



TOWN OF PALM BEACH

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

MARCH 8, 2022

9:30 AM

Welcome

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

I. CALL TO ORDER AND ROLL CALL

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. RECOGNITIONS

- A.** Recognition of Alexander C. Ives for his Service on the Architectural Review Commission from March 2011 to March 2022

Danielle H. Moore, Mayor

- B.** Recognition of Michael B. Small for his Service on the Architectural Review Commission from March 2013 to March 2022

Danielle H. Moore, Mayor

- C.** Recognition of Richard René Silvin for his Service on the Landmarks Preservation Commission from May 2014 to March 2022

Danielle H. Moore, Mayor

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A.** Presentations by the Applicants and Appointments to the Architectural Commission (ARCOM) Page 8

Pat Gayle-Gordon, Acting Town Clerk

- B.** Presentations by the Applicants and Appointments to the Code Enforcement Board Page 64

Pat Gayle-Gordon, Acting Town Clerk

- C.** Presentations by the Applicants and Appointments to the Landmarks Preservation Commission Page 110

Pat Gayle-Gordon, Acting Town Clerk

- D.** Presentations by the Applicants and Appointments to the Retirement Board of Trustees Page 205

Pat Gayle-Gordon, Acting Town Clerk

VII. COMMENTS OF MAYOR DANIELLE H. MOORE

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

X. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. Town Council Meeting Minutes Page 220

Pat Gayle-Gordon, Acting Town Clerk

a. February 8, 2022, Town Council Meeting Minutes

b. February 9, 2022, Town Council Development Review Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of February 23, 2022. Page 259

Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 033-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute a Restrictive Covenant with the Florida Department of Environmental Protection. Page 295
H. Paul Brazil, P.E., Director of Public Works
2. RESOLUTION NO. 034-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Interlocal Agreement Governing Use of Palm Beach County Regional Opioid Settlement Funds and Authorizing the Town Manager and Staff to Execute All Documents Necessary on Behalf of the Town of Palm Beach. Page 310
Nicholas Caristo, Chief of Police
3. RESOLUTION NO. 035-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Amendments to the Statement of Investment Policy for the OPEB Trust Board of Trustees of the Town of Palm Beach Pursuant to Section 82-153 of the Code of Ordinances of the Town of Palm Beach; Providing an Effective Date. Page 323
Jane Le Clainche, Director of Finance
4. RESOLUTION NO. 036-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-10, Planning Services for Code Reform for the Town of Palm Beach to ZoneCo, LLC and The Corradino Group, Inc. Page 336
Dean Mealy, Purchasing Manager
5. RESOLUTION NO. 037-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to the FY22 Blanket Purchase Order issued to Xylem Water Solutions USA, Inc. in the Amount of \$81,732.07 for a New Award Amount of \$150,000. Page 432
Dean Mealy, Purchasing Manager
6. RESOLUTION NO. 038-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Change Order to the Award of Engineering Design Services to Mock-Roos and Associates for the D-8 Stormwater Pump Station and the E-5 Wastewater Pump Station for an Additional \$23,858 Against Resolution No. 150-2019. Page 436
Dean Mealy, Purchasing Manager

C. OTHER

1. Accept Donation of \$100,000 for Purchase of Equipment for the Police Department Page 453
Nicholas Caristo, Chief of Police
2. Request by the City of West Palm Beach for Town Sponsorship in Page 458

the Amount of \$12,000 for the City's 4th on Flagler Event

Kirk W. Blouin, Town Manager

3. Accept Donation of \$46,800 from Everglades Island Residents for Purchase of Security Cameras Page 462

Nicholas Caristo, Chief of Police

4. 209 Phipps Plaza Right-of-Way Permit for Scaffolding During Season Page 467

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

5. 100 Four Arts Plaza Right-of-Way Permit for Scaffolding During Season Page 472

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

6. Acceptance of Information Technology Donations Page 476

Kirk W. Blouin, Town Manager

XI. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Landmarks Preservation Commission Page 481

Rene Silvin, Chair

XII. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on Thursday, February 3, 2022 Page 485

Julie Araskog, Chair

1. Discussion Regarding Measures to Mitigate Impacts of Truck Traffic

Jay Boodheshwar, Deputy Town Manager

XIII. REGULAR AGENDA

- A. **Matters Pulled From Consent Agenda: If needed**

- B. **Old Business**

1. Proposed Addition of Stairs on the South Side of Memorial Fountain Page 507

TIME CERTAIN: 11:00 AM

Jay Boodheshwar, Deputy Town Manager

2. COVID-19 Situation Update

Kirk W. Blouin, Town Manager

3. Town-wide Undergrounding Project: Page 608

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

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

b. Selection of Florida Power & Light Decorative Streetlights for Mid-Town Undergrounding Area.

c. RESOLUTION NO. 039-2022 A Resolution of the Town Council

of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the Australian Avenue Watermain Replacement in the Amount of \$73,925.91 and Establishing a Project Budget of \$81,319.

d. RESOLUTION NO. 040-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Burkhardt Construction Inc. for the Australian Avenue Watermain GMP in the Amount of \$2,113,852 and Establishing a Project Budget of \$2,325,231.

4. RESOLUTION NO. 027-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-07 Valet Parking Services for the Town of Palm Beach to One Parking, Inc. Page 649

Jay Boodheshwar, Deputy Town Manager

C. New Business

1. Evaluation of Impacts to Right-of-Way Due to “Palm Beach Transportation Planning Agency Recommended Improvements for South Ocean Boulevard (A1A) Between Lake Avenue to Ibis Way to the Florida Department of Transportation”. Page 653

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

2. Review of a Stop Work Order Due to the Three Strike Rule at 755 N Lake Way Page 681

Wayne Bergman, Director of Planning, Zoning and Building

3. Review of a Stop Work Order Due to the Three Strike Rule at 246 Seaspray Avenue Page 684

Wayne Bergman, Director of Planning, Zoning and Building

XIV. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend Chapter 134 of the Town Code, Relative to Residential On-Street Parking Permits Page 687

ORDINANCE NO. 001-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134, Article X – On Street Parking Permits, at Sections 134-2292, 134-2296 (B) and 134-2296 (C); Relating to Issuance of Decals and Visitor/Service Permits; Changing the Effective Year from a Fiscal Year to a Calendar Year; Providing For Severability; Providing For Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

B. First Reading

1. Proposed Ordinance to Amend Section 42-199 of the Town Code to Include Additional Days When Construction and Landscaping Work is Prohibited

Page 691

ORDINANCE NO. 004-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise, Section 42-199, Hours for Construction Work at Subsection (B) Limited, to Provide Additional Limitations on Dates and Hours of Construction and Landscaping Work; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

2. Proposed Ordinance to Amend Chapter 106, Article VII of the Town Code to Include Additional Restrictions Regarding Use of Public Properties for Private Special Events

Page 696

ORDINANCE NO. 005-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 106 Streets, Sidewalks and Other Public Places at Article VII, Special Events on Public Property at Division 1-, Generally, Section 106-257, Titled Regulations Relating To Special Event; at Division 2-Permit, Section 106-281-Required; at Section 106-282-Application and at Section 106-283-Standards for Issuance in the Manner and Form Set Forth Below; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

XV. ANY OTHER MATTERS

XVI. ADJOURNMENT

PLEASE TAKE NOTE:

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

Note 2: The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact

the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.

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

Note 4: Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

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

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

PROCEDURES FOR PUBLIC PARTICIPATION

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

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

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

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

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

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Architectural Commission (ARCOM)

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated February 28, 2022 from Pat Gayle-Gordon, Acting Town Clerk**
- ▣ **Attendance Record**
- ▣ **Status Sheet**
- ▣ **Sample Ballot - Regular Members**
- ▣ **Sample Ballot - Alternate Members**
- ▣ **Application - Katherine "KT" Catlin**
- ▣ **Application - Elizabeth Connaughton**
- ▣ **Application - Julie Herzig Desnick**
- ▣ **Application - Dan Floersheimer**
- ▣ **Application - Kenn Karakul**
- ▣ **Application - Joshua L. Martin**
- ▣ **Application - Richard Sammons**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jay Boodheshwar, Deputy Town Manager

FROM: Pat Gayle-Gordon, Acting Town Clerk

RE: Architectural Review Commission Appointment of Two (2) Regular Members and Three (3) Alternate Members

DATE: February 28, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) regular members and three (3) alternate members to the Architectural Review Commission. These members will fill the vacancies created due to the term expirations for Michael B. Small and Alexander C. Ives who are termed out and Katherine “KT” Catlin who is termed out as an alternate member but eligible for a promotion to regular member.

GENERAL INFORMATION

The Town Clerk’s office has received three (3) applications seeking **PROMOTION TO REGULAR MEMBER** from:

1. Katherine “KT” Catlin – 266 Fairview Road, Palm Beach, FL;
2. Dan Floersheimer – 126 Chateaux Drive, Palm Beach, FL;
3. Richard Sammons – 455 Worth Avenue, Palm Beach, FL.

The Town Clerk’s office has received four (4) applications seeking **NEW APPOINTMENT** from the following:

1. Elizabeth Connaughton – 226 Brazilian Avenue #3C, Palm Beach, FL;
2. Julie Herzog Desnick – 150 Bradley Place, #716, Palm Beach, FL;
3. Kenn Karakul – 241 Jungle Road, Palm Beach, FL;
4. Joshua Martin – 354 Chilean Avenue, #3E, Palm Beach, FL.

Attachments

cc: Wayne Bergman, Director of Planning, Zoning and Building

[illegible]

ALTERNATE MEMBERS

10



**TOWN OF PALM BEACH
ARCHITECTURAL REVIEW COMMISSION
ATTENDANCE RECORD 2021**

MEMBERS

Michael B. Small
Robert N. Garrison
Alexander C. Ives
Alicia "Maisie" Grace
John David Corey
Betsy Shiverick
Jeffrey Smith
Thomas Kirchhoff

ALTERNATE MEMBERS

Katherine Catlin
Dan Floersheimer
Ted Cooney
Richard Sammons

	1/27/2021	2/24/2021	3/24/2021	4/28/2021	5/26/2021	6/23/2021	7/28/2021	8/25/2021	9/29/2021	10/27/2021	11/19/2021	12/17/2021
Michael B. Small	P	P	#	#	#	#	#	#	#	#	#	#
Robert N. Garrison	P	P	P	P	P	P	P	P	P	P	P	P
Alexander C. Ives	P	P	P	P	P	P	P	P	P	P	P	P
Alicia "Maisie" Grace	P	P	P	P	P	P	P	P	P	E	P	E
John David Corey	P	P	P	P	P	P	P	P	P	P	P	P
Betsy Shiverick	P	P	P	P	P	U	P	P	P	P	P	P
Jeffrey Smith	P	P	P	P	P	P	P	P	P	P	P	P
Thomas Kirchhoff	\$	\$	P	P	P	P	P	P	P	P	P	P
Katherine Catlin	P	P	P	P	P	P	P	P	P	P	P	P
Dan Floersheimer	P	P	P	P	P	P	P	P	P	P	P	P
Ted Cooney	P	P	^	^	^	^	^	^	^	^	^	^
Richard Sammons				*	P	U	P	E	U	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 in March 2021
% - Excessive Conflicts of Interest - Removed
- Interim Appointment
^ Elected to Town Council

ARCHITECTURAL COMMISSION (ARCOM)

Next appointment: **March 8, 2022, Town Council meeting**

Openings advertised via news release: **January 14, 2022**

Deadline to submit applications: **Friday, February 25, 2022, by 5:00 p.m.**

Number of openings: **2 regular and 3 alternate members**

Applicants

<u>NAME</u>	<u>SEEKING</u>
Katherine “KT” Catlin	Reappointment (Only Eligible for Regular Member)
Dan Floersheimer	Reappointment (Promotion to Regular Member)
Richard Sammons	Reappointment (Promotion to Regular Member)
Elizabeth Connaughton	New Appointment
Julie Herzig Desnick	New Appointment
Kenn Karakul	New Appointment
Josh Martin	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Regular Members</u>	
Michael B. Small (Chair)***	March, 2022
John David Corey (Vice Chair)	March, 2024
Alexander C. Ives***	March, 2022
Maisie Grace	March, 2023
Betsy Shiverick	March, 2023
Jeffrey W. Smith – Architect	March, 2024
Thomas M. Kirchhoff – Architect	March, 2024
<u>Alternate Members</u>	
Katherine Catlin*** & **	March, 2022
Dan Floersheimer**	March, 2022
Richard Sammons – Architect**	March, 2022

Highlighted in yellow=term currently expiring/vacant

*=Applied for reappointment

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

***=Termed out

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER(S)
TO THE **ARCHITECTURAL COMMISSION (ARCOM)**
Town Council Meeting on **March 8, 2022**

Positions to be filled: 2 Regular Members

Please circle 2 from the list of names appearing below

Alternate Members Applying for Reappointment
(Listed Alphabetically)

Katherine “KT” Catlin

Dan Floersheimer

Richard Sammons

Others Who Have Submitted Applications
(Listed Alphabetically)

Elizabeth Connaughton

Julie Herzig Desnick

Kenn Karakul

Josh Martin

Signature of Town Council Member: _____
Town Council Member

**BALLOT FOR APPOINTMENT OF ALTERNATE MEMBER(S)
TO THE ARCHITECTURAL COMMISSION (ARCOM)
Town Council Meeting on **March 8, 2022****

Positions to be filled: 3 **Alternate Members**

Please circle 3 from the list of names appearing below

Alternate Members Applying for Reappointment
(Listed Alphabetically)

Dan Floersheimer

Richard Sammons

Others Who Have Submitted Applications
(Listed Alphabetically)

Elizabeth Connaughton

Julie Herzig Desnick

Josh Martin

Signature of Town Council Member: _____
Town Council Member

Application for Service

Profile

Katherine

First Name

"KT"

Middle Initial

Catlin

Last Name

266 Fairview Road

Home Address

Suite or Apt

Palm Beach

City

FL

State

33481

Postal Code

kcatlin@hotmail.com

Email Address

Home: (561) 842-7084

Primary Phone

Home: (908) 229-9151

Alternate Phone

Question applies to multiple boards

KMC Verified

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

KTC

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

Residency confirmed

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)**Which Boards would you like to apply for?**

Architectural Review Commission (ARCOM): Submitted

In what area of town do you live?

☒ North

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

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

Question applies to Architectural Review Commission (ARCOM)

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

11

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

At this time I expect to possibly miss October due to a work conference out of state. All other meeting I anticipate being available for.

Question applies to Architectural Review Commission (ARCOM)

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

I do not have experience requesting approvals however I have served as an alternate on the commission for 5 years

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

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

Present Occupation

EO Gold Coast Builders Assoc.

No. of years

3

Past occupation(s)

I have been in the workforce for over 50 years. Starting as an executive in the retail industry I was in the buying line for such noted companies as Hahne's Department Store, Bamberger's, Stern's and JW Rhodes. I moved from the merchandising side of the business to operations and training. I left retail and went to work as a sales associate for Schlott Realtors in 1989. I have over 30 year Real Estate sales/training and management for many of the top companies, Weichert, Re Max and Coldwell Banker and Century 21. My specialty has always been new construction. I have remained an active participant in the Housing Industry. Currently I am the Executive Officer for Gold Coast Builders Association and sit on the National Association of Home Builders, Remodeler's Council Board of Trustees.

No. of years

37+

Please provide details regarding your educational background:

Fairleigh Dickinson University; Madison, NJ, BA 1974 Licensed NJ Real Estate Broker 1994 Institute of Residential Marketing (MIRM Candidate) Certified New Homes Sales Professional 1994 Certified New Homes Marketing Professional 2001 Certified Luxury Home Marketing Specialist 2004 Graduate Realtor Institute (GRI) 1994 Landmark Education Introduction Leader 2008 Continuing Education Over 300 hours

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

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

- ☒ Architecture
- ☒ Landscape Architecture/Design
- ☒ Architectural History
- ☒ History
- ☒ Design
- ☒ Building Construction

Question applies to Architectural Review Commission (ARCOM)

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

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

I have an extensive background in "Housing/Building/Real Estate" that allows me to objectively review the projects presented. I am also a Full Time resident and am the 3rd generation of my family to call Palm Beach Home. Having served for 5 years and have demonstrated my ability to work in a professional manner with both the applicants and my fellow commissioners. I am diligent in my preparation and I believe fair in my evaluations. I firmly believe it is important to preserve the ambiance, culture and beauty of our town and I fully understand that additions/renovations/restorations and new construction are always going to occur. It has been a privilege to work with all involved to strike a balance that works to enhance the beauty of our town while protecting its history.

Question applies to multiple boards

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

☒ Yes ☐ No

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

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

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

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

ARCHITECTURAL COMMISSION (ARCOM)

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

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

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

SALES & MARKETING EXECUTIVE

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

AREAS OF EXPERTISE • QUALIFICATIONS • ACHIEVEMENTS

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

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

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

PROFESSIONAL EXPERIENCE

EO at Gold Coast Builders Association of FL

2019 - Present

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

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

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

Professional Experience Continued....

Broker Associate

2017 – Present

Paragano Real Estate Management Inc, Short Hills NJ

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

Director Sales & Marketing

Sales Manager, Licensed Real Estate Broker

1989 – 2002

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

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

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

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

- Partnered with relatively new builder to develop target specific sales and marketing plan to aggressively penetrate new market in a highly competitive demographic. Award winning campaign earned numerous industry accolades and brand recognition for the builder; improved sales pace 100%, drove transactional value up 93% and value added revenues grew 230%.
- Initiated and developed the Home Sale Contingency Program to assist customers in the liquidation of their current properties. Program resulted in \$50,000 revenue in the first 12 months.
- Collaborated with the executive committee throughout a needs assessment and performance improvement strategy, and successfully championed the design and implementation of the Broker Outreach Program to provide marketing support to key builders targeting high profile realtors, and which became the basis for the New Homes and Lands marketing program incorporated region wide.
- Successful execution of the Broker Outreach Program combined with a formal region wide sales training initiative resulted in the total reorganization of the division from a purely sales operation into a fully integrated sales and marketing support division.
- Earned 20+ Sales and Management Awards During This Period Including:
 Million Dollar Club Gold Level; Multi-Million Dollar Circle Award; Ambassador's Club;
 President's Circle; Industry Sales & Marketing Awards; National Membership Recruitment;
 Special Achievement Awards and Sales Director of the Year

Retail Operations & Merchandising**1972 – 1999****Additional Work Experience**

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

LOCAL / CIVIC / INDUSTRY ACHIEVEMENTS

Alternate Member Town of Palm Beach Architectural Review Commission 2017 - Present**NAHB Remodelers Council Board of Trustees 2021 - Present****NAHB Custom Home Committee Board 2019 - 2020**

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

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

EDUCATION & CERTIFICATIONS

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

Extensive Local, State & National Trade Affiliations – Sample Listings Includes:

Hunterdon Somerset, NJ State and National Boards of Realtors; (HSAR), (NJAR), (NAR)
Past member Legislative Committee, RPAC Committee, Elected Board of Trustees

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

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

KATHERINE (K.T.) CATLIN

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

EDUCATION & CERTIFICATIONS

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

Continuing Education Over 300 hours

LOCAL, STATE & NATIONAL TRADE AFFILIATIONS

Local Associations:

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

State Associations:

New Jersey Association of Realtor (NJAR)
New Jersey Builders Association (NJBA)

National Associations:

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

Committees:

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

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

Visionary & Strategic Planning

AWARDS

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

Application for Service

Profile

Elizabeth

First Name

A

Middle Initial

Connaughton

Last Name

226 Brazilian Avenue

Home Address

Apt. 3C

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

lizzi@lizziconnaughton.com

Email Address

Mobile: (561) 346-4706

Primary Phone

Alternate Phone

Question applies to multiple boards

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

KMC verified

eac

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

residency confirmed

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)**Which Boards would you like to apply for?**

Architectural Review Commission (ARCOM): Submitted

In what area of town do you live?☒ Midtown

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

As a long time Palm Beacher, I understand this town on a deeply personal level - as a home, as a place for public and social life, and, as I've grown up, as a center for design. After receiving my education in traditional architecture and urban design from Notre Dame, and work experience with Scott Merrill, I'd like to put my background to use in stewardship of this community. Though I am not yet a licensed architect, I have a deep and unique understanding of both traditional (classical) architecture and urbanism - a skill gained through my education, a foundation that nearly all American architecture schools omit, and of course the very foothold of architecture in this town. This knowledge base can be of distinct benefit to positions of leadership in Palm Beach. New development and design should simultaneously fit into, respect, and add to a city. It should enrich the community while preserving the spirit of the place. The Architectural Commission has a unique ability to make or break these most important decisions for the town. A professor of mine from Notre Dame once said, "If you want to change the world, go home." I would be honored to use my background to contribute to Palm Beach's continued legacy as an urban and architectural hub in America.

