM THIS INVOICE			
Payment is due immediately upon receipt of invoice. In the event such payment is not made within 30 days after receipt of the original invoice, our company may immediately impose a LATE PAYMENT CHARGE at the rate of 1.5% per month (ANNUAL RATE 18%) of the maximum allowed by law, on the unpaid balance, and any reasonable cost of collection, including attorney fees.				SUB-TOTAL	FREIGHT	TAX	AMOUNT DUE
				\$161.00	\$0.00	\$9.66	\$170.66

SHIP

Nightengale
La Puerta
Overview

07



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PRINT headquarters

More Services, More Savings

561-625-2251 • 772-286-2812

info@printheadquarters.com

www.printheadquarters.com

Invoice

No. 66711

Date: 2/14/17

Customer PO:

SOLD TO

JONATHAN COOPER
CORNERSTONE
Phone: 561-689-9787

QTY	DESCRIPTION	AMOUNT
200	NIGHTINGALE TRAIL BROCHURE, 12 x 10.5 white 100# GLOSS TEXT, copied on 2 sides	\$ 137.92

Nightingale La Puerta time line

Received

Date:

PLEASE PAY FROM INVOICE & REMIT TO:

1111 RIVERSIDE DRIVE, SUITE #30
PALM BEACH GARDENS, FL 33410

SUBTOTAL	\$ 137.92
TAX	\$ 9.65
SHIPPING	\$ 0.00
DEPOSITS	\$ 0.00
TOTAL	\$ 147.57
AMOUNT DUE	\$ 147.57

TERMS: NET 30 DAYS. ANY AND ALL LEGAL AND COLLECTION FEES INCURRED CONCERNING COLLECTION OF THIS INVOICE, WILL BE THE RESPONSIBILITY OF THE CUSTOMER.

368



INVOICE

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P.O. NUMBER	INVOICE NUMBER	INVOICE DATE	SALES REPRESENTATIVE	ACCOUNT NUMBER	PAGE NUMBER		
	24525	02/14/17	Bill Vitale	000263	Pg 1/1		
PD	SHIP VIA	TERMS	JOB NUMBER				
		Net 30	00135850				
QUANTITY	QTY SHIPPED	UN	ITEM DESCRIPTION	TX	UNIT PRICE	EXTENDED PRICE	
200	200		TPB Nighingale & La Puerta Timeline Printed/Trimmed/Folded	T		\$225.00	
			Customer to pick up				
RECEIVED BY: <u>Daniel Leebave</u>				PLEASE PAY FROM THIS INVOICE			
Payment is due immediately upon receipt of invoice. In the event such payment is not made within 30 days after receipt of the original invoice, our company may immediately impose a LATE PAYMENT CHARGE at the rate of 1.5% per month (ANNUAL RATE 18%) of the maximum allowed by law, on the unpaid balance, and any reasonable cost of collection, including attorney fees.				SUB-TOTAL	FREIGHT	TAX	AMOUNT DUE
				\$225.00	\$0.00	\$15.75	\$240.75



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SHIP TO:

Jon
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

INVOICE

FRANKLIN ODD
COMMUNICATIONS

a southeastern company

950 SE 8th Street / Hialeah, FL 33010

Date: 305.885.8707 / 800.443.9599

Fax: 305.888.9903

INVOICE NO.	PAGE
44888	1
INVOICE DATE	
11/30/2016	

BILL TO:

RICK ASNANI
6917 VISTA PARKWAY NORTH
SUITE 1
WEST PALM BEACH FL 33411

SHIP TO:

AS PER INSTRUCTIONS

ORDER DATE	CUSTOMER NO.	SALESPERSON
11/14/2016	000000002712	11
CUSTOMER PO NUMBER	JOB NUMBER	SHIP VIA
RICK ASNANI	201393	FedEx

REMIT TO:
FDC Print, LLC
3601 SE Dixie Hwy
Stuart, FL 34997

DESCRIPTION	QTY. ORDERED	PRICE
POST CARD TOPB INTERNET MAILER 6 X 11	11,500	1,960.00
MAILING SERVICES		300.00
SCF DELIVERY CHARGES: \$135.00		
POSTAGE: \$1,643.80		
TERMS: Payr otherwise pro the customer i the order. Fail acceptance an specifications. of collection inc rate of 11/2 %		
		SUB-TOTAL 2,260.00
		POSTAGE/SHIPPING/HANDLING 1,778.80
		SALES TAX 135.60
		AMOUNT RECEIVED 1,643.80
		BALANCE DUE 2,530.60

Internet
mailer

Franklin Dodd Communications

950 SE 8th Street Hialeah FL 33010-

Phone: (305) 885-8707 Fax: (305) 882-8972

Postage Request

Attn

Franklin Dodd Communications
950 SE 8th Street
Hialeah FL 33010

Job Name: Rick Asnani - TOPB Internet M

Invoice #: 201393 **CustCode:** FDCOM

Invoice Date: 11/15/2016

PO#:

Invoice Details

Job Number: 201393

Project: Rick Asnani - TOPB Internet Mailer (CL) E

Postage Due In: 11/15/2016

Postage Affixed: FD CAPS

Drop Date: 11/15/2016

Domestic (US) Postage Amount: \$1,643.80

Domestic (US) Quantity: 10,958

International Postage Amount:

International Quantity:

Total Postage Amount: \$1,643.80

Expected Total Quantity: 10,958

Special Instructions:

We do not front postage for our clients. We cannot process your job until we receive a check for the postage amount listed above.

To avoid delaying your drop date, postage is required by noon one business day prior to drop date.

If you are mailing on our permit account, please make your check payable to Franklin Dodd Communications

Please indicate Job Number on your check

This is not an invoice. This is a request for postage. You will receive an invoice once the job is completed for services including but not limited to data processing, mailing, shipping and postage shortage or overage."



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West Palm Beach, FL 33411

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West Palm Beach, FL 33411

PO NUMBER	INVOICE NUMBER	INVOICE DATE	SALES REPRESENTATIVE	ACCOUNT NUMBER	PAGE NUMBER	
PO# 653	24589	03/02/17	Bill Vitale	000263	Pg 1/1	
PD	SHIP VIA	TERMS	JOB NUMBER			
	Perry Services	Net 30	00013623			
QUANTITY	QTY SHIPPED	UN	ITEM DESCRIPTION	TX	UNIT PRICE	EXTENDED PRICE
11500	11500		#653 TPB Undergrounding Master Plan	T		\$1221.00
			Delivered to Perry Services / Samples to Customer			
RECEIVED BY: 			PLEASE PAY FROM THIS INVOICE			
Payment is due immediately upon receipt of invoice. In the event such payment is not made within 30 days after receipt of the original invoice, our company may immediately impose a LATE PAYMENT CHARGE at the rate of 1.5% per month (ANNUAL RATE 18%) of the maximum allowed by law, on the unpaid balance, and any reasonable cost of collection, including attorney fees.			SUB-TOTAL	FREIGHT	TAX	AMOUNT DUE
			\$1221.00	\$0.00	\$85.47	\$1306.47

Feb.
Newsletter

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Tel: (561) 659-2367 • Fax: (561) 659-3380

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Cornerstone Solutions
6917 Vista Parkway
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West Palm Beach, FL 33411



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PO NUMBER	INVOICE NUMBER	INVOICE DATE	SALES REPRESENTATIVE	ACCOUNT NUMBER	PAGE NUMBER	
	24414	01/02/17	Bill Vitale	000263	Pg 1/1	
PD	SHIP VIA	TERMS	JOB NUMBER			
	Perry Services	Net 30	00013585			
QUANTITY	QTY SHIPPED	UN	ITEM DESCRIPTION	TX	UNIT PRICE	EXTENDED PRICE
11500	11500		#541 TPB Facts About Undergrounding News letter	T		\$1586.00
Delivered 500 to Customer / Balance to Perry Services						
RECEIVED BY: _____			PLEASE PAY FROM THIS INVOICE			
Payment is due immediately upon receipt of invoice. In the event such payment is not made within 30 days after receipt of the original invoice, our company may immediately impose a LATE PAYMENT CHARGE at the rate of 1.5% per month (ANNUAL RATE 18%) of the maximum allowed by law, on the unpaid balance, and any reasonable cost of collection, including attorney fees.			SUB-TOTAL	FREIGHT	TAX	AMOUNT DUE
			\$1586.00	\$0.00	\$111.02	\$1697.02

December
News letter

421

SHIP TO:

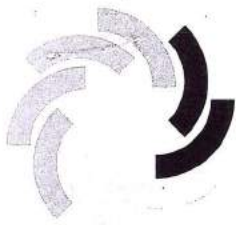
Jonathan
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411



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Cornerstone Solutions
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INVOICE

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P.O. NUMBER	INVOICE NUMBER	INVOICE DATE	SALES REPRESENTATIVE	ACCOUNT NUMBER	PAGE NUMBER	
PO# 515	24328	11/21/16	Bill Vitale	000263	Pg 1/1	
PD	SHIP VIA	TERMS		JOB NUMBER		
	Perry Services	Net 30		00013585		
QUANTITY	QTY SHIPPED	UN	ITEM DESCRIPTION	TX	UNIT PRICE	EXTENDED PRICE
11500	11500		#515 TPB Underground Project Newsletter	T		\$1586.00
			Deliver 11,000 to Perry Deliver 500 to Customer			
RECEIVED BY: <u>mules</u>			PLEASE PAY FROM THIS INVOICE			
Payment is due immediately upon receipt of invoice. In the event such payment is not made within 30 days after receipt of the original invoice, our company may immediately impose a LATE PAYMENT CHARGE at the rate of 1.5% per month (ANNUAL RATE 18%) of the maximum allowed by law, on the unpaid balance, and any reasonable cost of collection, including attorney fees.			SUB-TOTAL	FREIGHT	TAX	AMOUNT DUE
			\$1586.00	\$0.00	\$95.16	\$1681.16

November
Newsletter



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West Palm Beach, FL 33411

SHIP TO:

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Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

SHIP TO:

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6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

P.O. NUMBER	INVOICE NUMBER	INVOICE DATE	SALES REPRESENTATIVE	ACCOUNT NUMBER	PAGE NUMBER		
PO# 362	23767	06/23/16	Bill Vitale	000263	Pg 1/1		
PD	SHIP VIA	TERMS	JOB NUMBER				
		Net 30	00013623				
QUANTITY	QTY SHIPPED	UN	ITEM DESCRIPTION	TX	UNIT PRICE	EXTENDED PRICE	
300	300		#362 TPB Meter Inspection Notice (9 x 6)	T		\$127.00	
Customer to pickup							
RECEIVED BY: <i>Samuel LeBauer</i>				PLEASE PAY FROM THIS INVOICE			
Payment is due immediately upon receipt of invoice. In the event such payment is not made within 30 days after receipt of the original invoice, our company may immediately impose a LATE PAYMENT CHARGE at the rate of 1.5% per month (ANNUAL RATE 18%) of the maximum allowed by law, on the unpaid balance, and any reasonable cost of collection, including attorney fees.							
SUB-TOTAL				FREIGHT		TAX	AMOUNT DUE
\$127.00				\$0.00		\$7.62	\$134.62

Meter review

#1



421 South Dixie Highway • West Palm Beach, FL 33401-5807
Tel: (561) 659-2367 • Fax: (561) 659-3380

SHIP TO:

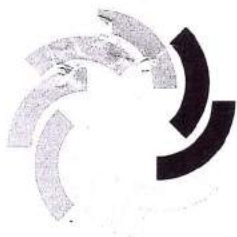
Jon
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411



421 South Dixie Highway • West Palm Beach, FL 33401-5807
Tel: (561) 659-2367 • Fax: (561) 659-3380

SHIP TO:

Jon
Cornerstone Solutions
6917 Vista Parkway
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West Palm Beach, FL 33411



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INVOICE

421 South Dixie Highway • West Palm Beach, FL 33401-5807
Tel: (561) 659-2367 • Fax: (561) 659-3380

SOLD TO:

Rick
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

SHIP TO:

Rick
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

P.O. NUMBER	INVOICE NUMBER	INVOICE DATE	SALES REPRESENTATIVE	ACCOUNT NUMBER	PAGE NUMBER		
PO# 362	24109	09/20/16	Bill Vitale	000263	Pg 1/1		
PD	SHIP VIA	TERMS	JOB NUMBER				
		Net 30	00000002				
QUANTITY	QTY SHIPPED	UN	ITEM DESCRIPTION	TX	UNIT PRICE	EXTENDED PRICE	
250	250		#362 Town of Palm Beach Update	T		\$225.00	
RECEIVED BY: <u>M Vitale</u>				PLEASE PAY FROM THIS INVOICE			
Payment is due immediately upon receipt of invoice. In the event such payment is not made within 30 days after receipt of the original invoice, our company may immediately impose a LATE PAYMENT CHARGE at the rate of 1.5% per month (ANNUAL RATE 18%) of the maximum allowed by law, on the unpaid balance, and any reasonable cost of collection, including attorney fees.				SUB-TOTAL	FREIGHT	TAX	AMOUNT DUE
				\$225.00	\$0.00	\$13.50	\$238.50

Meter Review
#2 original



421 South Dixie Highway • West Palm Beach, FL 33401-5807
Tel: (561) 659-2367 • Fax: (561) 659-3380

SHIP

SHIP TO:

Rick
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411



INVOICE

421 South Dixie Highway • West Palm Beach, FL 33401-5807
Tel: (561) 659-2367 • Fax: (561) 659-3380

SOLD TO:

Jon
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

SHIP TO:

Jon
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

P.O. NUMBER	INVOICE NUMBER	INVOICE DATE	SALES REPRESENTATIVE	ACCOUNT NUMBER	PAGE NUMBER	
PO# 362	24193	10/13/16	Bill Vitale	000263	Pg 1/1	
PD	SHIP VIA	TERMS	JOB NUMBER			
		Net 30	00013623			
QUANTITY	QTY SHIPPED	UN	ITEM DESCRIPTION	TX	UNIT PRICE	EXTENDED PRICE
75	75		#362 TPB Electric Meter Review Postcard	T		\$98.00
RECEIVED BY: <u>MViles</u>				PLEASE PAY FROM THIS INVOICE		
Payment is due immediately upon receipt of invoice. In the event such payment is not made within 30 days after receipt of the original invoice, our company may immediately impose a LATE PAYMENT CHARGE at the rate of 1.5% per month (ANNUAL RATE 18%) of the maximum allowed by law, on the unpaid balance, and any reasonable cost of collection, including attorney fees.				SUB-TOTAL		AMOUNT DUE
				\$98.00		\$103.88
				FREIGHT		
				TAX		\$5.88

Meter review
#2 re-do



421 South Dixie Highway • West Palm Beach, FL 33401-5807
Tel: (561) 659-2367 • Fax: (561) 659-3380

SHIP TO:

Jon
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

SHIP TO:

Jon
Cornerstone Solutions
6917 Vista Parkway
Suite 1
West Palm Beach, FL 33411

**8236 Charles Ave
Palos Hills IL 60465**

DATE:
December 1, 2016

INVOICE #
16-841

DESCRIPTION	AMOUNT
September 2016 Email Services	\$500.00
October 2016 Email Services	\$500.00
November 2016 Email Services	\$500.00
Action Engagement - email list size up to 10,000 records.	
TOTAL	\$ 1,500.00

Make all checks payable to: DME TECH, INC.
Mailing Address: 8236 Charles Ave, Palos Hills, IL 60465
EIN: 36-3860315

378

**8236 Charles Ave
Palos Hills IL 60465**

DATE:
March 1, 2017

Bill To:
Town of Palm Beach
C/O Cornerstone Solutions
Attn: Jon Cooper

Make all checks payable to: DME TECH, INC.
Mailing Address: 8236 Charles Ave, Palos Hills, IL 60465
EIN: 36-3860315

379

DME TECH, INC.

8236 Charles Ave
Palos Hills IL 60465

INVOICE

DATE:
April 1, 2017

INVOICE #
17-132

Bill To:
Town of Palm Beach
C/O Cornerstone Solutions
Attn: Jon Cooper

DESCRIPTION	AMOUNT
March 2017 Email Services	\$500.00
Action Engagement - email list size up to 10,000 records.	
TOTAL	\$ 500.00

Make all checks payable to: DME TECH, INC.
Mailing Address: 8236 Charles Ave, Palos Hills, IL 60465
EIN: 36-3860315

THANK YOU FOR YOUR BUSINESS!

8236 Charles Ave
Palos Hills IL 60465

DATE:
April 1, 2017

INVOICE #
17-133

DESCRIPTION	AMOUNT
Data Services - costs include list cleanup; NCOA (as needed)	
Meter Mailer #1	\$125.00
Meter Mailer #2	\$125.00
N/LP #1 List	\$100.00
N/LP #2 List	\$100.00
N/LP Timeline List	\$125.00
Nov and Dec. Newsletter List	\$125.00
February 2017 Newsletter List	\$125.00
Internet Broadband Mailer List	\$125.00
Inernet Broadband Phone Bank	\$140.38
List Cleanup	\$242.08
TOTAL	\$ 1,332.38

THANK YOU FOR YOUR BUSINESS!

Perry Services, Incorporated

1696 Old Okeechobee Rd. #2-F
West Palm Beach, FL 33409

Invoice

DATE	INVOICE #
12/8/2016	10250

BILL TO
Cornerstone Strategy & Communication Attn:Rick Asnani 6917 Vista Pkwy N Ste 1 West Palm Beach, FL 33411

P.O. NO.	TERMS	DUE DATE	PROJECT
PB UNDERGROU...		12/8/2016	

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	Mailing List Setup-- Palm Beach Mailing list--- 10,957 mailed	25.00	25.00T
1	Lettershop Services - Cass Certify List, Inkjet Name & Address, Affix 2 Tabs, Sort, Tie, & Tray	495.00	495.00T
1	Maildrop to SCF West Palm Beach, FL	25.00	25.00T
	Postage Prepaid \$1654.51		
	Fl Sales Tax (6%)	6.00%	32.70
November Newsletter			
Total			\$577.70
Balance Due			\$577.70

United States Postal Service
Postage Statement — Standard Mail

Comments:
List: Rick Asnani- PB Underground NOV 22

Post Office: Note Mail Arrival Date & Time
(Do Not Round-Stamp)

MAILER	Permit Holder's Name and Address and Email Address, if Any Perry Services 1696 Old Okeechobee Rd 2-F West Palm Beach FL 33416		Telephone () - - Extension		Name and Address of Mailing Agent (If other than permit holder) Perry Services 1696 Old Okeechobee Rd 2-F West Palm Beach FL 33416		Telephone () - - Extension		Name and Address of Mail Owner (If other than permit holder)	
	CAPS Cust. Ref. No. _____ CRID _____				CRID _____				CRID _____	
MAILING	Post Office of Mailing West Palm Beach, FL 33416		Processing Category ☒ Letters ☐ Catalogs ☐ Flats ☐ Marketing Parcels ☐ Parcels - Machinable ☐ Parcels - Irregular ☐ CMM		Mailer's Mailing Date 11/21/2016		Federal Agency Cost Code		Statement Seq. No. RICK A	
	Type of Postage ☒ Permit Imprint ☐ Precanceled Stamps ☐ Metered				Weight of a Single Piece 0.0625 pounds		Combined Mailing ☐ Mixed Class ☐ Single Class		SSF Transaction #	
	Permit # 3591		For Mail Enclosed Within Another Class ☐ Periodicals ☐ Bound Printed Matter ☐ Library Mail ☐ Media Mail		☐ Mailpiece is a product sample, _____ % Samples				Total # of Pieces in Mailing 10,957	
	For Automation Price Pieces, Enter Date of Address Matching and Coding 11/21/2016		For Carrier Route Price Pieces, Enter Date of Address Matching and Coding 11/21/2016		For Carrier Route Price Pieces, Enter Date of Carrier Route Sequencing 11/21/2016		For Pieces Bearing a Simplified Address Enter Date of Delivery Statistics File or Alternative Method 10/15/2016		Total Weight 684.8125	
	Move Update Method: ☐ Ancillary Service Endorsement ☐ NCOALink ☐ ACS ☐ Alternative Method ☐ Multiple ☐ OneCode ACS ☐ n/a Alternative Address Format This is a Political Mailing ☐ Yes ☒ No This is Official Election Mail ☐ Yes ☒ No ☐ Letter-size or flat mailpiece contains DVD/CD or other disk.									
POSTAGE	Parts Completed (Select all that apply) ☐ A ☐ B ☒ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ L ☐ M ☐ S ☐ NSA									
	1 Subtotal Postage (Add Parts Totals)								1,654.51	
	2 Price at Which Postage Affixed (Check one) Complete if the mailing includes pieces bearing metered/PC Postage or precanceled stamps. ☐ Correct ☐ Lowest ☐ Neither pcs. x \$ = Postage Affixed									
	3 Incentive/Discount Flat Dollar Amount									
	4 Fee Flat Dollar Amount									
	5 Permit # _____ Net Postage Due (Line 1 +/- Lines 2, 3, 4)								1,654.51	
USAGE	Additional Postage Payment (State reason)									
	For postage affixed add additional payment to net postage due; for permit imprint add additional payment to total postage.								Total Adjusted Postage Affixed	
	Postmaster: Report Total Postage in AIC 130 (Permit Imprint Only, Excluding Simplified Addressing (EDDM))								Total Adjusted Postage Permit Imprint	
	Postmaster: Report Total Postage in AIC 208 (Simplified Addressing (EDDM), Permit Imprint Only)								Total Adjusted Postage Simplified Addressing (EDDM)	
CERTIFICATION	Incentive/Discount Claimed: _____ Type of Fee: _____									
	The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control. The mailer hereby certifies that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and the mailing qualifies for the prices and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation. I understand that anyone who furnishes false or misleading information on this form or who omits information requested on this form may be subject to criminal and/or civil penalties, including fines and imprisonment.									
	Signature of Mailer or Agent					Privacy Notice: For information regarding our Privacy Policy visit www.usps.com . Printed Name of Mailer or Agent Signing Form Perry Services				
NOT ON USPS ONLY	Weight of a Single Piece _____ pound		Total Pieces		Total Weight		Total Postage		Round Stamp (Required) Payment Date	
	Presort Verification Performed? (If required) ☐ Yes ☐ No		I CERTIFY that this mailing has been inspected for each item below if required: (1) eligibility for postage prices claimed; (2) proper preparation (and presort where required); (3) proper completion of postage statement; (4) payment of annual fee; and (5) sufficient funds on deposit (if required).		Date Mailer Notified		Contact			
	USPS Employee's Signature		Print USPS Employee's Name		By (Initials)		Time		AM PM	

Perry Services, Incorporated

1696 Old Okeechobee Rd. #2-F
West Palm Beach, FL 33409

Invoice

DATE	INVOICE #
12/30/2016	10263

BILL TO
Cornerstone Strategy & Communication Attn:Rick Asnani 6917 Vista Pkwy N Ste 1 West Palm Beach, FL 33411

P.O. NO.	TERMS	DUE DATE	PROJECT
PB UNDERG #2		12/30/2016	

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	Mailing List Setup-- Palm Beach Mailing list-- 10,959 mailed	25.00	25.00T
1	Lettershop Services - Cass Certify List, Inkjet Name & Address, Affix 2 tabs at top, Sort, Tie, & Tray	495.00	495.00T
1	Maildrop to SCF West Palm Beach, FL	25.00	25.00T
	Postage Prepaid CK# 3082---\$1655.00 Fl Sales Tax (6%)	6.00%	32.70

December
News letter

We		Total	\$577.70
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Com (56		Balance Due	\$577.70
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An	Mail Date - If
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United States Postal Service
Postage Statement — Standard Mail

Comments:
List: Rick Asnani- PB Underground DEC 28 2016

Post Office: Note Mail Arrival Date & Time
(Do Not Round-Stamp)

MAILER	Permit Holder's Name and Address and Email Address, if Any Perry Services 1696 Old Okeechobee Rd 2-F West Palm Beach FL 33416		Telephone () - - Extension		Name and Address of Mailing Agent (If other than permit holder) Perry Services 1696 Old Okeechobee Rd 2-F West Palm Beach FL 33416		Telephone () - - Extension		Name and Address of Mail Owner (If other than permit holder)					
	CAPS Cust. Ref. No. _____ CRID _____				CRID _____				CRID _____					
MAILING	Post Office of Mailing West Palm Beach, FL 33416		Processing Category ☒ Letters ☐ Catalogs ☐ Flats ☐ Marketing Parcels ☐ Parcels - Machinable ☐ Parcels - Irregular ☐ CMM		Mailing Date 12/27/2016		Federal Agency Cost Code		Statement Seq. No. RICK A		No. of Containers 1' MM Trays 2' MM Trays 2' EMM Trays Total Trays			
	Type of Postage ☒ Permit Imprint ☐ Precanceled Stamps ☐ Metered				Weight of a Single Piece 0.0028 pounds		Combined Mailing ☐ Mixed Class ☐ Single Class		SSF Transaction #		17			
	Permit # 3591		For Mail Enclosed Within Another Class ☐ Periodicals ☐ Bound Printed Matter ☐ Library Mail ☐ Media Mail		☐ Mailpiece is a product sample. % Samples				Total # of Pieces in Mailing 10,959		Flat Trays Sacks Pallets Other			
	For Automation Price Pieces, Enter Date of Address Matching and Coding 12/27/2016		For Carrier Route Price Pieces, Enter Date of Address Matching and Coding 12/27/2016		For Carrier Route Price Pieces, Enter Date of Carrier Route Sequencing 12/27/2016		For Pieces Bearing a Simplified Address Enter Date of Delivery Statistics File or Alternative Method 10/15/2016							
	Move Update Method: ☐ Ancillary Service Endorsement ☒ NCOALink ☐ ACS ☐ Alternative Method ☐ Multiple ☐ OneCode ACS ☐ n/a Alternative Address Format													
This is a Political Mailing ☐ Yes ☒ No This is Official Election Mail ☐ Yes ☒ No ☐ Letter-size or flat mailpiece contains DVD/CD or other disk.														
POSTAGE	Parts Completed (Select all that apply) ☐ A ☒ B ☒ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ L ☐ M ☐ S ☐ NSA													
	1 Subtotal Postage (Add Parts Totals)										1,655.00			
	2 Price at Which Postage Affixed (Check one) Complete if the mailing includes pieces bearing metered/PC Postage or precanceled stamps. ☐ Correct ☐ Lowest ☐ Neither pcs. x \$ = Postage Affixed													
	3 Incentive/Discount Flat Dollar Amount													
	4 Fee Flat Dollar Amount													
USAGE	5 Permit # _____ Net Postage Due (Line 1 +/- Lines 2, 3, 4)										1,655.00			
	Additional Postage Payment (State reason)													
	For postage affixed add additional payment to net postage due; for permit imprint add additional payment to total postage.										Total Adjusted Postage Affixed			
	Postmaster: Report Total Postage in AIC 130 (Permit Imprint Only, Excluding Simplified Addressing (EDDM))										Total Adjusted Postage Permit Imprint			
	Postmaster: Report Total Postage in AIC 208 (Simplified Addressing (EDDM), Permit Imprint Only)										Total Adjusted Postage Simplified Addressing (EDDM)			
CERTIFICATION	Incentive/Discount Claimed: _____ Type of Fee: _____													
	The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control. The mailer hereby certifies that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and the mailing qualifies for the prices and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation. I understand that anyone who furnishes false or misleading information on this form or who omits information requested on this form may be subject to criminal and/or civil penalties, including fines and imprisonment.													
	Signature of Mailer or Agent										Privacy Notice: For information regarding our Privacy Policy visit www.usps.com .			
	Printed Name of Mailer or Agent Signing Form Perry Services										Telephone () - - Extension			
USPS ONLY	Weight of a Single Piece _____ pound		Are postage figures at left adjusted from mailer's entries? If yes, reason: ☐ Yes ☐ No											
	Total Pieces		Total Weight											
	Total Postage													
	Presort Verification Performed? (If required) ☐ Yes ☐ No I CERTIFY that this mailing has been inspected for each item below if required: (1) eligibility for postage prices claimed; (2) proper preparation (and presort where required); (3) proper completion of postage statement; (4) payment of annual fee; and (5) sufficient funds on deposit (if required).		Date Mailer Notified		Contact		Round Stamp (Required) Payment Date							
	USPS Employee's Signature		Print USPS Employee's Name		By (Initials)		Time		AM PM					

Perry Services, Incorporated

1696 Old Okeechobee Rd. #2-F
West Palm Beach, FL 33409

Invoice

DATE	INVOICE #
3/13/2017	10341

BILL TO
Cornerstone Strategy & Communication Attn:Rick Asnani 6917 Vista Pkwy N Ste 1 West Palm Beach, FL 33411

P.O. NO.	TERMS	DUE DATE	PROJECT
PB UNDERGROU...		3/13/2017	JOB 653

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	Mailing List Setup-- Palm Beach Mailing List--- 10,959 mailed	25.00	25.00T
1	Lettershop Services - Cass Certify List, Inkjet Name & Address, CR FLAT Sort, Tie, & Sack	490.00	490.00T
1	Maildrop to SCF West Palm Beach, FL-- verify Qty-- print 8125 Dropship form	25.00	25.00T
1	Drop DDU-- Same Day Palm Beach Post Office	100.00	100.00
	Postage Prepaid CK# 3190--- \$1712.26 Florida 7.0% Sales Tax	7.00%	37.80

February
Newsletter

We appreciate Your Business. Please Call Us Again	Total	\$677.80
---	--------------	----------

Contact Information (561) 733-0000 Telephone (561) 733-0007 Fax	Balance Due	\$677.80
--	--------------------	----------

Any E-mail Mailed 100% On Business Days After Normal Hours, except for Pk 1-5	Mail Date - If
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United States Postal Service
Postage Statement — USPS Marketing Mail

Comments:
List: Rick Asnani- PB UNDER Mar 1

Post Office: Note Mail Arrival Date & Time
(Do Not Round-Stamp)

MAILER	Permit Holder's Name and Address and Email Address, if Any	Telephone () - - Extension	Name and Address of Mailing Agent (If other than permit holder)	Telephone () - - Extension	Name and Address of Mail Owner (If other than permit holder)
	Perry Services 1696 Old Okeechobee Rd 2-F West Palm Beach FL 33416		Perry Services 1696 Old Okeechobee Rd 2-F West Palm Beach FL 33416		
	CAPS Cust. Ref. No. _____		CRID _____		CRID _____

MAILING	Post Office of Mailing West Palm Beach, FL 33416	Mailer's Mailing Date 3/01/2017	Federal Agency Cost Code	Statement Seq. No. RICK A	For Automation Price Pieces, Enter Date of Address Matching and Coding	No. & Type of Containers 1' MM Trays 2' MM Trays 2' EMM Trays Total Trays Flat Trays Sacks Pallets Other
	Type of Postage ☒ Permit Imprint ☐ Precanceled Stamps ☐ Metered	Processing Category ☐ Letters ☐ CMM ☐ Flats ☐ Catalogs ☐ Marketing Parcels	Total # of Pieces in Mailing 10,959	SSF Transaction #	For CR Price Pieces, Enter Date of Address Matching and Coding	
	For Mail Enclosed Within Another Class ☐ Periodicals ☐ Bound Printed Matter ☐ Library Mail ☐ Media Mail	Move Update Method ☐ ASE ☐ Multiple ☒ NCOALink ☐ OneCode ACS ☐ ACS ☐ Alternative Method ☐ n/a Alternative Address Format	Total Weight 480.0042	Permit # 3591	For CR Price Pieces, Enter Date of CR Sequencing	
	Weight of a Single Piece 0.0438 pounds	☐ Mailpiece is a product sample. % Samples	☐ Letter-size or flat mailpiece contains DVD/CD or other disk.	For Pieces Bearing a Simplified Address Enter Date of Delivery Statistics File or Alternative Method		
	Combined Mailing ☐ Mixed Class ☐ Single Class	This is a Political Mailing ☐ Yes ☒ No	This is Official Election Mail ☐ Yes ☒ No			

POSTAGE	Parts Completed (Select all that apply) ☐ A ☐ B ☐ C ☐ D ☒ E ☒ F ☐ G ☐ H ☐ L ☐ S ☐ NSA	
	1	Subtotal Postage (Add Parts Totals) 1,712.26
	2	Price at Which Postage Affixed (Check one) Complete if the mailing includes pieces bearing metered/PC Postage or precanceled stamps. ☐ Correct ☐ Lowest ☐ Neither pcs. x \$ = Postage Affixed
	3	Incentive/Discount Flat Dollar Amount
	4	Fee Flat Dollar Amount
5	Permit # _____ Net Postage Due (Line 1 +/- Lines 2, 3, 4) 1,712.26	

USPS	Additional Postage Payment (State reason)	
	For postage affixed add additional payment to net postage due; for permit imprint add additional payment to total postage.	
	Postmaster: Report Total Postage in AIC 130 (Permit Imprint Only, Excluding Simplified Addressing (EDDM))	Total Adjusted Postage Affixed
	Postmaster: Report Total Postage in AIC 208 (Simplified Addressing (EDDM), Permit Imprint Only)	Total Adjusted Postage Simplified Addressing (EDDM)

CERTIFICATION	Incentive/Discount Claimed: _____ Type of Fee: _____
	The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control. The mailer hereby certifies that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and the mailing qualifies for the prices and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation. I understand that anyone who furnishes false or misleading information on this form or who omits information requested on this form may be subject to criminal and/or civil penalties, including fines and imprisonment.
	Signature of Mailer or Agent
	Printed Name of Mailer or Agent Signing Form Perry Services Telephone () - - Extension

NOTION USPS BPEOS CTOAL UML POLN EET ONL YIT NES	Weight of a Single Piece _____ pounds	Total Weight	Are postage figures at left adjusted from mailer's entries? ☐ Yes ☐ No If yes, reason:	Round Stamp (Required) Payment Date	
	Total Pieces	Total Postage			
	Presort Verification Performed? (If required) ☐ Yes ☐ No				
	I CERTIFY that this mailing has been inspected for each item below if required: (1) eligibility for postage prices claimed; (2) proper preparation (and presort where required); (3) proper completion of postage statement; (4) payment of annual fee; and (5) sufficient funds on deposit (if required).		Date Mailer Notified		Contact
	USPS Employee's Signature		By (Initials)		Time AM PM
			Print USPS Employee's Name		



DIGITAL FUEL STUDIOS, INC.
NOT JUST ADVERTISING. IT'S ART!