Question applies to Architectural Review Commission (ARCOM)

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

0

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

September 28th 2022 meeting. If necessary, can attend via zoom

Question applies to Architectural Review Commission (ARCOM)

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

Second hand through my parents building their house in the North End.

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

☒ Preservation Foundation of Palm Beach

Present Occupation

Architectural and Urban Designer/Real Estate Development

No. of years

4

Past occupation(s)

Architectural Designer at Merrill Pastor and Colgan Architects in Vero Beach, FL

No. of years

2

Please provide details regarding your educational background:

Bachelor of Arts - Boston College (Majors Philosophy, Studio Art, Economics) Master of Architecture - The University of Notre Dame (one year abroad Rome studies program) Master of Architectural Design and Urbanism - The University of Notre Dame (one year abroad Rome studies program)

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

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

- ☒ Architecture
- ☒ Landscape Architecture/Design
- ☒ Architectural History
- ☒ History
- ☒ Design
- ☒ Building Construction

Question applies to Architectural Review Commission (ARCOM)

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

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

My passion and desire for understanding how design affects people's lives began with my studies in Philosophy and the Arts as an undergraduate at Boston College. We studied the problems that the coming of modernism brought to the world of design, particularly the departure from meaning and the transition from the human to the machine. These notions of course resonated with me, having grown up on the island that's life and vibrance thrives on traditional planning and architectural design. This philosophical grounding in a design of reason and purpose sparked in me a strong desire - and almost sense of responsibility - to create environments that are stimulating, dignified, and beautiful for people to live well and flourish. My studies at BC were the underpinning for which I continued my formal architectural training at Notre Dame, the only school that teaches Classical and traditional Architecture. While there, I was selected among my classmates to pursue a second masters degree in Urban Design. The dual-degree program included a year abroad in Rome and four years to complete both the M.Arch and M.ADU. The program was rigorous but rewarding, particularly the travel across the globe learning about the world's architectural traditions. With Notre Dame I traveled to Greece, Belgium, Cuba, China, and some of America's greatest and most historic cities. I deepened my study of traditional design and craft through international design programs with INTBAU in Spain and Portugal, and the Prince's Foundation in London and Scotland. In studying and analyzing the form of both Eastern and Western traditions, the glaringly obvious came as an outcome of traditional design and planning - and that is the by-default creation of a spirit of place, places which felt wonderful to be in, in which people were quite literally flourishing, and which Palm Beach certainly has always had. While at Notre Dame, I had aspirations to work for the best, people who took into account all listed above. I spent a summer interning most notably for Demetri Porphyrios in London, where I worked primarily on an urban redesign for a military barracks in London just south of Hyde Park, and where I eventually turned down a full-time position to be closer to home. Upon graduating, I worked for Scott Merrill in Vero Beach, FL. Scott is known most for his work at the conception of Seaside, FL (most notably the Seaside Chapel) and the town center in Windsor, Florida, among many others. To many, and particularly the circles in traditional architecture and urbanism at Notre Dame, Yale, and the University of Miami, he and Demetri Porphyrios are some of the best living architects of our time. I feel uniquely honored to have been able to learn from the best, and particularly from Scott who's design sensibility hits so close to home. While working with Scott, I worked on a 10,000 sf ocean front residence in Windsor Florida, two 6-unit Gulf-front condo's in Alys Beach, FL, and, together with the Prince's Foundation, a large urban design just outside the city of Atlanta. I helped peripherally with the Windsor Fitness Center before eventually leaving to begin a career in design of my own. Put most simply, my personal aspirations are to work in stewardship of the built environment. I would like to change the paradigm of real estate development and lead with the perspective of a trained designer rather than a businessperson who doesn't necessarily prioritize the integrity of the built environment - and of course, begin here in my hometown and home state that seems to need it most. My life, world view and desire to continue a legacy of beautiful building is inextricably tied to this town. As a 29-year-old, female, local designer, I can bring fresh eyes to the Commission. With a broad design background starting at the urban level, a strong foundation for the language of classicism in this town, an understanding of tradition as a foundation for any design, and a deep understanding of life on the island from childhood through adulthood, I believe I can be an asset to Palm Beach's Architectural Commission.

Question applies to multiple boards

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

☒ Yes ☐ No

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

Dragana Connaughton Richard Connaughton Nicole Connaughton Cameron Lickle

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

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

ARCHITECTURAL COMMISSION (ARCOM)

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

ELIZABETH CONNAUGHTON

226 Brazilian Ave. Apt 3C, Palm Beach, FL 33480
(561) 346-4706 eaconnaughton@gmail.com

EDUCATION

UNIVERSITY OF NOTRE DAME, Notre Dame, IN
2018, Master of Architecture, Master of Architectural Design and Urbanism
Rome Studies Program, two semesters abroad

BOSTON COLLEGE, Chestnut Hill, MA
2014, Bachelor of Arts
Majors: Studio Art, Philosophy, Economics

EXPERIENCE

AGORA DESIGN & DEVELOPMENT, Palm Beach, FL, Birmingham, AL
2021 - Present. Co-Founder

MERRILL, PASTOR, & COLGAN ARCHITECTS, Vero Beach, FL
2018 - 2020. Assisted in all levels of design for private and multifamily residences

PORPHYRIOS ASSOCIATES, London, UK
2017, Six-week internship. Assisted in schematic urban design

LIEDERBACH AND GRAHAM, ARCHITECTS, Chicago, IL
2016, Six-week internship. Assisted in schematic design for private residence

PATRICK AHEARN, ARCHITECT, Boston, MA
2015, Seven-week internship. Site documentation, existing conditions drawings, developed
of construction drawings, hand rendered drawings for client presentation and several design
competitions, designed entrance gate to private residential street on Martha's Vineyard

ADDITIONAL STUDIES AND AFFILIATIONS

PALM BEACH PRESERVATION FOUNDATION, Palm Beach, FL
2020 - Present. Member

INSTITUTE OF CLASSICAL ART AND ARCHITECTURE, FL Chapter
2020 - Present. Member

INTBAU SUMMER URBAN DESIGN STUDIO, Beira, Portugal
2018, Three-week studio abroad. Urban infill in historic railroad town that fell into disrepair
with the cessation of rail travel between Spain and Portugal.

TEACHING ASSISTANT, Notre Dame
2017-2018, sophomore design studio, two semesters

THE PRINCE'S FOUNDATION, London, UK
2017, Three-week summer school abroad in drawing, geometry, and building crafts. First-
hand experience in timber joinery, stone carving, lime plastering, pargetting, and thatching

TRADITIONAL CHINESE ARCHITECTURE AND URBANISM, China
2017, Three-week travel abroad. Visited Hong Kong, Shanghai, Nanjing, Suzhou, Pingyao,
and Beijing to analyze and document traditional Chinese architecture and urbanism

INT. SCHOOL OF TRADITIONAL ARCHITECTURE & URBANISM, Seville, Spain
2016, Two-week workshop abroad. Designed urban quarter outside Seville's historic center

GRADUATE STUDIES COMMITTEE, Notre Dame
2016, Elected student representative. Met with committee of graduate professors and
the Dean of the SoA to discuss ways to improve the graduate curriculum

THE LAUGHING MEDUSA, Boston College
2014, Two paintings published, including the 2013-2014 cover, in *The Laughing Medusa*,
Boston College's women's literary arts magazine

GRADUATE SCHOOL OF DESIGN, Harvard University, Cambridge, MA
2013, Six-week Career Discovery Program in Studio Architecture

LONDON SCHOOL OF ECONOMICS, London, UK

03-08-22 2012, Three-week course abroad on the Economics of European Integration

Application for Service

Profile

Julie

First Name

Herzig Desnick

Middle Initial

Last Name

150 Bradley Place

Home Address

Apt. 716

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

juherzig@aol.com

Email Address

Home: (561) 653-4080

Primary Phone

Home: (917) 806-7466

Alternate Phone

Question applies to multiple boards

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

KMC verified

JHD

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

In what area of town do you live?☒ North

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I am interested in serving on the Architectural Review Commission (ARCOM) because the physical environment of Palm Beach is very important. Our Town is a jewel, of which we are all proud. Its character is unique and must be carefully preserved so that its aesthetic integrity is maintained for future generations. From experience, I know that a beautiful neighborhood and harmonious streetscape requires attention and community cooperation. To understand ARCOM's work, I read through recent minutes of ARCOM meetings to familiarize myself with the nature of the building projects and relevant concerns. This gave me an appreciation of the work of the Commission and the type of issues it oversees. The Commissioners addressed many of the same themes faced by my previous neighborhood, where individuals and developers were pushing to overbuild and did not always understand the context of the neighborhood. It is imperative for ARCOM to maintain a balance between tradition vs. change and individual requests vs. the common good in its interpretation of the Buildings and Building Regulation Chapter 18 of the Code of Ordinances. This is a challenge that I look forward to tackling if selected to serve on the Architectural Review Commission.

Question applies to Architectural Review Commission (ARCOM)

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

3

Question applies to Landmarks Preservation Commission

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

2

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

I am committed to work at an excavation in Sicily for 6 weeks this summer. In the future, I can be more flexible as necessary.

Question applies to multiple boards

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

I have been an alternate on the Code Enforcement Board since May 2021, with a 100% attendance record.

Question applies to Architectural Review Commission (ARCOM)

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

No

Question applies to Landmarks Preservation Commission

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

☒ Yes ☐ No

Question applies to Landmarks Preservation Commission

If So, where?

I restored two brownstones in Manhattan, an 1827 Federal townhouse in the West Village, and an 1869 Italianate townhouse in the Carnegie Hill Neighborhood. The former was landmarked and one of the 200 oldest houses in Manhattan. The latter should have been landmarked as the integrity of the block of 12 row houses was slowly destroyed.

Question applies to Landmarks Preservation Commission

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

I have lived in three houses over 100 years old. Two of them I restored. One was landmarked. I am involved with many preservation organizations. I am also on the Board of the Archaeological Institute of America where I am a member of the Historic Preservation Committee.

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

- ☒ Palm Beach Civic Association
- ☒ Preservation Foundation of Palm Beach
- ☒ National Trust for Historic Preservation
- ☒ Other

Present Occupation

Architect & archaeologist

No. of years

30

Past occupation(s)

Facilities manager and designer Fine arts painter

No. of years

40+

Please provide details regarding your educational background:

Mount Holyoke College, A.B., 1973, Major: Fine Art, Minor: French and Italian; Pratt Institute, B. Arch., 1983; American School of Classical Studies at Athens, 2011, Summer Program; Institute of Fine Arts at New York University, M.A., 2015, History of Art and Archaeology with focus on Greek art, architecture, and urban planning

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

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

- ☒ Architecture
- ☒ Architectural History
- ☒ History
- ☒ Design
- ☒ Building Construction

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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

- ☒ Architecture
- ☒ Architectural History
- ☒ Landscape/Architecture Design
- ☒ Law
- ☒ Building Construction
- ☒ Municipal Planning
- ☒ Law Enforcement/Code Enforcement

Question applies to Architectural Review Commission (ARCOM)

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

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

☒ Yes ☐ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

New York State

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

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

As a licensed architect in New York, and having applied for a Florida license, I feel qualified to serve on the Town's Architectural Commission. I am required to take annual Continuing Education Units (CEU) to keep up with the latest building trends, and environmental, safety, and health issues. Furthermore, I am full-time resident of the Town of Palm Beach, and currently serve as an alternate member of the Code Enforcement Board. The violations we adjudicate reflect the regulations in the Town of Palm Beach Code of Ordinances and mirror the expectations of the Town. I have attended every meeting. As a former resident of New York City, I was on the Board of Carnegie Hill Neighbors, a community non-profit, where I was on the Preservation Committee, whose "efforts protect historic buildings, landmarks, and the human-scale of the neighborhood" through zoning and landmark projects. I restored and updated the mechanical systems of two townhouses, a 1827 Federal townhouse in the West Village, and subsequently, an 1869 Italianate townhouse on the Upper East Side. As block association president, I wrote a "Referral for Evaluation" to landmark the block to halt the demolition of two adjacent townhouses. In addition, I was involved in many other local community development issues. Please see my attached CV and feel free to contact me. I would be happy to answer any questions or share more details about my qualifications.

Question applies to multiple boards

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

☒ Yes ☐ No

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

Dr. Robert J. Desnick (spouse) Mrs. Carolyn Minskoff (aunt) Sara & Robb Allan (cousins)

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

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

ARCHITECTURAL COMMISSION (ARCOM)

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

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

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

LANDMARKS PRESERVATION COMMISSION

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

CURRICULUM VITAE

Julie Herzig Desnick
150 Bradley Place, Palm Beach, FL. 33480
juherzig@aol.com

Education

Mount Holyoke College, 1973, A.B., Major: Fine Art; Minor: French, Italian
Pratt Institute, 1983, B. Arch.
American School of Classical Studies at Athens, Greece, Graduate Certificate for Summer Session, 2011,
Institute of Fine Arts at NYU, 2015, M.A. in History of Art and Archaeology, Major: Classical Archaeology, 2015

Professional Licenses & Certificates

Registered Architect since 2009, NY License # 033151
Florida Architecture License Pending
LEED Green Associate

Professional Memberships:

American Institute of Architects
Archaeological Institute of America
United States Green Building Council

Professional Experience:

LoGiudice Gallery, Soho, Assistant Director, 1973-1973.
Pace Gallery, New York City, Print Sales Associate, 1974-1975.
Carol Horn Inc., Fashion Designer, Public Relations, 1975-1978.
Liz Claiborne Inc., Fashion Designer, Public Relations Consultant, 1978.
Redroof Design, Architecture, Long Island City, Yann Weymouth, Principal, Office Manager & Drafter, 1979-1980.
Phillips Janson Group, Architecture, New York City, Architect, 1983-85.
Herzig Design, Architecture & Design, Principal, 1985 - present.
Mount Sinai School of Medicine, Facilities Design, 1994-2008.
New York University Selinunte Excavations, Sicily, Archaeological Site Surveys, 2012-present

Board Memberships:

Carnegie Hill Neighbors, 2008-2020 (leave of absence 2012-2015)
Brownstone Committee Chair, Historic Preservation Committee
Mount Holyoke College Art Museum, Art Advisory Board, 2007-2017
Nominating Committee Chair, Special Events
Archaeological Institute of America, 2010 - present
Site Preservation Committee, Cultural Heritage Committee,
Joukowsky Distinguished Service Award, Nominating Committee
Code Enforcement Board, Town of Palm Beach, Alternate, 2021 - present

Research Publications:

Herzig, J., Van der Valk, L., "Referral for Evaluation: Fifteen 19th Century Rowhouses in Carnegie Hill, New York"
research document submitted to the New York City Landmarks Preservation Commission, 2007.
Herzig, Julie, "From Myth to Reality: Changing Perceptions and Representations of the Dwarf from the *François Vase* to the *Peytel Aryballos*." Academia.edu, Institute of Fine Arts Thesis, 2015

Languages:

French, fluent speaking, reading, writing
Italian, conversational, reading, writing
Ancient Greek, in progress

Extracurricular:

Paint in watercolors and oils. Swim. Travel.

Application for Service**RECEIVED**
By Kelly Churney at 1:58 pm, Jan 24, 2022

Profile

Dan

First Name

Floersheimer

Middle Initial

Last Name

126 Chateaux Dr

Home Address

Suite or Apt

Palm Beach

City

FL

State

33481

Postal Code

dan.floersheimer@icloud.com

Email Address

Home: (561) 660-6617

Primary Phone

Mobile: (203) 273-1674

Alternate Phone

Question applies to multiple boards

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

KMC verified

DF

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

Residency confirmed

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

In what area of town do you live?☒ North

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I have been coming to Palm Beach for over 50 years, and now love living here. I want to help protect and maintain the beauty that draws people to this slice of paradise. Further, I feel that participation on ARCOM is a way in which I can give back to the community.

Question applies to Architectural Review Commission (ARCOM)

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

12

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

none

Question applies to Architectural Review Commission (ARCOM)

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

I received approval for a glass railing before I was appointed to the commission

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

None Selected

Present Occupation

Financial Advisor

No. of years

16

Past occupation(s)

Head of bond dept., Head of derivatives, Bond sales

No. of years

40

Please provide details regarding your educational background:

American International School Zürich Boston College, BS Finance

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

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

- ☒ Architecture
- ☒ History

Question applies to Architectural Review Commission (ARCOM)

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

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

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

I have served one year on the ARCOM Commission and have both learned much as well as given thoughtful consideration to the many projects that came before us. A major concern to me has been the building on divided lots and irregular or sized lots. Too often, applicants try to build to the maximum size allowed which often does not fit in with the neighborhood and what is aesthetically pleasing to the eye. Being charged with maintaining the beauty of Palm Beach, I feel it is my responsibility to offer constructive criticism so that these projects in particular are reduced in scale and better fit into their neighborhood.

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

none

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

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

ARCHITECTURAL COMMISSION (ARCOM)

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Daniel Floersheimer Resume

Boards / Commissions / Committees

- ARCOM – Town of Palm Beach – 1 year
- Southampton Commons, Southampton, NY – Board Member 5 years
- Mountain Laurel Homeowners Association, Greenwich, CT – Board Member and Treasurer – 15 years
- University Of California, Los Angeles, CA – Entrepreneurship Endowment Fund – Committee Member 4 years
- University of Richmond, Richmond, VA – Parent Leadership Committee 4 years
- Amherst College, Amherst, MA – Parent Leadership Committee 3 years, Outdoor Art Committee 2 yr.
- Brunswick School, Greenwich, CT – Annual Fund Committee 14 yrs.

Application for Service**Profile**

Kenn

First Name

Karakul

Middle Initial

Last Name

241 Jungle Road

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

kenn.karakul@gmail.com

Email Address

Mobile: (561) 379-5594

Primary Phone

Alternate Phone

Question applies to multiple boards

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

KMC verified

KK

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

Residency verified

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

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

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

As a resident for over 35 years, I strongly believe in protecting and enhancing the beauty and architectural integrity of our special community. As a former member of ARCOM for approximately 10 years, I know how the board works and can contribute positively as the Town faces new challenges and pressures. It would be an honor to continue my service to the Town.

Question applies to Architectural Review Commission (ARCOM)

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

1

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

none

Question applies to Architectural Review Commission (ARCOM)

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

In addition to serving as a former member of ARCOM for over 10 years, I have designed and constructed 5 homes on the island. My most recent project was a recipient of the Preservation Foundation's Schuler Award. I also did a restoration of 4 El Bravo Way which received the Ballinger Award.

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

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

Present Occupation

Self Employed

No. of years

30

Past occupation(s)

E-Commerce, Real Estate

No. of years

15

Please provide details regarding your educational background:

Graduated in psychology with art minor. Consistent personal and professional interest in architecture

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

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

- ☒ Architecture
- ☒ Landscape Architecture/Design
- ☒ Architectural History
- ☒ History
- ☒ Design

Question applies to Architectural Review Commission (ARCOM)

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

☒ Yes ☐ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

I have extensive personal and professional history in residential construction. I have designed and constructed 5 homes on the island, restored a landmarked house, and served on ARCOM for approximately 10 years.

Question applies to multiple boards

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

☐ Yes ☒ No

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

Jim Held (partner)

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

Physically Disabled

☒ Yes ☐ No

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

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Application for Service**Profile**

Joshua

First Name

L

Middle Initial

Martin

Last Name

354 Chilean Avenue

Home Address

Unit 3E

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

josh.martin@frisbiegroup.com

Email Address

Mobile: (843) 247-2057

Primary Phone

Alternate Phone

Question applies to multiple boards

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

KMC verified

JLM

Question applies to multiple boards

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Question applies to multiple boards

residency confirmed

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Architectural Review Commission (ARCOM): Submitted

In what area of town do you live?

☒ Midtown

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

My interest in serving on ARCOM rests in the desire to enhance the fabric of the Town. I feel that the Town's Zoning Code currently promotes suburban building types without adherence to contextual relationship to the existing built environment. Moreover, the Town's Zoning Code promotes height, scale, and mass that is not reflective of historic Palm Beach settlement principles and architectural vernacular. I maintain the professional and technical experience to preserve Palm Beach and promote a Palm Beach of the future that is in keeping with its past.

Question applies to Architectural Review Commission (ARCOM)

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

ALL

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

I will be available for all meetings if appointed to ARCOM.

Question applies to Architectural Review Commission (ARCOM)

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

Yes, I have personal experience with ARCOM both from the public sector side as Director of the Planning, Zoning, and Building Department and the private sector in my role at Frisbie Group.

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

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

Present Occupation

Director of Planning & Zoning at Frisbie Group

No. of years

1.4

Past occupation(s)

Town of Palm Beach Director of Planning, Zoning, and Building; City of Charleston (South Carolina) Senior Advisor to the Mayor on the Built Environment; Director of Planning & Strategy at Turnberry Consulting (headquartered in London, UK), City of Charleston Director of Planning, Preservation, and Economic Innovation; Town of Bluffton (South Carolina) Town Manager, Town of Bluffton Community Development Director; Town of Bluffton Senior Planner

No. of years

21

Please provide details regarding your educational background:

Harvard University: Massachusetts The Bloomberg|Harvard City Leadership Initiative 2016-2018 The Bloomberg Harvard City Leadership Initiative is a collaboration among Harvard Kennedy School, Harvard Business School, and Bloomberg Philanthropies. Its mission is to inspire and strengthen city leaders, as well as equip them with the tools to lead high-performing, innovative cities. Josh served as an inaugural class member. The program offers leadership and management training to mayors who lead cities with vision and purpose, and to two senior officials from each city who are most crucial to affecting organizational change. In addition to an intensive classroom experience, the program works with each participating mayor and city leader over the course of a year to foster their professional growth and the advancement of key capabilities within their city halls. I was in the inaugural class of this program.

Clemson University: Clemson, South Carolina Masters of City and Regional Planning: September 1999 -- May 2001 (GPA 3.94/4.00) Concentration: Site Planning/Urban Design & Land Use Law Course Work Included: Real Estate Development, GIS, Coastal Planning, Quantitative Methods, & Economics Awards: Summa Cum Laude, Dean's List, Citations in City & Regional Planning: First- and Second-Year Faculty Awards Campus Activities: Dean's Council of Students, MCRP Student Representative to Faculty Committee, Search Committee for Associate Dean of Research & Outreach Wofford College, Spartanburg, South Carolina Bachelor of Arts Degree in Government: September 1994 -- May 1998 (GPA 3.18/4.00) Course Work Included: Constitutional Law, Mathematics, Humanities, Philosophy, Study Abroad in Indonesia Awards: Dean's List, The Wofford Scholar Award, The Wofford College Campus Union President Award, Who's Who Among Students in American Universities & Colleges Campus Activities: Student Body President (Sophomore Year), Campus Union (Student Government) Representative for Four Years, Student Recruitment Committee Miami University: Oxford, Ohio Mathematics Coursework: Summer Session 1993 (GPA 4.00/4.00)

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

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

- ☒ Architecture
- ☒ Landscape Architecture/Design
- ☒ Architectural History
- ☒ History
- ☒ Design
- ☒ Building Construction

Question applies to Architectural Review Commission (ARCOM)

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

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

Not Applicable

Upload a Resume

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

☐ Yes ☒ No

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

My inimitable work experience in the public, private, and non-profit sectors provides me with a unique advantage in contributing to the design review process of the Town of Palm Beach. I have experience in working with public officials, leaders, the private sector (and residents who possess various levels of knowledge of town management and architectural review, land use planning/design principles. I also administered the Board of Architectural Review (BAR) as the Planning Director and Senior Advisor to the Mayor in the Nation's Oldest Historic District (Charleston, South Carolina) and the Town of Bluffton's Historic Preservation Commission. I have also served as the head of numerous design review boards throughout my professional career. As a result, I have developed the professional experience in how to review and improve (when needed) proposed design schemes presented to ARCOM.

Question applies to multiple boards

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

☒ Yes ☐ No

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

Not Applicable.

Demographics

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Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

Physically Disabled

☐ Yes ☒ No

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☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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Joshua Martin, AICP, CNU-A

Contact Information

354 Chilean Avenue, Unit 3E (33480)
PO BOX 2304 (33480)
Palm Beach, Florida
jlangem@yahoo.com | +1.843.247.2057

Personal Information

Date of Birth: 2 March 1976
Place of Birth: Covington, Kentucky
Citizenship: USA

Education

Harvard University

Cambridge, Massachusetts

The Bloomberg|Harvard City Leadership Initiative

2016-2018

The Bloomberg Harvard City Leadership Initiative is a collaboration among Harvard Kennedy School, Harvard Business School, and Bloomberg Philanthropies. Its mission is to inspire and strengthen city leaders, as well as equip them with the tools to lead high-performing, innovative cities. Josh served as an inaugural class member. The program offers leadership and management training to mayors who lead cities with vision and purpose, and to two senior officials from each city who are most crucial to affecting organizational change. In addition to an intensive classroom experience, the program works with each participating mayor and city leader over the course of a year to foster their professional growth and the advancement of key capabilities within their city halls.

Clemson University

Clemson, South Carolina

Masters of City and Regional Planning

September 1999 -- May 2001 (GPA 3.94/4.00)

Concentration: Site Planning/Urban Design & Land Use Law

Course Work Included: Real Estate Development, GIS, Coastal Planning, Quantitative Methods, & Economics

Awards: Summa Cum Laude, Dean's List, Citations in City & Regional Planning: First- and Second-Year Faculty Awards

Campus Activities: Dean's Council of Students, MCRP Student Representative to Faculty Committee, Search Committee for Associate Dean of Research & Outreach

Wofford College

Spartanburg, South Carolina

Bachelor of Arts Degree in Government

September 1994 -- May 1998 (GPA 3.18/4.00)

Course Work Included: Constitutional Law, Mathematics, Humanities, Philosophy, Study Abroad in Indonesia

Awards: Dean's List, The Wofford Scholar Award, The Wofford College Campus Union President Award, Who's Who

Among Students in American Universities & Colleges

Campus Activities: Student Body President (Sophomore Year), Campus Union (Student Government) Representative for Four Years, Student Recruitment Committee

Miami University

Oxford, Ohio

Mathematics Coursework

Summer Session 1993 (GPA 4.00/4.00)

Professional Membership

American Institute of Certified Planners (AICP), 2003 to Present.

American Planning Association, Member, 1999 to Present.

Beaufort County Open Land Trust, Board Member, 2004 to 2008.

Beaufort County United Way Bluffton Campaign Cabinet, Member, 2004 to 2006.

Bloomberg Harvard City Leadership Initiative: Inaugural Class, 2016 to 2018.

Congress for the New Urbanism, Member, 2003 to Present. **CNU-Accredited.

Congress for the New Urbanism-Carolinas Chapter, Organizing Committee, 2004 to 2006.

Enough Pie, Founding Board Member, 2013 to 2017.

National League of Cities, 2016 to present.

Next American City Vanguard, Founding Class Member, 2009.

Technical College of the Lowcountry, Board Member, 2006 to 2008.

The Seaside Institute, Member, 2004 to Present.

Urban Land Institute, 2001 to Present.

ULI Reality Check Charleston Executive Steering Committee, 2007 to 2008.

ULI South Carolina Center for Sustainable Leadership, Founding Class Member, 2007 to 2008.

Professional Experience

Public Sector Experience: 11 years, 11 months of which 9 years, 8 months were in supervisory/leadership roles

Town of Palm Beach, Florida

Director of Planning, Zoning, and Building

Palm Beach, Florida

August 2018 to February 2020

Josh was hired as the Director of the Planning, Zoning, and Building Department by the Town Manager to effectuate change within the department related to the existing culture, processes, customer service, and zoning code provisions. Within the first year of his joining the department, Josh led the Town of Palm Beach Process Improvement Initiative and as a result has positively transformed the internal and external department processes conducted in partnership with a transparent community-based partnership with residents, business community, and the private development sector and supported by customer service that is timely, consistent, respectful, clear, and accountable; with better tools and support to staff in performing their roles. Josh was also responsible for the administration, direction, and supervision of the overall operation of the Planning, Zoning & Building Department (23 staff members) as well as the efficient operation, responsible budget preparation (\$8.6 million annual department budget), and adherence to Town policies of the department, which includes the activities of the Architectural Commission, Landmarks Preservation Commission (historic preservation), and Planning and Zoning Commission in compliance with the Town Ordinances and Codes. In FY 2018-2019, the department processed 9,263 building permits (\$11,435,720 in permit fees and \$341,383, 296 in Town-wide construction value).

City of Charleston, South Carolina

Senior Advisor to the Mayor on the Built Environment

Director of Department of Planning, Preservation, and Economic Innovation

Charleston, South Carolina

January 2016 to August 2018

September 2006--August 2008

As Senior Advisor to the Mayor, Josh managed and supervised all activities of departments within the City of Charleston related to the Built Environment of the City, including: Planning, Preservation, and Sustainability; Housing and Community Development; Parks and Capital Projects; Public Services; Transportation; and Government Innovation (500+ staff members) departments to include supervising development and implementation of departments' budgets, analyzing and evaluating the effectiveness of departments' operations, services, programs, and making appropriate recommendations for improvements to Mayor. Served as project manager for a myriad of special projects under the Mayor's direction, including but not limited to the management of the capital project campaign, resiliency, affordable/workforce housing, public access, social equity, resiliency, and improving the efficiency of basic governmental services within the Mayor's office as well as multiple government data innovation projects in partnership with Bloomberg Philanthropies (What Works Cities Program). Enrolled in Bloomberg Philanthropies' inaugural Senior City Staff Leadership Program alongside senior staff members from thirty-nine (39) other cities around the world, thus honing my executive leadership craft alongside my professional experience.

As Director of Planning, Preservation, and Economic Innovation. Supervised all activities of the Planning & Neighborhoods (112 neighborhood associations), GIS, Urban Design & Preservation, Zoning, Economic Development, Special Projects and Knowledge-Based Business (40 staff members) divisions to include supervising development and implementation of Department/Division budgets, analyzing and evaluating the effectiveness of department operations, services, programs, and making appropriate recommendations for improvements to Mayor. Facilitated communications between staff, other departments, and the general public, to include conducting staff meetings and community-based planning sessions, meeting with the Mayor regularly, corporate relocation representatives, and responding to neighborhood matters. Served as project manager for a myriad of special projects under the Mayor's direction, including but not limited to the Magnolia Development Concept Plan and related development agreement, the Johns Island Community Plan (charrette-based plan) and Johns Island Code, Long Savannah Concept Plan, and reformation of zoning & development standards for the City.

The Town of Bluffton, South Carolina

*Town Manager (*promotion)
Community Development Director (*promotion)
Assistant Community Development Director (*promotion)
Senior Planner
Community Development Intern*

Bluffton, South Carolina
May 2000-July 2006

Developed Town's first Capital Improvements Program (\$22 million Community Infrastructure Bank) along with financing plan composed of development fee revenue streams and municipal Tax Increment Financing (TIF) District. Developed community modeling program (twenty-year property tax projections for all new communities within the Town) to assist in five-year budgetary forecast. Planned, directed, and supervised the Town's daily organizational, management, administrative, and financial operations to ensure all operations are conducted in accordance with established ethical standards in close coordination with the Mayor and Town Council members. Supervised all activities of the Community Development, Administration, Judicial, and Police Departments (58 staff members) to include developing and implementing Town budget (overall \$7 million operating budget). Initiated the efforts of the Old Town Master Planning Effort & Form-Based Code conducted by Dover, Kohl, & Partners.

Private Sector Experience: 8 years, all of which were in supervisory/managerial roles

Frisbie Group

Director of Planning, Zoning, and Building

Palm Beach, Florida

November 2020--Present

Frisbie Group, LLC is a private real estate investment firm based in Palm Beach, Florida, specializing in the reimagination and revitalization of prime real estate assets in strategic locations. Focusing on innovative investment strategies, FG strives to not only create value at the asset level but also to enhance the surrounding community. This concept of placemaking is central to our investment philosophy. It serves as a strong driver behind the enthusiasm to partner with world-class architects and designers to proactively re-envision our communities so they are strategically positioned for future generations.

Turnberry Consulting US

Director of Planning & Strategy

Washington, District of Columbia

September 2012 to January 2016

Turnberry Consulting US is a management consultancy specializing in urban planning and real estate development strategy. As Director of Planning & Strategy at Turnberry Consulting US, Josh managed the US operations of London-based Turnberry Consulting and has led numerous strategic development projects including urban infill projects; development feasibility and financial studies; retail and commercial schemes; regional and community master plans; and the implementation of the retrofit of suburbia. Josh operated within the realms of urban planning, urban design, project management (consultant team management) including vast experience and success in the US, UK, and Canada. Representative private sector projects include developing a financial forecasting model that illustrated public and private benefits of the proposed Mississauga Downtown 21 Master Plan (Ontario); the redevelopment strategy for a historic, Gilded Age cottage in Lenox, Massachusetts, that employed creative solutions to a challenging entitlement environment; a regeneration strategy and master plan for the historic house museum "The Mount" (Berkshire cottage of Edith Wharton) to preserve the historic functions of the estate while bringing it back to financial stability; and design and project management of a complex, mixed-use infill project in the nation's oldest historic district including thirty-two (32) residential units, a relocated and renovated historic chapel, and the creation of a new city park.

Sustainable Settlement, LLC

*Managing Principal
Managing Principal*

Charleston, South Carolina | Palm Beach, Florida

*January 2009 to September 2012
February 2020 to November 2020*

Served as the managing principal of the urban planning consultancy. Projects included authoring the Ridgeland, South Carolina Sector Master Plan and SmartCode; the Boundary Street Master Plan & Form-Based Code Project Director (implementation of a suburban retrofit project including management of other consultants, construction and budget management, application of grants and funding sources to aid the implementation of the public realm improvements, and review of all proposed structures and development in the private realm of the regeneration area that is governed by a form-based code); the City of Beaufort Civic Master Plan Project Manager; and Bull Street Neighborhood (urban planning/design services for an award-winning 181-acre, mixed-use redevelopment project in Downtown Columbia, South Carolina including 3,500 dwelling units and 3,300,000 square feet of non-residential development).

Non-Profit Sector Experience: 2 years, 4 months, all of which were in supervisory/managerial roles

South Carolina Coastal Conservation League

Charleston, South Carolina

Program Director of Land Use & Communities (Environmental Protection Advocacy)

August 2008 to December 2010

Directed, managed, and supervised all activities of the Land Use & Communities Division (included the management of Land Use Staff in three offices along the entire coastal region of South Carolina). Effectively engaged and persuaded colleagues, public officials, stakeholders, and media unfamiliar with or opposed to environmental protection and sustainable urbanist planning theory and practice to convince them of the value of an approach that features comprehensiveness, sustainability, and smart growth. Researched and advocated sustainable urbanism practices in the realms of local/state/federal governmental policy—sustainable development, street network design, urban and suburban infill, open space preservation, affordable housing, environmental conservation programming, zoning/development standards, LEED ND principles, and light imprint infrastructure.

Projects + Publications

Town of Bluffton Growth Management Policy and Unified Development Ordinance Study. 2019 to Present. Bluffton, SC.
 l'On and Earl's Court Shared Parking Studies. 2017 to Present. Mt. Pleasant, SC.
 Reedy River Redevelopment Area Form-Based Code, 2015 to 2018. Greenville, SC.
 Rethink Folly Road: The Complete Street Corridor Study (Implementation Section), 2015. Charleston, SC.
 The Mount (Edith Wharton's Home): A New Trail Network for The Berkshires, 2015. Lenox, MA.
 Morris Sokol Zoning and Development Analysis, 2014. Charleston, SC.
 Washington Hall & Café at Hampton Park: Revitalization Plan, 2014. Charleston, SC.
 Spring Lawn Redevelopment Plan: 2013-2014. Lenox, MA.
 The Boundary Street TIGER III Grant Application: 2011, Beaufort, SC. **\$12.6 million TIGER III Grant Awarded.
 The Beaufort Civic Master Plan, 2010-2012. **CNU Charter Award Recipient. Beaufort, SC.
 Bull Street Neighborhood Form-Based Code and Design Review Board Director, 2010 to Present. Columbia, SC.
 The Bluffton Township Watershed Plan: Sector Plan and Code, 2009. Bluffton, SC.
 Town of Ridgeland, South Carolina Form Based Code, 2008. Ridgeland, SC.
 South Carolina Department of Transportation Draft Design Manual for Walkable Thoroughfares, 2008.
 The New Way to Work Analysis: An Alternative to Proposed I-526 Expansion, 2009. Charleston, SC.
 City of Charleston Suburban Renewal Zone Plan and Code, 2008. Charleston, SC.
 City of Charleston Urban Growth Boundary Policies and Procedures, 2008.
 The Johns Island (Charleston, South Carolina) Community Plan, 2007. **South Carolina State APA Award Recipient.
 The Town of Bluffton Community Infrastructure/Redevelopment Plan 2005.
 The Bluffton Live-Work/Duplex Unit, Architectural Plans, 2004.
 The Bluffton Historic Small Home Program, Palmetto Planner, 2002.
 May River/Bruin Roads Corridor Study & Streetscape Improvements, 2001.
 The John C. Calhoun Memorial Highway Corridor Study 2001.