Cornerstone Strategy &
Communication
6901 Okeechobee Blvd, K-2
West Palm Beach, FL 33411

INVOICE NUMBER: 1016
INVOICE DATE: 11/1/2016
DUE DATE: 11/1/2016

JOB#	DESCRIPTION	JOB#	HRS	RATE	AMOUNT
	Meter Review 1 Design			325.00	325.00
	Meter Review 2 Design			325.00	325.00
	NLP Brochure Design			600.00	600.00
	NLP Overview (area) Design			375.00	375.00
	NLP Overview (adjacent) Design			375.00	375.00
				TOTAL	\$2,000.00

Thank you for letting Digital Fuel Studios, Inc.
change the world one design at the time!

Payment is due by the date indicated above. In the event such payment is not made by such time,
Digital Fuel Studios, Inc. will immediately impose a LATE PAYMENT CHARGE at the rate of 25% per
month on the unpaid balance, and any reasonable cost of collection, including attorney fees.

WWW.DIGITALFUELSTUDIOS.COM

1455 W GREGORY ST #2 | CHICAGO, IL 60640 | 847/346.2213 | allan@digitalfuelstudios.com



DIGITAL FUEL STUDIOS, INC.
NOT JUST ADVERTISING. IT'S ART!

Cornerstone Strategy &
Communication
6901 Okeechobee Blvd, K-2
West Palm Beach, FL 33411

INVOICE NUMBER: 1037

INVOICE DATE: 11/30/2016

DUE DATE: 11/30/2016

JOB#	DESCRIPTION	JOB#	HRS	RATE	AMOUNT
	Hurricane Graphic Web			150.00	150.00
	Newsletter Graphic Web			150.00	150.00
	Project Status Graphic Web			150.00	150.00
	Take Broadband Study Graphic Web			150.00	150.00
	Broadband Study Results Graphic Web:			100.00	100.00
	Quote Graphic JIC			100.00	100.00
	Quote Graphic Gulfstream			100.00	100.00
	Quote Graphic K. Schanen			100.00	100.00

TOTAL \$1,000.00

Thank you for letting Digital Fuel Studios, Inc.
change the world one design at the time!

Payment is due by the date indicated above. In the event such payment is not made by such time, Digital Fuel Studios, Inc. will immediately impose a LATE PAYMENT CHARGE at the rate of 25% per month on the unpaid balance, and any reasonable cost of collection, including attorney fees.

WWW.DIGITALFUELSTUDIOS.COM

1455 W GREGORY ST #2 | CHICAGO, IL 60640 | 847/346.2213 | allan@digitalfuelstudios.com

389



DIGITAL FUEL STUDIOS, INC.
NOT JUST ADVERTISING, IT'S ART!

Cornerstone Strategy &
Communication
6901 Okeechobee Blvd, K-2
West Palm Beach, FL 33411

INVOICE NUMBER: 1089
INVOICE DATE: 1/5/2017
DUE DATE: 1/5/2017

JOB#	DESCRIPTION	JOB#	HRS	RATE	AMOUNT
	November Newsletter Design			750.00	750.00
	December Newsletter Design			250.00	250.00
	Internet Survey Mailer			450.00	450.00
				TOTAL	\$1,450.00

Thank you for letting Digital Fuel Studios, Inc.
change the world one design at the time!

Payment is due by the date indicated above. In the event such payment is not made by such time, Digital Fuel Studios, Inc. will immediately impose a LATE PAYMENT CHARGE at the rate of 25% per month on the unpaid balance, and any reasonable cost of collection, including attorney fees.

WWW.DIGITALFUELSTUDIOS.COM

1455 W GREGORY ST #2 | CHICAGO, IL 60640 | 847/346.2213 | allan@digitalfuelstudios.com



DIGITAL FUEL STUDIOS, INC.
NOT JUST ADVERTISING. IT'S ART!

Cornerstone Strategy &
Communication
6901 Okeechobee Blvd, K-2
West Palm Beach, FL 33411

INVOICE NUMBER: 1085

INVOICE DATE: 12/31/2016

DUE DATE: 12/31/2016

JOB#	DESCRIPTION	JOB#	HRS	RATE	AMOUNT
	E Newsletter Graphics October			150.00	150.00
	E Newsletter Graphics November			150.00	150.00
	E Newsletter Graphics December			150.00	150.00
	South End Email Graphics			100.00	100.00
	Logo			250.00	250.00
				TOTAL	\$800.00

Thank you for letting Digital Fuel Studios, Inc.
change the world one design at the time!

Payment is due by the date indicated above. In the event such payment is not made by such time, Digital Fuel Studios, Inc. will immediately impose a LATE PAYMENT CHARGE at the rate of 25% per month on the unpaid balance, and any reasonable cost of collection, including attorney fees.

WWW.DIGITALFUELSTUDIOS.COM

1455 W GREGORY ST #2 | CHICAGO, IL 60640 | 847/346.2213 | allan@digitalfuelstudios.com



DIGITAL FUEL STUDIOS, INC.
NOT JUST ADVERTISING. IT'S ART!

Cornerstone Strategy &
Communication
6901 Okeechobee Blvd, K-2
West Palm Beach, FL 33411

INVOICE NUMBER: 1113
INVOICE DATE: 4/1/2017
DUE DATE: 4/1/2017

JOB#	DESCRIPTION	JOB#	HRS	RATE	AMOUNT
	January Newsletter Design			700.00	700.00
	February Newsletter Design			750.00	750.00
	NLP Timeline Design			650.00	650.00
	South End Facts Mailer			500.00	500.00
				TOTAL	\$2,600.00

Thank you for letting Digital Fuel Studios, Inc.
change the world one design at the time!

Payment is due by the date indicated above. In the event such payment is not made by such time, Digital Fuel Studios, Inc. will immediately impose a LATE PAYMENT CHARGE at the rate of 25% per month on the unpaid balance, and any reasonable cost of collection, including attorney fees.

WWW.DIGITALFUELSTUDIOS.COM

1455 W GREGORY ST #2 | CHICAGO, IL 60640 | 847/346.2213 | allan@digitalfuelstudios.com

MDW Communications LLC
601 NW 82nd Ave
#432
Plantation FL 33324
United States



Cornerstone Solutions
Jon Cooper

Invoice # 0000986
Invoice Date March 10, 2017
Balance Due (USD) \$1,500.00

Item	Description	Unit Cost	Quantity	Line Total
Communications Consulting	Monthly Retainer - Undergrounding	1,500.00	1	1,500.00
Total				1,500.00
Amount Paid				0.00
Balance Due (USD)				\$1,500.00

Terms

Pre-payment is required for all Direct Mail & Digital Advertising expenditures.

Wire Information:

MDW Communications LLC

Bank of America
Wire Routing #026009593
Bank Account #898063907271

PAYMENT STUB

MDW Communications LLC
601 NW 82nd Ave
#432
Plantation FL 33324
United States

To Pay Your Invoice Online

Go to <https://mdwcommunicationsllc-billing.freshbooks.com/code> and enter the code
3NVDykhXGhxb5BJE

Client Cornerstone Solutions
Invoice # 0000986
Invoice Date March 10, 2017
Balance Due (USD) \$1,500.00
Amount Enclosed

MDW Communications LLC
601 NW 82nd Ave
#432
Plantation FL 33324
United States



Cornerstone Solutions
Jon Cooper

Invoice # 0000974
Invoice Date February 10, 2017

Balance Due (USD) \$1,500.00

Item	Description	Unit Cost	Quantity	Line Total
Communications Consulting	Monthly Retainer - Undergrounding	1,500.00	1	1,500.00
Total				1,500.00
Amount Paid				0.00
Balance Due (USD)				\$1,500.00

Terms

Pre-payment is required for all Direct Mail & Digital Advertising expenditures.

Wire Information:

MDW Communications LLC

Bank of America
Wire Routing #026009593
Bank Account #898063907271

PAYMENT STUB

MDW Communications LLC
601 NW 82nd Ave
#432
Plantation FL 33324
United States

To Pay Your Invoice Online

Go to <https://mdwcommunicationsllc-billing.freshbooks.com/code> and enter the code 65EYqxELD3wBbe5

Client Cornerstone Solutions
Invoice # 0000974
Invoice Date February 10, 2017
Balance Due (USD) \$1,500.00

Amount Enclosed

MDW Communications LLC
601 NW 82nd Ave
#432
Plantation FL 33324
United States



Cornerstone Solutions
Jon Cooper

Invoice # 0000960
Invoice Date November 22, 2016

Balance Due (USD) \$6,000.00

Item	Description	Unit Cost	Quantity	Line Total
Web Development	Undergrounding.info	6,000.00	1	6,000.00

Total 6,000.00

Amount Paid 0.00

Balance Due (USD) \$6,000.00

Terms

Pre-payment is required for all Direct Mail & Digital Advertising expenditures.

Wire Information:

MDW Communications LLC

Bank of America
Wire Routing #026009593
Bank Account #898063907271

PAYMENT STUB

MDW Communications LLC
601 NW 82nd Ave
#432
Plantation FL 33324
United States

To Pay Your Invoice Online

Go to <https://mdwcommunicationsllc-billing.freshbooks.com/code> and enter the code
3sNyDqQeu92QsQGn

Client Cornerstone Solutions
Invoice # 0000960
Invoice Date November 22, 2016

Balance Due (USD) \$6,000.00

Amount Enclosed

2017 MAY 4 AM 9:39 TOWN CLERK

JOHN D. O'NEILL, P.A.

44 Coconut Row, Suite #M209
Palm Beach, Florida 33480
Telephone: (561) 366-1212
Fax: (561) 366-1236
Email: john@jdopa.com

FAX TRANSMISSION COVER SHEET

Date: May 3, 2017
To: Town of Palm Beach
ATTN: TOWN CLERK
Fax: 838-5417
Subject: Town of Palm Beach Underground Utilities Project
BACKUP MATERIAL IN ADVANCE OF MAY 9, 2017 TOWN COUNCIL
MEETING
Sender: John D. O'Neill, Esquire

YOU SHOULD RECEIVE 61 PAGE(S), INCLUDING THIS COVER SHEET. IF
YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (561) 366-1212.

MESSAGE:**To Whom It May Concern:**

Please find attached backup material that I request be added in advance of the May 9, 2017 Town Council meeting. Please advise of your receipt of this facsimile.

Should you have any questions, please feel free to call me.

Sincerely yours,


John O'Neill, Esq.

Copy to follow via Hand Delivery

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

**INFORMATION FOR TOWN COUNCIL MEETING
ON MAY 9, 2017**

TO: Mayor and Town Council

FROM: John D. O'Neill
44 Coconut Row, Ste. M209
Palm Beach, Florida 33480

RE: Town-Wide Undergrounding Utilities Project

DATE: May 3, 2017

RECOMMENDATION:

The Town Council should hear the presentations of resident taxpayers, non-resident taxpayers, and town-based businesses and make a policy decision to place the Town-Wide Underground Utilities Project on hold and not spend taxpayer's monies on the undergrounding until: (1) the total costs of all phases of the project is finalized, (2) an independent peer review of the finalized project costs is submitted, (3) a special public meeting is held allowing the public an opportunity to discuss with FPL the actual safety, reliability and aesthetic benefits and disadvantages of undergrounding versus hardening, and (4) a new referendum is held based on the accurate cost projections and the public's assessment of the safety, reliability and aesthetics of undergrounding versus hardening.

TABLE OF CONTENTS:

<u>EXHIBIT/TAB IDENTIFICATION</u>	<u>ITEM DESCRIPTION</u>
	EFFECT OF APPROVING SHORT TERM FINANCING
A.	Underground Utilities Project: Abbott & Costello meets the Palm Beach Taxpayers
	IMPORTANCE OF BINDING COST ESTIMATE
B.	Minutes of the Public Works Committee held on September 12, 2012

EXHIBIT/TAB IDENTIFICATION	ITEM DESCRIPTION
	TOWN-WIDE UNDERGROUNDING ASSESSMENT CAP
C.	Resolution No. 201-2015 adopted on December 8, 2015 providing for the Issuance of \$90 Million in General Obligation Bonds for the purpose of converting the Town of Palm Beach's overhead utilities to underground utilities
	PROPOSED BUDGETS FOR UNDERGROUND UTILITIES COSTS PRIOR TO MARCH 15, 2016 VOTE
D.	Town of Palm Beach Memorandum dated October 9, 2014 containing estimated undergrounding budget costs in advance of the October 14, 2014 Town Council Meeting
E.	Palm Beach Daily News article dated December 8, 2016 containing breakdown of \$90 Million budget submitted by the Town staff prior to March 15, 2016 Ballot Referendum
	OVERBUDGET COSTS ESTIMATES
F.	Master Plan Budget estimate prepared by Kimley Horn and presented to the Underground Utilities Task Force on February 7, 2017 and the Town Council on February 14, 2017
G.	Palm Beach Daily News article dated February 8, 2017 entitled "Utilities proposal revised as costs soar"
H.	Palm Beach Daily News Editorial dated February 12, 2017 entitled "Sticker Shock" and Palm Beach Daily News commentary dated February 12, 2017 by David Rosow entitled "Burial cost shift is 'duplicitous'"

EXHIBIT/TAB IDENTIFICATION	ITEM DESCRIPTION
	SAFETY AND RELIABILITY
I.	Palm Beach Daily News article dated January 26, 2017 entitled "Palm Beach wants more information on Sun and Surf explosion"
J.	Palm Beach Daily News photos from Sun and Surf underground utility explosion that occurred on October 8, 2015
K.	Palm Beach Daily News article dated April 30, 2017 entitled "Underground utilities hazardous"
L.	Notice of Proposed Agency Action Order on Investor-Owned Electric Utility Storm Preparedness Plans issued by the Florida Public Service Commission on September 19, 2006, Order No. PSC-06-0781-EI
M.	Consummating Order dated October 13, 2006 for Order No. PSC-06-0781-EI (Notice of Proposed Agency Action Order on Investor-Owned Electric Utility Storm Preparedness Plans issued by the Florida Public Service Commission on September 19, 2006)
N.	Sample FPL letter to customer regarding vegetation management under the "Right Tree, Right Place" program
O.	Town of Palm Beach Memorandum dated October 9, 2014 and presented to the Town Council on October 14, 2014 containing Town staff analysis comparing overhead and underground reliability standards
P.	FPL's Frequency Asked Questions relative to safety, reliability, costs and binding estimates
	RECOMMENDATION TO PAUSE PENDING INDEPENDENT PEER REVIEW OF BINDING COST ESTIMATE AND NEW REFERENDUM
Q.	Palm Beach Daily News article dated February 26, 2017 entitled "Undergrounding costs distressing"

**Underground Utilities Project:
Abbott & Costello meets the Palm Beach taxpayers**



EXHIBIT A

Taxpayer: How much does the utilities underground conversion cost?
Town: We don't know.

Taxpayer: What does the contract say?
Town: Nothing yet, we have no binding contract.

Taxpayer: What about the \$90 Million cap that was voter approved?
Town: Out the window.

Taxpayer: Who gets the transformer front yard "art"?
Town: Between 800 to 2,000 lucky Palm Beach property owners of FPL's choice.

Taxpayer: What about the post-undergrounding road repairs and resurfacing?
Town: Public Works says they can wing it, but "we've got no money set aside to do it."

Taxpayer: Will we still have street lights in Town neighborhoods?
Town: Sure, if you buy them.

Taxpayer: How will the taxpayer's damaged landscape be repaired?
Town: Not my problem.

Taxpayer: So again, how much does it cost?
Town: We don't know.

Taxpayer: And, how do we pay for this?
Town: BLANK CHECK

The Town Council is being asked by the Town staff to write a BLANK CHECK from the taxpayer's pockets to immediately fund the most expensive and worst negotiated contract in the history of Palm Beach.

Don't allow our tax dollars to be spent at an open ended ATM to which FPL and many other subcontractors will be given the password.

Don't let this taxpayer financing vote turn into a "Who's on First?"



TOWN OF PALM BEACH

Office of the Town Clerk

EXHIBIT B

REPORT OF THE PUBLIC WORKS COMMITTEE MEETING HELD ON WEDNESDAY, SEPTEMBER 12, 2012

I. CALL TO ORDER AND ROLL CALL

The Public Works Committee meeting was called to order on Wednesday, February 12, 2012, at 9:30 a.m., in the Town Council Chambers. On roll call, Chairman Pucillo and Committee Member Kleid were found to be present.

II. APPROVAL OF AGENDA

Motion was made by Committee Member Kleid, and seconded by Chairman Pucillo, to approve the Agenda. On call for a vote, the motion carried unanimously.

III. PUBLIC COMMENT - None

IV. ACCELERATED CAPITAL IMPROVEMENT PROGRAM UPDATE

Director of Public Works Brazil provided an update on the Accelerated Capital Improvement Program (ACIP).

1) D-15 (D-6 & D-7) Pump Station Rehabilitation at Lakeside Park

He stated that Staff anticipates completing the project on time and under budget. There will be some opportunities to improve the landscaping a little bit, but that will not be ACIP money. Funding for that might be something we do from the operating or recreation funds.

2) A-39 to A-7 Force Main Replacements

He stated that Staff is going to change the approach to the paving, and do full paving for the entire project. Right now, we are ahead of schedule. The force main is in from Southern Boulevard south, from South County Road north, and going down El Bravo to the A-7 Pump Station. We asked the Town Council yesterday to transfer in the savings from another part of this project to round out our contingency to cover the additional paving. We anticipate about \$92,000 in contingency; and, we don't expect to have to use that and, hopefully, we will return it to the ACIP.

Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480
Telephone (561) 838-5416 • Facsimile (561) 838-5417
E-mail: townclerk@townofpalmbeach.com • Website: www.townofpalmbeach.com

1 that the issue really needs some more thought, and consideration of the
2 implications of any modifications. Conceptually, Staff was thinking that perhaps
3 there would be a threshold determined by a certain number of individual cuts in
4 the road within a certain designated space. If we are going to require something
5 above FDOT standards, then we think it is very important that it not be on a case-
6 by-case basis, but rather a published standard.
7

8 Committee Member Kleid stated that he would like to proceed along that basis.
9 He would like to get some feedback from Staff as to how we could quantify when
10 we are going to require a full paving job.
11

12 Chairman Pucillo stated that we should think about distinguishing between the
13 north/south streets and the cross streets. We want to be careful not to impose a
14 more stringent requirement on residential cross streets. It seems to me that the
15 bigger issues have been on the north/south streets.
16

17 Town Manager Elwell responded that he feels the real issue here is system
18 replacement work that a utility company is doing, versus a homeowner doing a
19 particular project. The Committee should look on that as applying equally to the
20 main roads and side streets because, even if it is on a side street, the utility
21 company is going to impact multiple properties and they could end up leaving the
22 road looking really patchwork. I think the principle involved here is the scale of
23 what the utility company is doing, not the location.
24

25 Committee Member Kleid stated that we also have a better message to send if we
26 talk about quantity as opposed to particular streets. It would be easier to sell to
27 residents; and, it doesn't look like we're dividing up the Town.
28

29 Chairman Pucillo asked how relations were with FPU.
30

31 Director of Public Works Brazil responded that about a year ago it was rocky; but,
32 that they are good now and he has faith that they are going to hold up their end on
33 their projects.
34

35 Director of Public Works Brazil stated that the standards will apply to Town
36 projects as well.
37

38 Town Manager Elwell stated that Staff is going to put the item on the agenda for
39 the next Town Council meeting for substantive discussion and decision. There
40 will be one item dealing with this year's specific issues with FPU, and one item
41 including Staff recommendations regarding changes to the ROW Manual.
42

43 **B. UTILITY UNDERGROUNDING**

44

45 Deputy Town Manager Bradford provided an overview of the process for
46 undergrounding utilities and other non-ad valorem assessment projects.

1 He stated that the petition form was approved by the Town Council about four
2 years ago. It includes the following question for the petitioners to mark, "Does
3 this request entail the provision of a binding cost estimate prior to construction
4 commencement?". Also, at the bottom of every single page that they sign, it says,
5 in bold, "Please review conditions and procedures that follow." Then the
6 conditions and procedures are listed on the last page, and Item #5 pertains to the
7 binding cost estimate. He added that Item #5 could be worded better, and be
8 more specific. The Town Council may even want to go so far as recommending
9 that petitioners get a binding cost estimate or requiring a binding cost estimate
10 before going forward.
11

12 He stated that, when we receive a request, the first step is to determine how much
13 it is going to cost. We send the request to our engineering consultant. We tell
14 them to define the area of the beneficiaries, and to give us an engineer's opinion
15 of cost. I give that number to the "champion", and they talk amongst their
16 neighbors. Then I take the petition to Town Council and tell them Staff has
17 verified that they have met all of the conditions. If approved, then we proceed
18 with FPL and/or Comcast and/or AT&T to do the work. FPL has certain
19 contracts that they require the owner to do before they commence work. It's all
20 been approved by tariffs; we have no ability to change them directly. Then they
21 will tell the owner the amount of deposits and or money that has to be paid. We
22 know in advance of commencing construction, and we have a general idea
23 whether the engineer's opinion of cost is actually coming true or not.
24

25 He stated that, in the case of Via Fontana, the problem was that the owners did not
26 choose the binding cost estimate. The cost ended up being double what we had
27 estimated. We had estimated, through the engineer, that it would be \$115,000 and
28 change. It ended up being around \$224,000. The gentleman from 1616 South
29 Ocean Boulevard that spoke yesterday referenced a letter that he had received.
30 The champion in this neighborhood had indicated in this letter that it would only
31 be about \$1,000 a unit per year. I don't know where they got that number, or how
32 they got it. What we could do in the future is mandate the binding cost estimate.
33 The other thing that I will be doing on Everglade Island and on Lake Towers is to
34 control the narrative, and make sure that I send a post card or letter to all of those
35 people impacted; and, I tell them how much it's going to cost and how and when
36 we are going to do the work. If we had done that in Via Fontana, that probably
37 would have flushed out the cost problem that we had.
38

39 Chairman Pucillo stated that the Via Fontana situation was an unfortunate one,
40 and unfortunately there was some misrepresentation to the neighbors. I think you
41 might consider beefing up the language in Item #5 saying something like, "If you
42 don't get a binding cost estimate, it could cost more than you think, and you
43 would be better protected if you did get the estimate. Beyond that, the current
44 process is fine.
45
46

1 Committee Member Kleid agreed. He stated that he thinks the issue on Via
2 Fontana was an anomaly. They should have known what they were doing. The
3 only thing I am undecided about is if you want to mandate going to a binding cost
4 estimate; but, again, you are dealing with highly competent people here and they
5 should understand what they are signing and what they are reading, etc. Maybe
6 we should reiterate in the language that going outside of a binding cost estimate
7 could cost you more money.
8

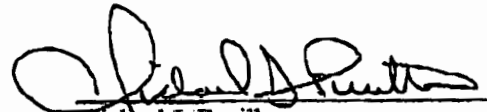
9 Chairman Pucillo stated that is really all we need to do. Going forward, people
10 need to understand that the Town is just facilitating this operation.
11

12 Deputy Town Manager Bradford stated that Staff will beef up Item # 5 on the
13 application regarding the conditions and procedures.
14

15 **XI. ADJOURNMENT**
16

17 There being no further business, the Public Works Committee Meeting of Wednesday,
18 September 12, 2012, was adjourned at 11:29 a.m.
19

20
21 APPROVED:
22

23
24 
25
26 Michael J. Pucillo
27 Chairman
28

29
30 
31 Susan A. Owens, MMC, Town Clerk
32

33
34 10/9/12
35 Date

RESOLUTION NO. 201-2015

EXHIBIT C

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF BURYING OVERHEAD UTILITY LINES LOCATED WITHIN THE TOWN OF PALM BEACH, FLORIDA IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING NINETY MILLION DOLLARS (\$90,000,000), CALLING FOR A BOND REFERENDUM OF THE QUALIFIED ELECTORS OF THE TOWN OF PALM BEACH TO BE HELD ON MARCH 15, 2016, AS TO WHETHER GENERAL OBLIGATION BONDS FOR SUCH UNDERGROUND UTILITY PROJECT SHOULD BE ISSUED; REPEALING TOWN RESOLUTION NO. 160-2015 AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Constitution, the Town Charter and applicable laws of the State of Florida authorize and empower the Town of Palm Beach, Florida (the "Town") to adopt this Resolution; and

WHEREAS, the Town Council of the Town of Palm Beach, Florida (the "Town Council") has determined that the overhead aerial utility lines located within the Town are not aesthetically pleasing and present a potential public safety risk as well as a utility reliability issue and therefore threaten the safety and property of the residents of the Town and that it is in the best interest of the Town and its residents to bury utility lines located within the Town; and

WHEREAS, the Town Council, based on the foregoing findings and studies performed by the Town's staff and consultants and based on requests for such action by the Town citizenry, believes that it is necessary to finance all or a portion of the cost of burying overhead utility lines located within the Town, including without limitation, electric, telephone and cable service, together with costs incidental thereto (the "Underground Utility Project"); and

WHEREAS, the Town Council finds it to be in the best interest of the Town to issue its General Obligation Bonds (the "Bonds"), in one or more series, in the aggregate principal amount of not exceeding ninety million dollars (\$90,000,000) for the Underground Utility Project, to finance all or a portion of the costs for such Underground Utility Project; and

AM 54906963.13

WHEREAS, it is necessary and essential to call and to hold a bond referendum submitting the issuance of such Bonds for the approval or disapproval of the residents who are qualified electors within the Town; and

WHEREAS, on October 13, 2015, the Town Council adopted Resolution No. 160-2015, calling for a referendum regarding the proposed financing of the Underground Utility Project; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town to repeal Resolution No. 160-2015 and adopt this resolution as a replacement.

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

SECTION 1. Findings. That the findings of the Town Council set forth in the foregoing recitals are hereby adopted.

SECTION 2. Bond Referendum. That a bond referendum is hereby ordered to be held in the Town on the 15th day of March, 2016 to determine whether or not there shall be issued the Bonds of the Town in the aggregate principal amount of not exceeding ninety million dollars (\$90,000,000) for the Underground Utility Project maturing within 31 years from the date or respective dates of issuance of said Bonds and bearing interest at a rate or rates not exceeding the legal maximum rate of interest. The Bonds will be issued for the purpose of financing the costs of the Underground Utility Project and to pay the costs of issuing the Bonds, together with all other costs incidental thereto, for which the full faith and credit and taxing power of the Town shall be pledged. The payment of the principal of and interest on the Bonds shall be payable at such times and in such manner as shall be determined by subsequent proceedings of the Town Council. The Bonds shall be payable first from non-ad valorem special assessments imposed in connection with the Underground Utility Project pursuant to Chapter 90, Town Code of Ordinances, and, to the extent such non-ad valorem special assessments are insufficient to pay debt service or not assessed, ad valorem taxes levied and collected in the Town (without limitation as to rate or amount) on all taxable property in the Town sufficient to pay principal of and interest on such Bonds as the same become due and payable. The Town may apply other legally available sources of revenues, including particularly, those revenues relating to the Underground Utility Project, to the payment of the Bonds.

SECTION 3. Municipal Purpose. That the Underground Utility Project will be for a valid municipal purpose and, therefore, accordingly, subject to approval of the issuance of the Bonds by the qualified electors of the Town, the financing of the costs of the Underground Utility Project through the issuance of the Bonds is hereby authorized and approved. The Underground Utility Project will provide a special benefit to the properties served thereby within the Town by (1) improving utility service reliability through reduced service interruptions, particularly during severe weather and post-storm clean up, (2) protecting and

enhancing the value of all property within the Town due to enhanced safety and aesthetics, including avoidance of utility pole hardening.

SECTION 4. Underground Utility Project. That the Underground Utility Project is more fully described in Exhibit A hereto. In this regard, on November 10, 2015, the Town Council appointed a citizens advisory committee to advise the Town during the design and construction phase of the Underground Utility Project.

SECTION 5. One or More Series. That the Bonds may be issued all at one time or in part from time to time as the Town Council may in its discretion hereafter determine by subsequent proceedings.

SECTION 6. Voter Approval. That the Bonds shall not be issued for the Underground Utility Project unless such Bonds authorized for the Underground Utility Project shall be approved at the bond referendum by a majority of the qualified electors of the Town voting in such election all in the manner provided in the Constitution and the statutes of the State of Florida.

SECTION 7. Polling Locations. That polling locations or places shall be determined by the Supervisor of Elections for Palm Beach County, Florida, and all qualified electors of the Town who vote in said election shall vote at said designated polling places. The polls shall be opened on the date of said bond referendum from seven o'clock a.m. until seven o'clock p.m. on the same day, and, in the case of early voting, at such times, on such days prior to the date of said bond referendum and at such polling locations or places as determined by the Supervisor of Elections for Palm Beach County, Florida. Only the duly qualified electors of the Town will be permitted to vote in said bond referendum.

SECTION 8. Publication of Notice. That the Town Attorney shall prepare and give notice of the bond referendum by causing appropriate Notice, to be published in accordance with the provisions of Sections 100.342 of the Florida Statutes, at least twice, once in the fifth week and once in the third week prior to the week in which the referendum is held, provided the first publication shall take place at least thirty (30) days before the date fixed for election in the PALM BEACH DAILY NEWS, a newspaper of general circulation within the Town. The Town Attorney shall secure from the publisher of said newspaper an appropriate affidavit of proof that said Notice has been duly published, as herein set forth, and said affidavit shall be made a part of the record of the Town Council.

SECTION 9. Voting Device. That the vote at said bond referendum shall be by such voting device/equipment (the "Device"), as approved by the Florida Department of State pursuant to the Florida Election Code, comprising Chapter 101 of Florida Statutes, and in each polling place there shall be at least one such Device. It shall be the responsibility of the Supervisor of Elections for Palm Beach County, Florida, to have prepared and furnished to the inspectors said Devices in such numbers as shall be required to carry out the intent of this Resolution, and to have prepared and approved by the proper authorities for use in said Devices such ballots (or mechanical ballot record) as shall be necessary to conduct the election of the

qualified electors of the Town relative to the question of whether the issuance of Bonds in the aggregate principal amount of not exceeding ninety million dollars (\$90,000,000) shall be approved to finance the cost of the Underground Utility Project and to pay the costs of issuance of the Bonds, together with all other costs incidental thereto. Ballots in the same general form as hereinafter described shall be available to absentee voting.