Conferences + Presentations

Mayors' Institute on City Design: 74th National Session, Expert Panel Member: Richmond, VA, November 2019.
 Twenty Seventh Annual Congress for the New Urbanism: Louisville, KY, June 2019.
 Bloomberg|Harvard University Cross Sector Collaboration Leadership Program: New York, NY, March 2018.
 United Kingdom – International Metro Mayor Summit, Presenter: London United Kingdom, December 2017.
 Bloomberg|Harvard University City Leadership Initiative: New York, NY, August 2017.
 ULI Spring Meeting, Urban Development/Mixed Use Product Council: Seattle, WA, May 2017.
 The Hometown Summit, Presenter: Charlottesville, VA, April 2017.
 Mayors' Institute on City Design, Presenter: Charleston, SC, January 2017.
 US Conferences of Mayors, Annual Meeting: Washington DC, January 2017.
 Resilient Cities Summit, Presenter: Santa Fe, NM, December 2016.
 CityLab 2016: Urban Solutions to Global Challenges: Miami, FL, October 2016.
 Society for College and University Planning Annual International Conference: Chicago IL, July 2015.
 The Monocle Quality of Life Conference: Lisbon, Portugal, January 2015.
 Seventeenth Congress for the New Urbanism, Presenter: Denver, CO, June 2009.
 ULI Brownfields Conference, Presenter: Charleston, SC, November 2008
 SmartCode Workshop, Placemakers: Miami Beach, FL, November 2007.
 Advanced Traditional Neighborhood Development Techniques: Seaside, FL, Dec 2005.
 Visiting Lecturer|Adjunct Faculty: College of Charleston, Charleston Law School, Columbia University, The University of Maryland, Savannah College of Art and Design.



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

RECEIVED

FEB 01 2022

Town Clerk's Office

ARCHITECTURAL COMMISSION (ARCOM)

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

Name: RICHARD SAMMON Residence Address: 485 WORTH AVE P.B.F.L.
Mailing Address: SAME Home Telephone: 646-2701094
E-mail Address: RSAMMONS@FAIRFAXANDSAMMONS.COM Work Telephone: 805 8591

I am a registered voter of the Town of Palm Beach Yes (please initial) RS 2/1/22 PML

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

1. Why are you interested in serving on the Architectural Commission? (Please explain; attach additional pages if necessary)

Currently and ALTERNATE MEMBER.

Concerned about the poor quality of architecture in town.

2. How many meetings of the Architectural Commission have you attended in the last year? 10

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

NO

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

NO

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

Yes, as an Architect.

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

- ☐ Palm Beach Chamber of Commerce
☐ Palm Beach Civic Association
☐ Citizens' Association of Palm Beach

- ☒ Preservation Foundation of Palm Beach
☐ North End Property Owners Association
☐ Neighborhood Alliance of Palm Beach
☐ Other

7. Present occupation. ARCHITECT

No. of years. 35

Employer. FAIRFAX AND SAMMONS

8. Past occupation(s). N/A

No. of years.

Employer(s).

9. Are you currently a Registered Architect in the State of Florida? ☒ Yes ☐ No

Are you currently a Registered Architect in another state? ☒ Yes ☐ No

If So, in which state are you currently registered? OHIO NY CONN. MASS. VA
N.C. S.C.

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that are applicable)

- ☒ Architecture
☒ Landscape Architecture/Design
☒ Architectural History

- ☒ History
☒ Design
☒ Building Construction

11. Please provide details regarding your educational background.

BA Denson V. BAKER MARCH, University of
Virginia, Attingham, Attingham Royal
Collections course.

12. Why do you feel that you are qualified to serve on the Town's Architectural Commission? (Attach additional page if necessary)

I have served in the past

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

Family Member Name	Relationship	Address	Occupation	Employer
Anne Fairfax	wife	455 Worth	Architect	RFS, Arch

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

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

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

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

☒ Yes ☐ No

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

RACE

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

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☐ No

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

SIGNATURE: [Signature] DATE: 2.1.22

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

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

ARCHITECTURAL COMMISSION (ARCOM)

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

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Code Enforcement Board

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated February 28, 2022, from Pat Gayle-Gordon, Acting Town Clerk**
- ▣ **Attendance Record**
- ▣ **Sample Ballot - Regular Members**
- ▣ **Sample Ballot - Alternate Member**
- ▣ **Status Sheet**
- ▣ **Application - Pamela T. Davies**
- ▣ **Application - Karen Egger**
- ▣ **Application - Gary Feldman**
- ▣ **Application - Bruce Langmaid**
- ▣ **Application - Bram Majtlis**
- ▣ **Application - John B. McGowan**
- ▣ **Application - Pamela Saba**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jay Boodheshwar, Deputy Town Manager

FROM: Pat Gayle-Gordon, Acting Town Clerk

RE: Code Enforcement Board Appointment of Two (2) Regular and One (1) Alternate Member(s)

DATE: February 28, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) regular and one (1) alternate member(s) to the Code Enforcement Board. These members will fill the vacancies created due to the term expirations for Bram Majtlis, Steven Meltzer and Pamela Saba who are all eligible for reappointment.

GENERAL INFORMATION

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

1. Bram Majtlis – 2275 S. Ocean Blvd., #207A, Palm Beach, FL;
2. Pamela Saba – 2760 S. Ocean Blvd., #412, Palm Beach, FL.

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

1. Pamela T. Davies – 2275 S. Ocean Blvd., #107N, Palm Beach, FL;
2. Karen Egger – 216 Colonial Lane, Palm Beach, FL;
3. Gary Feldman – 264 Everglade Ave., Palm Beach, FL;
4. Bruce Langmaid – 354 Chilean Ave., Palm Beach, FL;
5. John B. McGowan – 210 Esplanade Way, Palm Beach, FL.

Attachments

cc: Nicholas Caristo, Chief of Police

Code Enforcement Board Attendance Record 2021

Member	1/21	2/18	3/18	4/15	5/20	6/17	7/15	8/19	9/17	10/21	11/18	12/16
Bram Majtlis	<i>(Regular Member 4/2019 - Alternate Member as of 6/2018 - Chairman 5/2021)</i>											
	P	P	P	P	P	P	P	P	P	P	P	P
Daniel McDonnell	<i>(Regular Member as of 04/2017, Alternate 11/2016 - 04/2017)</i>											
	P	P	P	P	P	P	P	P	P	P	P	E
Linda K. Wartow	<i>(Regular Member as of 04/2018, Alternate 02/2018 - 04/2018)</i>											
	P	P	P	P	P	P	E	P	P	P	P	P
Steven Meltzer	<i>(Regular Member as of 7/2018, Alternate 4/2018 - 7/2018 - Vice Chairman 5/2021))</i>											
	P	P	P	P	P	P	P	P	P	P	U	P
Martin Klein	<i>(Regular Member as of 1/2021)</i>											
	P	P	P	P	P	P	P	P	P	P	P	P
Scotch Peloso	<i>(Regular Member as of 4/2021)</i>											
	-	-	-	-	P	P	P	P	P	P	P	P
Chris Larmoyeux	<i>((Regular Member as of 4/2021)</i>											
	-	-	-	-	P	P	P	P	P	P	P	P
Pamela Saba	<i>(Alternate Member as of 4/2020)</i>											
	P	P	P	P	P	P	P	P	P	P	P	P
Julie Herzig Desnick	<i>(Alternate Member as of 4/2021)</i>											
	-	-	-	-	P	P	P	P	P	P	P	P
Matthew Natale, Chair	<i>(Regular Member as of 4/2015, Alternate 12/2013 - 04/2015)</i>											Term Exp. 4/2021
	P	P	P	P								
Rosemary G. Carpenter	<i>(Regular Member as of 4/2018, Alternate 04/2017 - 04/2018)</i>											Term Exp. 4/2021
	P	P	P	P								

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

Code Enforcement Board Attendance Record 2022

Member	1/20	2/17	3/18	4/21	5/19	6/16	7/21	8/18	9/15	10/20	11/17	12/15
Bram Majtlis	<i>(Regular Member 4/2019 - Alternate Member as of 6/2018 - Chairman 5/2021)</i>											
	P	P										
Daniel McDonnell	<i>(Regular Member as of 04/2017, Alternate 11/2016 - 04/2017)</i>											
	P	P										
Linda K. Wartow	<i>(Regular Member as of 04/2018, Alternate 02/2018 - 04/2018)</i>											
	P	P										
Steven Meltzer	<i>(Regular Member as of 7/2018, Alternate 4/2018 - 7/2018 - Vice Chairman 5/2021))</i>											
	P	P										
Martin Klein	<i>(Regular Member as of 1/2021)</i>											
	P	P										
Scotch Peloso	<i>(Regular Member as of 4/2021)</i>											
	P	P										
Chris Larmoyeux	<i>((Regular Member as of 4/2021)</i>											
	P	P										
Pamela Saba	<i>(Alternate Member as of 4/2020)</i>											
	P	P										
Julie Herzig Desnick	<i>(Alternate Member as of 4/2021)</i>											
	P	P										
Matthew Natale, Chair	<i>(Regular Member as of 4/2015, Alternate 12/2013 - 04/2015)</i>										Term Exp. 4/2021	
	P	P	P	P								
Rosemary G. Carpenter	<i>(Regular Member as of 4/2018, Alternate 04/2017 - 04/2018)</i>										Term Exp. 4/2021	
	P	P	P	P								

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

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER(S)
TO THE **CODE ENFORCEMENT BOARD**
Town Council Meeting on **March 8, 2022**

Positions to be filled: 2 Regular Members

Please circle 2 from the list of names appearing below

Regular Members Applying for Reappointment

Bram Majtlis

Alternate Member Applying for Reappointment

Pamela Saba

Others Who Have Submitted Applications

(Listed Alphabetically)

Pamela T. Davies

Karen Egger

Gary Feldman

Bruce Langmaid

John B. McGowan

Signature of Town Council Member: _____
Town Council Member

BALLOT FOR APPOINTMENT OF ALTERNATE MEMBER
TO THE **CODE ENFORCEMENT BOARD**
Town Council Meeting on **March 8, 2022**

Positions to be filled: 1 Alternate Member

Please circle 1 from the list of names appearing below

Alternate Member Applying for Reappointment

Pamela Saba

Others Who Have Submitted Applications
(Listed Alphabetically)

Pamela T. Davies

Karen Egger

Gary Feldman

Bruce Langmaid

John B. McGowan

Signature of Town Council Member: _____
Town Council Member

CODE ENFORCEMENT BOARD

Next appointment: **March 8, 2022, Town Council meeting**

Openings advertised via news release: **January 14, 2022**

Deadline to submit applications: **Friday, February 25, 2022, by 5:00 p.m.**

Number of openings: **2 regular members and 1 alternate member**

Applicants

<u>NAME</u>	<u>SEEKING</u>
Bram Majtlis	Reappointment
Pamela Saba	Reappointment
Pamela T. Davies	New Appointment
Karen Egger	New Appointment
Gary Feldman	New Appointment
Bruce Langmaid	New Appointment
John B. McGowan	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Regular Members</u>	
Bram Majtlis, Chair*	April 1, 2022
Steven Meltzer, Vice Chair	April 1, 2022
Daniel McDonnell	April 1, 2023
Linda K. Wartow	April 1, 2023
Martin I. Klein	April 1, 2023
Scotch Peloso	April 1, 2024
Chris Larmoyeux	April 1, 2024
<u>Alternate Members</u>	
Pamela Saba*	April 1, 2022
Julie Herzig Desnick	April 1, 2024

Highlighted in yellow=term currently expiring/vacant

*=Applied for reappointment

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

***=Termed out

Application for Service

Profile

Pamela

First Name

T

Middle Initial

Davies

Last Name

2275 s ocean Blvd

Home Address

#107n

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

pdavies1224@gmail.com

Email Address

Home: (703) 981-0411

Primary Phone

Home: (561) 268-7444

Alternate Phone

Question applies to multiple boards**I am a registered voter in the Town of Palm Beach (Initial below)**

PTD

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

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

PTD

Question applies to multiple boards

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

Question applies to multiple boards

Residency confirmed

Please upload proof of residency

Question applies to multiple boards

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

In what area of town do you live?

☒ South

Interests/Experience

Question applies to Code Enforcement Board

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

I have been a full time resident for the past four years. I have seen the importance of maintaining cohesive standards to keep the town running like a well oiled machine. All entities that affect quality of life, health and well-being must be maintained to the highest of standards.

Question applies to Code Enforcement Board

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

0

Question applies to Landmarks Preservation Commission

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

0

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

August

Question applies to multiple boards

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

Palm Beach-2019-2021 Architectural Review Board, Reef Condominiums Miami Beach - 2014-2016 South of Fifth Neighborhood Board Miami 2014-2016 Propeller Club of Miami Attendance record was all meetings

Question applies to Code Enforcement Board

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

In Miami Beach the neighborhood board was very involved with the local police , fire department, schools etc. to make recommendations to enforce and maintain quality of life.

Question applies to Landmarks Preservation Commission

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

☒ Yes ☐ No

Question applies to Landmarks Preservation Commission

If So, where?

Reef Condominiums Palm Beach

Question applies to Landmarks Preservation Commission

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

I currently live in a landmarked property.

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

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

Present Occupation

Retired

No. of years

10

Past occupation(s)

Hyatt Hotels/Convention Sales May Dept Stores/Retail Buyer Walt Disney Company/Operations Manager

No. of years

13

Please provide details regarding your educational background:

Virginia Commonwealth University-BA Marketing I have extensive corporate training with both Disney and Hyatt.

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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

☒ None



Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to Code Enforcement Board

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

I have a very solid understanding of what the town is doing to regulate and maintain a superior environment to live and visit. I recognize the challenges that are tasked with .

Question applies to multiple boards

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

☒ Yes ☐ No

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

None

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

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

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

CODE ENFORCEMENT BOARD

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

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

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

LANDMARKS PRESERVATION COMMISSION

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



PAMELA DAVIES

pdavies1224@gmail.com | 703-981-0411 | Palm Beach, FL 33480

Summary

I am a seasoned professional with excelled communications skills. In addition to my professional career I have worked in countless volunteer capacities on every type of committee from environmental presentation to the architectural review board of my condo building. I have lived in Palm Beach for the past four years and have gained a superior understanding and a great deal of respect for the highly coordinated efforts in takes to maintain a uniform standard and quality of excellence.

Skills

- ◆ Key account development
- ◆ Complex project negotiations
- ◆ Promotional sales events
- ◆ Lead generation
- ◆ Rapport and relationship building
- ◆ Market and competitive analysis
- ◆ Profit and revenue-generating strategies
- ◆ Consultative and relationship selling
- ◆ Social media savvy
- ◆ National account management

Experience

Hyatt Hotels Corp | Savannah, GA
Convention Sales Manager
12/2010 - 06/2013

Hyatt Hotels Corp | Reston, VA
Catering Sales Manager
06/2007 - 12/2010

May Department Stores | Washington, DC
Retail Buyer
06/2000 - 06/2007

Walt Disney Parks and Resorts | Orlando,
FL
Operations Manager
01/1996 - 06/2000

Education and Training

Virginia Commonwealth University | Richmond, VA
Bachelor of Arts in Marketing
06/1996

Profile

Karen

First Name

Egger

Last Name

216 Colonial Ln

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

eggerkaren@gmail.com

Email Address

Home: (561) 557-1270

Primary Phone

Alternate Phone

Question applies to multiple boards

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

KE

Question applies to multiple boards

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

Question applies to multiple boards


Please upload proof of residency

Residency confirmed

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

In what area of town do you live?☒ North

Interests/Experience

Question applies to Code Enforcement Board

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

After having lived in Switzerland for many years, I sought a location in the US that offered the highest possible quality of life. Palm Beach is that location. A large part of that quality of life is due to having respect for each other's rights. The Code Enforcement Board is critical to preserving that respect and quality of life. Personally, I want to participate in my community in an area where my background and expertise will be beneficial.

Question applies to Code Enforcement Board

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

0

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

I travel to Europe throughout the year, but am always available through zoom or other meeting platforms.

Question applies to multiple boards

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

N/A

Question applies to Code Enforcement Board

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

No

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

☒ Preservation Foundation of Palm Beach

Present Occupation

Retired

No. of years

4 years

Past occupation(s)

I am a lawyer. Most of my career was in the financial sector in legal and regulatory compliance roles.

No. of years

34

Please provide details regarding your educational background:

Bachelor of Arts, Cornell University, Ithaca NY Juris Doctor, Columbia University, New York NY

Question applies to Landmarks Preservation Commission, Code Enforcement Board

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

☒ Law

[Karen_Egger_CV_US_for_SH.pdf](#)

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to Code Enforcement Board

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

My career in compliance makes me uniquely qualified to serve on the Code Enforcement Board. I have experience and expertise in these key areas: 1) developing a thorough understanding of applicable regulations/code provisions; 2) researching and understanding the context and underlying objectives of such code provisions, 3) understanding the context of questionable conduct, 4) applying the code provisions to complex facts and conduct in a way that is holistic, keeping in mind the purpose of the code and balancing competing interests. I am the winner of the Schuler Award (2014) which underscores my belief in and commitment to creating beautiful and liveable spaces without reliance on variances from the local zoning code.

Question applies to multiple boards

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

☒ Yes ☐ No

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

None

Demographics

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

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☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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☒ I Agree

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CODE ENFORCEMENT BOARD

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Karen Egger

216 Colonial Lane
Palm Beach, FL 33480

(561) 557-1270
eggerkaren@gmail.com

Professional Profile

Extensive experience in the international financial sector and civil society in senior strategic and operational risk control, regulatory compliance and management with specific expertise in anti-money laundering compliance and corruption. Proven track record in:

- 1) **Risk Management:** conducting risk assessments, recommending and implementing risk management strategies to ensure compliance with applicable regulations and maintain “best practice” standards;
 - *Investments and Tax Planning:* analyzing and managing risks associated with offshore trusts and companies as well as standard and exotic banking and investment products;
 - *Private Banking Expertise:* analyzing and managing risk associate with private banking products, systems and procedures;
- 2) **Anti-Corruption:** developing, advising and evaluating anti-corruption strategies and programs in multi-national businesses across a variety of industries;
- 3) **Corporate Governance and Fraud:** establishing and implementing codes of conduct dealing with conflicts of interest, insider trading, and fraud, investigating potential breaches of said rules, conducting “post mortems” and developing and implementing efficient and effective corrective action as appropriate;
- 4) **Regulatory:** developing and implementing competitive regulatory strategies in multiple, competing regulatory environments;
- 5) **Communication:** preparing reports to regulators around the world as well as senior management and the board of directors, ensuring consistency within an international organization through training and other forms of internal communication;
- 6) **Negotiation:** discussing and resolving issues with internal and external regulators and auditors across cultural and geographic lines, making presentations to internal and external audiences, persuading internal and external decision makers;
- 7) **Dispute and Complaint Resolution:** handling of client complaints, often related to matters of regulatory compliance in the financial services industry;
- 8) **Management:** managing professionals, motivating and training direct staff.

Professional Experience

January 2012 - December 2013
Transparency International, Berlin
Senior Programme Manager, Private Sector Head

Responsible for development and implementation of Transparency International’s Business Integrity Programme, including strategy, policy, advocacy, fund raising, program management, training, tools, coalition building and resource management. Transparency International is the leading civil society organization in the global fight against corruption. The Business Integrity Programme’s mission is to engage and support businesses in combatting corruption.

February 2010 - December 2011

Gonet & Cie, Geneva

Member of Senior Management, Head of Legal & Compliance

Responsible for legal and regulatory compliance matters for a small international private bank. Managed a team of professionals in Geneva, Monaco, the Bahamas and Singapore. Responsible for day-to-day management as well as strategy. Coordinated compliance interaction with regulators and auditors in multiple jurisdictions.

March 2003 - January 2010

EFG International and EFG Bank, Geneva

Senior Vice President, Global Head of Compliance

Responsible for head office and global compliance, 15 staff in Geneva head office and more than 50 compliance officers and staff in over 20 jurisdictions in Asia, the Middle East, Europe and the Americas, including the United States.

- Coordinated anti-money laundering policy for EFG International world-wide to achieve institutional consistency as well as efficiency
- Developed and implemented anti-money laundering and other compliance procedures consistent with applicable domestic and foreign regulations and best practice
- Supported front office employees on compliance and regulatory matters
- Supported Management, Finance, Credit, Operations, Human Resources departments on compliance aspects affecting their activities
- Liaised with internal and external auditors and regulators on compliance and anti-money laundering matters
- Reported quarterly to the Audit Committee of the Board of Directors of EFG International

May 2002 - March 2003

Independent Consultant, Geneva

Developed anti-money laundering, transaction monitoring compliance software in collaboration with Valendi, S.A.

November 1997 - May 2002

Citibank (Switzerland) AG, Geneva

Vice President, Risk Assessment Unit Head

Instrumental in implementing and managing innovative anti-money laundering strategy for three private banking branches in Switzerland, managing team of 5 officers overseeing transaction monitoring, "know your client" due diligence and outside portfolio managers. Developed risk control framework for regulatory compliance.

- Coordinated anti-money laundering policy cross-border and cross-vehicle, ensuring institutional consistency as well as efficiency
- Developed and enhanced anti-money laundering procedures, resulting in turnaround from failed to successful audits
- Actively participated in the development and refinement of anti-money laundering policies and procedures with private bank head office in New York
- Successfully implemented automated transaction monitoring system
- Coached and sensitized staff, private bankers and managers to risks of money laundering, as well as to the business implications of non-compliance, resulting in a significant heightening of awareness
- Built up expertise and credibility of the Risk Assessment Unit to control and monitor regulatory risks
- Conducted risk assessments, developed, implemented and monitored corrective action
- Successfully drove internal and external audit and regulatory review process

November 1991 - October 1997

Lemantrust, SA, Geneva

Managing Director

Managed privately owned trust company serving highly specialized international portfolio management boutique based in Geneva, part of the Bearbull Group, and its predominantly European clients.

- Actively participated, along with Bearbull portfolio managers, in client acquisition through the use of fiduciary vehicles
- Developed and delivered mostly tailored trust and company solutions through Bearbull's offshore subsidiaries
- Trained portfolio managers and ensured that they were kept abreast of legal and regulatory developments that could affect them and their clients
- Prepared and delivered proposals to clients in English and French
- Led small team of accounting professionals

October 1983 - October 1991

Confidas Finance et Placement, SA, Zurich

Vice President

Various responsibilities in innovative common law trust company located in civil law jurisdiction, including offshore trust administration, management of trust and company administration, international marketing and general management.

- Developed and marketed fiduciary products and services to private banking clients of Citibank throughout Asia and Europe
- Trained and managed trust administration team in Switzerland
- Integrated common law trust company concept into Swiss civil law banking environment
- Participated in strategic planning

Education, Languages & Personal

On-going professional development in management and specialist areas such as compliance, anti-corruption, fraud, international regulatory matters and anti-money laundering, offshore trusts and private investment companies.

Juris Doctor, 1983

Columbia University School of Law, New York, NY

Member of New York Bar

Bachelor of Arts, 1979

Cornell University College of Arts & Science, Ithaca, NY

Major in Soviet Studies

Languages

English mother tongue and fluent in French
Notions of German, Spanish & Russian

Personal

Born September 27, 1957; dual citizen of the United States & Switzerland; divorced; three adult children

Other interests: Violin, golf

References available on request

Town of Palm Beach

Submit Date: Jan 19, 2022

Application for Service

Profile

Gary M Feldman
First Name Middle Initial Last Name

264 Everglade Avenue
Home Address Suite or Apt

Palm Beach FL 33480
City State Postal Code

gary@garyfeldman.com
Email Address

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

Question applies to multiple boards

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

GMF

Question applies to multiple boards

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

Question applies to multiple boards


Please upload proof of residency

Residency confirmed

Which Boards would you like to apply for?

Code Enforcement Board: Submitted

In what area of town do you live?

☒ Midtown

Interests/Experience

Question applies to Code Enforcement Board

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

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

Question applies to Code Enforcement Board

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

0

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

It would depend on whether occasional Zoom attendance would be allowed

Question applies to multiple boards

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

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

Question applies to Code Enforcement Board

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

No but I am very aware of code violations and feel that it is my civic duty to get involved.

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

None Selected

Present Occupation

Real Estate Broker

No. of years

40+

Past occupation(s)

Real estate has been my entire adult career

No. of years

40+

Please provide details regarding your educational background:

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

Question applies to Code Enforcement Board, Landmarks Preservation Commission

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

☒ None

[2021 Resume.pdf](#)

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to Code Enforcement Board

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

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

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

Amy H Feldman - Spouse

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

Question applies to Code Enforcement Board

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

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

CODE ENFORCEMENT BOARD

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

Gary Feldman

EXPERIENCE

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

EDUCATION

1970-1975	University of Utah <i>B.S. Economics</i>	Salt Lake City
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PROFESSIONAL LICENSES & CREDENTIALS

Licensed as a broker in Colorado since 1985

Granted Realtor Emeritus designation by National Association of Realtors

Licensed as a broker in Florida since 2010

Previously licensed as a broker in Texas, Illinois, Utah

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

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

Faculty Instructor – The Real Estate School, Boulder Colorado

ASPEN BOARD OF REALTORS

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

Realtor of the Year - 1998



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

CODE ENFORCEMENT BOARD

RECEIVED

FEB 17 2022

Town Clerk's Office

9:38 am

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

Name: BRUCE M. LANGMAID

Residence Address: 354 CHILEAN AVE, PALM BEACH, FL 33480

Mailing Address: 354 CHILEAN AVE, PALM BEACH, FL 33480 Home Telephone: CELL (202) 489-9700

E-mail Address: BRUCEINPB@YAHOO.COM Work Telephone: N/A

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

KMC-
Verified

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

1. Why are you interested in serving on the Code Enforcement Board? (Please explain and attach additional pages if necessary)
It is essential for the Town to maintain the beauty that it is famous for.

It is imperative at this time to bring violators into compliance as the Town explodes in population.

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

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

Former Alternate, then Commissioner of "Planning & Zoning" Town of Palm Beach.

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

I will be available for meetings.

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

I have Officer Moriarty on speed dial!

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

- | | |
|--|--|
| ☐ Palm Beach Chamber of Commerce | ☒ Preservation Foundation of Palm Beach |
| ☒ Palm Beach Civic Association | ☐ North End Property Owners Association |
| ☐ Neighborhood Alliance of Palm Beach | ☒ Other <u>Tocqueville Society, United Way</u> |
| ☐ Citizens' Association of Palm Beach | |

7. Present occupation. MAZZA FAMILY TRUST, LLC No. of years. 22

Employer. _____

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

Employer(s). _____

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

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

10. Please provide details regarding your educational background:

Western Connecticut State University and Georgetown University

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

As a past Commissioner of Planning and Zoning, I observed many infractions of the Town Code and Comprehensive Plan.

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

Family Member Name	Relationship	Address	Occupation	Employer

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

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

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

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

RACE

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

GENDER

- ☒ Male ☐ Female

PHYSICALLY DISABLED

- ☐ Yes ☐ No

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

SIGNATURE: _____

DATE: Feb 20, 2022

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

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Application for Service**RECEIVED**
By Kelly Churney at 9:33 am, Jan 18, 2022

Profile

Bram

First Name

Majtlis

Middle Initial

Last Name

2275 S. Ocean Blvd. #207A

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

bmajtlis723@me.com

Email Address

Mobile: (404) 274-8113

Primary Phone

Alternate Phone

Question applies to multiple boards

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

BM

Question applies to multiple boards

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

Question applies to multiple boards

Residency confirmed

Please upload proof of residency**Which Boards would you like to apply for?**

Code Enforcement Board: Submitted

In what area of town do you live?☒ South

Interests/Experience

Question applies to Code Enforcement Board

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

I had the pleasure to serve one term on the Code Enforcement Board and would be honored to serve a second term. Helping to bring violators of the Town's Code and Ordinances into compliance and preserving the beauty and character of Palm Beach is dear to me.

Question applies to Code Enforcement Board

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

12

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

None

Question applies to multiple boards

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

Code Enforcement Board Palm Beach One term of three years. Attended all meetings during this term with the exception of one meeting.

Question applies to Code Enforcement Board

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

Yes, I had the pleasure to serve one term in which I was a member, the Vice Chair and then the Chair.

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

☒ Citizens' Association of Palm Beach

Present Occupation

Retired

No. of years

3 years

Past occupation(s)

President IMTC, Inc

No. of years

26

Please provide details regarding your educational background:

Native of and educated in The Netherlands, live in the USA since 1989 and became a citizen in 2001.

Question applies to Code Enforcement Board, Landmarks Preservation Commission

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

☒ None

[Bram Majtlis Resume 01-16-22.docx](#)

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to Code Enforcement Board

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

Because I have served as an alternate member, a member, a Vice Chair and Chair of this Board. I am a down to earth independent thinker and am able to make decisions that serve the greater good of the Town. I was the President of the Board of Directors of The Reef Condominium Association for 6 years and am a Vice Chair of the Citizens' Association of Palm Beach. I understand and respect the process and actions that are expected from this Board and would be honored to be appointed for a second term.

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

Nick M Gold, husband. Director of Marketing and Communications at Amrit Hotel & Residences at Singer Island.

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

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

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

CODE ENFORCEMENT BOARD

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

Bram Majtlis
2275 S.Ocean Blvd - #207A
Palm Beach, FL 33480
Phone: (404) 274-8113
Email: Bmajtlis723@me.com

Education

Openbare M.U.L.O Middelburg, The Netherlands
Petrus Hondius Lyceum Terneuzen, The Netherlands
CCFS Cours de civilization Française de la Sorbonne, Paris (French Language)
Ealing Technical College London. Cambridge English Proficiency (English language)
Intensive Deutsche Sprache, Dortmund Germany

Professional

1970-1989

Native of The Netherlands where employed in managerial positions at:
Holland America Line (various positions on board Statendam, Rotterdam, Veendam and Nieuw Amsterdam vessels)

Martinair Holland (Director Inflight Catering and Chief Purser on Board the plane of the Royal Dutch Family)

KLM Royal Dutch Airlines (Director Holland Promotions and General Director KLM Party Service and in charge of all parties at Royal Palace in Amsterdam)

Steigenberger Kurhaus Hotel, The Hague (Director Marketing & Sales – General Manager)

Grand Hotel Krasnapolsky, Amsterdam (Director Marketing & Sales and General Manager)

The Hague Visitors & Convention Buro, The Hague. (Vice President - President)

1989-1990

Director of Sales Dutch Incentive Travel Company, Georgia office

1990 -2018

Founder and Owner of IMTC, INC. (International Marketing & Travel Concepts) Atlanta, GA
Destination Management Company with program development to Europe
Travel package creation and provider of land components, operator in the USA with call centers for Martinair, Austrian Airlines, Lufthansa, Swissair.

2018 – present retired

Volunteer work

2009 - 2014 The Slade Condominium Association, West Palm Beach – Various positions

2015 – 2022 The Reef Condominium Association, Palm Beach – Board President

2017 – Present Citizens' Association of Palm Beach, Vice Chair

2018 – Present Town of Palm Beach Code Enforcement Board (alternate member, voting member, vice chair and chair).

RECEIVED

By gayle at 10:41 am, Feb 22, 2022



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

CODE ENFORCEMENT BOARD

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

Name: JOHN B. MCGOWAN, JR.

Residence Address: 210 Esplanade Way, PB 33480

Mailing Address: 210 Esplanade Way, PB

Home Telephone: 561.444.2375

E-mail Address: john@mcgowangrp.com

Work Telephone: 610.585.2701

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

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

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

Please see exhibit A

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

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

I currently serve AS A member of The Underground Utility Task Force. My appointment was effective MAY 2020. I have attended All meetings.

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

I will make myself available whenever necessary.

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

Please see exhibit A

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

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

7. Present occupation. Private Investor No. of years. 7

Employer. Retired

8. Past occupation(s). U.S. House of Representatives - Congressional Staff Assistant 5yrs
Manufacturing Business Owner - CEO No. of years. 37

U.S. House of Representatives - Congressman Richard T. Schulze (PA)
Employer(s). GAS BREAKER, INC & TAELO Fluid Systems, INC.
The Thistle Group, INC.

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

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

Course in Constitutional LAW

10. Please provide details regarding your educational background:

Graduate, The George Washington University, 1978

Bachelors Degree, Public Administration

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

See Exhibits A & B

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

Family Member Name	Relationship	Address	Occupation	Employer
Stephanie Mcowan	Wife	210 Esplanade Way Palm Beach, FL	Retired	GAS BREAKER, INC.

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

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

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

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

RACE

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

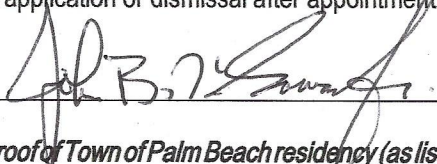
GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

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

SIGNATURE: 

DATE: February 22, 2022

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

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

CODE ENFORCEMENT BOARD

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

EXHIBIT A

Application of **John B. McGowan, Jr.** for service on The Code Enforcement Board of The Town of Palm Beach Florida

February 22, 2022

- 1.) The Town of Palm Beach enjoys a nationwide reputation for being one of the most beautiful, well-organized, and orderly communities in the United States. The Town's reputation has been achieved through the adoption of a well thought out municipal code of rules and regulations that provide for the quiet enjoyment of all the residents. It is essential that these rules and regulations be followed by all the residents to ensure a peaceful, orderly, and tranquil environment. The Code Enforcement Board provides the citizens with a forum to seek a fair hearing to adjudicate any conflicts related to the enforcement of these codes and regulations. I am dedicated to maintaining this environment in the Town of Palm Beach which is my principal reason for wishing to serve as a member of The Code Enforcement Board.
- 5.) In the 1980's I was the first Chairman of the **Code Enforcement Board** of our 168-unit condominium community, Mountain View, in suburban Philadelphia. My commitment to the strict enforcement of the condominium documents rules and regulations led to my being elected as the first President of the condominium Board of Directors.
- 11.) Early in my career, I worked as a Staff Assistant to a United States Congressman, in Washington, D.C. and, in this position, was a Case Worker resolving constituent disputes with a variety of Departments and Agencies within the Federal government including the IRS, the Social Security Administration, The Veterans Administration and the Defense Department.

As the Chief Executive Officer of a mid-sized company, for more than 37 years, it was often my responsibility to be the ultimate arbiter in resolving employee conflicts and to enforce all corporate policies, rules, and regulations.

EXHIBIT B

BIOGRAPHY OF JOHN B. MCGOWAN, JR.

Former Chairman & CEO, The Thistle Group, Inc.

John Black McGowan, Jr. was born in Bryn Mawr, Pennsylvania, USA on November 3, 1956. He was graduated from the Great Valley High School, Malvern, Pennsylvania in 1974 and the George Washington University, Washington, D.C. in 1978. He holds a Bachelor of Public Administration (BPA) degree from the Elliott School of International Affairs.

He was associated with the natural gas and fluid process industries for more than 37 years. Mr. McGowan holds several US patents related to safety shut-off gas valve technology known as Excess Flow Valves (EFVs).

Mr. McGowan is the former Chairman and Chief Executive Officer of The Thistle Group, Inc. which was the holding company for Gas Breaker, Incorporated, a family-owned manufacturing concern. The Thistle Group also owned JAECO Fluid Systems, Inc. a manufacturer of pumps and valves used in the fluid process and agricultural irrigation industries.

In 1975, Gas Breaker developed the first commercially successful excess flow valve for use in the natural gas distribution utility industry. Gas Breaker is the dominate manufacturer of excess flow valves in North America with a market penetration of more than 70%.

Mr. McGowan served on several industry Technical Standards Committees for the American National Standards Institute (ANSI), The American Society for Testing Materials (ASTM), The American Gas Association (AGA) and the American Society of Mechanical Engineers (ASME).

Mr. McGowan was the Chairman of the Natural Gas Valve and Fittings Committee (501), of the Manufacturers Standardization Society of the Valve and Fittings Industry (MSS) for 22 years. In 1995, under his leadership, MSS created the first Standard (MSS SP-115) for Natural Gas Excess Flow Valves in the United States, setting the benchmark which has been followed by several other United States standards organizations and was ultimately adopted as the model for a US government regulation that took effect in 2006.

He is the past President of The Society of Gas Lighting in New York City – a group founded in 1875 and composed of gas industry CEO's and Senior Executives involved in the production, pipeline transportation and utility distribution segments of the natural gas industry.

He has received two Distinguished Service Awards from the American Gas Association (AGA) in Washington, D.C. for his contributions to the technical operating committees of the AGA.

In 2015, Mr. McGowan orchestrated the sale of Gas Breaker to the Hubbell Corporation a publicly traded multinational Fortune 500 company.

From 1974 until 1978, Mr. McGowan was employed by the United States House of Representatives in Washington, D.C. as a Staff Assistant and Caseworker to Congressman Richard T. Schulze (retired) of Pennsylvania. In this position he served as the liaison on numerous Department of Defense projects which were being executed in the Congressional District. Mr. McGowan also handled constituent casework which required resolving disputes between government agencies and the public. These issues involved the IRS, Social Security and the Departments of Labor and Justice among others.

In 1985, Mr. McGowan was the first Chairman of the Dispute Resolution Board for the Mountainview Condominium Association in Wayne, Pennsylvania. This Board enforced the rules and regulations related to the operation of the 168-unit condominium complex. He was elected as the first President of the Association in 1986 and served in this capacity until 1987 when he sold the residence and was obligated to resign his position.

In 2005 Mr. McGowan was part of an investor group that raised \$30 million to create Penn Liberty Bank, now part of WSFS Bank, headquartered in Wilmington, Delaware. At the time, this was the largest capitalization raise for any start-up bank in the history of Pennsylvania. The group raised an additional \$14 million the following year. Penn Liberty was sold to WSFS bank in August 2016 for \$101 million realizing a 1.97 times book value ROI for its investors.