SECTION 10. Form of Ballot. That the ballots to be issued in said bond referendum shall be substantially in the following form:

BALLOT

**TOWN OF PALM BEACH, FLORIDA
UNDERGROUND UTILITY PROJECT
GENERAL OBLIGATION BONDS**

To improve reliability, safety, aesthetics and avoid pole hardening, shall Town finance burying overhead utility lines for electric, telephone and cable service by issuing general obligation bonds not exceeding \$90,000,000, maturing within 31 years of issuance, bearing interest rate(s) not exceeding legal maximum, payable from Town's full faith, credit, ad valorem taxing power and non-ad valorem special assessments, with project review by a citizens advisory committee, as described in Resolution No. 201-2015?

_____ **FOR BONDS**

_____ **AGAINST BONDS**

SECTION 11. Canvassing of Returns. That the returns of the referendum shall be canvassed in the manner provided by law, and said returns shall be certified to the Town Council, which shall declare the results thereof. Upon canvassing the returns of the referendum, the results of such referendum shall be recorded in the minutes of the Town Council in the manner prescribed by law.

SECTION 12. Election in Accordance with Florida Law. That said bond referendum shall in all other respects be held and conducted in the manner provided in and by the laws of the State of Florida.

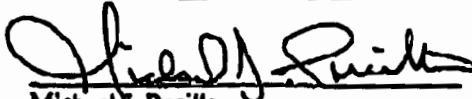
SECTION 13. Saving Clause. That in the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holdings shall not affect any other word, clause, phrase, sentence or paragraph hereof.

SECTION 14. Resolution No. 160-2015 Repealed. That Resolution No. 160-2015 adopted by the Town Counsel on October 13, 2015 is hereby repealed and this Resolution supersedes and replaces Resolution No. 160-2015.

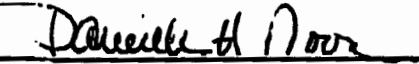
SECTION 15. Effective Date. That this Resolution shall take effect immediately upon its passage.

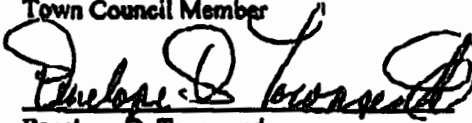
PASSED AND ADOPTED in a regular session on this 8th day of Dec., 2015.

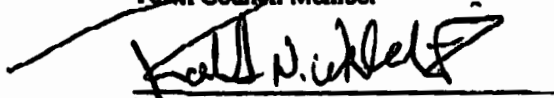

Gail L. Coniglio
Mayor


Michael J. Pucillo
Town Council President


Richard M. Kleid
Town Council President Pro-Tem


Danielle H. Moore
Town Council Member


Penelope O. Townsend
Town Council Member


Robert N. Wildrick
Town Council Member

ATTEST:

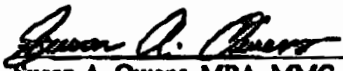

Susan A. Owens, MPA, MMC, Town Clerk



EXHIBIT A

**TOWN OF PALM BEACH
TOWN-WIDE
UNDERGROUND UTILITY PROJECT**

PROJECT DESCRIPTION

The Underground Utility Project (the "Project") consists of capital improvements for the conversion of the Town's overhead utility lines and related facilities to underground utilities including, but not limited to, removal of overhead utility lines and facilities, construction of underground utility lines and related facilities, landscaping removal and restoration, and other utility and utility related improvements. The Project includes the acquisition, design, construction, installation, reconstruction, renewal or replacement (including demolition, environmental mitigation and relocation) of facilities necessary or desirable for the Project, and costs of machinery, equipment and supplies, engineering, architectural, financing costs, project management expenses, legal fees and expenses and such other expenses as may be necessary for, or incidental to, the completion of the Project.

EXHIBIT D

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 14, 2014

To: Mayor and Town Council

Via: Peter B. Elwell, Town Manager

From: Thomas G. Bradford, Deputy Town Manager

Re: FPL Hardening Plans and Neighborhood Underground (UG) Plans Relative to FPL Hardening Plans

Date: October 9, 2014

STAFF RECOMMENDATION

Staff recommends the Town Council hear the presentations on this subject matter and provide staff with direction on how to proceed. Policy questions to be considered are:

- 1) Shall FPL be allowed to improve system reliability on the island via their hardening plans?
- 2) Shall the Town pursue undergrounding in lieu of hardening? If so, shall undergrounding be done only in those areas impacted by FPL hardening plans or according to some other plan?

GENERAL INFORMATION

FPL Hardening Plans

FPL officials will be present to provide you with an overview of their hardening plans for the Palm Beach service area. Please see the attached exhibit marked as Attachment A to see the locations of FPL proposed hardening projects. Originally, hardening was a function of FPL's Storm Secure plan that was developed in response to the outages their electrical system incurred from the wrath of hurricanes experienced in the last decade. Hardening entails system upgrades to enable the electrical distribution system to withstand the effects of winds up to 150 miles per hour. Although hardening entails more than just different utility poles, what the average consumer sees is a taller, more substantial concrete pole.

Hardening originally applied to feeder lines as they are considered to be the backbone of the distribution system. Subsequently, the Florida Public Service Commission allowed FPL to expand the use of hardening to circuits that are in need of reliability upgrades. Most FPL proposed hardening in Town applies to feeder lines, but some hardening is being done to improve system reliability. It is important to note that when FPL hardens a feeder line in Town that feeder line is hardened on the mainland as well all the way back to the substation. This

hardened. For starters, one has to ask who would pay the cost if only the hardened lines were to be buried. It does not seem fair for only those property owners adjacent to the lines scheduled for hardening to bear the cost of undergrounding those lines. Many lines proposed to be hardened are along arterial roadways in Town. It makes little sense to only bury those facilities along the arterial roadway when they are usually connected to distribution facilities running both east and west. It would make more sense to include the areas adjacent to the arterial roadways where hardening is proposed and the areas east and west from that point because they are all part of the same integral distribution system.

How much will pursuit of various options likely cost? This and other questions have at least been answered in part by the information Town staff requested of FPL this past spring when it became known that FPL desired to pursue hardening in Town. In this regard, please see the exhibit marked as Attachment B, which is a letter to the Town dated June 27, 2014, from FPL's Project Manager for Distribution Underground, John Lehr, wherein Mr. Lehr provides ballpark cost estimates for various scenarios as requested by staff. These scenarios cover undergrounding options that include the entire spectrum from the entire Town to just the lines proposed by FPL for hardening. The Project Segment table appearing in John Lehr's letter is reproduced here:

Town of Palm Beach

Project Segment	Ballpark Estimate*	Non-Refundable Engineering Deposit
Entire Town	\$35,000,000	\$258,522
Wells Rd. North to the Inlet-Beach to Intracoastal	\$10,600,000	\$81,860
N. County (ROW) - Wells Rd. to Tangler Avenue	\$460,000	\$3,340
Well Rd. South to Royal Poinciana Way - Beach to Intracoastal	\$3,400,000	\$24,443
Royal Poinciana Way South to Barton Avenue - Beach to Intracoastal	\$1,400,000	\$11,724
Sloan's Curve to Southern Town Limits - Beach to Intracoastal	\$4,300,000	\$31,044
Sloan's Curve to Lake Avenue - Beach to Intracoastal	\$2,500,000	\$17,549
Lake Avenue to Southern Town Limits - Beach to Intracoastal	\$1,900,000	\$13,495
Northwood - 40332 - 2015 (Green, Exhibit "B")	\$2,800,000	\$19,893
Terminal - 40213 - 2014 (Pink, Exhibit "B")	\$1,800,000	\$14,867
Evernia - 4011862 - 2015 (Yellow, Exhibit "B")	\$739,000	\$6,524
Belvedere - 402533 - 2015 (Orange, Exhibit "B")	\$1,030,000	\$6,740
Skypass Improvements - 2015 - (Blue, Exhibit "B")	\$1,800,000	Not Provided by FPL, but estimated to be \$14,867

*Ballpark cost is for FPL facilities only. AT&T and Comcast facilities are extra, as are restoration costs and other project related expenses.

The reference to the non-refundable deposit is the cost charged by FPL to provide a binding cost estimate. A binding cost estimate is based on an engineered design and, once provided, must be accepted within 180 days. If accepted, the cost of the work cannot be exceeded by 10%. In all neighborhood projects pursued to date, the lowest cost scenario is where the Town, via its selected contractor, does the work of installing the conduit, transformers and other facilities, including running the necessary wires. It is this scenario that should be requested when seeking a binding cost estimate.

Since this ballpark cost estimate data applies to FPL only we must add AT&T and Comcast costs and project management, engineering, legal, surveying, site restoration and milling and resurfacing costs to come up with a complete accurate cost estimate. Town staff recommends that any large scale undergrounding effort be pursued using the Construction Manager at Risk (CM@Risk) construction format. Underground conversion projects will also incorporate any Town or public utility infrastructure work for which there is funding that needs to be done for convenience while construction is underway. The CM@Risk contractor will oversee and coordinate all of this in conjunction with Town project managers and provide a guaranteed maximum price. This will provide the lowest possible milling and resurfacing price to residents as the cost of paving will be equitably shared by all Town and public utility entities engaged in working within any given project area. The end result will also provide for state of the art utilities and public infrastructure for many years into the future for the benefit of Palm Beach citizens.

The table below is an order of magnitude estimate based on costs incurred for similar work in South Florida adjusted for inflation. It assumes FPL ballpark numbers are accurate. Contingency must be added and has been at 20 %. Costs in the table are based on the assumption that any UG project pursued by the Town will use FPL Vista type feeder switches which are sealed against water intrusion and are smaller in size and more easily screened with landscaping. This type switch has been used in other large scale UG projects on barrier island communities in South Florida.

Townwide Underground Order of Magnitude Cost Estimate, All Utilities

Project Engineering	\$5,400,000
CM@Risk Project Management	\$3,415,000
Legal Costs	\$725,500
Survey Costs	\$1,232,000
Utility Conversion Costs (FPL)	\$35,000,000
FPL GAF Discount @ 25%	(\$7,947,169)
Utility Conversion Costs (AT&T & Comcast)	\$8,900,000
Conversion of FPL Service Connections	\$10,075,000
Site Landscape/ Hardscape Restoration Costs (Excluding Asphalt)	\$1,500,000
Asphalt Milling and Resurfacing Costs (1)	\$12,840,000
Sub-Total Project Costs	\$71,140,331
Contingency @ 20%	\$14,228,066
Total Project Costs	\$85,368,397

(1) \$17,120,000 if every road in Town is milled and resurfaced with the following exceptions. This figure does not include Ocean Blvd. as we are underground on much of it and are typically on one side of

the street with overhead. South of Sloan's Curve is excluded as there is plenty of grass area and no paving should be needed. Roadway and milling costs are based on adopted Town standards and will decrease where costs are shared with other Town or public utility underground or roadway improvements. Pricing assumes \$30 per square yard and assumes smaller segments will be paved. If larger segments are paved at a time pricing could drop below \$30 per square yard. Assumes the entire street would be milled and resurfaced which may not be true in all cases. Assumes 214,000 linear feet of streets with an assumed width of 24 feet of pavement, which also is not true in all cases. (214,000ft X 24ft X 1yd/9sq ft X \$30 = \$17,120,000). Additional analysis may reveal a lower cost. For now, assumes about 75% of paving cost will be borne by underground projects.

If large projects are pursued by the Town, the goal should be to convert 3 pole miles of lines per project. If that is done the Town receives a 25% GAF discount passed on to property owners. For example, using the 3 pole mile size as a minimum project area target and focusing from north to south, from the Palm Beach Inlet to the north side of Ocean Terrace would constitute one such area and from the south side of Ocean Terrace to List Road would constitute another and so on.

If special assessments are to be used for funding and the Town Council wishes to use the petition process similar to what is currently done for small scale UG projects, we need to segue to a more efficient mailed petition process. The land areas involved in the 3 pole mile target project size are too great to rely on neighborhood UG champions going door-to-door to secure affirmative petition signatures of 67% of the project area property owners. In this scenario, we recommend that the Town employ a mailed petition that must be mailed back to the Town by a time certain and only those mailed petitions received by the Town will be counted. 67% of those petitions received must affirmatively approve the proposed underground assessment project. It is envisioned that the Town would provide a cover letter of explanation, the petition and a return envelope. The petition ballot and envelopes will be marked with the property's property control number. Both the cover letter and petition can make reference to, and provide the link to, the Town's website where detailed project information will appear. LLC's would receive an affidavit to execute and return with the signed petition. A Canvassing Board would be established to count ballots.

Please see Attachment C to review the Town Clerk's memorandum to me on this subject offering her opinions on how this process should be set up along with a draft of the proposed cover letter and petition ballot.

Large UG projects will require financing. If we use the assessment process to pay for undergrounding we can use special assessment bonds. Pursuing large scale UG projects over a number of years interjects complexity to financing. The complexity stems from the cost, the timing of the projects, the size and number of project areas and the use of the assessment methodology. This is not insurmountable, it just requires good planning. The Town may need to use short term debt, such as bank loans or lines of credit to fund the initial projects. Once the projects are completed, the Town could refinance the bank debt with special assessment bonds payable with the proceeds from the assessments charged to the property owners that benefit from the project. One benefit of larger projects is the financing allows for longer repayment terms than the Town can provide with its internal financing plan. Indeed, use of special assessment bonds can allow repayment over 30 years resulting in much lower annual assessments and spreading the cost over potentially several generations of property owners. The downside to

12/8/16

Utilities plan has easement obstacle

EXHIBIT E

Lawyer tells task force some owners
resistant to town placing needed
transformer boxes on their property.

By WILLIAM KELLY
Daily News Staff Writer

Some North End property owners are resisting the town's request for easements to place metal transformer boxes on their properties when utilities are buried there next year, a lawyer told the Underground Utilities Task Force on Tuesday.

"It's going to be a difficult problem," attorney H. Adams Weaver said. "It's just human nature -- 'not in my back yard or, in this case, not in my front yard.' We have found the rational way to do this is to meet with them and go over the site. It's going to be time consuming and it's going to be expensive."

Weaver, with the West Palm Beach firm Jones, Foster, Johnston & Stubbs, is seeking 10-foot-by-10-foot easements from 44 property owners in the upper North End, between Oronoque Avenue and the Palm Beach Inlet. The easements are needed for the electrical transformer boxes, which are about 3 feet by 4 feet in size and sit on concrete pads. Florida Power & Light wants the boxes in front yards so they are easier to reach for maintenance and repairs.

The 44 transformers would serve 160

Please see UTILITIES,
Page A5



A standard "low boy" pedestal-mounted transformer box has been temporarily installed outside Town Hall to give residents an opportunity to see what they look like. The transformer is hidden behind landscaping on three sides.

Andres David Lopez / Daily News

UTILITIES

From Page A1

customers. One transformer serves four properties on average, so roughly three-quarters of the owners within the area will not receive the easement request.

The North End north of Onondaga, along with the South End between Sloan's Curve and the south town line, are both part of phase one of the townwide underground utility conversion plan. Construction is scheduled to begin in May. The remaining seven phases are planned for each year 2011 through 2024, at a total cost of up to \$90 million.

Of the 44 owners, two have refused to grant easements. One has consented and "three or four others are getting close" to agreeing, Weaver said. The town has scheduled meetings with eight owners in the next four days. "This is not unusual," Town Manager Tom Hredford said. "The two biggest challenges (of townwide utility line burial) are overall cost and easement acquisition."

The town will landscape the boxes so they aren't visible from the street, but require property owners to maintain the screening.

Wiring questions

Susan Gary and Tony Dowell, task force members who live on the upper North End, agreed to help try to persuade reluctant property owners to grant the easements. Task force members and other proponents say the project to bury all power, cable television and phone lines will improve aesthetics, and service reliability and safety, by greatly reducing power failures and in some cases fires caused by power lines contacting

Estimated breakdown of the \$90 million project

- Closing costs on bonds: \$400,000
- Engineering: \$6.4 million
- Construction management fees: \$2.5 million
- Easement costs: \$1.5 million
- Survey costs: \$0.2 million
- Final utility construction: \$24.1 million (\$23.5 million for a 25 percent discount of \$7.0 million)
- AT&T and Comcast utility conversion: \$2.5 million
- EPSCo service connections to homes: \$10 million
- Landscaping: \$4.5 million
- Asphalt milling and resurfacing: \$12.8 million
- Town's 20 percent contribution: \$14.2 million
- Surplus town funds: \$0.5 million

tree limbs.

Weaver said the easement effort has been complicated by a rumor that property owners will have to rattle the interiors of their homes, at a cost of \$15,000 to \$20,000, to receive the undergrounded service. There is no truth in that rumor, Weaver and other officials said.

"No interior wiring work will be needed," said Kevin Schanen, vice president of Kimley-Horn and Associates, the engineering firm crafting the master plan for the project.

Property owners will pay for the undergrounding through assessments on their property tax bills for 30 years.

There is no upfront cost to the owners, except in rare cases where an owner's electrical meter would have to be upgraded if it doesn't meet today's building code, Bradford said. But that would only happen if the meter hadn't been replaced since 1982, he has said.

None of the meters north of Onondaga will have to be replaced, Schanen said. "All of the meters up there can accept the new feed."

Legal issues

Kimley-Horn is working with the town and utility companies to get

phase one ready for bid in February. Plans call for the easement acquisition process to last through April, Schanen said. Construction can begin before all of the easements are obtained, he said.

In February, Weaver said the town would listen to owners' objections and compromise where possible. If no solution is found, the Town Council can declare an eminent domain "taking" in which the town notifies the owner of the appraised value of the easement and negotiates in good faith, he said.

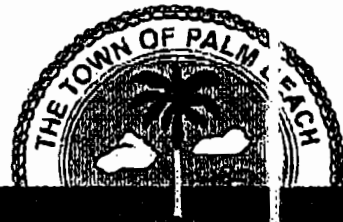
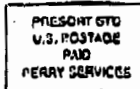
If that doesn't work, a hearing can be scheduled before a judge. The process can take six to nine months to complete, Weaver said. But he said he didn't think there would be many such cases. When utility lines were buried on Everglades Island, no eminent domain taking was necessary. "Everything got resolved," he said.

"We're not planning on eminent domain," Weaver said Wednesday.

The town has budgeted \$4.3 million for all legal costs associated with easement acquisition, but that "does not assume that payment will be made to acquire any easement," Bradford said in an email.

—whelly@pbdailynews.com

Town of Palm Beach
P.O. Box 2029 • Palm Beach, FL 33480



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UNDERGROUNDING TODAY

For A Better Tomorrow!

UNDERGROUNDING OF UTILITIES PROJECT UPDATE

SUMMARY

EXHIBIT E

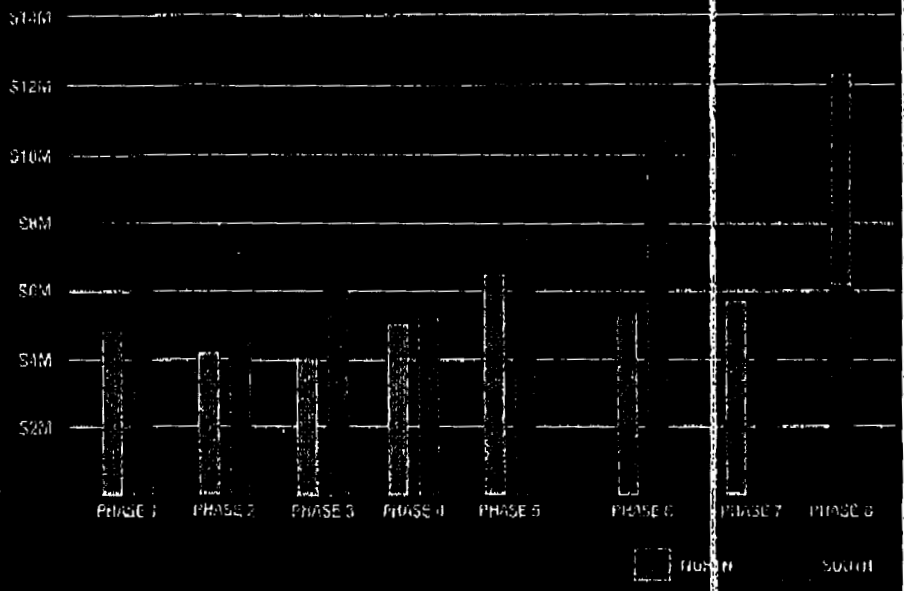
The Master Plan is a culmination of many meetings with over 100 individuals, stakeholders, community leaders, multiple utility companies, and various governmental agencies. Typically, this level of planning for a project of this magnitude is a 12 to 18-month process, but our Town's Undergrounding of Utilities Project Team expedited the schedule to complete the master plan in 7 months.

UNDERGROUNDING OF UTILITIES MASTER PLAN BUDGET

- Project Estimated Cost: \$80.7 million
- Contingency Funds: \$8.24 million
- Inflation: \$9.03 million
- Overall Engineer's Opinion on Probable Cost: \$98.6 million

The Undergrounding Project is broken up into 8 phases. Each phase consists of project work being done simultaneously in both the North and South end of Palm Beach. Phase 8 is the final phase where the North and South end work converge to complete the undergrounding project.

CONCEPTUAL OPINION OF PROBABLE COST FOR THE UNDERGROUNDING PROGRAM



OPINION OF PROBABLE LINE ITEM COST SUMMARY

DESCRIPTION	OPC	ORIGINAL BUDGET	DIFFERENCE
Utility Conversion Cost - FPL	\$43,270,000	\$35,000,000	\$8,270,000
FPL Service Connections	\$4,020,000	\$10,075,000	\$(6,055,000)
Restoration Costs	\$15,110,000	\$1,500,000	\$13,610,000
Engineering/Surveying	\$7,060,000	\$6,632,000	\$428,000
Legal Fees	\$2,000,000	\$4,285,000	\$(2,285,000)
Contingency	\$8,840,000	\$14,939,966	\$(6,099,966)

* Milling and resurfacing costs are already included in the Town's Capital Improvement Plan, a separate Town budgeted item.

UNDERGROUNDING OF UTILITIES MASTER PLAN FACTS

- Landscape screening around transformers **WILL** be included in the project. Three sides of the transformer will be screened as long as workmen have access to the box. There will be no additional cost to the property owners for this landscape screening.
- The Undergrounding program budget contains funds to perform general site cleanup in the rear easement once the overhead line removal is complete.
- The Town's contractor will do a majority of the work to keep costs down and maintain better control over the program schedule.
- Once all the utilities are undergrounded, the systems become the property and responsibility of the respective utility owners. Any repairs or equipment replacements will be paid for by the utility companies.

The Undergrounding Project Team will continue to meet with the utility companies to identify additional cost saving and cost sharing opportunities to reduce the program cost.

The Underground Utilities Task Force will review the master plan at their next meeting.

Attend, ask questions and share your opinion.

UNDERGROUND UTILITIES TASK FORCE MEETING

Master Plan Presentation

Tuesday, March 7, 2017 – 9:00 AM | Town Council Chambers | 360 S. County Road, Palm Beach



UNDERGROUNDING
FOR A BETTER TOMORROW!

Utilities^{2/8/17} proposal revised as costs soar

EXHIBIT G

Task force members applaud
firm for making variety of cuts.

By **WILLIAM KELLY**
Daily News Staff Writer

The cost of burying all utilities in town has zoomed upward, forcing revisions.

The original plan is likely to exceed its \$90 million estimate voted on in the referendum by about \$30 million, Kimley-Horn and Associates recently told the town.

That figure was not publicly released until Kimley-Horn, the engineering firm developing a master plan for the project, could huddle with town officials, begin negotiating with the three utility companies and find ways to bring down costs.

AT&T has cooperated, and meetings are being scheduled with Florida Power & Light and Comcast, Kevin Schanen, vice president at Kimley-Horn, told the Underground Utilities Task Force on Tuesday.

As of Tuesday, the revised project stands at \$98.6 million, including \$80.7 million to install, in today's dollars, plus an \$8.4 million contingency and \$9 million for inflation, expected to average 3 percent a year.

Several board members applauded

Please see **UTILITIES**,
Page A12

UTILITIES

From Page A1

the effort and expressed optimism that costs can be kept at a manageable level.

"We're not over budget because we haven't put a shovel in the ground," board member Dennis Bottorff said.

The town plans to roll out the project in phases over a period of about 10 years, with construction starting in mid-June, Schanen said.

Board member Thomas Parker said the residents have voted to bury the utilities, and the town is obligated find ways to manage costs and make it happen.

Cost reductions

Costs were brought down largely by removing \$12.8 million for milling and resurfacing roads after the lines are buried. The resurfacing will be handled through the Public Works Department, which resurfaces town streets through its own budget and on its own schedule. Schanen said the paving schedule can be coordinated with the underground conversion.

The estimate for legal fees, mostly for easement acquisition, was cut by \$2.3 million. The easement work will be shifted to the underground utilities coordinator, once that new position is filled, to reduce costs.

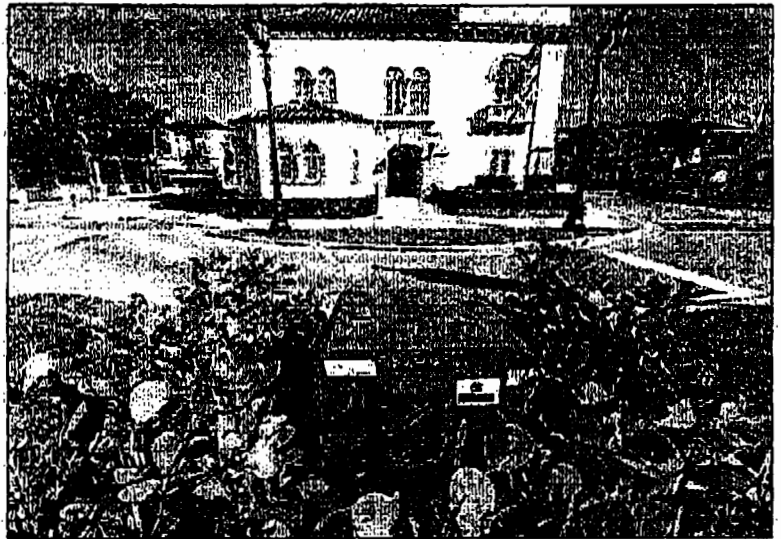
The project contingency has been reduced by \$6.1 million, to 10 percent instead of 20 percent of the overall cost.

The cost of service connections to FPL customers has been cut by \$6 million.

A discount, mandated by the Florida Public Service Commission for underground electrical conversions, has been estimated at \$3.2 million more than in the original plan.

The revised plan does not include funds for installing broadband conduit, fiber optic line, or the underground utilities coordinator's position that Town Manager Tom Bradford has said is crucial to easement acquisition and dealing with property owners' concerns. Funds for all of that would have to come from other sources, either within the town or the utilities themselves.

Also removed is money to pay for the loss of street lighting in cases where it is provided on the utility



Andres David Lopez / Daily News File Photo

A standard "low boy" transformer box was temporarily installed outside Town Hall to give residents an opportunity to see what it looks like. The new utilities plan does not include money for landscaping around units placed on lawns.

poles that will be taken down. Residents who want the street lighting replaced would have to pay for it through neighborhood assessments, Schanen said.

The new plan does not include money for landscaping that the town had said it would provide to screen above-ground transformers to be placed on the lawns of about 25 percent of the properties.

Funding for rear-yard easement restoration has been cut by \$1.3 million to about \$810,000 or \$100 for each of the town's 8,100 parcels. Owners will pay to replace any foliage damaged or destroyed when overhead poles and lines are removed from the rear easements (the underground system comes through new front-yard easements).

"They shouldn't have foliage in the rear easement," Bradford said. "I know they (often) do. (But) why would the town pay to fix foliage that is not supposed to be there?"

The \$100 is for pressure washing and to assist with general cleanup costs, Schanen said.

Another \$3.7 million will be saved by using 90 percent standard switch cabinets, and only 10 percent of the more compact Vista switch cabinets.

Cost increases

The \$9 million for inflation is a new cost; another is \$570,000 for

public outreach.

Other increases are \$15 million in the cost of converting the power, phone and cable lines to underground, and \$13.6 million more for restoration costs, mostly to repair roads damaged by trenching and boring to lay underground lines, Schanen said.

In a referendum last year, voters approved up to \$90 million in bonds to finance the underground conversion. The bonds are to be repaid through assessments on property owners.

Schanen said planners will continue looking for ways to drive down costs. He also pointed to several revenue sources being considered to supplement the bond money, if necessary.

Those include Palm Beach County's one-cent sales surtax — expected to generate about \$500,000 a year to the town for up to 10 years — the sale of town real estate; grants; and revenue from broadband high-speed internet access, should that be made available to customers.

"We are in a negotiation," Parker said. "I am not alarmed at all by the prospect of issuing \$90 million in bonds and having to come up with other sources of money to get the project done."

— whelley@
pbdailynews.com

Palm Beach Daily News
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The Community Newspaper of Palm Beach
Established 1897

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SHELLY DARBY, Managing Editor
ANDREW J. DAVIS, Opinion Editor

Sticker shock

Hard work ahead to rein in costs of utility burial project.

Palm Beach has been dealing with sticker shock over its plan to bury underground utilities.

New cost estimates for the 10-year plan to bury electrical, cable television and phone lines exceeded the voter-approved price-tag of \$90 million by about \$30 million, leaving town staff scrambling.

So far, they have been able to trim plan costs to \$98.6 million. One way they did it was to eliminate \$12.8 million in road resurfacing after the lines are buried by having the Public Works Department handle that work.

Another was to slash \$2.3 million in legal fees, mostly by having the yet-to-be-named underground utilities coordinator handle easement acquisition. The plans also reflects more revenue and a greater-than-projected discount.

In addition, any streetlight replacement would be borne by neighborhood associations.

In a sharp reversal, money for any rear-yard easement restoration has been cut \$1.3 million, leaving \$100 per parcel for cleanup. The town manager's argument that foliage should not be located in easements in the first place seems unrealistic.

But there can be little choice but to reconsider the entire proposal if the \$90 million can't be nailed down through revenue offsets. Those include the county's 1-cent sales surtax (expected to generate about \$500,000 a year to the town for up to 10 years), the sale of town real estate, grants and revenue from broadband high-speed Internet access.

The value of undergrounding utilities on the island cannot be ignored. Improved power safety, reliability and curb appeal are key, and would benefit the entire community, replacing large, ugly concrete utility poles.

At the same time, keeping the project at or close to \$90 million is critical to protecting the value of the referendum and its outcome. A Plan B might need to be in the wings.

EXHIBIT H

L VOICES

2/12/17

Burial cost shift is 'duplicitious'

By **DAVID ROSOW**
Special to the Daily News

I read the Shiny Sheet's report on the undergrounding costs and was not surprised.

Estimates for long-lived programs are always difficult, if not impossible, to accurately project. But with a 20 percent contingency, the budget seemed reasonable, although it had challenging aspects.

Whoever provided that estimate should be terminated with the release of this new "budget." The basis for keeping the costs down are embarrassing and insulting.

Paving costs will be borne now by Public Works in its annual program, which if I remember is about \$500,000 per year. So unless your neighborhood is being affected by the program, you might not see paving for the life of the program. Homeowners will now bear the expense of landscaping the boxes, which was originally touted as a condition of the project. The town will use larger, less-attractive boxes. Rear landscaping will be a homeowner burden; and while it is "prohibited," it is there to provide privacy from neighbors. And as long as it doesn't impact the overhead lines it shouldn't be an issue.

There is landscaping down North Lake Way and North Ocean Boulevard under the poles and lines and

David Rosow is a former Town Council president.

It is trimmed by the utilities. The town will hire a coordinator and shift \$2.3 million of costs to obtain easements from homeowners. What will be his/her salary and benefits along with the costs of administrative help and the necessary legal fees? The town will attempt to get the phone companies and broadband providers to chip in. They will if they can raise their rates to recoup their investment costs.

I voted for undergrounding, and am still supportive. Shifting the burden to individual residents through taxes and other gimmicks to achieve the \$90 million budget is duplicitious and a fiction.

It is time to reconsider how to economically achieve the goals of reliable electrical service. Years ago, this subject came up. I suggested we just bury the north-south lines. I was rebuffed. The real costs are for the lines running through the rear of the homes. In experiencing Francis, Jeanne, Wilma and Matthew, I believe I'm correct that the majority of outages occurred on the north-south lines and not on those lines running through the back yards of our residents.

Finally, this project will be the most construction disruptive program, other than the Flagler Bridge DOT disaster, that will make home construction and landscaping trucks look like an ant on the trunk of an elephant.

Rethink, redesign and slow down.

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THE SHINY SHEET
Palm Beach Daily News

LOG IN

Palm Beach wants more information on Sun and Surf explosion

NEWS By Aleese Kopf - Daily News Staff Writer

EXHIBIT I



9



An explosion left a 10-foot by 10-foot crater in the parking lot of the Sun and Surf Condominium at 130 Sunrise Ave. on Oct. 8, 2015. Members of the Underground Utilities Task Force directed Town Manager Tom Bradford and Deputy Fire Chief Darrel Donatto Monday to get more information on the incident, since some people are not satisfied with Florida Power & Light's answer.

Posted 8:05 a.m. Thursday, January 26, 2017

Town officials and residents are demanding more answers regarding an underground explosion more than a year ago at the Sun and Surf.

An explosion just before 6 a.m. Oct. 8, 2015 below a garage in the condominium's western building at 130 Sunrise Ave. sent manhole covers and

<http://www.palmbeachdailynews.com/news/local/palm-beach-wants-more-information-sun-...> 4/6/2017

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bricks flying into the air. About 20 cars were damaged, nearly 1,400 residents and businesses lost power, and the building was evacuated. No one was injured.

> **PHOTOS: Explosion at Sun and Surf condo in Palm Beach**

Palm Beach Fire-Rescue said at the time that the explosion was related to an underground electrical vault.

Florida Power & Light investigated the cause and sent a letter in January 2016 to Tim Pompos, then town fire marshal. The investigation suggested that a cable failed between two manholes, according to the letter.

"We are unable to provide an accurate determination regarding the failure because the cable cannot be retrieved from the conduit because the damaged cable wedged itself in the conduit," T.J. Winder, FPL's West Palm Beach area distribution manager, said in the letter.

Related



PHOTOS: Explosion at Sun and Surf condo in Palm Beach

During the repair, Winder said FPL technicians detected an abnormal level of naturally occurring gases in the manhole, which likely contributed to the explosion.

Demand for answers

Members of the town's Underground Utilities Task Force directed Town Manager Tom Bradford and Deputy Fire Chief Darrel Donatto on Monday to get more information on the incident.

> **More on the Palm Beach utilities undergrounding project**

Donatto was at the meeting to give a report on the frequency of overhead utility emergencies versus underground utility incidents over the past 10 years. He said the town has had very few incidents related to underground utilities, but used the Sun and Surf explosion as an example.

"We had one instance in the town where an underground utility line arched or sparked. And we believe that it ignited some gases that were trapped ... and caused a small underground explosion," Donatto said of the Sun and Surf incident. "The utility company hasn't come out with a definitive on that."

FPL Spokesman Bill Orlove said Wednesday that the company's original letter speaks for itself. He said crews couldn't determine a "root cause" but that the "abnormal level of naturally occurring gases" in the manhole likely contributed to the incident.

"This is a very rare occurrence in our company's experience, considering we have more than 25,000 miles of underground power lines," Orlove said of the amount of natural gases.

Donatto said all kinds of naturally occurring gases exist underground, methane being one of the more combustible ones. He said "it's not unheard of" for the gases to get trapped in underground spaces, which is why ventilation is important.

Residents frustrated

Warren Belmar, president of the Sun and Surf 130 Association, expressed frustration Monday with FPL's lack of answers.

"If they can't identify what causes it how do we protect the rest of the town from explosions on the various vaults that are strewn throughout the town?" he asked.

Task force member Susan Gary pressed the town to get more information.

"I think it's important for our residents to feel safe and to know what happened," she said. "It's a safety issue for our residents, particularly as we move forward with undergrounding and have more of these underground transformers."

Donatto reiterated that it was wiring, not a transformer, that caused the explosion. He added that there was "nothing routine" about the Sun and Surf explosion, and that those type of incidents are uncommon in town.

Orlove said FPL crews routinely make repairs and inspections throughout the year to ensure the company is providing safe and reliable service.

More info on the way?

Bradford said he will contact FPL to request more information on the cause of the explosion. He said if the reply is not "satisfactory," the town can file a complaint with the Florida Public Service Commission.

But, Bradford told the board that FPL might not be able to provide what the board is looking for.

"Is it possible that FPL can't distinguish what caused it?" he asked Donatto.

Donatto said "absolutely."

"I've personally investigated a lot of fires and not been able to come up with a cause," he said. "Reconstructing a fire event is very challenging. Sometimes the revealing cause has been destroyed in the fire. Many times, more than half of the time, we're unable to determine a cause."

About the Author

ALEESE KOPF



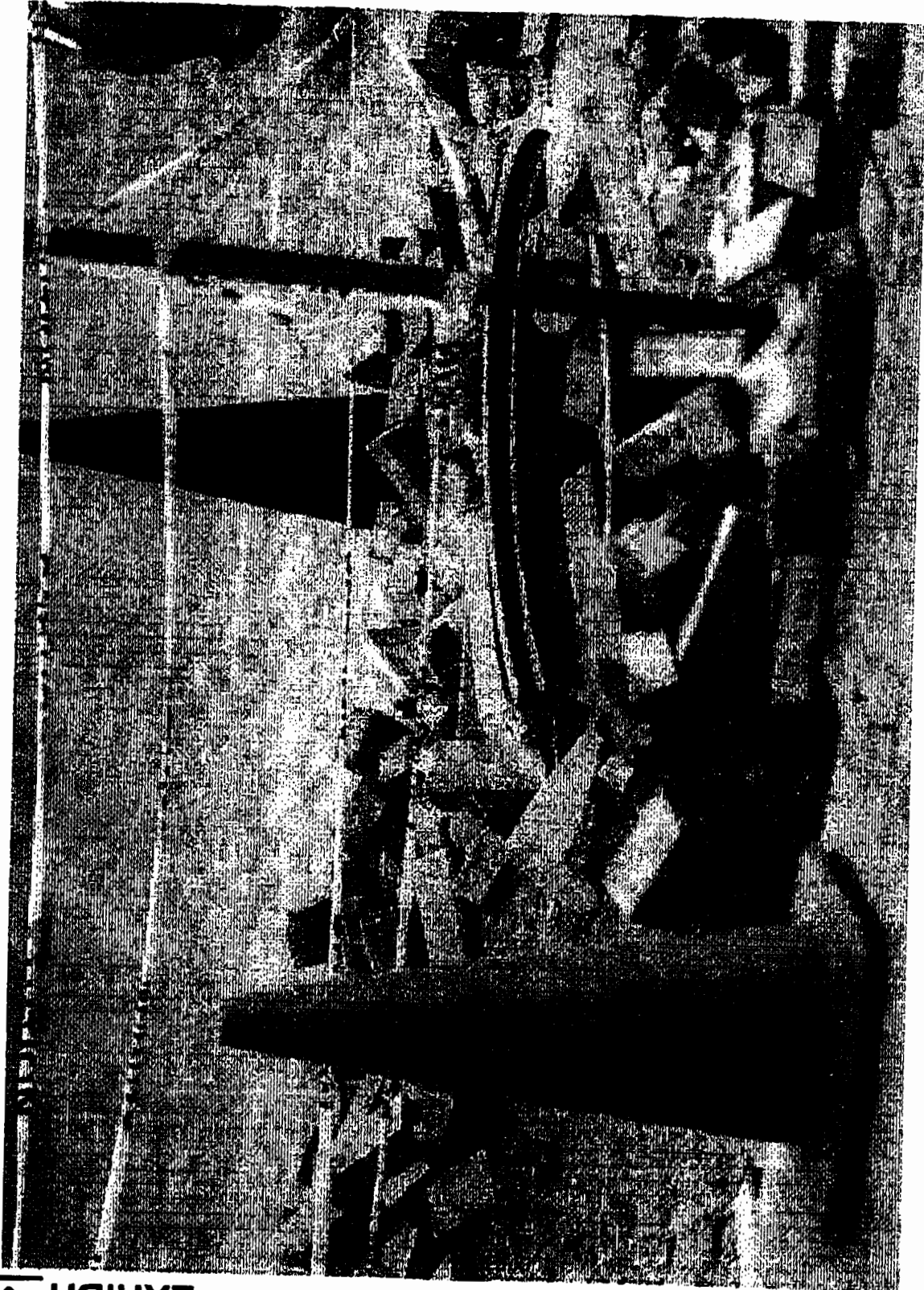


EXHIBIT J





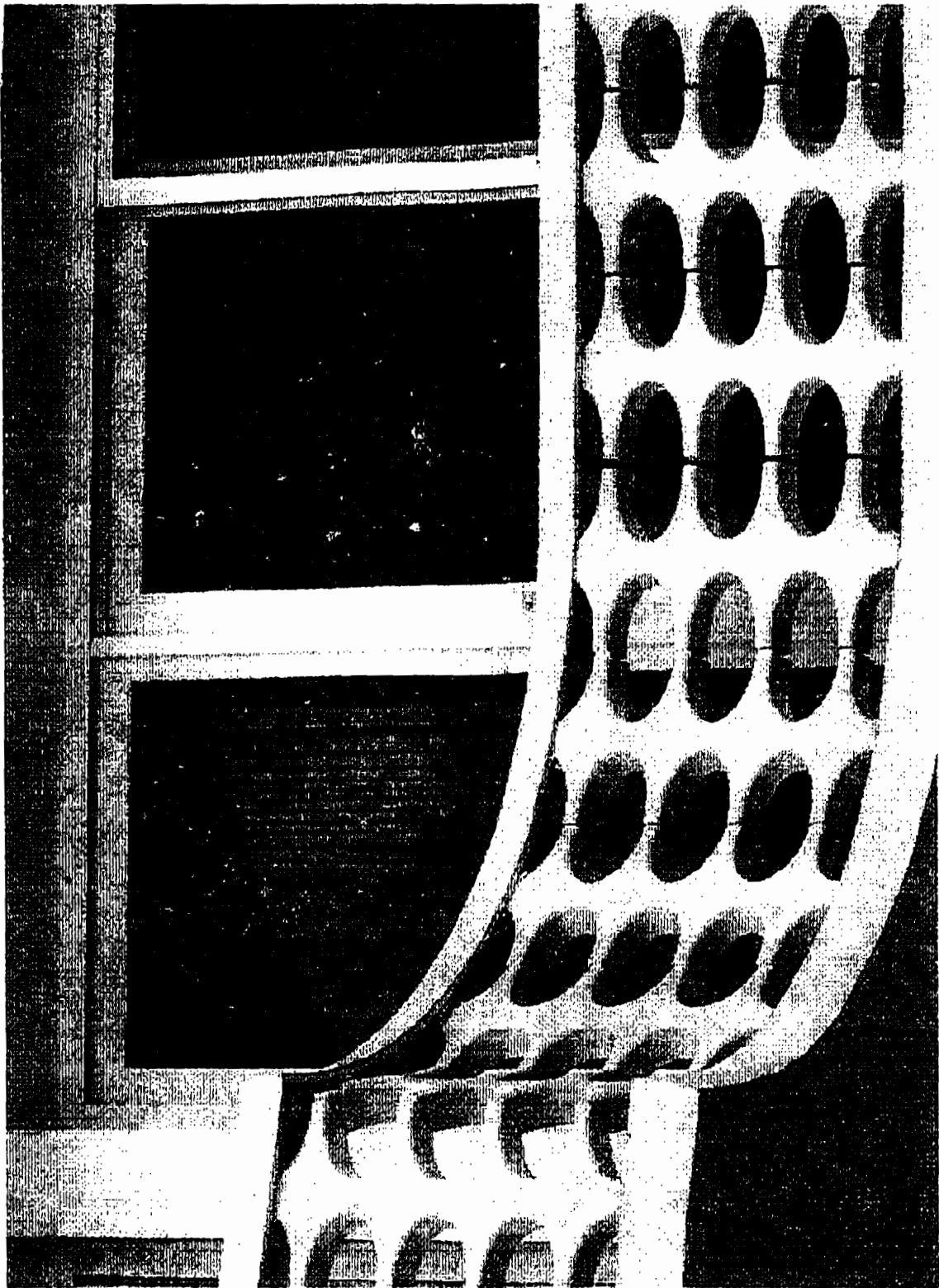


EXHIBIT K

Palm Beach Daily News, Sunday, April 30, 2017

LOCAL VOICES

Underground utilities hazardous

By **IZAK TELLER**

Special to the Daily News

I am the vice president of the 2600 Condo board of directors on South Ocean Boulevard in the South End. I am a licensed professional engineer in New York City and Connecticut with over 30 years of municipal engineering experience.

In my opinion, converting to underground utilities on a flood-prone barrier island has great safety risks. Underground wires are subject to corrosion from saltwater intrusion and gases that form, putting the entire electrical power system at risk.

The placement of approximately 100 large, mostly around 6-foot-tall high-voltage boxes along the front lawns of South Ocean Boulevard

Izak Teller is a Palm Beach resident.

is both hazardous and unsightly. Placing the electrical equipment on the public right of way exposes the town and others, including the original property owner, to possible legal liability in the event of injury to motorists and/or pedestrians, landscapers, etc., as a result of these obstructions placed in close proximity to the roadway.

It will turn beautiful front lawns into an industrial-looking area of town. It will destroy the residential ambiance that currently exists.

These huge boxes contain combustibles and are subject to the buildup of gases.

This has already occurred in October of 2015 at the Sun & Surf Condo, where the gases built up and created an explosion. There have been recent electrical explosions from underground electric utilities in New York City at various locations, including

just outside the ABC building.

The large unsightly industrial-style electrical equipment boxes, in addition to being dangerous and ugly, will adversely impact property values in the South End.

FPL is providing 99.9 percent reliability to its customers, and there is no significant improvement expected to justify an undergrounding project of this magnitude.

It is unnecessary to utilize town-wide undergrounding, when the utility's method of hardened poles, coated wires and smart technology that the state of Florida has mandated at no cost provides 99.9 percent reliability, at less risk to the public.

The Town Council needs to reconsider the current blanket approach and change the program into neighborhood projects whereby the areas of the town that want to take these risks are free to do so.

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Requirement for investor-owned electric utilities to file ongoing storm preparedness plans and implementation cost estimates.

DOCKET NO. 060198-EI
ORDER NO. PSC-06-0781-PAA-EI
ISSUED: September 19, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

EXHIBIT L

NOTICE OF PROPOSED AGENCY ACTION
ORDER ON INVESTOR-OWNED ELECTRIC UTILITY
STORM PREPAREDNESS PLANS

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

BACKGROUND

On January 23, 2006, our staff conducted a workshop to discuss damage to electric utility facilities resulting from recent hurricanes and to explore ways of minimizing future storm damages and customer outages. State and local government officials, independent technical experts, and Florida's electric utilities participated in the workshop. On January 30, 2006, some participants filed post-workshop comments.

At our February 27, 2006, internal affairs conference, our staff briefed us on recommended actions to address the effects of extreme weather events on electric infrastructure. We also heard comments from interested persons and Florida's electric utilities regarding the staff's recommended actions. We modified various aspects of our staff's proposal. In brief, we decided the following:

- 1) All Florida electric utilities, including municipal utilities and rural electric cooperative utilities, would provide a 2006 Hurricane Preparedness Briefing at our June 5, 2006 internal affairs conference;

**ORDER NO. PSC-06-0781-PAA-EI
DOCKET NO. 060198-EI
PAGE 2**

- 2) Staff would file a proposed agency action recommendation for the April 4, 2006, agenda conference requiring each investor-owned electric utility to file plans and estimated implementation costs for ongoing storm preparedness initiatives;
- 3) A docket would be opened to initiate rulemaking to adopt distribution construction standards that are more stringent than the minimum safety requirements of the National Electrical Safety Code; and
- 4) A docket would be opened to initiate rulemaking to identify areas and circumstances where distribution facilities should be required to be constructed underground.

On April 25, 2006, in this docket, we issued Order No. PSC-06-0351-PAA-EI, requiring the investor-owned electric utilities to file plans and estimated implementation costs for ten ongoing storm preparedness initiatives on or before June 1, 2006. The ten ongoing initiatives are:

- 1) A Three-year Vegetation Management Cycle for Distribution Circuits;
- 2) An Audit of Joint-Use Attachment Agreements;
- 3) A Six-year Transmission Structure Inspection Program;
- 4) Hardening of Existing Transmission Structures;
- 5) A Transmission and Distribution Geographic Information System;
- 6) Post-Storm Data Collection and Forensic Analysis;
- 7) Collection of Detailed Outage Data Differentiating Between the Reliability Performance of Overhead and Underground Systems;
- 8) Increased Utility Coordination with Local Governments;
- 9) Collaborative Research on Effects of Hurricane Winds and Storm Surge;
and
- 10) A Natural Disaster Preparedness and Recovery Program.

The initiatives listed above are not intended to encompass all reasonable ongoing storm preparedness initiatives. Rather, we viewed these initiatives as the starting point of an ongoing process. The docket was kept open for us to address the adequacy of the utility's plans.

On June 1, 2006, each investor-owned electric utility filed plans addressing each of the ten ongoing storm initiatives. On July 14, 2006, our staff met informally with the utilities to seek clarifications and additional information.

This Order addresses the adequacy of the investor-owned electric utility plans for implementing the ten initiatives for ongoing storm preparedness identified in Order No. PSC-06-0351-PAA-EI. Moreover, our staff informally asked each municipal electric utility and rural electric cooperative utility to voluntarily file plans regarding the ten initiatives identified in the Order. A summary of the filed plans of the municipal electric utilities and rural electric cooperative utilities is also provided for informational purposes.

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We have jurisdiction pursuant to Sections 366.04(2)(c), (2)(f), and (5), and 366.05(7), Florida Statutes.

Initiative 1—Three-Year Vegetation Management Cycle for Distribution Circuits

In Order No. PSC-06-0351-PAA-EI, we found that “[t]he vegetation management practices of the investor-owned electric utilities do not provide adequate assurance that tree clearances for overhead distribution facilities are being maintained in a manner that is likely to reduce vegetation related storm damage. We believe that utilities should develop more stringent distribution vegetation management programs.”

Consequently, we required each investor-owned electric utility to provide plans, a timeline for implementation, and cost estimates to implement a three-year trim cycle for all distribution circuits unless shown to be cost prohibitive, and that the plans should enumerate minimum performance requirements. We provided for utility specific flexibility. The Order states that any “alternatives proposed by the utility shall be compared to a three-year trim cycle and must be shown to be equivalent or better in terms of cost and reliability for purposes of preparing for future storms.”

Our review of each investor-owned electric utility’s plans for vegetation management for distribution circuits is provided below and in summary form on Attachment A to this Order.

Individual Plans

As shown by the summary on Attachment A, Tampa Electric Company (TECO) and Florida Public Utilities Company (FPUC) plan to comply with the three-year tree trim cycle for all distribution circuits. Florida Power & Light Company (FPL), Progress Energy Florida (PEF), and Gulf Power Company (Gulf) proposed alternatives to a standard three-year tree trim cycle for all distribution circuits. Among the concerns cited by the companies, the potential cost impact associated with the supply and demand of the tree-trimming contractor resources is the most common. FPL, PEF, and Gulf provided reasons for their individually recommended alternatives; however, only FPL provided a quantitative analysis of the costs of more frequent trimming compared to estimated benefits of reduced storm restoration costs due to avoided storm outages.

FPL: FPL proposes a three-year average tree trim cycle for feeders and a six-year average cycle for distribution laterals. FPL currently achieves a three-year average trim cycle on its feeders. The proposed six-year average for lateral circuits is an increase of 63 percent in historically achieved tree trimming for lateral circuits. FPL estimates that in 2013, it will complete its transition to an average six-year cycle for lateral circuits. Table 1 is a summary of the options FPL reviewed.

Table 1

Summary of Vegetation Management Options Considered by FPL

Vegetation Management Initiative	Average Annual Costs (\$millions)	Average Annual Incremental Costs (\$millions)	Annual Avoided Storm Outages (measured by Customer Interruption or "CI")	Average Cost per Avoided CI
Recommended 3-year cycle for all distribution circuits	\$102.5	\$43.5	155,000	\$280
FPL's proposed 3-year feeder cycle and 6-year Lateral cycle	\$71.9	\$12.9	100,000	\$129
FPL's current program	\$59.0	N/A	N/A	N/A

Compared with its current tree trimming practice, FPL estimates that moving to a three-year tree trim cycle for all distribution circuits would result in an average incremental annual cost of \$43.5 million, while providing a potential incremental benefit of 155,000 fewer storm-related Customer Interruptions (CI). Therefore, the cost per avoided storm CI to implement a three-year trim cycle for all distribution circuits would be approximately \$280 per interruption. FPL estimates its proposed alternative would result in an average incremental annual cost of \$12.9 million, while providing a potential incremental benefit of 100,000 fewer storm-related CI. Therefore, the cost per avoided storm CI would be approximately \$129 for the alternative. FPL asserts that the additional spending to comply with a three-year tree trim cycle for distribution laterals would result in a diminishing return measured by storm cost savings. FPL also presented a ten-year total cost analysis which demonstrates its proposed alternative to be more cost effective. FPL proposes that its plan be reevaluated annually to assess lessons learned and ensure continued effectiveness.

We find FPL's plan to be reasonably consistent with the compliance options provided by the Order. FPL has provided more extensive data and analysis than the other two companies that proposed alternative plans. However, FPL's analysis is based on various assumptions such as the potential incremental benefit in reduced customer interruptions during storm events. At this time, there is no substantive forensic data supporting such assumptions. Therefore, we are uncertain at this time whether FPL's proposed plan is equivalent to or better than a three-year trim cycle for all circuits in terms of cost and reliability for purposes of preparing for future storms. We find that FPL's proposed plan is reasonable for initial implementation because it is an improvement over its current program and it contains a method for us to conduct the

necessary ongoing review to ensure that it is equivalent to or better than a three-year trim cycle in terms of cost and reliability for purposes of preparing for future storms.

FPL's analytical approach appears to be sound. As more data become available, FPL's plan and plan implementation shall be reevaluated annually to assess the need for any adjustment. This annual assessment shall be conducted consistent with the requirements of this Order. In particular, to ensure that the level of vegetation management is achieving this Commission's goal of reducing future storm impact, FPL shall collect forensic data to evaluate the correlation between the storm-related CI and the frequency of the trim cycles.

PEF: As shown by the summary on Attachment A, PEF's plan is an alternative to a three-year tree trim cycle for all distribution circuits. PEF calls for a fully integrated vegetation management program using a number of prioritization ranking factors for targeted trimming to balance the cycle trimming approach. PEF believes its program is better than a three-year tree trim cycle for all distribution circuits. PEF estimates that a three-year cycle for all circuits would immediately increase costs by approximately \$7 million in the first year and could increase its overall budget by more than 3% per year.

PEF's plan includes a goal of a three-year average trim cycle. However, PEF has not shown whether it has achieved that goal or whether it will increase the trim frequency to move toward that goal. PEF provided reasons why it believes its alternative is better. However, its plan provides no quantitative comparisons of the costs and benefits similar to FPL's analysis. Nor does PEF's plan contain a method for us to conduct the necessary ongoing review to ensure that it is equivalent to or better than a three-year trim cycle in terms of cost and reliability for purposes of preparing for future storms. Therefore, PEF's current plan shall be revised to address these concerns. PEF will bring its plan into full compliance with Order No. PSC-06-0351-PAA-EI by September 28, 2006, and our staff will consult with PEF about any remaining data requirements.

As more data becomes available, PEF's plan shall be reevaluated annually to assess the need for any adjustment. This annual assessment shall be conducted consistent with the requirements of this Order. In particular, to ensure the level of vegetation management is achieving this Commission's goal of reducing future storm impact, PEF shall collect forensic data to evaluate the correlation between the storm-related CI and the frequency of the trim cycles.

TECO: As shown in summary form on Attachment A, TECO's plan calls for targeted tree trimming. TECO will ensure that every circuit is trimmed every three years. TECO alleges contractor resource constraints due to increased demand. TECO is planning a phased-in approach to transition from the current vegetation management program to the three-year program. A two to three year transition period is planned to stabilize costs and conduct training. We find that TECO's plan will comply with the three-year trim cycle requirement when fully implemented. As more data becomes available, TECO's plan shall be reevaluated annually to assess the need for any adjustment. This annual assessment shall be conducted consistent with the requirements of this Order.

FPUC: As shown in summary form on Attachment A, FPUC's plan calls for a three-year trim cycle for all feeders. For laterals, FPUC's plan includes a three-year trim cycle for the NE division and an alternative of a five-year trim cycle for its NW division. Subsequent to its filing, FPUC provided additional clarification that the company will implement the three-year tree trim cycle for all distribution circuits. Based on FPUC's clarifications, we find that FPUC's plan complies with the three-year trim cycle requirement. As more data becomes available, FPUC's plan shall be reevaluated annually to assess the need for any adjustment. This annual assessment shall be conducted consistent with the requirements of this Order.

Conclusion

Based on the foregoing, we find that the plans filed by TECO and FPUC comply with the three-year trim cycle required by Order No. PSC-06-0351-PAA-EI. We find that the proposed alternative plan filed by FPL is reasonably consistent with the compliance options provided by the Order. FPL's analytical approach appears to be sound and we believe the method can be used to determine whether the proposed plan is equivalent to or better than a three-year trim cycle in terms of cost and reliability for purposes of preparing for future storms. In addition, we find that the phase-in approach proposed by TECO and FPL is reasonable for initial implementation.

The alternative plans filed by PEF and Gulf are based on their current vegetation management programs. They do not contain a method or data for us to conduct the necessary ongoing review to ensure that they are equivalent to or better than a three-year trim cycle in terms of cost and reliability for purposes of preparing for future storms. Therefore, their current plans shall be revised. These two companies will bring their plans to full compliance with Order No. PSC-06-0351-PAA-EI by September 28, 2006.

All plans shall be reevaluated annually to assess the need for any adjustment. This annual assessment shall be conducted consistent with the requirements of this Order.

Initiative 2 – Audit of Joint-Use Attachment Agreements

In Order No. PSC-06-0351-PAA-EI, we found that "Florida's utilities have not provided adequate assurance that their practices and procedures governing joint-use facilities avoid storm damages and customer outages."

Consequently, we required each investor-owned electric utility to provide plans, a timeline for implementation, costs, and rate impacts to audit joint-use agreements that include pole strength assessments. The plans were to enumerate minimum performance requirements. We provided for utility specific flexibility.

Review of Plans for Audit of Joint-Use Attachment Agreements

Our review of each investor-owned electric utility's plans for an audit of joint-use attachment agreements is provided below and on Attachment A.

FPL: Currently, FPL partners with CATV and telecommunication companies to complete system-wide pole attachment surveys on a five-year cycle. The system-wide attachment surveys focus on compliance issues associated with existing pole attachment agreements for all FPL-owned and third party-owned poles. The current attachment surveys do not explicitly include pole strength assessments. Prospectively, FPL proposes to include pole strength assessments addressing the impacts of existing pole attachments in conjunction with its eight-year wooden pole inspection program. Data on the poles will be collected and stored in an information database. FPL will continue to verify all attachments have been made pursuant to a current joint-use agreement on a five-year cycle system-wide pole attachment survey. FPL's plan will be implemented in January 2007 at an estimated incremental annual cost of \$1.2 to 2.5 million.

PEF: PEF currently performs a pole agreement compliance audit on a five-year cycle. The current pole attachment compliance audit does not explicitly address pole strength assessments. PEF has developed a plan that includes pole strength assessment for all PEF-owned and third party-owned poles in conjunction with its eight-year wood pole inspection cycle. Data on the poles will be collected and stored in electronic format. PEF will continue to verify all attachments have been made pursuant to a current joint-use agreement on a five-year cycle. PEF initiated this plan in 2006 with completion cycles of eight years and an estimated incremental annual cost of \$80,000.

TECO: Currently, TECO performs periodic inspections and/or audits of all joint-use attachments to its facilities. TECO has proposed a plan to audit all joint-use agreements including pole strength assessment for all TECO-owned and third party-owned poles. This audit will be performed in conjunction with its eight-year wood pole inspection cycle. Stress calculation will also be performed on poles during the eight-year inspection cycle. Data on the poles will be collected and stored in a GIS database. TECO will verify all attachments have been made pursuant to a current joint-use agreement including strength assessments during the eight-year pole inspection cycle. TECO's plan will be implemented in January 2007 with a completion cycle of eight-years at an estimated annual cost of \$5 million. TECO's cost estimate associated with Initiative 2 does not appear comparable to estimates of the other utilities because TECO's cost estimate of \$5 million is commingled with its cost to perform pole inspections.

GULF: Since 1991, Gulf has conducted field audits of joint-use poles every five years. Gulf has proposed a plan to audit all joint-use agreements of Gulf-owned poles and third party-owned poles on a five-year cycle. Pole strength assessments and stress calculations will be performed on a 5% random sample of Gulf-owned poles that are 20 years old or more and have three or more attachments. Data on poles will be collected and stored in a database. Gulf will verify all attachments have been made pursuant to a current joint-use agreement on a five-year cycle. Gulf will use results of its 2006 survey to revise its cost estimates and scope of work for 2007. Preliminary cost estimates for 2007 show a \$5.375 million increase relative to 2005. Gulf's cost estimate associated with just Initiative 2 appears to include activities and costs to perform pole inspections on an eight-year cycle.

FPUC: FPUC's plan was silent on how the utility currently audits joint-use attachment agreements. FPUC has proposed a plan to audit all joint-use agreements including pole strength

inspection cycle." The estimated increase in annual inspection costs is \$2.3 million. FPL is currently implementing upgrades to its transmission structure inspection program this year.

PEF: PEF's existing transmission structure inspection program is indexed to a five-year cycle for structures. PEF completes a full inspection of its substations once per year. PEF is not proposing any changes to its current program. PEF will not incur any incremental costs associated with transmission structure inspections.

TECO: TECO's plan establishes a six-year transmission structure inspection program consistent with the requirements of Order No. PSC-06-0351-PAA-EI. The estimated increase in annual inspection costs and additional maintenance is \$2.97 million. TECO currently completes a full inspection of its substations once per year and no enhancements of substation inspection activities are planned.

GULF: Gulf fully inspects its substations annually and schedules inspections of its transmission structures based on achieving a six-year inspection cycle for all of its facilities. Gulf will not incur any incremental costs associated with transmission structure inspections.

FPUC: FPUC is developing a program for inspecting its transmission structures on a six-year cycle. The program includes coordination with customers who own transmission structures. The estimated increase in annual inspection costs is \$18,000. FPUC currently fully inspects its substations at least once per year and no enhancements of substation inspection activities are planned.

Conclusion

We find that each of the utility's transmission structure inspection plans is consistent with the intent of Order No. PSC-06-0351-PAA-EI. Over time, as each utility collects and reviews its storm performance data, each utility will become better able to address the adequacy of its efforts to prepare for future storms. Each utility's transmission structure inspection program shall continue to be monitored consistent with the requirements of this Order.

Initiative 4 – Hardening of Existing Transmission Structures

In Order No. PSC-06-0351-PAA-EI, we concluded that the electric utilities "have not shown the extent of utility efforts in this area nor the criteria used to select which transmission structures are upgraded or replaced."

Consequently, we required each investor-owned electric utility to provide a plan, a timeline for implementation, costs, and rate impacts to implement a plan to upgrade and replace existing transmission structures. We provided for utility specific flexibility. The Order states that "the plan shall include the scope of activity, any limiting factors, and the criteria used for selecting transmission upgrades and replacements."