Biography of John B. McGowan, Jr.
Page two

Mr. McGowan was an elected Committeeman in Chester County Pennsylvania where he served for 6 years from 2008 through 2014.

Mr. McGowan served for 10 years on the Government Affairs Committee of the Chester County Pennsylvania Chamber of Business and Industry and has also served on the Board of Directors of the organization.

Mr. McGowan is a past President of the St. Andrews Society of Philadelphia, a Scottish philanthropic society founded in 1747 which provides academic scholarships to US college students to study in Scotland.

Mr. McGowan served on the Board of Directors of the Community Volunteers in Medicine (CVIM) located in West Chester, Pennsylvania. CVIM is a private health clinic which annually provides more than 7 million dollars of medical and dental services to the working poor in Chester County Pennsylvania.

Mr. McGowan was also active in fundraising for of the Chester County Council, Boy Scouts of America, and the Upper Main Line YMCA. He is a member of numerous social clubs and organizations in Palm Beach County, Suburban Philadelphia Pennsylvania, Easton, Maryland and New York City. He enjoys sailing, boating, target shooting, and golf.

Mr. McGowan retired in 2017 and is now a private investor. He, and his wife, Stephanie, resides in the North End of the Town of Palm Beach, Florida.



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

CODE ENFORCEMENT BOARD

RECEIVED

FEB 04 2022

Town Clerk's Office

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

Name: PAMELA SABA Residence Address: 2740 S. OCEAN BLVD 412

Mailing Address: _____ Home Telephone: 561-385-3051

E-mail Address: ADSABA ENTERPRISE@AOL.COM Work Telephone: _____

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

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

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

I AM EXTREMELY CARING AND INTERESTED IN KEEPING OUR TOWN AS SPECIAL AND BEAUTIFUL AND SAFE AS POSSIBLE.

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

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

I AM NEWLY APPOINTED TO BOARD OF CIVIC ASSOC. I AM ON THE BOARD OF REGENCY, WHERE I LIVE.

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

I AM A YEAR AROUND RESIDENT

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

I AM A VOLUNTEER AT PBPB, I HAVE ALSO COMPLETED THE CIVILIAN POLICE & FIREMANS ACADEMY

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

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

7. Present occupation. RETIRED No. of years. 2 YEARS

Employer. _____

8. Past occupation(s). MANAGER - AGENT ^{SALES} No. of years. 45 YR

Employer(s). A.D. SABA ENTERPRISES / SABA REALTY

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

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

ALSO
PLAZA
SALON/SPA
POINCIANA
PLAZA
&
VIA MIZNER
SALON
WORTH AVE

10. Please provide details regarding your educational background:

HIGH SCHOOL, SOME COLLEGE, MANY CLASSES ON
BUSINESS, HEALTH, ETC

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

I AM FAMILIAR WITH CODES AND EXTREMELY
INTERESTED IN THE CARE AND QUALITY OF LIFE FOR
LONG TERM RESIDENTS OF PALM BEACH.

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

Family Member Name	Relationship	Address	Occupation	Employer
ANTHONY SABA JR.	SON	404 N. COUNTRY CLUB DR ATLANTIS, FLA	G. C.	SELF
KIMBERLY JOHNSTON	DAUGHTER	RELOCATING HERE FROM FRANCE	R. E.	SELF

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

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

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

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

RACE

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

GENDER

- ☐ Male ☒ Female

PHYSICALLY DISABLED

- ☐ Yes ☒ No

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

SIGNATURE: Pamela Saba

DATE: 2-1-2022

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

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

CODE ENFORCEMENT BOARD

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

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Landmarks Preservation Commission

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated February 28, 2022 from Pat Gayle-Gordon, Acting Town Clerk**
- ▣ **Attendance Record**
- ▣ **Sample Ballot - Regular Members**
- ▣ **Sample Ballot - Alternate Members**
- ▣ **Status Sheet**
- ▣ **Application - Jacqueline Albarran**
- ▣ **Application - Pamela T. Davies**
- ▣ **Application - Julie Herzig Desnick**
- ▣ **Application - Paula K. Isacoff**
- ▣ **Application - Alexander C. Ives**
- ▣ **Application - Anne G. Metzger**
- ▣ **Application - Bridget Moran**
- ▣ **Application - Sue Patterson**
- ▣ **Application - J David Seay**
- ▣ **Application - Alexandria B. Williams**
- ▣ **Application - Fernando Wong**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jay Boodheshwar, Deputy Town Manager

FROM: Pat Gayle-Gordon, Acting Town Clerk

RE: Landmarks Preservation Commission Appointment of Two (2) Regular Members, One (1) Non-Resident Expert and One (1) Alternate Member

DATE: February 28, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) regular members, one (1) non-resident expert and one (1) alternate member to the Landmarks Preservation Commission. These members will fill the vacancies created due to the term expirations for Richard Rene Silvin who is termed out, Sue Patterson and Jacqueline Albarran whose regular member terms have expired and Anne Metzger whose alternate member term has expired.

GENERAL INFORMATION

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

1. Jacqueline Albarran – 11979 Polo Club Road, Wellington, FL;
2. Sue Patterson – 710 S. Ocean Blvd., Palm Beach, FL;

The Town Clerk's office has received three (3) applications from **ALTERNATE MEMBERS SEEKING PROMOTION TO REGULAR MEMBERS** from:

1. Anne Metzger – 277 Esplanade Way, Palm Beach, FL;
2. Bridget Moran – 257 Dunbar Road, Palm Beach, FL;
3. Fernando Wong – 2774 S. Ocean Blvd., #105, Palm Beach, FL.

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

1. Pamela Davies – 2275 S. Ocean Blvd., #107n, Palm Beach, FL;
2. Julie Herzig Desnick – 150 Bradley Place, #716, Palm Beach, FL;

3. Paula K. Isacoff – 2720 S. Ocean Blvd., #113, Palm Beach, FL;
4. Alexander C. Ives – 237 Jamaica Lane, Palm Beach, FL;
5. J. David Seay – 3456 S. Ocean Blvd., #304, Palm Beach, FL;
6. Alexandria B. Williams – 828 Flamingo Dr., West Palm Beach, FL.

Attachments

cc: Wayne Bergman, Director of Planning, Zoning and Building



**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION
ATTENDANCE RECORD 2022**

	12/21/2022	11/16/2022	10/19/2022	9/21/2022	8/17/2022	7/20/2022	6/22/2022	5/18/2022	4/20/2022	3/16/2022	2/16/2022	1/19/2022
<u>MEMBERS</u>												
RICHARD RENE SILVIN											P	P
JACQUELINE ALBARRAN											P	P
PATRICK W. SEGRAVES											P	P
KIM COLEMAN											P	P
SUE PATTERSON											P	P
ANNE FAIRFAX											P	P
BRITTAIN DAMGARD											P	P
<u>ALTERNATE MEMBERS</u>												
ANNE METZGER											P	P
FERNANDO WONG											P	P
BRIDGET MORAN											P	P

LEGEND P=PRESENT
 E=EXCUSED
 U=UNEXCUSED
 X=COMMISSION DID NOT MEET
 * Term Expired
 % Not Reappointed
 # Promoted within Commission at 03/02/21 TC Mtg
 & Appointed to Commission at 3/2/21 TC Mtg

MEMBERS

[illegible]

ANNE METZGER
FERNANDO WONG
BRITTAIN DAMGARD
BRIDGET MORAN

* Term Expired

BALLOT FOR APPOINTMENT OF **REGULAR** MEMBER(S)
TO THE **LANDMARKS PRESERVATION COMMISSION**
Town Council Meeting on **March 8, 2022**

Positions to be filled: 2 **Regular Members**
 1 **Non-Resident Expert**

Please circle 3 from the list of names appearing below

Regular Members Applying for Reappointment
(Listed Alphabetically)

Jacqueline Albarran – Non-Resident Expert

Sue Patterson

Alternate Members Applying for Reappointment or Promotion
(Listed Alphabetically)

Anne Metzger

Bridget Moran

Fernando Wong

Others Who Have Submitted Applications
(Listed Alphabetically)

Pamela T. Davies

Julie Herzig Desnick

Paula Isacoff

Alexander C. Ives

J. David Seay

Alexandria Williams – Non-Resident Expert

Signature of Town Council Member: _____
Town Council Member

**BALLOT FOR APPOINTMENT OF ALTERNATE MEMBER(S)
TO THE LANDMARKS PRESERVATION COMMISSION
Town Council Meeting on **March 8, 2022****

Positions to be filled: 1 Alternate Member

Please circle 1 from the list of names appearing below

Alternate Member Applying for Reappointment
(Listed Alphabetically)

Anne Metzger

Others Who Have Submitted Applications
(Listed Alphabetically)

Pamela T. Davies

Julie Herzig Desnick

Paula Isacoff

Alexander C. Ives

J. David Seay

Alexandria Williams – Non-Resident Expert

Signature of Town Council Member: _____
Town Council Member

LANDMARKS PRESERVATION COMMISSION**Next appointment: March 8, 2022, Town Council meeting****Openings advertised via news release: January 14, 2022****Deadline to submit applications: February 25, 2022 by 5:00 p.m.****Number of openings: 2 Regular Members, 1 Non-Resident Expert, 1 Alternate Member****Applicants**

<u>NAME</u>	<u>SEEKING</u>
Jacqueline Albarran, Non-Resident Expert	Reappointment
Anne Metzger	Reappointment and Promotion
Sue Patterson	Reappointment
Bridget Moran	Promotion to Regular Member
Fernando Wong	Promotion to Regular Member
Pamela T. Davies	New Appointment
Julie Herzig Desnick	New Appointment
Paula Isacoff	New Appointment
Alexander C. Ives	New Appointment
J. David Seay	New Appointment
Alexandria Williams	New Appointment – Non-Resident Expert

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Regular Members</u>	
Richard Rene Silvin, Chair **	March 2022
Sue Patterson, Vice Chair *	March 2022
Jacqueline Albarran, Non-Resident Expert*	March 2022
Patrick Segraves – Architect	March 2023
Kim Coleman	March 2023
Anne Fairfax	March 2023
Brittain Damgard	March 2024
Anne Metzger, Alternate	March 2022
Fernando Wong, Alternate***	March 2023
Bridget Moran, Alternate***	March 2023

Highlighted in yellow=term currently expiring

*=Applied for reappointment

**=Termed out

***= Applied for promotion

Application for Service

Profile

Jacqueline

First Name

Albarran

Middle Initial

Last Name

11979 Polo Club Road

Home Address

Suite or Apt

Wellington

City

FL

State

33414

Postal Code

jackie@jackiealbarran.com

Email Address

Home: (561) 655-7676

Primary Phone

Mobile: (561) 346-9892

Alternate Phone

Question applies to multiple boards

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

Non-Resident KMC

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

Non-Resident

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

In what area of town do you live?

None Selected

Interests/Experience

Question applies to Landmarks Preservation Commission

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

All (12)

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

Question applies to multiple boards

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

I served on the Landmark's Preservation Commission for two consecutive, 3 year terms from 1991-1997. I served one three year term from 1998-2001. After moving to Wellington in 2001, I was reappointed following the ordinance change creating a non resident position. I served in this position for 9 months before offering my position to Gene Pandula when he became a non resident. I resumed this position in 2012 and continue to serve at this time.

Question applies to Landmarks Preservation Commission

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

☐ Yes ☒ No

Question applies to Landmarks Preservation Commission

If So, where?

N/A

Question applies to Landmarks Preservation Commission

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

I have had many years of experience serving on this Commission and as the Architect of many landmarked homes in the Town of Palm Beach. I have had the privilege of being the architect for the two Ballinger Award winners for 2017.

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

☒ Preservation Foundation of Palm Beach

03-08-22 TCM Backup

Jacqueline Albarran

Present Occupation

Archietct

No. of years

Approx 30 years

Past occupation(s)

Same

No. of years

n/a

Please provide details regarding your educational background:

Diploma in Development Planning at the University of London, Great Britain Diploma in Architecture at the University of Los Andes, Bogota Colombia Diplome de Langue Francais at Ecole Lemania, Lausanne Switzerland

Question applies to Landmarks Preservation Commission, Code Enforcement Board

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

- ☒ Architecture
- ☒ Architectural History

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

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

N/A

Demographics

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

Ethnicity

☒ Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

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

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

LANDMARKS PRESERVATION COMMISSION

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

**Jacqueline Albarran,
Architect P.A.**

Principal of SKA Architect + Planner

Specializing in new residences,
renovations, and historic restorations
of single family homes in Palm Beach,
Jupiter, and Hobe Sound.

324 Royal Palm Way, Suite 227
Palm Beach, FL 33480
(561) 655-7676 office
(561) 346-9892 cell
Jackie@jackiealbarran.com
www.skaarchitectspalmbeach.com



NAME: **Jacqueline Albarran de Mendoza**

ADDRESS: 324 Royal Palm Way Suite 227
Palm Beach, Florida 33480

TELEPHONE: 561-655-7676

FAX: 561-655-3533

E - MAIL: Jackie@jackiealbarran.com

WEBSITE: www.skaarchitectspalmbeach.com

EDUCATION: Diploma in Development Planning
University of London Great Britain

Diploma in Architecture
University of Los Andes Bogota Colombia

Diplome de Langue Francaise
Ecole Lemania Lausanne Switzerland

PUBLICATIONS: Multiple publications in Architectural Digest, Florida Design, Palm Beach Life, Conde Nast House and Garden, and other architectural publications.

ARCHITECTURAL EXPERIENCE:

Practice in the United States, Colombia, El Salvador, Spain and Switzerland has included architectural design and planning for a six thousand student university and over fifty units of small residential developments as well as designs of a variety of building types, including new designs and remodeling of residences, office buildings and other commercial projects.

In recent years I have been mostly dedicated to new residences, renovations and historic restorations of single family homes in Palm Beach, Jupiter, and Hobe Sound.

I have served four terms on the Landmarks Preservation Commission of the Town of Palm Beach as a regular member and am currently serving as the non-resident expert.

SKA Architect + Planner
Palm Beach, Florida

Suarez and Associates
San Salvador, El Salvador

The Steel Partnership
Palm Beach, Florida

Bureau d' Architecture et Urbanisme
Vevey, Switzerland

Harry Weese and Associates
Miami, Florida

ARK
Madrid, Spain

Panelfab International Corp.
Miami, Florida

I.N.C.O.L.
Bogota, Colombia

LANDMARK HOMES COMPLETED PROJECTS:

720 South Ocean Boulevard
Palm Beach, Florida

Mrs. Yoko Ono
c1919 Mizner

160 Cocoanut Row
Palm Beach, Florida

Seagull Cottage (Royal Poinciana Chapel)
Henry Flagler's 1st home and oldest house in Palm
Beach

50 Via Bellaria
Palm Beach, Florida

Mr. and Mrs. Edward Cook
c1920 Mizner

210 Via del Mar
Palm Beach, Florida

Mr. and Mrs. Edward Cook
c1928 Treanor & Fatio

25 Middle Road
Palm Beach, Florida

Mr. and Mrs. James Clark
1924

110 Clarke Avenue
Palm Beach, Florida

Mr. and Mrs. Stephen Schwarzman
1928

252 El Bravo Way
Palm Beach, Florida

Mrs. Marilyn Bardes
1929 Volk & Maass

218, 220 Phipps Plaza
Palm Beach, Florida

Mr. Larry Rivers
1947 Shoumate

218, 220 Phipps Plaza
Palm Beach, Florida

Mr. Paul Prosperi
1947 Shoumate

174 Via Del Lago
Palm Beach, Florida

Mr. and Mrs. Stanley Tollman
1934 Wyeth

1768 South Ocean Boulevard
Palm Beach, Florida

Mr. and Mrs. John Pickett
1928 Treanor & Fatio

250 Barton Road
Palm Beach, Florida

Mr. and Mrs. David Callaway III
1932 Volk & Maass

6 Golfview Road
Palm Beach, Florida

Mr. and Mrs. Wynant Vanderpoel
1922 Wyeth

14 Golfview Road
Palm Beach, Florida

Mr. and Mrs. Clark Graebner
c1927 Wyeth

210 El Brillo Way
Palm Beach, Florida

Mr. and Mrs. J V Shields
1929 Volk & Maass

196 Banyan Road
Palm Beach, Florida

Mr. and Mrs. Robert Miller
1929 Volk & Maass

105 Clarendon Avenue
Palm Beach, Florida

Mr. Robert Miller
1926 Wyeth

LANDMARK HOMES COMPLETED PROJECTS (cont'd):

236 Phipps Plaza Palm Beach, Florida	Centigon, Inc. <i>1925 Wyeth</i>
Turtle Point Tuxedo Park, New York	Centigon, Inc.
Hampshire House New York ,New York	Centigon, Inc.
Villa Florida - Dunbar Road Palm Beach, Florida	Mr. Robert Eigelberger
800 South County Road Palm Beach, Florida	Mr. and Mrs. Peter Tigges <i>1923 Mizner</i>
2 Golfview Road Palm Beach, Florida	Mr. and Mrs. Daniel James <i>1922 Wyeth</i>
224 Phipps Plaza Palm Beach, Florida	Mr. William McCranie <i>1939 Major</i>
232 Phipps Plaza Palm Beach, Florida	Addison Development <i>c1920 Wyeth</i>
252 El Bravo Way Palm Beach, Florida	Mr. and Mrs. Jeffrey Prosser <i>1929 Volk & Maass</i>
234 Valencia Road West Palm Beach, Florida	Dr. and Mrs. Perrin Blank
25 Middle Road Palm Beach, Florida	Ms. Kathleen Hammer and Mr. Arthur Seelbinder <i>1924</i>
210 El Brillo Way Palm Beach, Florida	Ms. Kathleen Hammer and Mr. Arthur Seelbinder <i>1929 Volk & Maass</i>
Memorial Fountain South County Road Palm Beach, Florida	Town of Palm Beach
120 N. County Road Palm Beach, Florida	Palm Beach Orthodox Synagogue
801 S. County Road Palm Beach, Florida	Mr. and Mrs. Richard Schlessinger
25 Middle Road Palm Beach, Florida	Mr. and Mrs. John Preston
1200 South Ocean Blvd Palm Beach, Florida	Mr. and Mrs. Malcolm Glazer
270 Algoma Road Palm Beach, Florida	Mr. and Mrs. Oliver and Carolyn Grace (Landmark)

LANDMARK HOMES COMPLETED PROJECTS (cont'd):

235 Sunrise Ave
Palm Beach, Florida

Palm Beach Hotel Condominium
(Landmark)

10 South Lake Trail
Palm Beach, Florida

Mr. Chuck Royce
(Landmark)

241 Banyan Road
Palm Beach, FL 33480

Mr. and Mrs. Bob and Laura Reynolds

PROJECTS UNDER CONSTRUCTION OR DESIGN DEVELOPMENT:

280 North Ocean Blvd
Palm Beach, Florida

Mr. and Mrs. Yoram and Apolonia Weisfisch
(Landmark)

245 Dunbar Rd
Palm Beach, FL 33480

Mr. and Mrs. Peter M. and Stephanie Seymour Brant

233 Clark Avenue
Palm Beach, FL 33480

Mr. Austin Fragomen
(Landmark)