Individual Plans

Our review of each investor-owned electric utility's plans for hardening existing transmission structures is provided below and on Attachment A.

FPL: FPL currently upgrades its existing transmission structures during roadway relocation projects and as other maintenance activities provide cost-efficient opportunities. Two specific activities included in its program are upgrading un-guyed single wood pole transmission structures and replacement of ceramic post line insulators with a type of polymer insulators to ensure the structures meet extreme wind load criteria. FPL estimates these two activities will be completed within 10 to 15 years. FPL projects an increased level of transmission upgrade activities relative to 2005 resulting in additional annual expenses between \$3.3 and \$6 million beginning in 2007.

PEF: PEF currently upgrades its existing transmission structures during roadway relocation projects and as other maintenance activities provide cost-efficient opportunities. A primary component in its plan includes changing out existing wooden transmission poles with either concrete or steel. Over the next ten years, PEF estimates the program will reduce the percentage of wooden transmission poles from 73 percent to 50 percent. PEF does not plan to expand its existing program at this time. Consequently, PEF is not expected to incur any costs associated with any incremental changes to its plan relative to 2005.

TECO: TECO currently upgrades its existing transmission structures during roadway relocation projects and as other maintenance activities provide cost-efficient opportunities. TECO's plan includes the systematic replacement of wooden transmission structures with non-wooden structures based primarily on pole inspection results. TECO does not plan to expand its existing program at this time. Consequently, TECO is not expected to incur any costs associated with any incremental changes to its plan relative to 2005.

GULF: Gulf currently upgrades its existing transmission structures during roadway relocation projects, and as other maintenance activities provide cost-efficient opportunities. Gulf's plan includes a five-year program to install storm guys on H-frame transmission structures not currently guyed. In addition, Gulf began a ten-year program to replace all wooden cross-arms with steel. For new construction beginning in 2007, Gulf will implement a "loss of conductor" contingency design standard. A "loss of conductor" contingency is a design standard directed at avoiding cascading transmission tower failures. In 2007, Gulf will begin incurring approximately \$600,000 in incremental annual capital construction costs relative to 2005.

FPUC: FPUC plans to replace 180 wooden transmission poles on its system with concrete poles as necessary and economically practicable. The total project costs are estimated to be \$4.5 million for replacement of all 180 wooden transmission poles. To date, FPUC has not established a timeline for completing the pole change outs because the poles are currently sound, and transmission line upgrades that may require stronger poles have not been scheduled at this time.

performance comparisons between underground and overhead systems. The cost for TECO to make changes necessary to comply with Initiatives 5, 6, and 7 is \$1.1 million with an additional forensic analysis cost of \$ 0.1 million per storm.

GULF: GULF presently has a GIS, excluding complete transmission information, for its distribution and transmission structures. At the present rate of processing, the GIS will include all transmission-system information within six years. For post-storm performance data gathering, Gulf intends to employ contractors to survey a percentage of the lines in the damaged areas. Crews will cover inland and coastal areas and overhead and underground outages. The cost for Gulf to continue developing its GIS and use the system according to the initiatives is \$75,000 initially and \$125,000 per storm.

FPUC: FPUC, NW Florida Division, presently has a GIS capable of collecting all of the necessary information. Additional procedures will be developed to enable the division to track all specific hurricane outages, identify the causes of the outages, and count the numbers of customer outages. The utility now has the ability to report performance information differentiating between overhead and underground facilities. FPUC, NE Florida Division, presently has only limited GIS capabilities. FPUC has plans to upgrade NE Florida's GIS to have the same capabilities as NW Florida's and then also develop the additional procedures pertaining to the performance of its electric infrastructure. FPUC states that it will make changes necessary for both divisions to be in compliance with Order No. PSC-06-0351-PAA-EI. The initial cost for FPUC to upgrade its system is \$207,000, and after the upgrades are implemented in 2007, there will be a per storm cost of \$10,000.

Conclusion

We find the utilities' filed plans adequate for carrying out Initiatives 5, 6, and 7. Utility implementation of the plans shall be monitored consistent with the requirements of this Order.

Initiative 8 – Increased Coordination with Local Governments

By Order No. PSC-06-0351-PAA-EI, we noted that the electric utilities needed to develop "better communication between the utilities and the cities and counties they serve." The goal of this better communication is to promote on-going dialogue, in addition to the general need to increase pre- and post-storm coordination. The increased coordination and communication will also facilitate the collection and analysis of more detailed information on the operational characteristics of underground and overhead systems. This additional data is also necessary to more fully inform customers and communities who are considering undergrounding as an option, as well as to assess the most cost effective storm hardening.

One example of better coordination was suggested at our January 23, 2006 infrastructure hardening workshop. Mayor Anne Castro of the City of Dania Beach suggested that a more integrated partnership between local governments and utilities could assist utilities in better serving customers. Mayor Castro explained:

We want to be the eyes and ears for FPL. We have offered [to] train our public service people, our public safety people, especially after a hurricane or even on an ongoing basis during the year, as to what to look for in their infrastructure. If they could teach us what to look for as far as poles being bad or wires being bad or fuses hanging or loose ends hanging, our folks as they routinely do this through code enforcement, through the fire department, through the police department, are happy to go out there and take a look. Even our citizens on patrol... turn in half of the code violations anyway ... they can report all that, they can create a list....

To facilitate increased governmental interaction, we required each IOU to provide a plan, detailing activities, a timeline for implementation, and associated cost and rate impacts for expanding any existing program or initiating new utility/local government liaison programs. The goal of increased discussion is to reach some accommodation or agreement on mutual concerns and to prioritize needs, within the given time and financial constraints. This could include not only optimal system planning or upgrades such as undergrounding or expansion of facilities but also tree trimming and storm restoration priorities.

Individual Plans

A discussion of each utility's plans for increased coordination with local governments is provided below and in table format on Attachment A. We caution, however, that plans are only as good as their implementation and follow-through procedures. Even an ambitious plan can be inadequate if not timely implemented with adequate resources to achieve the desired results. Therefore, approval of these plans is a first step and we will continue to monitor the implementation and any subsequent modifications of the plans.

FPL: FPL's plan consists of three subsections, each addressing a different mode of operation: (1) Storm Mode; (2) Storm Recovery Mode; and (3) Normal Operations. The plan subsections addressing Storm Mode and Storm Recovery Mode include the traditional pre-storm planning and post-storm restoration activities and indicate that FPL is increasing the level of pre/post storm related information shared with local governments. Noted in the plan is an annual campaign to identify special needs customers under the Medically Essential Program to alert local officials to customers who may need extra care in relocation and service restoration. FPL will continue to coordinate with each local emergency operation center (EOC) before and after storms and has pledged to have FPL representatives in County EOCs during storm activity. FPL has also pledged to coordinate local restoration efforts with local officials to better meet critical local needs. FPL also plans to expand the timeliness and extent of the information available to the local community during both pre-and post-storm activities.

Under its plan for Normal Operations, FPL will expand its existing "Right Tree, Right Place" program, and enhance its community outreach teams to improve local communication. FPL also pledges to develop a program to allow local governments to alert the utility when facilities appear in need of repair. Similar to the approach described by Mayor Castro, the program will train public works departments and other governmental departments to report conditions observed during their normal work activities and receive feedback from FPL on its response to their concerns. FPL plans to continue its current External Affairs Support efforts to

work with local officials throughout the year to identify problem areas and potential solutions. It has also recently implemented an e-mail distribution network that can target messages to specific audiences to share breaking news and important updates.

The costs associated with FPL's planned enhancements are for program startup as well as training local governmental participants. Initial startup costs are estimated to be \$125,000 and the ongoing annual expense associated with training is estimated to be \$12,000. FPL provided supplemental data addressing training of local governmental volunteers to find and report potential reliability concerns. FPL states its plan will not be fully operational until the first part of 2007.

PEF: While PEF did not propose any additional programs, it did note planned improvements in its storm preparedness coordination and its information update activities associated with storm restoration. Improvements include more efficient process and reporting mechanisms to facilitate easier use by city and county governments. PEF also plans to enhance its educational efforts to prepare customers for storm related activities and coordinate with local governments on prioritizing local restoration activities.

As part of its response to the July 14 meeting, PEF provided a detailed list of activities envisioned for a cross functional team to improve staff training and communications. This team will include representatives in the areas of public policy, community relations and commercial/industrial and governmental accounting. As part of the implementation of this cross functional team, PEF notes that more than 70 employees will be utilized to support these communication efforts. An in-house improvement to facilitate better communication includes a task specific electronic site to insure that information is timely updated. Continuing interaction with community representatives will provide feedback on the effectiveness of existing programs and form the basis for changes. Communication with local governments will be through mailings, coordination meetings, update calls, e-mails and workshops. In addition, PEF states it is in the process of revising its existing underground conversion tariff to offer more flexibility to local governments in managing project costs. PEF also plans to continue its vegetation management education as well as its street lighting reporting and repair program.

Because the plans initially anticipate primarily a continuing of current efforts or redirection of existing staff and resources, PEF did not provide incremental cost impacts. However, it did note that as the programs are refined, additional costs may be incurred.

TECO: TECO asserts it has very good relationships with local governments within its service territory. TECO plans to continue its ongoing discussions with local officials regarding issues such as storm preparedness and storm restoration activities. TECO notes that it currently hosts a storm preparation workshop with local government officials and safety personnel each year prior to storm season. Based on its experience in 2004, TECO plans to place additional personnel in local EOC's during storms to facilitate timely communication. TECO also assists in training local EOC participants which allows establishment of personal relationships with local participants and encourages cooperation.

frequency of steering committee meetings and whether any research project would be pursued by a time certain. On June 9 and July 14, 2006, several potential research activities were identified for review by the steering committee, including efforts to gather better wind data associated with failed poles. As of August 8, 2006, the steering committee had not established a schedule for selecting research activities and setting funding levels. At this time, estimated costs associated with funding the organization and resultant joint research have not been projected.

Conclusion

We note that the investor-owned electric utility plans for collaborative research do not establish a sufficiently detailed schedule for selecting collaborative research activities and establishing project funding levels. Nevertheless, each investor-owned electric utility has made progress in establishing a plan that may increase collaborative research, establish continuing collaboration, identify objectives, promote cost sharing, and fund necessary work. All investor-owned electric utilities, all municipal electric utilities, and most rural electric cooperative utilities have participated in establishing a cost allocation methodology and an administrative structure. We therefore find that the investor-owned electric utility plans for collaborative research adequate for carrying out Initiative 9. Our staff will monitor the utilities continued efforts on collaborative research and will keep us informed on the progress of these activities.

Initiative 10—Natural Disaster Preparedness and Recovery Program

In Order No. PSC-06-0351-PAA-EI, we noted that “[a] key element in minimizing storm-caused outages is having a natural disaster preparedness and recovery plan. A formal disaster plan provides an effective means to document lessons learned, improve disaster recovery training, pre-storm staging activities, and post-storm recovery.”

Consequently, we required each investor-owned electric utility “to develop, if it has not already, a formal disaster preparedness and recovery plan that outlines its disaster recovery procedures. Each utility shall maintain a current copy of its utility disaster plan with the Commission on a going-forward basis.”

Individual Plans

Our review of each investor-owned electric utility’s plans for natural disaster preparedness and recovery is provided below and in summary form on Attachment A. We have reviewed these plans for content such as safety procedures, pre/post storm procedures, forensic data collection, and for frequency of updates to their respective plans.

We note that each of the natural disaster preparedness and recovery plans will be available to the EOC staff and to the PSC staff during training and actual emergencies.

FPL: FPL has a formal disaster preparedness and recovery plan. The plan is reviewed and updated by FPL on an annual basis. The plan contains pre/post emergency procedures and safety procedures for natural disasters. The plan has a procedure for collecting forensic data after a disaster.

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Requirement for investor-owned electric
utilities to file ongoing storm preparedness
plans and implementation cost estimates.

DOCKET NO. 060198-EI
ORDER NO. PSC-06-0859-CO-EI
ISSUED: October 13, 2006

CONSUMMATING ORDER

EXHIBIT M

BY THE COMMISSION:

By Order No. PSC-06-0781-PAA-EI, issued September 19, 2006, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code.

Among other things, by that Order, we proposed to approve Florida Power & Light Company's (FPL) six-year average tree trimming cycle for its distribution laterals (six-year cycle), having found it to be reasonably consistent with the compliance options provided by Order No. PSC-06-0351-PAA-EI, issued April 25, 2006, in this docket,¹ and thus reasonable for initial implementation.²

On October 6, 2006, the City of North Miami (City) timely filed a protest to the portion of Order No. PSC-06-0781-PAA-EI that proposes to accept FPL's six-year cycle. The City contends that it has a substantial interest in the frequency of tree trimmings to be performed by FPL within its boundaries.³

The City's protest identifies with specificity the item being protested. The City protests only that portion of the Order relating to FPL's six-year cycle. Accordingly, the remainder of Order No. PSC-06-0781-PAA-EI can become final and effective, including but not limited to, the tree trimming cycles approved for Tampa Electric Company and Florida Public Utilities Company.

It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-06-0781-PAA-EI has become effective and final in all respects except for that portion of the Order

¹ Order No. PSC-06-0351-PAA-EI was consummated by Order No. PSC-06-0451-CO-EI, issued May 23, 2006, in this docket.

² See Order No. PSC-06-0781-PAA-EI at 4-5.

³ On September 12, 2006, the City passed Resolution R-2006-110, opposing FPL's proposed six-year cycle and urging this Commission to reconsider the proposal and reject it. A copy of that Resolution was filed in the docket on September 21, 2006.

ORDER NO. PSC-06-0859-CO-EI
DOCKET NO. 060198-EI
PAGE 2

relating to approval of Florida Power & Light Company's six-year average tree trimming cycle for its distribution laterals. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 13th day of October, 2006.

/s/ Blanca S. Bayó
BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

This is a facsimile copy. Go to the Commission's Web site,
<http://www.floridapsc.com> or fax a request to 1-850-413-
7118, for a copy of the order with signature.

(SEAL)

RG



FPL.

August 20, 2016

EXHIBIT N

[REDACTED]
[REDACTED]
[REDACTED]

Re: [REDACTED]

Dear [REDACTED]:

FPL appreciates the lush landscape of trees and shrubbery in our communities. They enrich the aesthetics of our neighborhoods and support our environment. FPL is committed to protecting and maintaining our environment while providing safe and reliable electric service.

In the next few weeks, FPL will be performing line clearing in your neighborhood. We will be clearing threatening branches and limbs that can potentially cause safety hazards and power outages by brushing against or falling upon our power lines during windy weather. The trees will be trimmed in a manner that redirects new growth away from power lines. At times, we also need to remove select palms and other fast growing vegetation that cannot be effectively maintained by trimming. Remaining tree debris will be removed.

We ask that you facilitate these efforts by providing access to trees near power lines behind your property. Your cooperation is valuable in helping prevent outages to you and your neighbors. If access to your property is required, a contractor will contact you personally or leave a note at your door in advance of any work. And we ask that you please not attempt to trim any trees or vegetation growing on or near power lines. Safety is a core value at FPL, which is why we hire specially-trained line clearing professionals to perform this work.

You may see an increase of trucks and contractor activity as a result of these efforts. However, areas serviced by underground lines may not have visible activity within their vicinity. In these cases, the work takes place outside of neighborhoods where the initial service is provided by overhead lines.

Line clearing is an effective preventative maintenance effort for improved reliability, but it is not a substitute for smart landscaping and responsible maintenance by property owners. Visit www.FPL.com/trees to learn more about FPL's Vegetation Management program or for help on selecting and planting the Right Tree in the Right Place.

Thank you for your support in these efforts and be assured we are fully committed to provide you with safe and reliable service now and in the future. For questions about this letter, call Vegetation Management at (866) 274-9098, and refer to Work Order [REDACTED].

Sincerely,

Vegetation Management

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

EXHIBIT 0

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 14, 2014

To: Mayor and Town Council

Via: Peter B. Elwell, Town Manager

From: Thomas G. Bradford, Deputy Town Manager

Re: FPL Hardening Plans and Neighborhood Underground (UG) Plans Relative to FPL Hardening Plans

Date: October 9, 2014

STAFF RECOMMENDATION

Staff recommends the Town Council hear the presentations on this subject matter and provide staff with direction on how to proceed. Policy questions to be considered are:

- 1) Shall FPL be allowed to improve system reliability on the island via their hardening plans?
- 2) Shall the Town pursue undergrounding in lieu of hardening? If so, shall undergrounding be done only in those areas impacted by FPL hardening plans or according to some other plan?

GENERAL INFORMATION

FPL Hardening Plans

FPL officials will be present to provide you with an overview of their hardening plans for the Palm Beach service area. Please see the attached exhibit marked as Attachment A to see the locations of FPL proposed hardening projects. Originally, hardening was a function of FPL's Storm Secure plan that was developed in response to the outages their electrical system incurred from the wrath of hurricanes experienced in the last decade. Hardening entails system upgrades to enable the electrical distribution system to withstand the effects of winds up to 150 miles per hour. Although hardening entails more than just different utility poles, what the average consumer sees is a taller, more substantial concrete pole.

Hardening originally applied to feeder lines as they are considered to be the backbone of the distribution system. Subsequently, the Florida Public Service Commission allowed FPL to expand the use of hardening to circuits that are in need of reliability upgrades. Most FPL proposed hardening in Town applies to feeder lines, but some hardening is being done to improve system reliability. It is important to note that when FPL hardens a feeder line in Town that feeder line is hardened on the mainland as well all the way back to the substation. This

Frequently Asked Questions

General Service

What is FPL's standard service?

FPL and other utilities use the overhead standard established by the Florida Public Service Commission (PSC) as the most cost-effective type of construction. However, we are open to putting lines underground provided the additional cost is covered by or for the customer.

Why was overhead established as the standard?

Overhead service was established as the standard construction for utilities because over time it has been the most cost-effective design. When alternatives like underground service are requested by developers or mandated by cities, the customer benefiting from the alternative design pays the additional cost.

How many miles of distribution power lines does FPL have in its system?

FPL has approximately 66,000 miles of distribution lines serving its 4.4 million customer accounts in all or part of 35 counties in Florida. In addition, we also have about 5,600 miles of transmission lines. More than one-third of FPL's system - or in excess of 24,500 miles - is underground. Often, the costs of this service are borne by builders and developers who pass it along to the customer in the price they pay for newly constructed real estate. However, it's important to remember that lines eventually come above ground, so no system is totally underground.

Underground Electric Service Delivery

What are the different strengths and weaknesses of overhead and underground service that affect performance and reliability?

While underground facilities are not as susceptible to wind and debris-blown damage, they are more susceptible to water intrusion and local flood damage, which can make repairs more time consuming and costly. Overhead facility damage is easier to locate than underground and can generally be repaired quicker. Underground interruptions may be less frequent, but typically last longer due to more complex repair requirements. Following recent hurricanes, we've found that the areas that took the longest to repair were generally those served by underground facilities still flooded days after the storm passed. Damage and corrosion of underground electrical systems often becomes apparent days or even months later, causing additional outages and inconvenience to customers. Storm winds can damage both types of systems causing outages. Overhead systems face outages resulting from trees and debris blowing into lines. Underground systems face outages from trees collapsing on above-ground transformers and switch boxes or from tree root systems uprooting buried cable when trees topple. While a neighborhood may be locally served by underground cable, all electric service eventually comes back above ground and connects to an overhead system, either in the surrounding neighborhoods or further down the street. So, exposure to above ground electric service from weather, animals, and trees is never fully eliminated.

Why don't you put transmission lines underground?

FPL transmission lines - that is, those large power lines that move power over long distances like an interstate highway from power plants to our neighborhoods - are rarely ever placed underground due to their complexity and considerably higher costs, as well as security and reliability considerations. For example, depending on the voltage of the lines we may need to build a cooling system underground escalating the cost of the project. These factors can drive the cost up five to fifteen times more than an overhead transmission line.

Frequently Asked Questions

Costs

Why is there a differential cost for underground service? Why must the customer or requesting party pay the differential cost of that service?

The PSC has established that overhead facilities are the most cost-effective type of service. In fact, the costs of these facilities are included in the electric rates charged to customers. Whether its new construction or a conversion project, the cost of underground service is higher than overhead and it is the PSC's and FPL's position that it would be unfair to charge all customers the higher price to cover the cost since not everyone would get the benefit or necessarily be willing or able to pay.

But I live in a community with underground service and I didn't pay anything extra - why is that?

You may not realize it, but you have. For aesthetic reasons, many developers work with FPL and other utility companies to bury their lines when they are first planning the construction of a new neighborhood. The added cost for underground service and other community amenities is typically included in the price you pay for a new home.

What does underground service cost in a new subdivision, versus new overhead service?

Usually, the basic costs are about a third more, but may be even more if additional work is needed on supporting electrical facilities, such as putting a section of an adjacent main line underground. The builder/homeowner is responsible for paying the cost difference between new overhead and new underground facilities prior to construction. The detailed cost components are provided in an FPL tariff that is available from your local FPL project manager (see FPL Electric Tariff sheets 6.090-6.100).

Just for comparison, and using a sample subdivision, can you give me a rough idea of the difference in cost to install standard overhead service versus underground service in new construction?

Depending on the density of a new development and exclusive of other facility needs, it costs FPL between \$736 and \$1,161 per lot to install our standard overhead service. Underground on the other hand, costs between \$973 and \$1,605 per lot. Thus, the builder/homeowner selecting to have underground service pays \$236 to \$444 on average per lot in differential cost. In addition, if main feeder lines are required to serve the subdivision, and the developer requests those be placed underground also, there is an additional differential charge of \$11.56 per foot of main line and \$20,365 per installed pad mounted switch cabinet. In a typical 100 lot subdivision needing main feeder work and about two switch cabinets and related equipment, this could add an additional \$50,000 to the project, doubling or tripling the per-lot differential cost.

When converting existing service, what other additional costs may be incurred that are normally not an issue with new developments?

In conversion projects, the customer will be responsible for any additional costs not included in FPL's estimate, such as:

- Relocation of other utilities - To bury or relocate other utility lines such as cable and telephone.
- Hiring licensed electrician - To make the home ready to receive underground service.
- Site restoration - To restore the affected areas by repairing driveways, landscaping, etc.

Frequently Asked Questions

What are the requirements for a project to qualify for the 25 percent Government Adjustment Factor (GAF) CIAC incentive?

To be eligible for this CIAC incentive, the project must be sponsored by the local government. As such, the project must incorporate a sufficient amount of overhead facilities which includes a minimum of approximately three pole line miles or approximately 200 detached dwelling units within a contiguous and well defined geographic area. The local government must then require all customers within the conversion area to convert their service entrances, such as the service drop and weatherhead, to underground within 6 months of completion of the underground facilities installation. These criteria help ensure that potential underground service benefits are not affected by facilities that are exposed to causes of overhead outages. The local government will be responsible for paying the remaining 75 percent of the CIAC.

Residential Conversions

What are my options if I live in an established neighborhood served by overhead electrical service and I want to convert my service to underground?

You may personally arrange to have your individual service drop converted from overhead to underground, or seek conversion of all the neighborhood electrical facilities, through your city or homeowners association. Converting an older community's power lines from overhead to underground, however, can be very expensive and disruptive, especially in highly urbanized areas. With conversions, the customer pays the total cost of the conversion, since the existing electric service must be dismantled in addition to installing a whole new underground system.

What's involved in converting my service drop?

Customers who wish to have the line to their home buried will also need to convert the meter can and downpipe to accept underground service. This requires a licensed electrician and, in most cases, an electrical permit. Since this work may trigger building codes that require older home wiring to be brought up to today's standards, it's important to check with the proper authorities before getting started. Homeowners also need to arrange for a trench to be dug from the pole to the new meter location to hold FPL-provided PVC for the underground cable.

Can you be more specific about some of the costs I may be facing if I pursue converting my individual overhead service to underground?

To convert your service, a flat fee of \$429.39 would be due to FPL before work begins, along with possible additional costs that depend on a number of variables such as:

- Whether your local government's electrical authority requires electrical installation or wiring to be upgraded as part of your conversion.
- Whether an electrician (or another tradesperson) will do the work to dig and backfill the trench needed to bring the underground facilities from the existing overhead pole location to the building. (I.e. from the pole to the meter)
- The length of trench that's needed to accommodate the conversion.
- Whether the existing overhead weatherhead extends through the roof of the building, in which case, you may need to incur the cost of roof repair as well as paint and aesthetics. These costs and arrangements are separate from the work FPL would handle and are the responsibility of the customer.

Frequently Asked Questions

Community Conversions

Who can request that all overhead facilities in a community be converted to underground?
Existing neighborhood overhead lines may be converted if a community so desires. Anyone willing and able to pay the cost for the conversion and secure the necessary easements to place the underground facilities on private property may submit a written request. The request may be received from local governments, large or small communities, builders and developers.

Does conversion from overhead to underground require a unanimous agreement from all property owners within the conversion area before FPL will convert its facilities to underground?

Generally, yes due to the following conditions for such conversion:

- **Easements** - All the easements (property use agreements from owners) must be acquired before an underground electrical distribution system can be installed. If FPL can design around an occasional customer who refuses to provide an easement -- without jeopardizing the integrity of its electrical system -- FPL will attempt to do so. In the case of converting to underground, this also means deciding whose property will accept the new pad mounted transformer(s) and fairly large switch cabinet(s) that sit above ground as part of the underground grid.
- **Cost** - It's also necessary for all the requesting parties to determine and agree in advance on the allocation of the conversion costs among those benefiting from the project before FPL can begin construction. Otherwise, subsequent disagreements may slow the conversion effort and drive up costs. Since FPL's tariff requires full payment of the calculated customer contribution amount prior to beginning construction, customers may want to consider other options to offset some of the project costs. These options can include taking responsibility for doing some of the boring and/or trenching and installing the conduit. Regardless of who does the work, the installation must meet FPL standards for safety and reliability, as well as, local electrical and building code requirements.

What are some of the impacts associated with converting an older overhead system to new underground?

Converting from an overhead to an underground system basically means abandoning an existing working electrical system. The logistics of converting an existing system in an established neighborhood can be considerably more expensive and disruptive to personal property and surroundings than building new. For example, utilities often share poles above ground. If the objective is to move utilities underground the phone, cable television and Internet service must also be considered. This presents additional considerations, such as different spacing requirements, boring and/or trenching needs and ground-level switching boxes involved in providing each type of service. Driveways, sidewalks, fences, landscaping, sprinkler systems and yards may need to be torn up or may be inadvertently damaged if not clearly delineated. Entry and exit ways to homes and business could be impacted for extensive periods of time. Because permits are needed to change meter-related equipment, conversions of older homes and neighborhoods may trigger city or county requirements that homeowners/businesses bring interior wiring up to current code. This could require the expense of a licensed electrician and potentially extensive interior rewiring and remodeling. Finally, legal easements are needed from all conversion participants that allow FPL access to its underground equipment, including the above ground components -- and a number of people must agree to have the large green transformer box and pad or other switching boxes in their yards.

Frequently Asked Questions

Community Conversion Costs and Funding

Are there different ways the conversion of a full neighborhood or city might be financed?
Yes. For qualified local governments, the PSC has approved FPL's recently established mechanism to recover the costs associated with converting from overhead to underground by adding a fee to customer bills. Additionally, Chapters 197 and 170 of the Florida Statutes allow municipalities to fund underground conversion costs by levying special assessments imposed on tax bills. Landowners benefiting from the conversion must be identified and the special assessment may be collected directly from the local government imposing the assessment or through annual property tax bills. Another Florida Statute - 125.01(g) - allows counties to establish municipal service benefit units and municipal service taxing units in certain areas. These governmental units may levy service charges, special assessments or taxes within these units to fund underground conversion costs.

What is the Government Adjustment Factor (GAF) and what are the requirements to receive this incentive?

To help with the high cost of overhead-to-underground conversions, FPL has proposed invest 25 percent of the Contribution-In-Aid-of-Construction (CIAC) of converting overhead lines to underground for qualifying local government-sponsored conversions. In June 2007, the proposal received final approval from the Public Service Commission for qualifying local government sponsored conversion projects.

To be eligible for this CIAC incentive, the project must be sponsored by the local government. As such, the project must incorporate a sufficient amount of overhead facilities which includes a minimum of approximately three pole line miles or approximately 200 detached dwelling units within a contiguous and well defined geographic area. The local government must then require all customers within the conversion area to convert their service entrances, such as the service drop and weatherhead, to underground within 6 months of completion of the underground facilities installation. These criteria help ensure that potential underground service benefits are not affected by facilities that are exposed to causes of overhead outages. The local government will be responsible for paying the remaining 75 percent of the CIAC.

How does the FPL undergrounding tariff work?

In 2003, FPL established a PSC-approved rule and process (tariff) for cities that wanted to have the option of converting to underground in designated areas and who needed a mechanism to recover their costs. Under this new tariff, a city could pay to make the conversion and then recover its costs over a designated timeframe by having FPL add an underground fee on the bills of those customers in their jurisdiction who would be benefiting from the conversion. (Fees may not exceed [1] 15 percent of a customer's bill or [2] \$30 for residential and \$50 for every 5,000 kWh commercial.) No such arrangements have as yet been established in our service territory under this new tariff.

What might it cost to convert from overhead to underground service in a community?

The two key drivers contributing to the cost calculations are labor and materials. Depending on these factors, underground facilities can cost anywhere from \$500,000 per mile to more than \$4 million per mile. While these figures have a considerable amount of variability, there is a process in place where FPL generates a "ballpark" estimate to assist in determining the magnitude of the cost a community may be considering.

Frequently Asked Questions

What makes it so much more expensive to do conversions versus new construction, especially considering that the customer pays for most of the peripheral work?

With conversions, FPL's costs are significant. The work includes building a whole new system while operating the existing system. Then, the older system is dismantled once the new one is up and running. The higher costs also reflect the fact that conversions in older neighborhoods – regardless of the type of excavation we use (boring or trenching) – require working near and avoiding other utilities such as phone, cable, sewer, gas lines, water lines, etc. Finally, all new underground components must be acquired and installed, including conduit, cable (wire), pad-mounted transformers and switch cabinets. Typically, dismantling represents about 15 percent of the cost; installing underground components about 65 percent; and actual excavation about 20 percent.

What will it cost to bury the other utilities such as telephone and cable television?
This question will need to be addressed by the other utilities involved in the conversion.

What experience does FPL have assisting any groups with evaluating or actually performing a conversion?

Actually, our experience is limited, as many government entities or neighborhoods have abandoned the idea after fully investigating the impacts. In other cases, voters have determined the disadvantages of conversion outweighed the advantages, and have failed to authorize funding. Some exceptions have involved city-initiated, limited-scope conversions involving primarily a few downtown streets, such as in beach towns in Miami-Dade, Broward, Palm Beach and Sarasota counties.

What are some examples of instances where proposed overhead to underground conversions would not be feasible?

Instances in which private property owners aren't willing to provide the easements that are necessary for FPL to design and engineer the conversion. Also, locations where necessary safety standards and operational clearances cannot be met such as extremely congested areas where switch cabinets cannot be installed with sufficient operating clearances. Areas prone to flooding as excessive flooding can cause transformers to fail, which then cannot be safely restored until flood waters recede.

Construction Requirements

Can the requester have a contractor perform the conversion work?

Yes, that's an option. The tariff requires only that the work be performed to FPL standards and the facilities be maintained and operated by FPL.

If easements are difficult to obtain, why not place underground facilities in the public right-of-way instead of on private property?

Typically, the only underground facilities FPL places in the public right-of-way are those necessary to cross under streets, like cable and conduit. The reason is that, otherwise, every road widening or improvement project could potentially compromise the company's ability to deliver safe, reliable, uninterrupted power. On the other hand, if a local government offered FPL an easement or equivalent (a signed legal agreement) in the public right-of-way, we would consider this alternative only if we could not physically install the cable on private property. Only cable and conduit are allowed in the public rights-of-way in these rare cases. These public right-of-way easements would also need to be legally conveyed and expressly reserved on FPL record drawings. However, it's been our experience that local governments are reluctant to grant such right-of-way easements or easement equivalents. As for other facilities and equipment needed for underground – such as primary splice boxes, transformers and switch cabinets – these components of the underground system would still need private property easements for us to be able to routinely access and maintain the equipment and ensure reliable service.

Frequently Asked Questions

Why must the easements associated with underground facilities be at least 10 feet wide?
Ten feet is our standard easement requirement for "front" distribution neighborhoods to provide: (a) adequate space for the necessary pad-mounted transformer and underground cables; (b) sufficient area for FPL crews to safely work away from roadways; and, (c) enough room for other utilities that might occupy the same easement to install future cable and conduit without interfering with the electric transformers located in the same vicinity. Each pad-mounted switch cabinet requires a 20-foot by 20-foot easement for installation and operation.

Does FPL perform overhead to underground conversions in rear easements?
Front easements are required for new construction and are also typically required for conversions from overhead to underground, as they allow for quicker access to the facilities. Should a power outage occur, facilities in the rear of a property may be inaccessible due to locked gates or dogs. The inability to access transformers and other equipment could delay the restoration of an entire neighborhood. FPL would consider locating easements in the rear of the property if an access road or alley existed that would allow for quick access to the facilities. The 10-foot easement requirement will still apply.

In the case of conversions, what is FPL's preferred method of burrowing underground to lay cable and conduit and why?
Directional boring is generally preferred in conversions to minimize impact to other utilities that are generally buried higher in the ground than electrical conduit and cable. Directional boring, while it may save on site restoration costs, is substantially more expensive work to perform. Open trenching is usually preferable for the paying party because it is the least expensive method available. An advantage of trenching is that other underground utilities may use the same trench, reducing the collective cost of burying all different facilities. This, however, requires significant coordination. A disadvantage of open trenching is the amount of surface restoration required — such as landscaping and sidewalks. Given that the locations of other utilities are not always known, especially in older communities, there is still a risk both trenching and boring may impact other subsurface utilities, such as water and sewer lines, gas lines or drainage lines.

Why must some of the equipment in an underground system remain above ground?
While conduit and cable can be placed underground, which eliminates poles and wires, transformers and switch cabinets need to be at ground level and accessible to FPL crews for timely maintenance, outage repairs, rerouting power and other functions.

Frequently Asked Questions

Requests & Estimates

How long does it take to get a "ballpark" estimate?

Typically, it may take from two to three weeks. This time period may vary depending on several factors such as:

- The complexity of the job
- Geographic size of the area to be converted
- Facilities involved and type of equipment needed
- The electrical load being served, including the population density and number of switch cabinets required
- The current workload of FPL project managers

How does FPL ensure the "ballpark estimates" are consistent throughout the territory?

FPL is establishing a comprehensive, standard plan and process that takes into account the many types of facilities and different population densities across the system. The "ballpark estimate" is simply an order of magnitude (for example - \$5,000 vs. \$500,000) to assist the requestor in determining whether to move forward with a conversion project and seek a binding estimate. Unfortunately, due to innumerable variables, there is no single blanket cost.

Can FPL provide a simple cost or range of cost for conversion from overhead to underground based on dollars per linear foot?

No. There are just too many factors and variables that are unique and distinct to each conversion request.

How long does it take to get a detailed, binding estimate?

Typically it takes approximately 10 to 16 weeks (pending agreement on easement locations) to obtain a binding estimate. However, this timeframe may vary due to the size and complexity of the job, the facilities involved and other factors.

How does FPL ensure the binding estimates are consistent throughout the territory?

All actual "for construction" estimates are valid for a period of 180 days where all material and labor are inventoried in a computer-based estimating system. This is the same system used for construction estimates for all FPL work system-wide. In addition, the PSC rule governing overhead to underground conversions specifies exactly how the charges are to be calculated (see Florida Administrative Code 25-6.115, and FPL's Electric Tariff sheets 6.300 - 6.330, specifically).

Are any credits available for existing facilities that can be salvaged and will they be factored into my estimate?

Some salvage credits may be available. Salvage value is only given for equipment that can be removed from the field and then re-issued for use with no testing or refurbishing required before re-use, such as concrete poles. Typically these credits are not significant [see FPL Electric Tariff sheet 6.300].

LOCAL VOICE

2/26/17

Undergrounding costs distressing

have reached a "boiling point" from reading about the undergrounding fiasco and the Town Council's irresponsibility in proceeding "like a bull in a china shop" with a project that is so flawed and that has been so dishonestly represented to residents.

Here are some salient facts: The bond referendum passed by 62 votes, hardly a resounding endorsement; the \$90 million direct project cost was presented as a definite figure; and \$60 million in interest and ancillary costs were added as the amount necessary to fund completely the proposed project; the Town Council brazenly hired an expensive public relations firm, without competitive bidding, and paid it \$125,000 to drum up support for the referendum (the same firm that previously ran the

political campaigns of Michael Pucillo and Richard Kleid).

Now for some questions: How was the \$90 million figure arrived at? Who prepared it, and who reviewed it? Who tested its assumptions? Why are the Town Council and town manager now scrounging every way possible to keep the \$90 million estimate intact by fobbing off on residents excess costs and re-characterizing other items to protect the \$90 million "fig leaf"? Is this why the revised Comprehensive Plan language given to the Planning & Zoning Commission in September 2016 states that "project cost may exceed the approved referendum amount"? Does "may" mean "might exceed," or does "may" mean "is allowed to spend"? What did the Town Council already know in September that it did not tell the public?

If the \$90 million cost estimate is as flawed as it seems to be, and the actual undergrounding cost, based on new estimates, will be \$15 million to \$20 million greater, two

things should happen. First, anyone on the Town Council who was complicit in accepting and promulgating such a misleading cost estimate should resign immediately because such a level of ineptitude and financial irresponsibility is not what residents deserve or have a right to expect. Second, the undergrounding project should be stopped until precise, reliable and complete cost estimates are formulated, including those costs being shifted away from the previously proposed funding formula, which will result in higher taxes.

When the total cost determination is finalized, a new referendum should be held, based on accurate projections. The costs set forth in relation to the previous referendum were inaccurate, misleading and possibly fraudulent. We the proud residents of Palm Beach deserve better, and it behooves the Town Council to act honorably as a steward of "our" money.

MICHAEL SCHARF
Palm Beach

Michael Scharf is a former member of the Planning and Zoning Commission. He previously lost bids for Town Council seats to Michael Pucillo and Richard Kleid.

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Discussion of Term Limits for Remainder of All Town Boards and Commissions

Presenter

Thomas G. Bradford, Town Manager

ATTACHMENTS:

- ▣ **Memo - Discussion on Term Limits for Boards and Commissions**
- ▣ **Matrix of Board and Committee Terms**

TOWN OF PALM BEACH

Information for Town Council Meeting on May 9, 2017

To: Mayor and Town Council

From: Thomas G Bradford, Town Manager

Re: Discussion on Term Limits for Remainder of all Town Boards and Commissions

Date: May 3, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council discuss the matter of term limits and ascertain whether there are any other boards and commissions you may wish to impose term limits upon.

GENERAL INFORMATION

This item was deferred from the April 13, 2017 Town Council Meeting. Margaret Zeidman, Town Council member, has requested that the Town Council discuss term limits for the remainder of all town boards and commissions for potential consistency, but knowing that there may be good reason for not having term limits for some standing boards and commissions.

The standing boards and commissions of the Town that do not have term limits are the:

- Investment Advisory Committee
- Retirement Board of Trustees
- Public Employees Relations Commission

Attached is a matrix which depicts the three abovementioned boards and commissions, the current members of those bodies and the terms that those members have served.

Attachment

Board or Commission	Member Name (Last, First)	Term Start	Current Term Expiration	Past terms served	Duration of Term	Appointment Requirements
Personnel Employee Relations Commission	Snow, Ray (Chairperson)	Oct. 2015	Oct. 2019	n/a	4 year term	Nomination presented to Town Council by a Blue Ribbon Panel
Personnel Employee Relations Commission	Martin, Robin (Employer Member)	Oct. 2015	Sept. 2016	n/a	4 year term (appointed to fill an unexpired term)	Nomination presented to Town Council by a Blue Ribbon Panel
Personnel Employee Relations Commission	Singer, Donald (Employee Member)	Dec. 2014	Nov. 2018	n/a	4 year term	Nomination presented to Town Council by a Blue Ribbon Panel
Investment Advisory Committee	Andrews, Michael	May 2002	May 2019	8 Terms	2 year term	Must be Town resident and have investment experience
Investment Advisory Committee	Panfel, Bernard	May 2004	May 2018	7 Terms	2 year term	Must be Town resident and have investment experience
Investment Advisory Committee	McClusky, Kevin	May 2011	May 2019	4 Terms	2 year term	Must be Town resident and have investment experience
Investment Advisory Committee	Storkerson, Chris	May 2013	May 2019	3 Terms	2 year term	Must be Town resident and have investment experience
Investment Advisory Committee	Frazier, Andrew	May 2016	May 2018	n/a	2 year term	Must be Town resident and have investment experience
Retirement Board	Amling, Jeffrey	April 2016	March 2019	n/a	3 year term	Town Resident
Retirement Board	Bradford, Thomas (ex-officio)	n/a	n/a	n/a	Serves for duration of employment as Town Manager	Serves ex-officio as Town Manager
Retirement Board	Carter, C. Edward	April 2017	March 2020	n/a	3 year term	Town Resident
Retirement Board	Goldsmith, C. Gerald	2002	March 2020	5 Terms	3 year term	Town Resident
Retirement Board	Kaufman, Bradford	April 2015	March 2019	n/a	3 year term	Town Resident
Retirement Board	Madison, Brett	2001	March 2018	5 terms	3 year term	Employee Elected by the General Employees
Retirement Board	Marx, Michael	2014	March 2020	3 years	3 year term	Employee Elected by the Fire Employees
Retirement Board	Stanton, Daniel	April 2015	March 2018	2 years	3 year term	Town Resident
Retirement Board	Wilkinson, Daniel	2014	March 2019	3 years	3 year term	Employee Elected by the Police Group

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - New Business

Agenda Title

Appointment to the Architectural Commission

Presenter

John S. Page, Director of Planning, Zoning & Building

ATTACHMENTS:

- ▣ **Memorandum dated May 1, 2017 from John S. Page, Director of Planning, Zoning and Building**
- ▣ **Ballot for Appointment of Alternate Member to the Architectural Commission**
- ▣ **ARCOM Roster**
- ▣ **Attendance and Voting Conflict Information for ARCOM**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director of Planning, Zoning & Building

Re: Architectural Commission Appointment

Date: May 1, 2017

STAFF RECOMMENDATION

- Staff recommends that the Town Council appoint an alternate member to the Architectural Commission due to an unfulfilled term following the promotion of Maisie Grace.

GENERAL INFORMATION

- **Kathleen Carbonara** has filed an Application for Service on the Architectural Commission.
- **Katherine Del Deo Catlin** has filed an Application for Service on the Architectural Commission.
- **Eleanor Cleary Woolems** has filed an Application for Service on the Architectural Commission.
- Pursuant to the news release notifying the public of the upcoming vacancy on the Architectural Commission, persons have submitted an Application for Service on the Architectural Commission together with other appropriate qualifying information.
- All applicants are registered voters in the town as required by Section 18-167 (b) Qualifications of Members, Palm Beach Code of Ordinances.

Attachments

JP:kmc

cc: Susan Owens, Town Clerk
Veronica Close, Assistant Director of Planning, Zoning and Building
John Lindgren, Planning Administrator

TO THE ARCHITECTURAL COMMISSION

Town Council Meeting on May 9, 2017

Position to be filled: (1) Alternate Member - Term to expire 3/2019
(Due to unfulfilled term following the promotion of Maisie Grace)

Please circle 1 name from the list of names appearing below

Individuals Who Have Submitted Applications (in alphabetical order)

Kathleen Carbonara

Katherine Del Deo Catlin

Eleanor Cleary Woolems

Signature of Town Council Member: _____

Ballot Form Date 05/09/17



ARCHITECTURAL COMMISSION MEMBERS

<u>NAME AND ADDRESS</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>
Richard Sammons – Chairman ARCHITECT	3/2015 3/2012	3/2018 (Term 2) 3/2015 (Term 1)
Ann Vanneck, Vice Chairman	3/2015 3/2012 3/2011	3/2018 (Term 2) 3/2015 (Term 1) 3/2012 (Term 0*)
	*Fulfilling unexpired member term of Leslie Diver, serving 12 mo., (less than 50% of a term)	
Robert N. Garrison - ARCHITECT	3/2015 7/15/2014	3/2018 (Term 1) 3/2015 (Term 0*)
	*Fulfilling the unexpired term of Zukov, serving less than ½ term	
Alexander C. Ives	3/2016 3/2015 3/2012 3/2011	3/2019 (Term 1) 3/2018 (Term 2 alternate) 3/2015 (Term 1 alternate) 3/2012 (Term 0* alternate)
	*Fulfilling unexpired alternate term of Ann Vanneck, serving 12 mo., (less than 50% of a term)	
Michael B. Small	3/2016 3/2015 3/2013	3/2019 (Term 1) 3/2018 (Term 2 alternate) 3/2015 (Term 1* alternate)
	*Fulfilling unexpired alternate term of Dr. Martin Phillips; serving 2 yrs, (more than 50% of a term)	
Maisie Grace	3/2017 3/2016 7/15/2014	3/2020 (Term 1) 3/2019 (Term 2 alternate) 3/2016 (Term 1* alternate)
	*Fulfilling the unexpired term of Gruss, serving more than ½ term	
Robert J. Vila	3/2017	3/2020 (Term 1)
<u>Alternate Commission Members</u>		
John David Corey (Alternate)	3/2016	3/2019 (Term 1)
Betsy Shiverick (Alternate)	3/2016	3/2019 (Term 1)
VACANT	3/2017	3/2019 (Term 1)*
	*Fulfilling unexpired alternate term of Maisie Grace; serving 2 yrs, (more than 50% of a term)	



**TOWN OF PALM BEACH
ARCHITECTURAL REVIEW COMMISSION
ATTENDANCE RECORD 2017**

<u>MEMBERS</u>	1/25/2017	2/22/2017	3/22/2017	4/26/2017	5/24/2017	6/28/2017	7/26/2017	8/23/2017	9/27/2017	10/25/2017	11/29/2017	12/15/2017
Richard Sammons	P	P	P									
Ann Vanneck	P	P	P									
Peter Knowles	P	P	P									
Martin D. Gruss	P	P	P									
Robert N. Garrison	P	P	P									
Alexander C. Ives	P	P	P									
Michael B. Small	P	P	P									
Alicia "Maisie" Grace	**	**	P									
Robert J. Vila	&	&	P									

ALTERNATE MEMBERS

Alicia "Maisie" Grace	P	P	**	**	**	**	**	**	**	**	**	**
John David Corey	P	P	P									
Betsy Shiverick	P	P	P									

- LEGEND** P=PRESENT
 E=EXCUSED
 U=UNEXCUSED
 A=ABSENT PENDING CLASSIFICATION AS "EXCUSED" OR "UNEXCUSED"
 X=COMMISSION DID NOT MEET
 #=TERM EXPIRED
 **PROMOTED TO REGULAR MEMBER & APPOINTED ON 3/14/17

ARCHITECTURAL REVIEW COMMISSION

ATTENDANCE RECORD 2016

MEMBERS

Robert Vila	P	1/27/2016	2/24/2016	3/23/2016	4/27/2016	5/25/2016	6/22/2016	7/27/2016	8/24/2016	9/28/2016	10/26/2016	11/30/2016	12/28/2016
Kenn Karakul	P	P	P	#	#	#	#	#	#	#	#	#	#
Richard Sammons	P	P	P	#	#	#	#	#	#	#	#	#	#
Ann Vanneck	P	P	P	P	P	P	P	P	P	P	P	P	P
Peter Knowles	P	P	P	U	P	P	P	P	P	P	P	P	P
Martin D. Gruss	P	P	P	P	P	P	U	P	P	P	P	P	U
Robert N. Garrison	P	P	P	P	P	P	P	U	P	P	U	P	P
Alexander C. Ives	*	*	*	E	P	P	P	P	P	P	P	P	P
Michael B. Small	*	*	*	P	P	P	P	P	P	P	P	P	P

ALTERNATE MEMBERS

Alexander C. Ives	P	**	**	**	**	**	**	**	**	**	**	**	**
Michael B. Small	P	P	**	**	**	**	**	**	**	**	**	**	**
Alicia "Maisie" Grace	P	P	P	P	P	P	P	P	E	P	P	P	P
John David Corey	*	*	*	P	P	P	P	P	P	P	P	P	P
Betsy Shiverick	*	*	*	P	P	P	P	P	P	P	P	P	U

LEGEND P=PRESENT

E=EXCUSED

U=UNEXCUSED

A=ABSENT PENDING CLASSIFICATION AS "EXCUSED" OR "UNEXCUSED"

X=COMMISSION DID NOT MEET

#=TERM EXPIRED

**PROMOTED TO REGULAR MEMBER

*ELECTED TO COMMISSION 3/16

ARCOM ATTENDANCE RECORD 2015

	1/15	2/15	3/15	4/15	5/15	6/15	7/15	8/15	9/15	10/15	11/15	12/15
<u>MEMBERS</u>												
ROBERT VILA	_P__	_P__	_P__	_P__	_P__	_U__	_P__	_P__	_U__	_P__	_P__	_P__
KENN KARAKUL	_U__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_U__	_P__	_P__	_P__
ANN VANNECK	_P__	_P__	_P__	_P__	_P__	_E__	_P__	_P__	_P__	_P__	_P__	_P__
PETER I.C. KNOWLES	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_E__	_P__	_P__
RICHARD SAMMONS	_P__	_P__	_P__	_U__	_P__	_P__	_E__	_U__	_P__	_P__	_P__	_P__
MARTIN D. GRUSS	_P__	_P__	_P__	_U__	_P__	_U__	_P__	_P__	_P__	_P__	_P__	_P__
ROBERT N. GARRISON	_P__	_P__	_P__	_P__	_P__	_U__	_P__	_P__	_P__	_U__	_P__	_P__
												P
<u>ALTERNATE MEMBER</u>												
ALEXANDER C. IVES	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__
MICHAEL B. SMALL	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__	_P__
ALICIA "MAISIE" GRACE	_P__	_P__	_P__	_P__	_P__	_U__	_P__	_P__	_P__	_P__	_P__	_U__

LEGEND: P= present
 E=excused absence
 U=un excused absence
 A=absence pending classification as excused or un excused

ARCOM ATTENDANCE RECORD 2014

MEMBERS

	1/14	2/14	3/14	4/14	5/14	6/14	7/14	8/14	9/14	10/14	11/14	12/14
ROBERT VILA	P_	P_	P_	P_	P_	A_	P_	P_	P_	P_	U_	P_
KENN KARAKUL	P_	U_	P_	P_	P_	P_	P_	P_	P_	P_	P_	P_
NIKITA ZUKOV	P_	E_	P_	P_	resigned							
ANN VANNECK	P_	P_	P_	P_	P_	P_	P_	P_	P_	P_	P_	P_
HENRY HOMES III	P_	P_	P_	P_	resigned							
PETER I.C. KNOWLES	P_	P_	P_	P_	P_	P_	P_	P_	P_	P_	P_	P_
RICHARD SAMMONS	P_	P_	P_	U_	P_	P_	E_	P_	U_	P_	P_	P_
MARTIN D. GRUSS							P_	P_	U_	P_	P_	P_
ROBERT N. GARRISON							U_	P_	P_	P_	P_	P_

ALTERNATE MEMBER

MARTIN D. GRUSS	P_	P_	P_	P_	P_	P_	(promoted to regular member)					
ALEXANDER C. IVES	P_	P_	P_	P_	P_	P_	P_	P_	P_	P_	U_	U_
MICHAEL B. SMALL	P_	E_	P_	P_	P_	P_	P_	P_	U_	P_	P_	P_
ALICIA "MAISIE" GRACE							P_	P_	P_	P_	U_	P_

4LEGEND: P= present
 67 E=excused absence
 U=un excused absence
 A=absence pending classification as excused or un excused



TOWN OF PALM BEACH ARCHITECTURAL REVIEW COMMISSION

VOTING CONFLICTS 2017

MEMBERS

Richard Sammons
Ann Vanneck
Peter Knowles
Martin D. Gruss
Robert N. Garrison
Alexander C. Ives
Michael B. Small

12/15/2017	
11/29/2017	
10/25/2017	
9/27/2017	
8/23/2017	
7/26/2017	
6/28/2017	
5/24/2017	
4/26/2017	
3/22/2017	
2/22/2017	VPD
1/25/2017	V VPD

ALTERNATE MEMBERS

Alicia "Maisie" Grace
John David Corey
Betsy Shiverick

LEGEND V=One voting conflict during a meeting
V2=two voting conflicts during a meeting
VPD=voting conflict previously declared

VPD to be used when a conflict has been declared at a previous meeting for an ongoing project. The originally declared conflict will be counted only for ongoing projects, per JCR.

Excessive conflicts of interest are defined as five or more conflicts of interest in any one calendar year.

* Elected to Commission 3/9

** Promoted to regular member

1/27/2016
2/24/2016
3/23/2016
4/27/2016
5/25/2016
6/22/2016
7/27/2016
8/24/2016
9/28/2016
10/26/2016
11/23/2016
12/28/2016

<u>MEMBERS</u>	
Robert Vila	
Kenn Karakul	
Richard Sammons	
Ann Vanneck	
	1/27/2016
	2/24/2016
Δ	Δ # # 3/23/2016
	# # 4/27/2016
	# # 5/25/2016
	# # 6/22/2016
	# # 7/27/2016
	# # 8/24/2016
V2	# # 9/28/2016
Δ	# # 10/26/2016
	# # 11/23/2016
	# # 12/28/2016

[illegible]

469

ARCOM VOTING CONFLICTS 2015

	1/15	2/15	3/15	4/15	5/15	6/15	7/15	8/15	9/15	10/15	11/15	12/15
<u>MEMBERS</u>												
ROBERT VILA	—	—	—	—	—	—	—	—	—	—	—	—
KENN KARAKUL	—	—	—	—	—	—	—	VPD	—	—	—	—
ANN VANNECK	—	—	—	—	—	—	—	—	—	—	—	—
PETER I.C. KNOWLES	—	—	—	—	—	—	—	—	—	—	—	—
RICHARD SAMMONS	—	V _	VPD	—	V _	VPD	—	—	V _	—	—	—
MARTIN D. GRUSS	—	—	—	—	V _	—	—	—	—	—	—	—
ROBERT N. GARRISON	—	—	—	—	—	—	—	—	—	—	—	—
<u>ALTERNATE MEMBER</u>												
ALEXANDER C. IVES	—	—	—	—	—	—	—	—	V _	—	—	—
MICHAEL B. SMALL	—	—	—	—	—	—	—	—	—	—	—	—
ALICIA “MAISIE” GRACE	—	—	—	—	—	—	—	—	—	—	—	—

LEGEND: V = one voting conflict during a meeting
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The originally declared conflict will be counted only for ongoing projects, per JCR
Excessive conflicts of interest are defined as ~~three~~ five (revised 2013) or more conflicts of interest in any one calendar year

ARCOM VOTING CONFLICTS 2014

MEMBERS

	1/14	2/14	3/14	4/14	5/14	6/14	7/14	8/14	9/14	10/14	11/14	12/14
ROBERT VILA	V _	—	—	—	—	—	—	—	—	—	—	—
KENN KARAKUL	—	—	—	—	—	—	V _	—	—	—	—	—
NIKITA ZUKOV	—	—	—	—	—	_resigned	—	—	—	—	—	—
ANN VANNECK	—	—	—	—	—	—	—	—	—	—	—	—
HENRY HOMES III	—	—	—	—	—	_resigned	—	—	—	—	—	—
PETER I.C. KNOWLES	—	—	—	—	—	—	—	—	—	—	—	—
RICHARD SAMMONS	—	—	—	VPD	—	—	—	—	—	—	—	—
MARTIN D. GRUSS	—	—	—	—	—	—	—	—	—	—	—	—
ROBERT N. GARRISON	—	—	—	—	—	—	—	—	—	—	—	—
<u>ALTERNATE MEMBER</u>												
MARTIN D. GRUSS	—	—	—	—	—	—	—	—	(promoted to regular member)			
ALEXANDER C. IVES	—	—	—	—	—	—	—	—	—	—	—	—
MICHAEL B. SMALL	—	—	—	—	—	—	—	—	—	—	—	—
ALICIA "MAISIE" GRACE	—	—	—	—	—	—	—	—	—	—	—	—

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TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - New Business

Agenda Title

Appointment of Shore Protection Board Alternates

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 26, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Ballots for Appointment of Members**
- ▣ **Roster- Shore Protection Board**
- ▣ **Attendance Record - Shore Protection Board**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Appointment of Shore Protection Board Alternates

DATE: April 26, 2017

STAFF RECOMMENDATION

Town staff recommends that the Town Council appoint three (3) alternate members to the Shore Protection Board (SPB).

GENERAL INFORMATION

On January 10, 2017 and February 14, 2017, respectively, Town Council unanimously voted to approve the first and second readings of Ordinance No. 06-2017, which created term limits and provided for the appointment of three (3) alternate members for the SPB. On March 9, 2017, the Town announced alternate member availabilities and requested applications to be submitted no later than 5:00pm on Friday, April 28, 2017. To date, the following submittals (listed alphabetically) have been received:

Mr. Warren Belmar, of 130 Sunrise Avenue, has submitted written verification of his interest to serve as an alternate on the Shore Protection Board. Mr. Belmar has indicated that he will be available for all meetings.

Ms. Melissa Ceriale, of 230 South Ocean Blvd., has submitted written verification of her interest to serve as an alternate on the Shore Protection Board. Ms. Ceriale has indicated that she will be available for all meetings.

Mr. Stephen Jacoby, of 2275 South Ocean Blvd., has submitted written verification of his interest to serve as an alternate on the Shore Protection Board. Mr. Jacoby has indicated that he will be available for all meetings.

Mr. Harvey Kinzelberg, of 260 North Ocean Blvd., has submitted written verification of his interest to serve as an alternate on the Shore Protection Board. Mr. Kinzelberg has indicated that he will be available for all meetings, except for meetings held in July, August, or September. The SPB has typically not held meetings been between the months of June and September.

Attachments

cc: Shore Protection Board Members
Robert Weber, Coastal Program Manager

**BALLOT FOR APPOINTMENT OF MEMBERS
TO THE SHORE PROTECTION BOARD
Town Council Meeting on May 9, 2017**

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

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

Applications Received Applying for Alternate Member

Mr. Warren Belmar (Has not served on SPB)

Ms. Melissa Ceriale (Has not served on SPB)

Mr. Stephen Jacoby (Has not served on SPB)

Mr. Harvey Kinzelberg (Has not served on SPB)

Signature of Town Council Member:

Richard M. Kleid, Town Council President

**BALLOT FOR APPOINTMENT OF MEMBERS
TO THE SHORE PROTECTION BOARD
Town Council Meeting on May 9, 2017**

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

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

Applications Received Applying for Alternate Member

Mr. Warren Belmar (Has not served on SPB)

Ms. Melissa Ceriale (Has not served on SPB)

Mr. Stephen Jacoby (Has not served on SPB)

Mr. Harvey Kinzelberg (Has not served on SPB)

Signature of Town Council Member:

Danielle H. Moore, Council President Pro Tem

**BALLOT FOR APPOINTMENT OF MEMBERS
TO THE SHORE PROTECTION BOARD
Town Council Meeting on May 9, 2017**

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

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

Applications Received Applying for Alternate Member

Mr. Warren Belmar (Has not served on SPB)

Ms. Melissa Ceriale (Has not served on SPB)

Mr. Stephen Jacoby (Has not served on SPB)

Mr. Harvey Kinzelberg (Has not served on SPB)

Signature of Town Council Member:

Julie Araskog, Town Council Member

**BALLOT FOR APPOINTMENT OF MEMBERS
TO THE SHORE PROTECTION BOARD
Town Council Meeting on May 9, 2017**

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

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

Applications Received Applying for Alternate Member

Mr. Warren Belmar (Has not served on SPB)

Ms. Melissa Ceriale (Has not served on SPB)

Mr. Stephen Jacoby (Has not served on SPB)

Mr. Harvey Kinzelberg (Has not served on SPB)

Signature of Town Council Member:

Bobbie Lindsay, Town Council Member

**BALLOT FOR APPOINTMENT OF MEMBERS
TO THE SHORE PROTECTION BOARD
Town Council Meeting on May 9, 2017**

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

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

Applications Received Applying for Alternate Member

Mr. Warren Belmar (Has not served on SPB)

Ms. Melissa Ceriale (Has not served on SPB)

Mr. Stephen Jacoby (Has not served on SPB)

Mr. Harvey Kinzelberg (Has not served on SPB)

Signature of Town Council Member:

Margaret A. Zeidman, Town Council Member

SHORE PROTECTION BOARD MEMBERS

Updated 12/19/2016
(appointed for 3 year terms)

	<u>Appointed</u>	<u>Term Expires</u>
E. Llwyd Ecclestone, Jr., Chair	12/2008 12/2011 12/2014	12/2017 (third full term)
Gerald Frank, Vice Chair	12/2008 12/2010 12/2013 12/2016	12/2019 (third full term) FINAL TERM*
Kane K. Baker	12/2009 12/2012 12/2015	12/2018 (second full term)
James Gavigan	12/2015	12/2018 (first full term)
Lee David Goldstein	12/2008 12/2010 12/2013 12/2016	12/2019 (third full term) FINAL TERM*
Reuben B. Johnson III	09/2015 12/2015	12/2018 (first full term)
Lewis Katz	12/2008 12/2011 12/2014	12/2017 (third full term)

*Town Council decided in favor of imposing term limits at their December 13, 2016 meeting. Term limits will be imposed following adoption of a new ordinance language in early 2017. Mr. Frank and Mr. Goldstein will not be eligible to seek reappointment in December 2019 when their current term expires. All other current members are eligible to seek reappointment for one final 3-term term once their current term expires.

Mailing and Email Addresses, Phone Numbers

E. Llwyd Ecclestone, Jr., Chair
1555 Palm Beach Lakes Blvd., #1100
West Palm Beach, FL 33401
ele@ecclestone.com
Office: 561-686-2000
Cell (1) 561-379-3800
Cell (2) 561-310-0001

Gerald Frank, Vice Chair
2784 S. Ocean Blvd.
Palm Beach, FL 33480
jerjunf@yahoo.com
Home: 561-588-8021
Cell: 609-972-6682

Kane K. Baker
1246 N. Lake Way
Palm Beach, FL 33480
kanemary@comcast.net
Home: 561-881-7101
Cell: 561-644-0002

James C. Gavigan
1510 N. Ocean Blvd.
Palm Beach, FL 33480
jcg@gavigan-law.com
Home: 561-842-4153
Work: 561-659-4973

Lee David Goldstein
3120 S. Ocean Blvd., Apt. 1-103
Palm Beach, FL 33480
ldgpga@gmail.com
Home: 561-586-9500
Cell: 561-308-7168

Reuben B. Johnson, III
990 Adam Road
Palm Beach, FL 33480
johnsonwatkins@aol.com
Cell: 561-882-0126

Lewis Katz
2275 S. Ocean Blvd., #308N
Palm Beach, FL 33480
lewiskatz@bellsouth.net
Home: 561-351-3120

**TOWN OF PALM BEACH
SHORE PROTECTION BOARD
ATTENDANCE RECORD 2016**

MEMBERS	1/21/2016	2/25/2016	4/14/2016	10/27/2016	11/21/2016
----------------	------------------	------------------	------------------	-------------------	-------------------

Ecclestone	P	P	P	P	P
Frank	P	P	P	P	P
Katz	P	P	P	P	P
Johnson	P	P	P	P	P
Goldstein	P	P	P	P	P
Gavigan	P	P	P	P	P
Baker	P	P	P	P	P

Legend:

S=Special Meeting, P=Present, E-Excused, U=Unexcused,

A=Absence pending classification as excused or unexcused

Allowed 2 unexcused absences per calendar year

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - New Business

Agenda Title

Appointment to Underground Utilities Task Force

Presenter

Thomas G. Bradford, Town Manager

ATTACHMENTS:

- ▣ **Memorandum from Thomas Bradford, Town Manager, dated April 28, 2017**
- ▣ **Ballot**
- ▣ **Letter of Interest from Karen Butler**
- ▣ **Letter of Interest from Harris Fried**
- ▣ **Letter of Interest from Lewis Katz**
- ▣ **Letter of Interest from Nicki McDonald**
- ▣ **Letter of Interest from Howard Murray**
- ▣ **Letter of Interest from Allen Wyett**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

From: Thomas G. Bradford, Town Manager

Re: Appointment to Underground Utilities Task Force

Date: April 28, 2017

STAFF RECOMMENDATION

Staff recommends the Town Council appoint one Underground Utilities Task Force Member to fill the seat vacated by Wilbur Ross.