323 Chilean Avenue
Palm Beach, FL 33480

Mr. and Mrs. Mark and Nancy Gilbert
(Landmark)

248 East Lakewood Road
West Palm Beach, FL

Ms. Deborah Hearst

245 Jamaica Lane
Palm Beach, FL 33480

Mr. and Mrs. Roman and Helena Martinez

17 Golfview Road
Palm Beach, FL 33480

Hogarcito
(Landmark)

1700 S. Ocean Blvd.
Manalapan, FL 33482

Mr. Jagbir Singh

365 North County Rd.
Palm Beach, FL 33480

Mr. Frank Strausser
(Landmark)

142 Via Palma
Palm Beach, FL 33480

Mr. David Weisman and Mrs. Jacqueline Michel

411 Australian Ave Unit C.
Palm Beach, FL 33480

Mr. Spence Whitman

259 Pendelton Avenue
Palm Beach, FL 33480

Mr. and Mrs. Elizabeth and Schuyler Tilney

160 Seabreeze Avenue
Palm Beach, FL 33480

Mr. and Mrs. Jason and Wilder Regalbuto

294 Granada Road
Palm Beach, FL 33480

Mr. Ken Miller

290 Jamaica Lane
Palm Beach, FL 33480

Mr. James Freeman & Mrs. Laura Lofaro-Freeman

SINGLE FAMILY HOMES (completed projects):

143 East Inlet Drive
Palm Beach, Florida

Prince Albert Oettingen - Spielberg

315 Lake Avenue South
Apartment 2C
Palm Beach, Florida

Mr. and Mrs. Kenneth and Josie Natori

690 Island Drive
Palm Beach, Florida

Mr. Robert Vila and Ms. Diana Barrett

415 Seaspray Avenue
Palm Beach, Florida

Mr. and Mrs. Michael Ainslie

Everglades Island
Palm Beach, Florida

Mrs. Woolworth Donahue

4 South Lake Trail
Palm Beach, Florida

Mr. and Mrs. William Pannil

315 Chapel Hill Road
Palm Beach, Florida

Mr. and Mrs. William Flaherty

340 Island Road
Palm Beach, Florida

Mr. and Mrs. Page Hufty

Design Consultation
Aspen, Colorado

Mrs. Page Lee Hufty

Monterey Road
Palm Beach, Florida

Dr. and Mrs. John Murray

710 Island Drive
Palm Beach, Florida

Mr. and Mrs. William Gubelmann

346 Crescent Drive
Palm Beach, Florida

The Honorable and Mrs. Robert Lloyd George

124 Brazilian Avenue
Palm Beach, Florida

Mr. and Mrs. Robert Burch

236 Mira Flores Drive
Palm Beach, Florida

Mr. and Mrs. Gregory Barnhart

210 Kawama Lane
Palm Beach, Florida

Mr. and Mrs. Alfred Clark

246 Eden Road
Palm Beach, Florida

Mr. and Mrs. Luis Fernandez

425 Worth Ave
Penthouse A
Palm Beach, Florida

Mr. and Mrs. John Pickett

SINGLE FAMILY HOMES (completed projects)(cont'd):

515 S. County Road
Palm Beach, Florida

Ms. Gloria Daigh

298 Tradewind Drive
Palm Beach, Florida

Mr. and Mrs. Thomas Schoch

230 Mira Flores Drive
Palm Beach, Florida

Mr. and Mrs. Alan and Crista Ryan

211 Garden Road
Palm Beach, Florida

Dr. and Mrs. G. Carden

84 Gomez Road
Hobe Sound, Florida

Mr. and Mrs. Nelson Doubleday

254 Barton Avenue
Palm Beach, Florida

Mr. & Mrs. Leverette Miller

1296 South Ocean Boulevard
Palm Beach, Florida

Mr. and Mrs. David Mahoney

160 Barton Avenue
Palm Beach, Florida

Sir Christopher and Lady Lewinton

1446 North Ocean Boulevard
Palm Beach, Florida

Mr. and Mrs. Stanley Gaines

168 Via Bethesda
Palm Beach, Florida

Mr. Alfred Clark

11 South Lake Way
Palm Beach, Florida

Mr. and Mrs. Clark Graebner

128 Gomez Road
Hobe Sound, Florida

Mr. and Mrs. John Colgate

180 Canterbury Lane
Palm Beach, Florida

Mr. and Mrs. Troy Maschmeyer

153 Kings Road
Palm Beach, Florida

Mr. and Mrs. Troy Maschmeyer

688 Island Drive
Palm Beach, Florida

Ms. Jayne T. Keith

132 Clarke Avenue
Palm Beach, Florida

Ms. Charlotte Beers and
Mr. William Beadelston

111 Clarke Avenue
Palm Beach, Florida

Ms. Lucia Nielson Musso

223 Via Tortuga
Palm Beach, Florida

Mr. and Mrs. Harry Theodoracopulos

SINGLE FAMILY HOMES (completed projects)(cont'd):

225 Via Tortuga Palm Beach, Florida	Mr. and Mrs. Donald Miller
529 South Flagler Drive # 12 G & H Trump Plaza West Palm Beach, Florida	Mrs. Ann Appleman
977 South Ocean Boulevard Palm Beach, Florida	Mr. and Mrs. Stanley Tollman
145 Woodbridge Road Palm Beach, Florida	Mr. and Mrs. Stanley Tollman
248 West Indies Drive Palm Beach, Florida	Mr. and Mrs. David Ober
221 El Bravo Way Palm Beach, Florida	Mr. and Mrs. Bruce Failing
1494 North Lake Way Palm Beach, Florida	Ms. Diane de la Begassiere
1246 North Lake Way Palm Beach, Florida	Mr. and Mrs. Kane Baker
166 Seabreeze Avenue Palm Beach, Florida	Mr. and Mrs. Michael Carney
320 Seabreeze Avenue Palm Beach, Florida	Mr. Mario G. de Mendoza III
342 Seabreeze Avenue Palm Beach, Florida	Mr. Mario G. de Mendoza III
166 Chilean Avenue #s 3,4 & 5 Palm Beach, Florida	Mrs. Elizabeth Shields Dowdle and Mr. John Dowdle
369 South Lake Way Palm Beach, Florida	Mr. and Mrs. Alberto Mejia
1472 South Ocean Blvd. Palm Beach, Florida	Mr. and Mrs. William Wallace
44 Island Drive Palm Beach, Florida	Mr. and Mrs. Kenneth Beall
100 Royal Palm Way, Apartment F Palm Beach, FLORIDA	Mr. Andrew Thomka-Gazdik
200 Merrain Road Palm Beach, Florida	Grafyn Oeynhausen

SINGLE FAMILY HOMES (completed projects)(cont'd):

160 Seaview Avenue Palm Beach, Florida	Mr. George Gardner
426 Seaspray Avenue Palm Beach, Florida 33480	Mr. and Mrs. Stuart Huston and Helen Alexander
234 Brazilian Ave Palm Beach, Florida 33480	Mr. and Mrs. Tom and Kathy Weller
14 Golfview Rd Palm Beach, Florida 33480	Mr. and Mrs. Richard E. and Cornelia Thornburgh
475 North County Road Palm Beach, Florida	Mr. and Mrs. Chris Kellogg
237 El Bravo Way Palm Beach, Florida	Mr. and Mrs. Grant Mashek
Palm Beach Towers, T17 & 18 Palm Beach, Florida	Ms. Suzette Smith
1 Via los Incas Palm Beach, Florida	Mrs. Elizabeth Polsterer
211 Eden Road Palm Beach, Florida	Mr. and Mrs. Thomas P. Turchan
17337 Conch Bar Road Jupiter, Florida	Mr. and Mrs. Michael Weaver
146 Seaspray Avenue Palm Beach, Florida	Mr. and Mrs. Jarrett Kling
7199 S.E. Greenview Place Hobe Sound, Florida	Mr. and Mrs. Daniel Finn
220 North Ocean Boulevard Palm Beach, Florida	Mr. and Mrs. William Conway
60 Seabreeze Avenue Palm Beach, Florida	Mr. and Mrs. Jason Regalbuto
71 Links Road Hobe Sound, Florida	Mr. and Mrs. Frederic Hamilton
255 Angler Avenue Palm Beach, Florida	Mr. Guy Rabideau (trustee)
132 Pegasus Drive Jupiter, Florida	Mr. and Mrs. John Hart
15 South Lake Drive Unit #1-B Palm Beach, Florida	Mr. and Mrs. Richard Higginbotham

SINGLE FAMILY HOMES (completed projects)(cont'd):

225 Indian Road Palm Beach, Florida	Mr. and Mrs. William Blodgett
1226 North Lake Way Palm Beach, Florida	Mr. and Mrs. Nikita Zukov
115 Via La Selva Palm Beach, Florida	Mr. Edward Falcone
20 Sloanes Curve Drive Palm Beach, Florida	Mr. and Mrs. Robert Postal
132 Clark Avenue Palm Beach, Florida	Mr. and Mrs. John Gooch
400 Caribbean Road Palm Beach, Florida	Mr. and Mrs. Thomas Whitesell
135 El Vedado Palm Beach, Florida	OPIC Company
111 Clarke Avenue Palm Beach, Florida	OPIC Company
205 Colonial Lane Palm Beach, Florida	Mr. and Mrs. Ronald Fraser
214 El Brillo Way Palm Beach, Florida	Mr. and Mrs. John Gay
157 Everglade Avenue Palm Beach, Florida	Ms. Paivi Alperson
685 Island Drive Palm Beach, Florida	Mr. Daniel Manella
315 South Lake Drive Duplex Penthouse Palm Beach, Florida	Ms. Bette Berry
203 South Lake Trail Palm Beach, Florida	Mr. Howard Long
230 North Lake Way Palm Beach, Florida	Mr. and Mrs. Peter Townsend
353 North Lake Way Palm Beach, Florida	Mr. and Mrs. Kenneth Eisenberg
575 North Lake Way Palm Beach, Florida	Mr. and Mrs. Charles Barnett
1460 North Lake Way Palm Beach, Florida	Mr. and Mrs. Costas Paleologos

SINGLE FAMILY HOMES (completed projects)(cont'd):

270 Mediterranean Road Palm Beach, Florida	Mr. Scott Graham
130 Reef Road Palm Beach, Florida	Mr. and Mrs. Spencer Levey
311 Seabreeze Avenue Palm Beach, Florida	Mr. and Mrs. Byron Englander
6 Windsor Court Palm Beach, Florida	Mr. and Mrs. Herbert Siegel
205 Nightingale Trail Palm Beach, Florida	Mr. and Mrs. William Meyer
Design Consultation Beaver Creek, Colorado	Mr. and Mrs. Nicholas Hahn
Design Consultation Pebble Beach, California	Mr. and Mrs. Nicholas Hahn
608 Island Drive Palm Beach, Florida	Mrs. Catherine Tankoos
221 South Beach Road Hobe Sound, Florida	Mr. John J. Mehalchin
1977 Golf House Road Loblolly Pines Hobe Sound, Florida	Mrs. Judith McCarthy
201 Commodore Drive Admirals Cove Jupiter, Florida	Mr. and Mrs. Eugene Kane
119 Spyglass Way Admirals Cove Jupiter, Florida	Mr. and Mrs. Skip Gozzo
237 El Bravo Way Palm Beach, Florida	Mr. Richard Nernberg
135 Gulfstream Road Palm Beach, Florida	Mr. and Mrs. Robert May
158 Seaspray Avenue Palm Beach, Florida	Dr. and Mrs. James Nidel
233 Plantation Road Palm Beach, Florida	Dr. and Mrs. Curtis Emmer
146 Australian Avenue Palm Beach, Florida	Mr. and Mrs. Michael Flynn

SINGLE FAMILY HOMES (completed projects)(cont'd):

1051 North Ocean Blvd Palm Beach, Florida	Mr. and Mrs. Edward McLaughlin
257 Dunbar Road Palm Beach, Florida	Mr. and Mrs. Timothy Moran
1290 North Ocean Blvd Palm Beach, Florida	Mr. Bert Pohlman
11450 Turtle Beach Road Palm Beach Gardens, Florida	Mr. & Mrs. Rob Trulaske
622 North Ocean Blvd. Delray Beach, Florida	Mr. and Mrs. Bond
160 and 168 Reef Road Palm Beach, Florida	Mr. Paul Pomfret
17369 SE Conch Bar Avenue Jupiter, Florida	Mr. and Mrs. Roger Hansen
6010 SE Mourning Dove Way Hobe Sound, Florida	Mr. and Mrs. Southwood Morcott
425 Worth Avenue Palm Beach, Florida	The Villas
353 North Lake Way Palm Beach, Florida	Mr. and Mrs. Kenneth Eisenberg
1472 S. Ocean Drive Palm Beach, Florida	Mr. and Mrs. William Wallace
160 Seaview Avenue Palm Beach, Florida	Mr. and Mrs. George Gardner
241 Tangier Avenue Palm Beach, Florida	Mr. and Mrs. Alan Dayton
400 Regent Park Road Palm Beach, Florida	Ms. Kate Price
198 Via Linda Palm Beach, Florida	Mr. Andrew Thomka-Gazdik
1290 North Ocean Blvd Palm Beach, Florida	Mr. Bert Pohlman
130 Everglade Avenue Palm Beach, Florida	Mr. and Mrs. Morris Saffer
3400 N. Flagler Drive West Palm Beach, Florida	Mr. and Mrs. Mark Sanderson

SINGLE FAMILY HOMES (completed projects)(cont'd):

256 Palmo Way Palm Beach, Florida	Mr. and Mrs. Robert Warfield
146 Dunbar Road Palm Beach, Florida	Mr. and Mrs. Michael Kalisman
220 Via Bellaria Palm Beach, Florida	Mr. and Mrs. Michael Flynn
140 Dolphin Road Palm Beach, Florida	Mr. and Mrs. Eric Bylin
216 Monterey Road Palm Beach, Florida	Mr. and Mrs. Henry Jamison
207 Bahama Lane Palm Beach, Florida	Mr. and Mrs. Chris and Eva O'Neill
11450 Turtle Beach Road Palm Beach Gardens, Florida	Mr. Maurice Pinssonault
1 and 3 Driftwood Landing Road Gulfstream, Florida	Mr. and Mrs. W. L. Lyons and Alice Cary Brown
2600 Fairway Island Drive Wellington, Florida	Mr. Michael Collins
216 Colonial Lane Palm Beach, Florida	Ms. Karen Egger
315 S Lake Drive 1A Palm Beach, Florida	Mr. and Mrs. Charlie and Kristen Krusen
315 South Lake Dr Apt 2F Palm Beach Florida	Mr. and Mrs. George and Jane Bunn
237 Oleander Avenue Palm Beach, Florida	Mr. and Mrs. Terry and Bonita Alfuth
6849 North Ocean Blvd. Boynton Beach, Florida	Ocean club
198 Via Linda Palm Beach, Florida	Mr. Jyrki Salminen
130 El Brillo Palm Beach, Florida	Mr. and Mrs. Sterling Hamill and Alexandra Kauka
252 Cherry Lane Palm Beach, Florida	Mr. and Mrs. Robert Brady
232 Mockingbird Trail Palm Beach, Florida	Mr. and Mrs. Donald McKenna

SINGLE FAMILY HOMES (completed projects)(cont'd):

2 Windsor Court Palm Beach, Florida	Mr. and Mrs. Jeremiah Lambert
233 Oleander Avenue Palm Beach, Florida	Mr. Harald Horn
1161 North Lake Way Palm Beach, Florida	Ms. Tina Fanjul
674 Island Drive Palm Beach, Florida	Mr. and Mrs. Rick and Lotsie
7965 S.E. Golfhouse Drive Hobe Sound, Florida	Mr. Barry MacLean
162 Chilean Ave Palm Beach, Florida	Mr. and Mrs. Jim and Mary Speyer
230 Arabian Road Palm Beach, Florida	Mr. and Mrs. Jack and MaryAnn Hollihan
1564 South Ocean Blvd Palm Beach, Florida	Mr. and Mrs. Richard and Carolyn Sloane
510 W. Atlantic Drive Lantana, Florida	Mr. and Mrs. Fred and Kim Boyer
415 Seaspray Ave Palm Beach, Florida	Mr. and Mrs. Michael Kluger and Heidi Greene
231 el Dorado Lane Palm Beach, Florida	Mr. Peter Dictenberg
227 Austarlian Avenue #5c Palm Beach, Florida	Ms. Jennifer McCall
285 Orange Grove Road Palm Beach, Florida	Mr. and Mrs. Kevin and Maite Dougherty
1890 South Ocean Blvd. Manalapan, Florida	Mr. and Mrs. Jagbir Singh
129 Woobridge Road Palm Beach, Florida	Mr. and Mrs. George and Isabella Buff
11824 Lakehouse Drive North Palm Beach, Florida	Mr. and Mrs. Lucien and Janet Burnett
139 Everglade Avenue Palm Beach, Florida	Mr. A. Douglas Haddad
273 Bahama Lane Palm Beach, Florida	Mr. and Mrs. Eric and Natalie Marx
224 la Puerta Way Palm Beach, Florida	Mr. Mark Settembre

SINGLE FAMILY HOMES (completed projects)(cont'd):

233 Mockingbird Trail
Palm Beach Florida

Mr. and Mrs. Dean and Jane Woodman

6 Via Viscaya
Palm Beach, FL 33480

Mr. and Mrs. Fred and Gale Alger

267 Atlantic Avenue
Palm Beach, FL 33480

Ms. Virginia Dadey

250 Bradley Place
Palm Beach, FL 33480

Lake Towers Condominium

The Villas apartments

Mr. and Mrs. Robin and Jocelyn Martin

142 Via Palma
Palm Beach, FL 33480

Mr. and Mrs. Peter and Marisa Neckles

422 Australian Avenue
Palm Beach, FL 33480

Mr. Richard Rene Silvin

2572 Muirfield Court
Wellington, FL 33414

Mr. and Mrs. Edward and Margretta Trexler

1285 S. Ocean Blvd
Palm Beach, FL 33480

Mr. and Mrs. William and Anna Mann

COUNTRY CLUBS:

The Everglades Club
356 Worth Avenue
Palm Beach, Florida

Mr. William Pannill

Gulf Stream Bath and Tennis Club
925 South Ocean Boulevard
Gulf Stream, Florida

Loblolly Pines Golf Club
Golf House Road
Hobe Sound, Florida

Mr. Lon Chaikin

PUBLICATIONS:

Multiple publications in:

Architectural Digest
Florida Design
Palm Beach Life
Conde Nast House and Garden
Multiple other Architectural publications.

REFERENCES:

- Querube and Alfred Clark
561-820-0533
- Luisa and John Cohan
561-310-9350
561-310-9350
- Mike and Catherine Weaver
336-580-4443
336-580-9955
- Dan and Phyllis Finn
772-545-3310
- Roger and Edwina Hansen
609-226-2740
- Southwood and Cynthia Morcott
772-214-0876
- Debbie and Troy Maschmeyer
561-543-8341

Profile

Pamela T Davies
First Name Middle Initial Last Name

2275 s ocean Blvd #107n
Home Address Suite or Apt

Palm Beach FL 33480
City State Postal Code

pdavies1224@gmail.com
Email Address

Home: (703) 981-0411 Home: (561) 268-7444
Primary Phone Alternate Phone

Question applies to multiple boards

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

PTD

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

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

PTD

Question applies to multiple boards

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

Question applies to multiple boards

Residency confirmed

Please upload proof of residency

Question applies to multiple boards

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

In what area of town do you live?