GENERAL INFORMATION

The Underground Utilities Task Force consists of eight members appointed by the Town Council. The term of office is indefinite. The Task Force is charged with the investigation and review of the undergrounding of utilities throughout the Town. Members of the Task Force shall possess a knowledge of or expertise in the area of undergrounding utilities. The following residents have submitted letters of interest indicating that they are seeking appointment to serve on the UUTF:

- 1.) Karen Butler
- 2.) Harris Fried
- 3.) Lewis Katz
- 4.) Nicki McDonald
- 5.) Howard Murray
- 6.) Allen Wyett

Attachments

TGB:cek

**BALLOT FOR APPOINTMENT OF MEMBER
TO THE UNDERGROUND UTILITIES TASK FORCE
Town Council Meeting on May 9, 2017**

Position to be filled: 1 Regular Member

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

Residents who have submitted letters of interest

Karen Butler

Harris Fried

Lewis Katz

Nicki McDonald

Howard Murray

Allen Wyett

Signature of Town Council Member: _____

Karen S. Butler
389 South Lake Drive
Palm Beach, FL 33480
T 561-507-5509
buttermj@aol.com

Ms. Susan A. Owens
Town Clerk
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

April 25, 2017

RE: Underground Utilities Task Force

Dear Ms. Owens:

This letter is an expression of interest in serving on the Underground Utilities Task Force Board (UUTF) the composition of which the Town Council will consider at its meeting on May 9, 2017. By way of introduction I am a resident of Palm Beach with a life-long interest in city planning, architecture and engineering, real estate development and finance. I have spent my career in real estate development, including economic development and finance in both the public and private sectors. This experience includes working on the redevelopment of Times Square as a public official and redevelopment of a 1,000 acre former military base near Chicago as a new community with four miles of main stem infrastructure, new homes, offices, a town center and retail centers, two golf courses and a recreational/storm detention lake, all of which totaled about 5 million square feet and preserved 400 acres of open space. My experience also included expansion and redevelopment of regional shopping malls in the Western U.S. for a REIT in Chicago and financing of all of these projects, plus working as a banker in construction lending with BNY Mellon and Chemical Bank, in New York.

My interest in serving on the UUTF stems from a desire to make a contribution to the Town of Palm Beach which I have visited since childhood with my parents, also residents, and where I

now reside full-time. The Utilities Undergrounding Project is complex and will require collaboration between the Town of Palm Beach, government agencies, utility companies, town residents and stakeholders. With my background in developing and financing real estate projects which involved significant infrastructure, similar to Palm Beach's proposed \$100 million infrastructure undergrounding project, I feel I have much to offer the UUTF. My hope is to offer ideas and advice for creative project solutions as a UUTF member for the Undergrounding Project which is complex and critical to our town. It would be an honor for me to be part of this distinguished Task Force in helping the Town of Palm Beach bring the Undergrounding Project to fruition.

Sincerely,

A handwritten signature in blue ink, reading "Gary Butler". The signature is fluid and cursive, with the first name "Gary" and last name "Butler" clearly distinguishable.

BIOGRAPHY

Karen S. Butler

President

Great Harbor Advisors



Current Responsibilities

Karen Butler, President of Great Harbor Advisors in Palm Beach, FL, focuses on business development and service delivery for the firm's clients. Ms. Butler is a real estate developer and financier who has closed more than \$5 billion in real estate transactions during her career. She has led teams on large and mid-sized development and redevelopment projects, bank group loan restructurings, TIF (Tax Increment Finance) transactions, and project financings for both public and private sector clients.

Experience

Karen has extensive experience in the acquisition, financing, and development of real estate, particularly in managing complex credits, lending, workouts, liquidations, underwriting, and project management. She served most recently as Managing Director at Jones Lang LaSalle. A former banker (Chemical and Bank of New York), public official (Times Square Redevelopment Corporation, a subsidiary of the NY State Urban Development Corporation) and real estate developer (General Growth Properties and Mesirow Stein Real Estate in Chicago), Karen has financed all property types and restructured companies in or near bankruptcy. She has also served as a project manager for the \$2 billion redevelopment of Times Square totaling 7 million square feet, team leader for regional shopping mall redevelopments on both the east and west coasts and as development advisor for the \$1 billion redevelopment of the former Glenview Naval Air Station, (The Glen in Glenview, IL), an award winning New Community totaling 5 million square feet on Chicago's North Shore.

Education and Affiliations

Karen's professional affiliations include the Urban Land Institute (ULI), American Bankers Association, International Council of Shopping Centers (ICSC), Real Estate Board of New York, Metropolitan Planning Council of Chicago, and the Association for a Better New York. She is a frequent guest lecturer in venues such as the Office of the Secretary of Defense, the Association of Defense Communities (formerly NAID and now ADC), ULI, ICSC and several university business schools. She graduated from Smith College with a Bachelor of Arts degree.

Great Harbor Advisors
389 South Lake Drive
Palm Beach, FL 33480

P: 561.507.5509
C: 312.560.8710

KAREN S. BUTLER
389 South Lake Drive
Palm Beach, FL 33480
Home: (561) 507-5509
Cell: (312) 560-8710
buttermj@aol.com

SUMMARY

Real estate and finance executive with international Fortune 500 and domestic companies with high level accountability for business development, real estate development, service delivery, and profitability. Extensive experience in the acquisition, financing, development and sale of commercial and residential real estate. Demonstrated ability to develop strategies for and manage diversified portfolios of properties and loans, plus land development and commercial multi-million dollar redevelopment projects (Times Square New York-\$2 billion; Glenview Naval Station-\$1 billion.) Background also includes managing complex credits, lending, workouts, liquidations, underwriting, and project management.

PROFESSIONAL EXPERIENCE

GREAT HARBOR ADVISORS LLC, CHICAGO, IL AND PALM BEACH, FL

2011 to Present

Managing Member

Formed this consulting firm to advise private and public sector clients on their real estate in the Midwest and domestically. Advise clients on real estate finance, asset management and development, asset repositioning, acquisitions, dispositions, joint-venture structuring, loan restructurings, tax increment finance and creation of strategies for assets and portfolios. Assignments include mixed-use properties, residential, retail and land assets.

JONES LANG LASALLE (JLL), CHICAGO, IL

2009 - 2010

Managing Director

Responsible for business development and execution in the Public Institutions Group of JLL, to expand advisory assignments in the Midwest Region and domestically.

- Developed a pipeline of potential advisory assignments with fees in excess of \$3 MM.
- Advised the FDIC on the sale of a \$300 mm land portfolio in 15 states, with approximately 200 assets.
- Expanded the Public Institutions Group's network of contacts in the Midwest Region and domestically plus advised senior management on strategies for growth of new business development in the State and Local Markets.
- Executed an advisory assignment for the Metropolitan Pier and Exposition Authority (MPEA) of Chicago, including leasing and repositioning of its retail space at Navy Pier.
- Conducted study of mixed use redevelopment and financing options for the landmark 500 MSF Chicago Union Station owned by AMTRAK including the Great Hall and Head House.
- Mentored and trained Analysts, Associates and Vice Presidents in development and execution of advisory assignments.

GENERAL GROWTH PROPERTIES (GGP), CHICAGO, IL

2002 - 2008

Senior Director Development and Finance

Senior Director Development

Joined the Western Region Development Group of GGP, a REIT based in Chicago responsible for a portfolio of 2-13 regional malls. Managed multi-disciplinary teams for each project, including redevelopments and the Public Finance Program.

- Redeveloped Clackamas Town Center, Portland Oregon, adding 250 net MSF in three open-air villages, renovating the mall interior and bringing Light Rail (Tri-Met, Portland) to this 1.3mm s.f. regional mall.

- Executed \$144 mm Clackamas project with Tax Increment Finance proceeds (TIF) representing 19% of total project cost.
- Redeveloped 1.1MM s.f. Galleria at Tyler Mall, Riverside, CA with TIF proceeds (23% of \$91mm total project cost), expanding mall with a 135 MSF entertainment center and elevating an existing parking deck.
- Both Clackamas and Tyler TIF transactions were structured similar to construction loans, with Clackamas County, OR funding of \$27MM cash and Riverside, CA funding of \$21MM AAA-rated revenue bonds.
- Leased two theater complexes (AMC and Century) totaling 165 MSF.
- Launched and responsible for GGP's Public Finance Program nationally, a \$500MM - \$1B capital-raising program for development projects and green operating improvements.

MESIROW FINANCIAL (MF), CHICAGO, IL

1995 - 2002

Managing Director, Senior Vice President, Vice President – Mesirow Stein Real Estate, Inc.

Joined MF to lead a team of twelve private and public sector professionals as Development Advisor to the Village of Glenview, IL in redeveloping Glenview Naval Air Station (GNAS) a \$1B, 1,100-acre new community.

Created and implemented a land development company for redeveloping GNAS. Selected private sector staff, established corporate governance and all policies and procedures to manage a multi-disciplinary team to acquire and develop this 1,100-acre site, located 18 miles north of Chicago.

- Acquired the land from the U.S. government at no cost. Led the creation of a master plan designed by Skidmore, Owings and Merrill with input from private developers, community groups and private citizens. Pre-marketed the property to local and national developers and REITS.
- Developed proformas and financial reporting procedures and established a Tax Increment Finance District to finance \$150MM of infrastructure improvements, plus other costs totaling \$450MM.
- Produced a Request for Proposals package inviting private developers to bid. Received 57 bids on 700 developable acres, with multiple bids on each of 21 mixed-use parcels in July 1998.
- Established a Transaction Policy Committee consisting of Village and MF officials to review and approve all transactions pre-qualified purchasers.
- Negotiated and closed the sale on 95% of all parcels. Pre-qualified all purchasers by analyzing their financial capability, designs for GNAS, development expertise and experience.
- Created substantial value that generated approximately \$200MM in land sales, \$500MM in new property taxes over 20 years and \$1B of private investment in this new community including 1,500 dwelling units, 2MM square feet of commercial and retail space and an 18-hole championship golf course. The project also generated 6,000 new jobs.

Additionally, cross-sold investment banking and insurance services on behalf of MF and procured other real estate assignments. Responsible for financing and sale of properties owned, developed or acquired by MF.

CHEMICAL BANKING CORPORATION (CBC), NEW YORK, NY

1989 – 1995

Vice President – Real Estate Finance Group and Banking and Corporate Finance Group

Transferred to Chemical Securities, Inc. Chicago from New York in July 1994 with responsibility for portfolio management of \$750MM in corporate loans. Activities in Chemical Real Estate Finance Group (New York) included:

- Managing complex credits that resulted in \$250MM reduced loan loss exposure (cash recoveries).
- Developing strategic workout plans for \$1B in commercial real estate loans.
- Implementing directly or with bank creditor groups recapitalization or liquidation programs.
- Liquidation of assets in CB.REEF, a direct investment managed pension fund of CBC. Completed final distribution of proceeds to investors.
- Restructured debt of Olympia & York USA, Canada and Canary Wharf (London); Rockefeller Center Properties, Inc. (a REIT); Gracie Square Hospital; Rowe Development Co., B.F. Saul REIT and Saul Centers, Inc. REIT.
- Evaluated acquisition of CBC headquarters building at 277 Park Avenue and alternatives.

- Trained and developed credit analysts, A.V.P.'s and V.P.'s.

THE BANK OF NEW YORK (BNY), NEW YORK, NY

1984 – 1988

Vice President, Assistant Vice President and Assistant Treasurer

Served as a team leader for Tri-State Region in the Real Estate Lending Division. Underwrote and managed a \$1B mortgage portfolio of commercial, multi-family and mixed-use properties. Responsibilities also included:

- Loan syndications of \$500MM.
- Loan restructurings totaling \$300MM.
- Completed BNY credit training program while maintaining line responsibilities.

NEW YORK STATE URBAN DEVELOPMENT CORPORATION (UDC), NEW YORK, NY

1979 - 1984

Project Manager, Assistant Vice President, Assistant Public Information Officer

Project manager of \$2B Times Square Redevelopment Corp. (UDC Subsidiary). Assisted in structuring the Request for Proposals for development of 13-acre site around Times Square to contain 7MM square feet of mixed-use development. Created redevelopment plan, tax-based financing structure and land condemnation/tenant relocation program for 80 parcels. Conducted land transfer via ground-lease bid process, analyzed and negotiated bids. Managerial responsibility included supervision of an intradepartmental team as first deputy to the President and Chief Executive Officer.

GOVERNOR HUGH CAREY RE-ELECTION COMMITTEE, NEW YORK, NY

1978 – 1979

Co-Director Communications

EDUCATION

Bachelor of Arts, Smith College, Northampton, MA

BUSINESS AFFILIATIONS

- Urban Land Institute (ULI)
- International Council of Shopping Centers (ICSC)
- Metropolitan Planning Council, Chicago

AWARDS

- ULI - Top 10 Projects in the Americas, 2007, The Glen, Glenview, IL
- ICSC - Best Mall Expansion, 2008, Clackamas Town Center, Happy Valley, OR

PROFESSIONAL DEVELOPMENT & LICENSES

Licensed Real Estate Salesperson, IL 1997 – 2005
General Securities Registered Representative (Series 7) 1994 – 2005
Uniform Securities Agent (Series 63) 1994 – 2005

GUEST LECTURER

Kellogg Business School, Northwestern University
University of Chicago Graham School
DePaul University Business School
Office of Secretary of Defense
International Economic Development Council

RECEIVED

2017 APR 25 PM12:27 TWN CLERK

H. Sheldon Fried
212 Oleander Ave.
#4
Palm Beach, Fl. 33480
(561) 596 4559
harris.fried@gmail.com

The Hon. Susan A. Owens
Clerk, Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Ref: Application for a Seat on the Utilities Undergrounding Task Force ("Task Force")

Dear Ms. Owens,

I am pleased to submit my application for a seat on the Task Force.

I have been a resident of the Town of Palm Beach for the past 15 years. During that time I have served on the Code Enforcement Board, serving as Chairman for 3 years. I am presently on the Board of several other organizations in town such as the Fellowship of Christians and Jews, The Palm Beach Synagogue and have previously served on the Advisory Board of a community bank.

I am a lawyer/banker by profession and have lived and worked for extended periods of time in NYC, London and Singapore. I have a very solid grounding in the legal issues as well as the financial issues which regularly arise on the Task Force. I also have worked on very complex infrastructure projects which in many respects are relevant to the work being done on undergrounding.

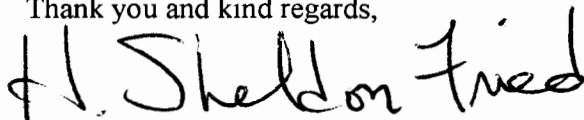
I was educated at the University of Florida, The Law School at Emory University, The School of International Affairs at Columbia University and Harvard University.

I am presently the CEO of The Fried Family Office LLC, Chairman of Citadel Missile Systems Inc. and a co-founder of Citadel Analytics a research institute located in London, England.

I have attended every meeting of the Task Force for the past year and a half and believe I am conversant in the many issues that the Task Force is facing especially issues related to financing as well as the legal issues which will directly impact the implementation of the undergrounding plan. I believe given my background and involvement in this endeavor over the past many months would make me well qualified to serve.

I have no conflicts of interest and sincerely believe I could make a valuable contribution to the work of the Task Force and the implementation of this very important project.

Thank you and kind regards,


H. Sheldon Fried

TM Assistant

From: Regina Kamak
Sent: Friday, April 28, 2017 4:30 PM
To: TM Assistant
Subject: FW: Application for The Underground Utilities Task Force- Katz

Importance: High

Antonette-
UUTF letter of interest for routing & scanning.
Thank you!

From: Lewis Katz [mailto:lewiskatz@gmail.com]
Sent: Friday, April 28, 2017 3:58 PM
To: Town Clerks Staff <TownClerk@townofpalmbeach.com>
Subject: Application for The Underground Utilities Task Force

I am applying for the Underground Utility Task Force Open Position. I hold a Master of Science in Engineering and I have work experience in the Electric Power Generation field. At the beginning of my career worked as an engineer for 8 years and was involved in the design of fossil and nuclear power plants with Westinghouse Electric Corporation in Pittsburgh, Pennsylvania and with Gibbs & Hill, Inc. in New York. After acquiring my MBA from New York University in 1978, I joined American Express Company in New York City at the Worldwide Corporate Headquarters and then was relocated to Coral Gables, at the Regional AMEX Headquarters for Latin America. I held increasingly responsible positions such as Vice President of Finance and Planning, Vice President of Corporate Strategic Planning and Vice President of Business Development. Currently, I am a member of the Shore Protection Board.

Lewis Katz
2275 South Ocean Blvd. #308N
Palm Beach, FL. 33480

Regina Kamak

From: Nicki McDonald <nickimcd@msn.com>
Sent: Thursday, April 27, 2017 4:24 PM
To: Town Clerks Staff
Subject: Letter of Interest - UUTF Board Member Opening
Attachments: UUTF Open Seat.docx

To the Town Clerk of Palm Beach,

Attached is my letter of interest for the open seat on the Underground Utilities Task Force. I would appreciate a confirmation of receipt.

Thank you,

Nicki McDonald
#917-880-4030

DOM:
UUTF: 5/9/17
RECEIVED

2017 APR 27 PM 4:31 TOWN CLERK

Members of the Town Council
Members of the Underground Utility Task Force
Town Clerk of Palm Beach
360 South County Road
Palm Beach, FL 33480

4/26/17

Letter of Interest for The Underground Utilities Open Task Force Seat:

To the Mayor, Members of the Town Council and Underground Utilities Task Force,

I would very much like to be considered for the available seat on the Underground Utilities Task Force (UUTF). I think I would bring a unique perspective to the committee, having personally worked on an undergrounding project in Palm Beach, the Lake Towers condo project in the Fall of 2016. I have been following the town wide project closely, worked with the Town press during the conversion, attended numerous UUTF and Town Council meetings, and am well versed on the issues facing the committee at this time.

As a town resident and President of the Board of Lake Towers, I understood our homeowners' concerns and had countless discussions to alleviate them prior to breaking ground. It was imperative for each owner to fully understand the proposed reliability, safety and aesthetic value of the project. Ultimately, Lake Towers ended up with an on time and under budget project (final numbers from town and Kimley-Horn pending)...and thankfully very satisfied owners. It is this experience that I think will serve our town and the UUTF well, working as an ambassador to help residents understand the importance of undergrounding.

I worked closely with the Town and Public Works, Kimley-Horn, and Burkhardt: Construction Management at Risk (CMAR) in completing our conversion to undergrounding. This included direct interaction with Patricia Strayer (town engineer), Kevin Schanen from Kimley-Horn (town architects for the project), Mark Kleisley from Burkhardt (CMAR), as well as our neighbor and owner of the three lots to our north, Peter May. The "to do" list was long and only got longer during the project... including three iterations of transformer placement, the issuance of an easement, continuous negotiations, revision of the initial plan from proposed directional drilling to trenching when we hit bedrock, changing the payment terms from ten to twenty years, adjusting hours of on-site construction to ensure the least amount of disruption, landscaping and paving upon completion...but we persevered, clearly and frequently communicated with all involved, and saw it through to a successful completion. In looking back, I fully appreciate and support the effectiveness of working with CMAR, especially when there is a strict budget that must be adhered to.

The town is at a critical juncture in the easement acquisition process, and discussions with residents on transformer placement. I could be a valuable voice on the task force in what may be viewed as an "us vs them" situation by a portion of owner's town wide. I have been on both sides of the project and understand their concerns. This could be particularly helpful in the South End where the opposition is the strongest. It is critical to help these owners understand the importance of the project, how it will not only help them, but also the importance of acting together for the betterment of Palm Beach.

I fully support the proposed Peer Review, which can be used to revise and update the current plan if it shows that improvements can be made. I have talked with Ned Barnes, head of the Palm Beach Civic Association, about their role in supporting and partially funding the Peer Review which I believe is critical to the town.

It will be important for the UUTF to continue to explore cost cutting options in order to meet the \$90MM budget, possibly achieved through cost sharing options with Comcast, AT&T etc, to infrastructure repair and landscaping, CMAR bids, and ultimately to the peer review which may present the UUTF with cost cutting options not previously considered.

I have discussed the financing with Jane Struder (Town Director of Finance) and she believes that between the Town's Financial Committee, Jay Glover (the Public Financial Manager - PFM), and the current UUTF members, many of whom have an extensive financial background, there is currently a good financial team in place to make these recommendations. As far as the short term financing needed to cover the spread until the lawsuits are settled, some good and viable options were presented by Jay Glover at the April 4th, UUTF meeting and the April 13th, Town Council meetings. I fully support the assessment methodology presented by Habib Issacs, and the Council's approval to explore the short term financing options with banks. This is not a commitment to move ahead, but it helps us to gather one of a number of pieces to make an informed decision in a timely manner.

I understand that each month we are delayed sets us back financially, however I do think that there are issues which have to be looked at carefully so that we are smart in our decision and timing on breaking ground. I know we are working through many of those issues now as we approach the decision deadline for initiating the short term funding.

Equally important is transparency and anticipating potential issues ahead such as cost overruns, construction and disruption, traffic routing, easements and transformer placement. Given that there are other infrastructure projects planned, undergrounding should be coordinated with these as much as possible to limit disruption to residents. Lastly, our communication to residents is key. We must let them know the issues we are facing, how we propose to solve them, and how we will try to make the construction process as seamless as possible.

Having been in the business world in various positions for most of my life, run my own company for 15 years, and sat on search committees identifying talent, I approach this with a strong business sense. However, I believe that having been a part of the first successful undergrounding condo project in Palm Beach, and having worked with many of the players involved, I would bring a unique and timely hands on approach to this committee. I began attending the UUTF and Town Council meetings in the Fall before the announcement of an available seat was made, and spoke at the UUTF meeting in support of the Lake Towers project in the Fall. I am fully versed with the UUTF's path forward, following it closely by attending these meetings and reading all associated news. I have reached out to every member of the Town Council and the UUTF, as well as having spoken with the Mayor, Skip Randolph, Ned Barnes, Jane Struder, Tom Bradford, and Rick Asnani. I am in residence much of the year, and am available to come to Palm Beach for meetings, as well as at any other time where I might be helpful. I believe I could be a valuable addition to the UUTF and would very much like the opportunity to fill the seat.

Thank you for your consideration,

Nicki McDonald

Education:

Cornell University – B.S. 1982 Urban Planning and Economics. With Course work at London School of Economics and Harvard University.

Howard Murray Bio April 28th, 2017

Experience

Present- Chairman and co-founder, MediVu. Medical software. Submitted and received a patent for a visual language.

2008- CEO FYI Corp. Data visualization company.

2006- Co-founder Shamrock Builders. Got contractor's license, developed a subdivision with \$1M+ homes on Indian River.

2003- Co-founder RJH Associates. Angel investor in telecom software business. Wrote a 50 city \$1B business for fiber optic rings and server farms. Wrote a business plan for a Wi-Fi Canopy network.

2000- President Southern Region, Nextlink. Formed a 50/50 partnership with FPL to jointly build a 400 mile fiber optic ring in south Florida, with switching centers in Ft Lauderdale, Miami and West Palm Beach. Their portion became FPL Fibernet which recently sold for \$1.5B. Built rings in Tampa and Orlando with plans in Atlanta.

1998- VP/GM Florida, ICG Telecom responsible for switching centers and fiber networks.

1994- VP/GM Florida, ATT Teleport. Formed JV's with 5 Cable TV companies, including Comcast and Time Warner. Built a 300 mile fiber ring and switching center in Miami.

1993- Founded FiberCap, a Florida Public Service Commission (PSC) licensed phone company. Funded and built 25 mile fiber ring connecting switching centers for Harris Corp., MCI, ATT, Bell South and Sprint. Elected vendor of the year by Harris Corp.

1992- Director, Private Networks, Alcatel.

1987- Manager, Cable Engineering, Sumitomo. Engineered, placed, spliced and tested fiber systems.

1983- Field Engineer, Siecor, JV Siemens and Corning. Trained and supervised Bell Telephone Companies installing fiber systems.

1981- Captain- Paratrooper. Army Telecommunications.

Education

1987- MBA, Fuqua School of Business, Duke University.

1976- BS Engineering, United States Military Academy, West Point.

Personal

Married. Two daughters. Private Pilot's License. Enjoy rowing.

WTF DOM 05/09/17

RECEIVED

2017 APR 14 AM 10:45 TOWN CLERK

From the Desk of Allen Wyett

561-863-7400 M-561-707-4412
Awyett@aol.com

APRIL 10 2007

TO THE PALM BEACH TOWN CLERK

SUBJECT UNDERGROUND UTILITIES TASK FORCE

RESUME MEMBER OF THE PALM BEACH TOWN COUNCIL 1995 TO 2005
SERVED AS A MEMBER, PRO TEM, AND PRESIDENT
MEMBER OF ARCOM 1993 TO 2005

CEO ROBER ALLEN FABRICS 1955 TO 1992 WHEN I RETIRED
AFTER SELLING THE FIRM TO MASCO INC.

IN EARY 2001/2 THE TOWN COUNCIL RECEIVED REQUESTS FROM
RESIDENTS TO CONSIDER UPDATING OUR UTILITY SYSTEM.
THE PRESIDENT OF THE COUNCIL APPOINTED ME AND SAM MC LENDON
TO INVESTIGE THE COST AND RELATED CONCERNS.
WORKING WITH FLORIDA POWER AND LIGHT WE RECEIVED A
PRELIMINARY ESTIMATE OF \$ 60,000,000. UNDERGROUNDING IN THIS
AREA WAS RELATIVLEY NEW AND THEY WERE BEING CAREFUL

TO NO SUPRISE THE TOWN COUNCIL DECIDED TO DROP THE PLAN AS
TOO EXPENSIVE WHEN OUR TOTAL YEARLY BUDGET WAS HALF THE
ESTIMATED COST.

I LEARNED A GREAT DEAL ABOUT THE NEED TO CONSIDER MANY OFF
THE CONDITIONS THAT THE CURRENT TASK FORCE HAS STUDIED.

I HAVE BEEN A RESIDENT OF PALM BEACH SINCE 1975.

I CURRENTLY SERVE ON NO OTHER TOWN BOARDS OR COMMISSIONS.

Thank you for your consideration

Allen S Wyett

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - New Business

Agenda Title

Appointments to the Recreation Advisory Commission

Presenter

Beth Zickar, Director of Recreation

ATTACHMENTS:

- ▣ **Memorandum Dated May 1, 2017 by Beth Zickar, Director of Recreation**
- ▣ **Recreation Advisory Commission Sample Ballots**
- ▣ **Recreation Advisory Commission Roster**
- ▣ **Recreation Advisory Commission Attendance & Voting Conflicts**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Beth Zickar, Director of Recreation

Re: Appointments to the Recreation Advisory Commission

Date: May 1, 2017

STAFF RECOMMENDATION

Staff recommends that Town Council appoint one (1) regular member to the Recreation Advisory Commission to fill a vacant seat as a result of a term expiration.

Staff also recommends that Town Council appoint up to two (2) alternate members to the Recreation Advisory Commission, depending upon the results of the balloting process for the one (1) regular member appointment.

GENERAL INFORMATION

Several balloting issues to fill the vacancies for the Recreation Advisory Commission occurred at the Town Council meeting on April 13, 2017, which resulted in a tallying error to fill the three (3) regular member positions. A summary of the situation is as follows:

- The first round of votes for the three (3) regular member positions resulted in three (3) votes for Nick Coniglio, three (3) votes for Carla Termini Cove and two (2) votes for John Hartz, Amy Bahl, Grier Pressly AND Linda Wartow.
- Nick Coniglio and Carla Termini Cove clearly earned appointments as regular members with three (3) votes each.
- Unfortunately, Linda Wartow was not included on the ballot for the second round of votes to fill the remaining regular member appointment. Hartz, Bahl, Pressly and Wartow should have been on the list of candidates.
- At least one alternate position (now vacant due to the elevation of Nick Coniglio to a regular member) also needs to be filled by a subsequent vote. If Hartz or Wartow are chosen to move up to a regular member, a second alternate position becomes available. All applicants, not otherwise appointed, would be included in this portion of the balloting process.

All applicants have been advised of the situation, and understand their applications are being reconsidered for the following positions:

Applicants for the Regular Member Position

Mr. John C. Hartz, Jr. is currently an alternate member on the Recreation Advisory Commission serving his first term which is set to expire in 2018. Mr. Hartz was first appointed in February of 2015. Mr. Hartz has requested to be considered for promotion to regular member status and has submitted written verification of his interest to serve on the Recreation Advisory Commission.

Mrs. Linda Wartow, is currently an alternate member on the Recreation Advisory Commission serving her second term which is set to expire in 2019. Mrs. Wartow was first appointed in February of 2015. Mrs. Wartow has requested to be considered for promotion to regular member status and has submitted written verification of his interest to serve on the Recreation Advisory Commission.

Mrs. Amy Bahl of 245 Ridgeview Drive, has submitted written verification of her interest to serve on the Recreation Advisory Commission. Mrs. Bahl has indicated that she will be unavailable for meetings should they occur in the months of June, July and August

Mr. Grier Pressly of 242 Seaspray Avenue, has submitted written verification of his interest to serve on the Recreation Advisory Commission. Mr. Pressly has indicated the he will be available for all meetings.

Applicants for the Alternate Member(s) Position(s)

Mr. Peter Harris of 173 Peruvian Avenue, has submitted written verification of his interest to serve on the Recreation Advisory Commission. Mr. Harris has indicated that he will be available for all meetings.

Mr. Courtney Mell of 150A Australian Avenue, has submitted written verification of his interest to serve on the Recreation Advisory Commission. Mr. Mell has indicated that he will be available year round for meetings pending his work schedule as a pilot.

Mrs. Amy Bahl of 245 Ridgeview Drive, has submitted written verification of her interest to serve on the Recreation Advisory Commission. Mrs. Bahl has indicated that she will be unavailable for meetings should they occur in the months of June, July and August

Mr. Grier Pressly of 242 Seaspray Avenue, has submitted written verification of his interest to serve on the Recreation Advisory Commission. Mr. Pressly has indicated the he will be available for all meetings.

Attachments

BZ:lw

c: Sue Eichhorn, Acting Town Clerk

**BALLOT FOR APPOINTMENT OF MEMBERS
TO THE RECREATION ADVISORY COMMISSION
Town Council Meeting On May 9, 2017**

Position(s) to be filled: 1 **Regular Member** (Terms to expire April 2020)

Please circle 1 name from the list appearing below.

Alternate Member(s) Applying for Promotion to Regular Member

*John C. Hartz Jr. (Completing Term 1 – expires 4/18)

*Mrs. Linda Wartow (Completing Term 2 – expires 4/19)

Individuals Who Have Submitted Applications

Mrs. Amy Bahl

Mr. Grier Pressly

Signature of Town Council Member: _____

**Any currently serving Alternate member who is not elevated to the position of Regular member shall retain his/her current position.*

**BALLOT FOR APPOINTMENT OF MEMBERS
TO THE RECREATION ADVISORY COMMISSION
Town Council Meeting On May 9, 2017
(BALLOT TO FILL ANY SEATS WHICH MAY BECOME VACANT AS A RESULT OF
APPOINTMENTS MADE EARLIER TODAY)**

Position(s) to be filled: _____ **Alternate Member** (Term to expire April 2019)

_____ **Alternate Member** (Term to expire April 2018)

Please circle _____ name(s) from the list appearing below.

Individuals Who Have Submitted Applications

Mrs. Amy Bahl

Mr. Peter Harris

Ms. Courtney Mell

Mr. Grier Pressly

Signature of Town Council Member: _____

.

RECREATION ADVISORY COMMISSION MEMBERS

REGULAR MEMBERS

NICHOLAS CONIGLIO

Alternate Member:

First Appointed: 04/12/16 Term Expires: 04/19

Regular Member:

First Appointed: 4/13/17 Term Expires: 4/20

DR. G. ELLEN HOWE

Alternate Member:

First Appointed: 04/13/10 Term Expires: 04/13

Re-Appointed: 04/09/13 Term Expires: 04/16

Regular Member:

First Appointed: 04/16/15 Term Expires: 04/18

MATTHEW SMITH

Alternate Member

First Appointed: 08/14/12 Term Expires: 04/15

Regular Member:

First Appointed: 02/10/15 Term Expires: 04/16

Re-Appointed: 04/12/16 Term Expires: 04/19

CARLA TERMINI COVE

First Appointed: 4/13/17 Term Expires: 4/20

ALEXANDRA WOODFIELD

Alternate Member:

First Appointed: 04/9/13 Term Expires: 04/16

Regular Member:

First Appointed: 04/16/15 Term Expires: 04/18

LESLIE WYTRZES

Alternate Member:

First Appointed: 02/10/15 Term Expires: 04/15

Re-Appointed: 04/14/15 Term Expires: 04/16

Regular Member:

First Appointed: 4/12/16 Term Expires: 04/19

VACANT

ALTERNATE MEMBERS

JOHN C. HARTZ, JR.

First Appointed: 02/14/15 Term Expires: 04/18

LINDA WARTOW

First Appointed: 02/14/15 Term Expires: 04/16

Re-Appointed: 04/12/16 Term Expires: 04/19

VACANT

Recreation Advisory Commission Attendance Record 2015 - 2017

	2015							2016							2017						
	1/7	3/4	5/6	9/2	11/4	1/6	3/2	5/4	9/7	10/7	11/2	11/17	1/4	2/8	3/1	5/1	9/6	11/1			
	U	P	E	P	U	E	P	P	U	P	P	P	P	P	P						
Mrs. Kooshe Aiken																					
Mr. Nicholas Coniglio								P	P	P	P	P	P	P	P						
Mr. John Hartz			P	P	P	P	P	P	P	P	P	P	P	P	P						
Dr. G. Ellen Howe	P	U	P	U	P	P	P	P	U	P	P	P	P	P	P						
Mrs. Roberta Mambrino	P	P	P	U	P	P	P	P	U	U	P	P	P	P	P						
Mrs. Pamela McIver	P	P	P	U	P	P	P	P	P	U	P	P	P	P	P						
Mr. Matthew Smith	P	P	P	P	U	P	P	P	P	P	P	P	P	P	U						
Mrs. Linda Wartow			P	U	P	P	P	P	P	U	P	U	P	P	P						
Mrs. Alexandra Woodfield	P	P	P	P	P	P	P	P	U	P	P	P	P	P	P						
Mrs. Leslie Wytzes		P	P	P	P	P	P	P	P	P	P	P	P	P	P						

Recreation Advisory Commission Conflict of Interest 2015 - 2017

	2015							2016							2017						
	1/7	3/4	5/6	9/2	11/4	1/6	3/2	5/4	9/7	10/7	11/2	11/17	1/4	2/8	3/1	5/1	9/6	11/1			
Mrs. Kooshe Aiken																					
Mr. Nicholas Coniglio																					
Mr. John Hartz																					
Dr. G. Ellen Howe																					
Mrs. Roberta Mambrino																					
Mrs. Pamela McIver																					
Mr. Matthew Smith														X							
Mrs. Linda Wartow																					
Mrs. Alexandra Woodfield																					
Mrs. Leslie Wytzes																					

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - New Business

Agenda Title

RESOLUTION NO. 060-2017 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standards Applicable to Public Rights-of-Way and Easements, Amending Chapter XII, Miscellaneous Provisions: Completion of Work, Construction, Parking, Easements, Fines, and Material Deliveries, and the Enforcement Thereof.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 28, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Proposed Revised 3 Strike Rule**
- ▣ **Resolution No. 060-2017**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Town Right-of-Way Manual Revisions Improvements for Managing Traffic
Resolution No. 060-2017

DATE: April 28, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 060-2017 amending the Town's Right-of-Way Manual to include traffic management improvements as part of the response to the Town Manager's Goal #3.

GENERAL INFORMATION

The Town of Palm Beach continues to experience significant construction and commercial activity for both publicly and privately owned buildings and infrastructure improvements. Staff recommends revising the Right-of-Way Manual guidelines in order to help reduce the number of construction site material deliveries and parking offenses that impact the flow of traffic. Unauthorized construction parking leads to congestion, slower travel times, and increases the chances of accidents. The Town of Palm Beach Standards Applicable to Public Rights-of-Way and Easements convey the rules that govern the work activities within the Town of Palm Beach Right-of-Way.

Staff recommends the following revisions to be made to the Standards Applicable to Public Rights-of-Way and Easements:

- A. The Town's Standards Applicable to Public Rights-of-Way and Easements Right-of-Way Manual, **Chapter XII – Miscellaneous Provisions: Completion of Work** contains the following:

Until the right-of-way is fully restored to original or better condition following construction/excavation activities, there will be a charge of \$10 per day until restoration is complete. This condition includes restoration of sidewalks, medians, and roads.

The recommended revisions are as follows:

Until the right-of-way is fully restored to original or better condition following construction/excavation activities, there will be a charge of \$30 per day until restoration is complete. This condition includes restoration of sidewalks, medians, and roads. This also includes all benchmarks and Permanent Reference Survey Markers disturbed during the course of construction, as described in Chapter II – General Provisions: 2.21 Restoration of Right-of-Way, Section 2.21.4.

- B. The Town's Standards Applicable to Public Rights-of-Way and Easements Right-of-Way Manual, **Chapter XII – Miscellaneous Provisions: Construction Parking (5th paragraph)** contains the following:

Failure to comply with the aforementioned conditions may result in suspension, fines, or in the case of repeat offenses, the cancellation of the violator's permit. Penalty for parking in the right-of-way in violation of this section shall be \$75 per day per vehicle for the first offense and \$150 per day per vehicle for the second and all subsequent offenses. Said penalty may be appealed in writing within ten (10) days of the date of issuance to the Director of Public Works who shall act on said appeal within ten (10) days of receipt of the appeal.

The recommended revisions are as follows:

*Failure to comply with the aforementioned conditions may result in suspension, fines, or in the case of repeat offenses, the cancellation of the violator's **building** permit. Penalty for parking in the right-of-way in violation of this section shall be **\$150** per day per vehicle for the first offense and **\$250** per day per vehicle for the second and **\$500 thereafter**. Said penalty may be appealed in writing within seven (7) calendar days of the date of issuance to the Director of **Public Safety or Public Works (dependent upon the Department issuing the ticket)**, who shall act on said appeal. **If the appeal is upheld, then the 1st, 2nd, or 3rd strike, as applicable, shall be removed from the record. Construction may continue until the appeal has been acted upon.***

- C. The Town's Standards Applicable to Public Rights-of-Way and Easements Right-of-Way Manual, **Chapter XII – Miscellaneous Provisions: Construction Parking** will add the following (as the last paragraph):

Before issuance of a building permit, a Power of Attorney or notarized owner's signature is required as the owner's acknowledgement of the "3" strike rule.

- D. The Town's Standards Applicable to Public Rights-of-Way and Easements Right-of-Way Manual, **Chapter XII – Miscellaneous Provisions: Easements** is titled as follows:

Easements

The recommended revision is as follows:

Easements/Right-of-Way

- E. The Town's Standards Applicable to Public Rights-of-Way and Easements Right-of-Way Manual, **Chapter XII – Miscellaneous Provisions: Fines** contains the following:

Failure to comply with the Engineering Division Standards will result in fines of \$75 per day per offense, until the deficiency is corrected.

The recommended revision is as follows:

Failure to comply with the Engineering Division Standards will result in fines of \$150 per day per offense, until the deficiency is corrected.

- F. The Town's Standards Applicable to Public Rights-of-Way and Easements Right-of-Way Manual, **Chapter XII – Miscellaneous Provisions: Material Deliveries** contains the following:

Delivery of materials which will not block a major roadway or a moving lane of traffic, and will take less than two (2) hours, requires a “delivery permit.” This permit is obtained at the Planning, Zoning, and Building Department for \$10.

The recommended revision is as follows:

Delivery of materials which will not block a major roadway or a moving lane of traffic, and will take less than two (2) hours, requires a “delivery permit.” This permit is obtained at the Planning, Zoning, and Building Department for \$30.

Upon approval to these changes, the corresponding fees within the Violation Notice and Standards Applicable to Public Rights-of-Way and Easements – Appendix C will be revised.

FUNDING/FISCAL IMPACT

These policy revisions will have no funding impacts.

TOWN ATTORNEY REVIEW

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

Attachment

cc: Jay Boodheshwar, Deputy Town Manager
John Page, Director of Planning, Zoning, and Building
Kirk Blouin, Public Safety Director
Jane Struder, Director of Finance
Eric B. Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jeffrey M. Sanon, P.E., Project Engineer
Chester Purves, Services Manager
Dean Mealy, Purchasing Manager

Proposed Revised 3 Strike Rule

Construction parking on public streets shall be controlled in order to protect the public health and welfare. The rules and procedures outlined below are commonly referred to as the Town's 3-Strike Rule.

All vehicles belonging to personnel working on or visiting a construction site from the date of the issuance of a building permit, to the date of the issuance of the certificate of occupancy, shall be parked on the construction site at all times. If the site cannot accommodate such vehicles, then the contractor may initiate car and/or truck pooling, apply for up to but not more than three right-of-way permits for parking construction vehicles on the street adjacent to the construction site, or utilize both options in order prevent unnecessary congestion adjacent to the construction site.

The following rules and procedures shall govern the 3-Strike Rule:

1. Owner/contractor may apply for up to but not more than 3 right-of-way permits for the temporary parking of construction-related vehicles.
2. Contractor will be asked if right-of-way parking permits are anticipated at time of initial building permit application. If anticipated at that time, or any subsequent time, ~~any request for a right-of-way permit must be submitted on an application form as prescribed by the Town.~~ A parking plan must also be provided on an application form as prescribed by the Town, at a legible scale as determined by the Town, which clearly illustrates the entire construction site. ~~The plan must include a note(s) identifying all other construction projects on the immediate block, including the number of right-of-way permits that apply to each project.~~
3. Applications must include a notarized signature from the property owner acknowledging understanding of the 3-strike rule in its entirety. A notarized Power of Attorney signature will be accepted by the Town provided it specifies that the owner has been personally informed of the entire 3-strike rule.
4. The Public Works Department will review all such applications upon payment of the required fee. (See Right of Way Manual) Public Works shall determine whether or not to approve the application, and if approved, whether 1, 2, or 3 right-of-way permits are issued.
5. The contractor must apply for a permit(s) from Public Works within seventy-two (72) hours in advance of the short-term use of the public right-of-way. Only extreme extenuating circumstances will be considered otherwise.
6. As a condition of approval, contractor is required to provide the Town with tag numbers of all vehicles authorized by the contractor to work at the site. The Director of Public

Works or the Director's designees, which may include code enforcement officers, parking enforcement officers, and police officers, are authorized to enforce all 3-strike rule provisions and to issue citations for violations of these provisions.

7. Owner/contractor must dedicate a private employee to act as a traffic monitor at each site to enforce Town rules when on-street construction parking is allowed. The traffic monitor must be present whenever work is occurring.
8. If the Town finds that there is no dedicated traffic monitor at a construction site, all right-of-way permits shall be immediately revoked.
9. When car or truck pooling is utilized, no substitute on-street parking spaces in the Town can be utilized for said purpose.
10. Worth Avenue right-of-way permits shall be limited to two (2) vehicles for purposes of loading or unloading and for essential construction activities. Parking of construction vehicles that are not actively involved in the loading and unloading process will not be permitted.
11. Only original Town-issued permits are valid. Permits may be transferred between vehicles but are valid only for the construction site for which they are issued.
12. Copying, forging or ~~any such non-authorized~~ duplication of a right-of-way permit is prohibited. All right-of-way permits will be immediately revoked if the Town determines that duplication or abuse has occurred.
13. Additional permits may be issued for the three-week period prior to the issuance of the certificate of occupancy in the event said vehicles cannot be accommodated on site. The number of permits granted shall be determined by the Director of Public Works.
14. Failure to comply with the aforementioned conditions may result in the suspension, fines, or in the case of repeat offenses, the cancellation of the violator's building permit.
15. Penalty for parking in the right-of-way in violation of this section shall be \$150 per day per vehicle for the first offense, \$250 per day per vehicle for the second offense, and \$500 thereafter.
16. Said penalty may be appealed in writing within ~~ten (10)~~ seven (7) calendar days of the date of issuance to either the Director of Public Safety or Public Works (dependent upon the Department issuing the ticket), who shall thereafter act on said appeal ~~within ten (10) days of the date of receipt of the appeal~~. If the appeal is upheld, then the 1st, 2nd, or 3rd strike, as applicable, shall be removed from the record. Construction may continue until the appeal has been acted upon.

17. When a 3rd strike has been issued, and if an appeal is denied or is not filed in timely fashion, the Planning, Zoning & Building Department shall issue a Stop Work order halting all continued activity at the site.
 18. All requests to lift the stop work order must be decided by the Town Council, upon written application to the Planning, Zoning & Building Department no less than 7 days prior to a regularly scheduled monthly Town Council (Development Review) meeting.
 19. The Town Council shall have the power to admonish the contractor; take such action as deemed necessary to effect the stop work order on a permanent basis by nullifying the existing building permit; cause the contractor and/or property owner to enter into a binding agreement to memorialize the understandings between the Town and the contractor and/or property owner relative to all conditions placed upon the lifting of the stop work order, if applicable; establish penalties for future right-of-way violations the amount for which shall be in the sole discretion of the Town Council; and/or collect any unpaid penalties.
 20. If a Stop Work order is lifted, no additional right-of-way permits for the duration of the work in question shall be issued unless specifically approved by the Town Council.
-

RESOLUTION NO. 060-2017

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION STANDARDS APPLICABLE TO PUBLIC RIGHTS-OF-WAY AND EASEMENTS, AMENDING CHAPTER XII, MISCELLANEOUS PROVISIONS: COMPLETION OF WORK, CONSTRUCTION, PARKING, EASEMENTS, FINES, AND MATERIAL DELIVERIES, AND THE ENFORCEMENT THEREOF.

* * * * *

WHEREAS, the Town of Palm Beach, Town Council authorized the creation of the Department of Public Works, Engineering Division Standards Applicable to Public Rights-of-Way and Easements by Ordinance 11-94 on July 12, 1994; and

WHEREAS, the Department of Public Works, Engineering Division Standards Applicable to Public Rights-of-Way and Easements is reviewed from time-to-time and may be modified by Resolution of the Town Council; and

WHEREAS, the Town has determined, due to the non-compliance of the Miscellaneous Provisions requirements, that it is necessary to ensure public health, safety, welfare and reduce traffic; and

WHEREAS, the Town has determined that it is necessary to amend the Town's Right-of-Way Manual in the manner and form attached.

NOW, THEREFORE, THE TOWN'S RIGHT-OF-WAY MANUAL is hereby amended as set forth below.

Chapter XII – Miscellaneous Provisions: Completion of Work

Until the right-of-way is fully restored to original or better condition following construction/excavation activities, there will be a charge of \$30 per day until restoration is complete. This condition includes restoration of sidewalks, medians, and roads. This also includes all benchmarks and Permanent Reference Survey Markers disturbed during the course of construction, as described in Chapter II – General Provisions: 2.21 Restoration of Right-of-Way, Section 2.21.4.

Chapter XII – Miscellaneous Provisions: Construction Parking (5th Paragraph)

Failure to comply with the aforementioned conditions may result in suspension, fines, or in the case of repeat offenses, the cancellation of the violator's building permit. Penalty for parking in the right-of-way in violation of this section shall be \$150 per day per vehicle for the first offense and \$250 per day per vehicle for the second and \$500 thereafter. Said penalty may be appealed in writing within seven (7) calendar days of the date of issuance to the Director of Public Safety or Public Works (dependent upon the Department issuing the ticket), who shall act on said appeal. If the appeal is upheld, then 1st, 2nd, or 3rd strike, as applicable, shall be removed from the record. Construction may continue until the appeal has been acted upon.

Chapter XII – Miscellaneous Provisions: Construction Parking (Last Paragraph)

Before issuance of a building permit, a Power of Attorney or notarized owner's signature is required as the owner's acknowledgement of the "3" strike rule.

Chapter XII – Miscellaneous Provisions: Easements

Easements/Right-of-Way

Chapter XII – Miscellaneous Provisions: Fines

Failure to comply with the Engineering Division Standards will result in fines of \$150 per day per offense, until the deficiency is corrected.

Chapter XII – Miscellaneous Provisions: Material Deliveries

Delivery of materials which will not block a major roadway or a moving lane of traffic, and will take less than two (2) hours, requires a "delivery permit." This permit is obtained at the Planning, Zoning, and Building Department for \$30.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on this 9th day of May 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - New Business

Agenda Title

Request Conceptual Approval for Easement Abandonment and Rededication for the El Bravo-Singer Annex Replat

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated April 24, 2017, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **El Bravo - Singer Annex Plan**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

TO: Mayor and Town Council

VIA: Thomas G. Bradford, Town Manager

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

RE: Request Conceptual Approval for Easement Abandonment and Rededication for the El Bravo-Singer Annex Replat

DATE: April 24, 2017

STAFF RECOMMENDATION

Town staff recommends that Town Council approve the conceptual abandonment and rededication of the public utility easements located at 89 Middle Road within the El Bravo-Singer Annex.

GENERAL INFORMATION

The property at 89 Middle Road has been purchased and the land is being subdivided into six (6) single family parcels. As part of this revised subdivision of the property, the water and sanitary sewer are proposed to be relocated. The revised sanitary sewer locations and connections have been reviewed and approved by the Public Works Department. To facilitate the abandonment and subsequent dedication of new utility easements, the property owner is requesting the conceptual approval of the abandonment and rededication of the public utility easements as shown on the attached exhibits. The property owner understands any work performed prior to the final approval of the revised plat will be at the property owners risk and, this approval does not guarantee any future approval. There is no property being gained by the owner by virtue of the abandonment of the public utility easement, therefore, a privilege fee is not applicable.

The land will be replatted to reflect these improvements. In accordance with Town Code of Ordinances, Chapter 106, Article IV, the owner of the property will complete an application to abandon and rededicate portions of the public utility easement at 89 Middle Road. The easements to be abandoned is shown as Exhibit "A" and the easement to be rededicated is shown as Exhibit "B". If Town Council conceptually approves the abandonment and rededication of the utility easements, said approval should be with the condition that the owner shall pay all fees related to implementing the abandonment and rededication, including, but not limited to, recording fees. All utilities have been contacted and have agreed to the abandonment and rededication as described. Notification letters will be distributed to the neighboring property owners within 300 feet of the easement to be abandoned and rededicated. The abandonment and rededication request will also be advertised prior to submittal of the application for abandonment.

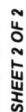
TOWN ATTORNEY REVIEW

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

Attachments

cc: Eric B. Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Doug Terry, Water Resources Division Manager
Charles R. Langle, P.E., Planning, Zoning & Building Project Engineer
Jeffrey Sanon, P.E., Project Engineer
Allen Powery, Public Works Inspector

BEING A PORTION OF GOVERNMENT LOT 2, A REPLAT OF LOTS 3 AND 5 AND A PORTION OF LOT 1 OF THE PLAT OF EL BRAVO PARK AS RECORDED IN PLAT BOOK 8, PAGE 10, AND A REPLAT OF LOTS 70, 72, 74 AND A PORTION OF LOTS 12, 13, 15, 69, AND 71 OF THE PLAT OF SINGER ADDITION TO PALM BEACH AS RECORDED IN PLAT BOOK 8, PAGE 81, TOGETHER WITH A PORTION OF MIDDLE ROAD, ACCORDING TO SAID PLAT OF SINGER ADDITION TO PALM BEACH, ALL AS RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING IN SECTION 26, TOWNSHIP 43 SOUTH, RANGE 43 EAST, TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA



ABBREVIATIONS & SYMBOLS

- [illegible]

CURVE SYMBOLS

- | | | |
|------|---|---------------|
| A | = | ARC (LENGTH) |
| R | = | RADIUS |
| A | = | CENTRAL ANGLE |
| C.B. | = | CHORD BEARING |

El Bravo - Singer Annex



WALLACE **LAWYNT**
CORP. 10000 15TH AVE. S.W. # 1000

FIELD	JOB NO. 14-1338 14	F.B	P.G
OFFICE R.C.M/I	DATE: APRIL 2017	DWG NO	14-1335-9

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Regular Agenda - New Business

Agenda Title

Consideration of Conducting a Consolidated Town Council Meeting on
Wednesday, August 9, 2017

Presenter

Danielle H. Moore, President Pro-Tem, Town Council

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting on: May 9, 2017

Section of Agenda

Ordinances - First Reading

Agenda Title

ORDINANCE NO. 14 - 2017 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 114 Taxation, Article II, Local Business Tax, at Section 114-43 Schedule, so as to Amend the Fees Delineated for Each Business, Profession or Occupation; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Presenter

John S. Page, Director of Planning, Zoning & Building Dept.

ATTACHMENTS:

- ▣ **Memorandum Dated April 28, 2017 From John S. Page, Director of Planning, Zoning & Building**
- ▣ **Ordinance No. 14-2017**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 9, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director of Planning, Zoning & Building

Re: Amendment of Business Tax Fees
Ordinance No. 14-2017

Date: April 28, 2017

STAFF RECOMMENDATION

Staff recommends approval of the first reading of Ordinance 14-2017 amending Business Tax Fees and the Business Tax Program. It should be noted that approval of an increase in business taxes will require a majority plus one vote of the Town Council in order to become effective.

GENERAL INFORMATION

In FY17, the Town issued 1,476 business tax receipts (formerly known as occupational licenses) to local businesses. The number of tax receipts dropped from about 2,300 in previous years, due in large part to a change in the state code which exempted real estate licensees from the business tax receipt requirement in 2013.

Per state statute (F.S. Chapter 205), the Town may increase business tax fees every two years by an amount not to exceed 5%. The Town's business tax fees were last modified on May 12, 2015 for the next two fiscal years commencing October 1, 2015. Fees were also increased in 2013 and 2011.

Staff is recommending an increase in fees for FY18 by the allowed 5%. If approved, this modification would represent a potential increase in revenue of approximately \$29,100 in FY18. Attached is Ordinance No. 14-2017, which includes the proposed rates.

If the Town Council approves first reading of Ordinance No. 14-2017, the ordinance will be placed on the June 13, 2017 Town Council agenda for second and final reading. If adopted, the revised fees will be incorporated into the renewal notices scheduled for issuance on or about July 1, 2017, for the new tax year commencing October 1, 2017.

FUNDING/FISCAL IMPACT

Business taxes collected as of March 31, 2017 are \$643,865 compared to budgeted revenue for this account of \$672,000. Revenue collected for this same period last year was \$610,965. Total revenue collected last year was \$679,915. The proposed fees will represent an increase in Business Tax Receipts of approximately \$29,100 annually, commencing in Fiscal Year 2018. This increase is reflected in the Town's Long Term Financial Plan.

TOWN ATTORNEY REVIEW

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

Attachment

cc: John C. Randolph, Town Attorney
Susan A. Owens, Town Clerk
Jane Struder, Finance Director

ORDINANCE NO. 14 - 2017

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 114 TAXATION, ARTICLE II, LOCAL BUSINESS TAX, AT SECTION 114-43 SCHEDULE, SO AS TO AMEND THE FEES DELINEATED FOR EACH BUSINESS, PROFESSION OR OCCUPATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. Chapter 114 of the Town Code of Ordinances relating to Local Business Taxes, is hereby amended at Section 114-43, SCHEDULE, by increasing Business Taxes as set forth herein.

Sec. 114-43. Schedule.

A business tax is hereby levied upon and shall be collected from every person, firm or corporation exercising the privileges or carrying on or engaging in the business, professions or occupations hereinafter specifically enumerated, as fixed hereinafter; each of such amounts, unless otherwise specifically stated, being the amounts payable as a business tax for exercising such privilege or for carrying on or engaging in such business, profession or occupation mentioned, for each year.

A

ABSTRACTORS OF TITLE	\$	422.00
ACCOUNTANT, AUDITOR, C.P.A. FIRM (Includes One Professional)	\$	422.00
ACCOUNTANT, AUDITOR, C.P.A.	\$	422.00
ADULT ENTERTAINMENT	\$	1,218.00
ADMINISTRATIVE OFFICE	\$	342.00
ANSWER PHONE (Support Business Services)	\$	422.00
APARTMENTS, (See RENTAL DWELLINGS)		

ARCHITECT	\$ 422.00
ART GALLERY, UP TO 400 SQ. FT	\$ 179.00
ART GALLERY, 401 - 2,000 SQ. FT	\$ 422.00
ART GALLERY, 2,001 - 4,000 SQ. FT	\$ 487.00
ART GALLERY, 4,001 - 8,000 SQ. FT	\$ 973.00
ART GALLERY, OVER 8,000 SQ. FT	\$ 1,463.00
ARTIST	\$ 324.00
ASTROLOGER, PHRENOLOGIST, CRYSTAL READING, PALM READER, SOOTHSAYER, FORTUNE TELLER AND CLAIRVOYANT	\$ 442.00

B

BAKERY	\$ 211.00
BANK, TRUST COMPANY	\$ 1,220.00
BARBER	\$ 161.00
BARBER, SHOP (Includes One Barber)	\$ 161.00
BEAUTY SHOP (See COSMETOLOGY SALON)	
BICYCLE SHOP, RENTALS	\$ 161.00
BICYCLE SHOP, SALES (See MERCHANTS)	
BOAT DEALER (Yacht Broker)	\$ 324.00
BROADCASTING STATION (Radio Or TV)	\$ 469.00
BROKER	\$ 422.00
BROKERAGE/INVESTMENT COMPANY (Includes One Broker)	\$ 1,220.00
BUSINESS OFFICE ONLY (Two People Maximum)	\$ 211.00

C

CAR RENTAL AGENCY	\$ 649.00
CATERING	\$ 211.00
CHIROPRACTOR	\$ 422.00
COIN-OPERATED MACHINES (Inside, Exclusive Of Newsracks)	\$ 112.00
CONSULTANT	\$ 422.00
CONTRACTOR OFFICE (Construction)	\$ 469.00

COSMETOLOGIST, INDIVIDUAL	\$	161.00
COSMETOLOGY SALON (Includes One Cosmetologist)	\$	161.00

D

DANCE INSTRUCTOR	\$	211.00
DANCE STUDIO/SCHOOL	\$	422.00
DENTIST	\$	422.00
DINING ROOM, 40 CHAIRS OR LESS (Hotel, Business, Etc.)	\$	211.00
PLUS, FOR EACH CHAIR UP TO 40	\$	3.30
DINING ROOM, OVER 40 CHAIRS (Hotel, Business, Etc.)	\$	422.00
PLUS, FOR EVERY CHAIR	\$	3.30
DINING, CLUB (See DINING ROOM)		

E

ELECTRIC LIGHT COMPANY	\$	366.00
EMPLOYMENT AGENCY	\$	422.00
ENGINEER	\$	422.00

F

FACIALIST, REGISTERED (FA) OR SPECIALIST (FB)	\$	48.00
FULL SPECIALIST	\$	48.00
FULL REGISTRATION	\$	48.00

G

GAS COMPANY	\$	366.00
GOLF COURSE	\$	469.00

H

HEALTH STUDIO	\$	422.00
HOTEL, 10 ROOMS OR LESS	\$	64.00
HOTEL, MORE THAN 10 ROOMS	\$	64.00
PLUS EACH ADDITIONAL ROOM	\$	7.72

I

INSURANCE BROKER, COMPANY/AGENCY	\$	422.00
INSURANCE SALESPERSON	\$	211.00
INTERIOR DECORATOR	\$	422.00
INTERIOR DESIGNER	\$	422.00

J

JEWELER	\$	732.00
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L

LAW FIRM (Includes One Lawyer)	\$	422.00
LAWYER	\$	422.00

M

MASSAGE THERAPIST, INDIVIDUAL	\$	422.00
MASSAGE ESTABLISHMENT (Includes One Massage Therapist)	\$	422.00
MERCHANT, UP TO 400 SQ. FT.	\$	179.00
MERCHANT, 401 - 2,000 SQ. FT.	\$	422.00
MERCHANT, 2,001 - 4,000 SQ. FT.	\$	487.00
MERCHANT, 4,001 - 8,000 SQ. FT.	\$	973.00
MERCHANT, OVER 8,000 SQ. FT.	\$	1,463.00
MORTGAGE BROKER	\$	422.00
MORTGAGE COMPANY	\$	422.00
MOTOR SCOOTER AND MOTORCYCLE RENTAL	\$	1,319.00
MUSIC SERVICE	\$	422.00

N

NAIL REGISTRATION (FV) OR NAIL SPECIALIST (FT)	\$	48.00
NEWSPAPER - SEE PUBLISHER		
NIGHTCLUB WITH DANCE FLOOR	\$	1,218.00
NIGHTCLUB WITHOUT DANCE FLOOR	\$	797.00

NURSE	\$	422.00
NURSING AGENCY (Includes One Nurse)	\$	422.00

O

OPTICIAN	\$	422.00
OPTOMETRIST	\$	422.00

P

PARKING GARAGE	\$	422.00
PARKING LOT (See Chapter 22, Article VI, Parking Lots For Further Provisions)	\$	211.00
PHARMACIST (Individual)	\$	422.00
PHARMACY (Includes One Pharmacist)	\$	422.00
PHOTOGRAPHER	\$	211.00
PHYSICIAN	\$	422.00
PRINTING COMPANY	\$	422.00
PROFESSION NOT LISTED	\$	422.00
PROPERTY MANAGEMENT	\$	211.00
PUBLIC RELATIONS	\$	422.00
PUBLISHER	\$	422.00

R

REAL ESTATE BROKER	\$	422.00
RENTAL DWELLINGS, PER UNIT (Minimum Two Units)	\$	41.00
REPAIR SHOP (Other Than Auto)	\$	422.00
RESTAURANT, 40 CHAIRS OR LESS	\$	211.00
PLUS, FOR EVERY CHAIR UP TO 40	\$	3.30
RESTAURANT, MORE THAN 40 CHAIRS	\$	422.00
PLUS, FOR EACH CHAIR	\$	3.30

S

SAVINGS AND LOAN ASSOCIATION	\$	1,220.00
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SCHOOL, PRIVATE	\$ 422.00
SECURITY AGENCY, PRIVATE (Includes One Security Officer)	\$ 211.00
SECURITY OFFICER, PRIVATE	\$ 31.50
SERVICE STATION (Includes Auto Repair)	\$ 469.00
SERVICES, UNLISTED	\$ 211.00
SWIMMING POOLS, PUBLIC	\$ 422.00

T

TALENT AGENCY	\$ 422.00
TAXICABS, EACH COMPANY OR STAND	\$ 324.00
TELECOMMUNICATIONS COMPANY (Formerly Telegraph)	\$ 366.00
TELEPHONE COMPANY	\$ 366.00

Nothing in this chapter will be construed as requiring a license tax
for coin-operated telephones

THEATER	\$ 1,463.00
PLUS EACH SEAT	\$ 2.21
TRAVEL BUREAU/AGENCY	\$ 422.00
TRUST AGENCY	\$ 1,220.00

U

UNCLASSIFIED BUSINESS NOT LISTED	\$ 342.00
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V

VETERINARIAN	\$ 422.00
VETERINARIAN ESTABLISHMENT	\$ 422.00

Section 2. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 3. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 4. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of May, 2017, and for second and final reading on this _____ day of _____ 2017.

Gail L. Coniglio, Mayor

Richard M. Kleid, Town Council President

Danielle H. Moore, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Susan A. Owens, MPA, MMC, Town Clerk

Margaret A. Zeidman, Town Council Member