☒ South

Interests/Experience

Question applies to Code Enforcement Board

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

I have been a full time resident for the past four years. I have seen the importance of maintaining cohesive standards to keep the town running like a well oiled machine. All entities that affect quality of life, health and well-being must be maintained to the highest of standards.

Question applies to Code Enforcement Board

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

0

Question applies to Landmarks Preservation Commission

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

0

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

August

Question applies to multiple boards

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

Palm Beach-2019-2021 Architectural Review Board, Reef Condominiums Miami Beach - 2014-2016 South of Fifth Neighborhood Board Miami 2014-2016 Propeller Club of Miami Attendance record was all meetings

Question applies to Code Enforcement Board

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

In Miami Beach the neighborhood board was very involved with the local police , fire department, schools etc. to make recommendations to enforce and maintain quality of life.

Question applies to Landmarks Preservation Commission

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

☒ Yes ☐ No

Question applies to Landmarks Preservation Commission

If So, where?

Reef Condominiums Palm Beach

Question applies to Landmarks Preservation Commission

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

I currently live in a landmarked property.

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

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

Present Occupation

Retired

No. of years

10

Past occupation(s)

Hyatt Hotels/Convention Sales May Dept Stores/Retail Buyer Walt Disney Company/Operations Manager

No. of years

13

Please provide details regarding your educational background:

Virginia Commonwealth University-BA Marketing I have extensive corporate training with both Disney and Hyatt.

Question applies to Landmarks Preservation Commission, Code Enforcement Board

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

☒ None

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to Code Enforcement Board

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

I have a very solid understanding of what the town is doing to regulate and maintain a superior environment to live and visit. I recognize the challenges that are tasked with .

Question applies to multiple boards

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

☒ Yes ☐ No

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

None

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

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

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

CODE ENFORCEMENT BOARD

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

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

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

LANDMARKS PRESERVATION COMMISSION

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



PAMELA DAVIES

pdavies1224@gmail.com | 703-981-0411 | Palm Beach, FL 33480

Summary

I am a seasoned professional with excelled communications skills. In addition to my professional career I have worked in countless volunteer capacities on every type of committee from environmental presentation to the architectural review board of my condo building. I have lived in Palm Beach for the past four years and have gained a superior understanding and a great deal of respect for the highly coordinated efforts in takes to maintain a uniform standard and quality of excellence.

Skills

- ◆ Key account development
- ◆ Complex project negotiations
- ◆ Promotional sales events
- ◆ Lead generation
- ◆ Rapport and relationship building
- ◆ Market and competitive analysis
- ◆ Profit and revenue-generating strategies
- ◆ Consultative and relationship selling
- ◆ Social media savvy
- ◆ National account management

Experience

Hyatt Hotels Corp | Savannah, GA
Convention Sales Manager
12/2010 - 06/2013

Hyatt Hotels Corp | Reston, VA
Catering Sales Manager
06/2007 - 12/2010

May Department Stores | Washington, DC
Retail Buyer
06/2000 - 06/2007

Walt Disney Parks and Resorts | Orlando,
FL
Operations Manager
01/1996 - 06/2000

Education and Training

Virginia Commonwealth University | Richmond, VA
Bachelor of Arts in Marketing
06/1996

Application for Service

Profile

Julie

First Name

Herzig Desnick

Middle Initial

Last Name

150 Bradley Place

Home Address

Apt. 716

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

juherzig@aol.com

Email Address

Home: (561) 653-4080

Primary Phone

Home: (917) 806-7466

Alternate Phone

Question applies to multiple boards

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

KMC verified

JHD

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

residency verified

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

In what area of town do you live?☒ North

Interests/Experience

Question applies to Architectural Review Commission (ARCOM)

Why are you interested in serving on the Architectural Commission?

I am interested in serving on the Architectural Review Commission (ARCOM) because the physical environment of Palm Beach is very important. Our Town is a jewel, of which we are all proud. Its character is unique and must be carefully preserved so that its aesthetic integrity is maintained for future generations. From experience, I know that a beautiful neighborhood and harmonious streetscape requires attention and community cooperation. To understand ARCOM's work, I read through recent minutes of ARCOM meetings to familiarize myself with the nature of the building projects and relevant concerns. This gave me an appreciation of the work of the Commission and the type of issues it oversees. The Commissioners addressed many of the same themes faced by my previous neighborhood, where individuals and developers were pushing to overbuild and did not always understand the context of the neighborhood. It is imperative for ARCOM to maintain a balance between tradition vs. change and individual requests vs. the common good in its interpretation of the Buildings and Building Regulation Chapter 18 of the Code of Ordinances. This is a challenge that I look forward to tackling if selected to serve on the Architectural Review Commission.

Question applies to Architectural Review Commission (ARCOM)

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

3

Question applies to Landmarks Preservation Commission

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

2

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

I am committed to work at an excavation in Sicily for 6 weeks this summer. In the future, I can be more flexible as necessary.

Question applies to multiple boards

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

I have been an alternate on the Code Enforcement Board since May 2021, with a 100% attendance record.

Question applies to Architectural Review Commission (ARCOM)

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

No

Question applies to Landmarks Preservation Commission

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

☒ Yes ☐ No

Question applies to Landmarks Preservation Commission

If So, where?

I restored two brownstones in Manhattan, an 1827 Federal townhouse in the West Village, and an 1869 Italianate townhouse in the Carnegie Hill Neighborhood. The former was landmarked and one of the 200 oldest houses in Manhattan. The latter should have been landmarked as the integrity of the block of 12 row houses was slowly destroyed.

Question applies to Landmarks Preservation Commission

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

I have lived in three houses over 100 years old. Two of them I restored. One was landmarked. I am involved with many preservation organizations. I am also on the Board of the Archaeological Institute of America where I am a member of the Historic Preservation Committee.

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

- ☒ Palm Beach Civic Association
- ☒ Preservation Foundation of Palm Beach
- ☒ National Trust for Historic Preservation
- ☒ Other

Present Occupation

Architect & archaeologist

No. of years

30

Past occupation(s)

Facilities manager and designer Fine arts painter

No. of years

40+

Please provide details regarding your educational background:

Mount Holyoke College, A.B., 1973, Major: Fine Art, Minor: French and Italian; Pratt Institute, B. Arch., 1983; American School of Classical Studies at Athens, 2011, Summer Program; Institute of Fine Arts at New York University, M.A., 2015, History of Art and Archaeology with focus on Greek art, architecture, and urban planning

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

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

- ☒ Architecture
- ☒ Architectural History
- ☒ History
- ☒ Design
- ☒ Building Construction

Question applies to Landmarks Preservation Commission,Code Enforcement Board

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

- ☒ Architecture
- ☒ Architectural History
- ☒ Landscape/Architecture Design
- ☒ Law
- ☒ Building Construction
- ☒ Municipal Planning
- ☒ Law Enforcement/Code Enforcement

Question applies to Architectural Review Commission (ARCOM)

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

☐ Yes ☒ No

Question applies to Architectural Review Commission (ARCOM)

Are you currently a Registered Architect in another state?

☒ Yes ☐ No

Question applies to Architectural Review Commission (ARCOM)

If So, in which state are you currently registered?

New York State

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

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

As a licensed architect in New York, and having applied for a Florida license, I feel qualified to serve on the Town's Architectural Commission. I am required to take annual Continuing Education Units (CEU) to keep up with the latest building trends, and environmental, safety, and health issues. Furthermore, I am full-time resident of the Town of Palm Beach, and currently serve as an alternate member of the Code Enforcement Board. The violations we adjudicate reflect the regulations in the Town of Palm Beach Code of Ordinances and mirror the expectations of the Town. I have attended every meeting. As a former resident of New York City, I was on the Board of Carnegie Hill Neighbors, a community non-profit, where I was on the Preservation Committee, whose "efforts protect historic buildings, landmarks, and the human-scale of the neighborhood" through zoning and landmark projects. I restored and updated the mechanical systems of two townhouses, a 1827 Federal townhouse in the West Village, and subsequently, an 1869 Italianate townhouse on the Upper East Side. As block association president, I wrote a "Referral for Evaluation" to landmark the block to halt the demolition of two adjacent townhouses. In addition, I was involved in many other local community development issues. Please see my attached CV and feel free to contact me. I would be happy to answer any questions or share more details about my qualifications.

Question applies to multiple boards

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

☒ Yes ☐ No

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

Dr. Robert J. Desnick (spouse) Mrs. Carolyn Minskoff (aunt) Sara & Robb Allan (cousins)

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

Question applies to Architectural Review Commission (ARCOM)

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

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

ARCHITECTURAL COMMISSION (ARCOM)

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

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

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

LANDMARKS PRESERVATION COMMISSION

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

CURRICULUM VITAE

Julie Herzig Desnick
150 Bradley Place, Palm Beach, FL. 33480
juherzig@aol.com

Education

Mount Holyoke College, 1973, A.B., Major: Fine Art; Minor: French, Italian
Pratt Institute, 1983, B. Arch.
American School of Classical Studies at Athens, Greece, Graduate Certificate for Summer Session, 2011,
Institute of Fine Arts at NYU, 2015, M.A. in History of Art and Archaeology, Major: Classical Archaeology, 2015

Professional Licenses & Certificates

Registered Architect since 2009, NY License # 033151
Florida Architecture License Pending
LEED Green Associate

Professional Memberships:

American Institute of Architects
Archaeological Institute of America
United States Green Building Council

Professional Experience:

LoGiudice Gallery, Soho, Assistant Director, 1973-1973.
Pace Gallery, New York City, Print Sales Associate, 1974-1975.
Carol Horn Inc., Fashion Designer, Public Relations, 1975-1978.
Liz Claiborne Inc., Fashion Designer, Public Relations Consultant, 1978.
Redroof Design, Architecture, Long Island City, Yann Weymouth, Principal, Office Manager & Drafter, 1979-1980.
Phillips Janson Group, Architecture, New York City, Architect, 1983-85.
Herzig Design, Architecture & Design, Principal, 1985 - present.
Mount Sinai School of Medicine, Facilities Design, 1994-2008.
New York University Selinunte Excavations, Sicily, Archaeological Site Surveys, 2012-present

Board Memberships:

Carnegie Hill Neighbors, 2008-2020 (leave of absence 2012-2015)
Brownstone Committee Chair, Historic Preservation Committee
Mount Holyoke College Art Museum, Art Advisory Board, 2007-2017
Nominating Committee Chair, Special Events
Archaeological Institute of America, 2010 - present
Site Preservation Committee, Cultural Heritage Committee,
Joukowsky Distinguished Service Award, Nominating Committee
Code Enforcement Board, Town of Palm Beach, Alternate, 2021 - present

Research Publications:

Herzig, J., Van der Valk, L., "Referral for Evaluation: Fifteen 19th Century Rowhouses in Carnegie Hill, New York"
research document submitted to the New York City Landmarks Preservation Commission, 2007.
Herzig, Julie, "From Myth to Reality: Changing Perceptions and Representations of the Dwarf from the *François Vase* to the *Peytel Aryballos*." Academia.edu, Institute of Fine Arts Thesis, 2015

Languages:

French, fluent speaking, reading, writing
Italian, conversational, reading, writing
Ancient Greek, in progress

Extracurricular:

Paint in watercolors and oils. Swim. Travel.

Application for Service

Profile

Paula

First Name

K

Middle Initial

Isacoff

Last Name

2720 So Ocean Blvd

Home Address

#113

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

paulaprc@att.net

Email Address

Mobile: (917) 225-7841

Primary Phone

Home: (561) 835-3635

Alternate Phone

Question applies to multiple boards

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

KMC verified

Yes

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

residency verified

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

In what area of town do you live?

None Selected

Interests/Experience

Question applies to Landmarks Preservation Commission

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

None

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

Question applies to multiple boards

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

No

Question applies to Landmarks Preservation Commission

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

☐ Yes ☒ No

Question applies to Landmarks Preservation Commission

If So, where?

No

Question applies to Landmarks Preservation Commission

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

No

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

☒ Palm Beach Civic Association

Present Occupation

Spacial planner/ designer and renovater

No. of years

45

Past occupation(s)

No. of years

Please provide details regarding your educational background:

Liberal arts art history major NY school interior design Parsons School Isabel Oneal foundation
Journeyman decorative painting Hunter College masters art history

Question applies to Landmarks Preservation Commission, Code Enforcement Board

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

- ☒ Architecture
- ☒ Architectural History
- ☒ Building Construction

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to multiple boards

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

☒ Yes ☐ No

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

None

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

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

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

LANDMARKS PRESERVATION COMMISSION

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

PAULA K. ISACOFF

*333 SUNSET AVENUE, APT 512, PALM BEACH, FL. 33480 * PAULAPRC@ATT.NET *

* CELL 917.225.7941 *

EDUCATION_____ ISABEL O NEAL

FOUNDATION FOR DECORATIVE PAINTING NYC 2000 JOURNEYMAN
PARSONS SCHOOL OF DESIGN FOR LIGHTING DESIGN
HUNTER COLLEGE MASTER IN ART HISTORY STUDIES NYC
NEW YORK SCHOOL INTERIOR DESIGN
FINCH COLLEGE NYC FALL 1967 – SPRING 1971

BACHELOR IN ART HISTORY AND ENG. LIT

EXPERIENCE_____

1976-PRESENT PAULA KIRSHENBAUM LTD MEMBER OF ASID INTERIOR DESIGNER| GC |
SPACIAL PLANNER | KITCHENS| BATHROOMS

2011 – PRESENT FULL TIME PALM BEACH RESIDENT

MULTIPLE RENOVATION CLIENTS IN SUN AND SURF AND OTHER

PALM BEACH LOCATIONS

2008 TOTAL GUT RENOVATION IN MY APARTMENT AT SUN AND SURF

2007-2011 LIVING PART TIME BETWEEN PALM BEACH AND R.I.

2000-2007 LIVED IN VILLANOVA, PA. – AS GC BUILT AND RENOVATED HOMES

1967-2000 LIVED IN MANHATTAN – MOVED TO NYC FROM PROVIDENCE TO GO TO
COLLEGE.

MARRIED FOR 36 YEARS AND RAISED 2 CHILDREN. 2017 DIVORCED.

DESIGNED SENIOR PARTNER'S OFFICES AT A MAJOR NYC LAW FIRM

PRIVATE CLIENT'S HOMES IN NYC AND SUBURBS

ACTIVITIES_____

2004-2006 INSTRUMENTAL IN WRITING A COOKBOOK AS A FUND RAISER FOR THE BALDWIN
SCHOOL, BRYN MAWR, PA.

VOLUNTEERED IN THE BUCKLEY SCHOOL LIBRARY WEEKLY 1985-1996

CHAIR OF THE LADIES LUNCHEON WOMAN'S DIVISION AJC 1996

MEMBER OF THE WOMAN'S BOARD AJC 1985-2005

BOARD MEMBER JEWISH GUILD FOR THE BLIND 1968-1976

MEMBER OF ASID

SKILLS & INTERESTS

- DECORATIVE PAINTING (GOLD LEAF, FAUX SHAGREEN, FAUX BOIS, STRIE') – VENETIAN PLASTER,
- INTERESTS: ANIMAL LOVER, TRAVEL, COOKING, FLOWER DESIGN
- MUSIC
- EVENT PLANNING

Application for Service**Profile**

Alexander

First Name

C

Middle Initial

Ives

Last Name

237 Jamaica Lane

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

alexives@hotmail.com

Email Address

Home: (561) 309-1645

Primary Phone

Home: (561) 842-4442

Alternate Phone

Question applies to multiple boards

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

KMC verified

ACI

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

residency verified

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

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

Question applies to Landmarks Preservation Commission

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

7 by listening to audio

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

There are no periods of time for which I would be unavailable for meetings.

Question applies to multiple boards

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

Town of Palm Beach's Architectural Review Commission (ARCOM) Appointed Member March 2011 to March 2022 In those 11 years, I believe I missed 5 meetings due to illness. Outside Interview Committee Reviewing Candidates for PZB Director - 2018 Appointee to the Town of Palm Beach's Royal Poinciana Way Committee - 2012 to 2013 Flagler Bridge Aesthetics Committee - 2008 to 2010 Participant Royal Poinciana Planning study charrettes - 2007 I miss none of the meetings for the above 4 things.

Question applies to Landmarks Preservation Commission

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

☐ Yes ☒ No

Question applies to Landmarks Preservation Commission

If So, where?

I have never lived in or owned a landmarked home or property.

Question applies to Landmarks Preservation Commission

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

Working for the Preservation Foundation I attended over 100 LPC meetings and advocated for the landmarking and redevelopment of historic properties. I have attended numerous local, state and national conferences about landmarking and historic properties. Also locally I served on the Bath and Tennis Club Restoration Foundation Board from 2012 to 2021.

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

None Selected

Present Occupation

Consultant

No. of years

6

Past occupation(s)

Multiple Positions at the Preservation Foundation of Palm Beach President from October 2014 to June 2016; Executive Director from October 2011 to October 2014; Co-Director from October 2010 to October 2011; Advocacy and Public Affairs Director from October 2009 to October 2010; Communications/Media Director from July 2007 to October 2009 – Palm Beach, Florida Facilitated a total average annual revenue increase from \$1.5 million to \$2.3 million; facilitated a membership increase of near 3 times; created an eightfold increase in number of programs offered by the Foundation; advocated and supported for the first landmark district in twenty-five years in Palm Beach; oversaw expansion of archives by tens of thousands of documents, including key building plans of not just historic properties but non-historic; oversaw Education, Gardens, Advocacy, Public Affairs, Administrative and Operations, Budget and Finance, Membership, Communications and Library departments and Dinner Dance Gala event; management and oversight of publications and website, including selection and oversight of outsourcing and redesign of website; coordination of publicity and promotional strategies for advocacy issues and fundraising campaigns; development and monitoring of budgets and production timelines; chose and marketed event speakers; oversaw planning and facilitation of all Foundation events; analyzed findings and recommend appropriate actions to the Chairman and the Board and executed appropriate actions as directed; assisted Chairman and Board with short and long-range planning and development of policies and procedures relating to the Foundation's advocacy in the Town of Palm Beach; identified means of implementing those policies and procedures. Freelance Writer September 2001 to present – Palm Beach, Florida Wrote and submitted articles, critiques and op-ed pieces; interviewed and researched for stories; made deadlines; etc. for Quest Magazine, Paste Magazine, Industry Magazine, The Palm Beach Daily News, The New Times, et al.; opinions quoted in The New York Times, The Times of London, The Guardian, The Hudson Review, W Magazine. Part-Time Sales Associate for Ralph Lauren November 2005 to July 2007 – Palm Beach, Florida Sold high-end quality products to luxury customers with sales achievement of approximately half a million dollars a year. Paralegal/Investigator for Criminal Defense Attorney Richard G. Lubin April 2002 to March 2004, July to August 2004, January to March 2005 – West Palm Beach, Florida Assisted in development of defense theories and arguments, examination and cross-examination of witnesses, presentation of cases, and writing of motions; researched case law; investigated and analyzed evidence and witnesses; researched and found experts; devised questions, ran, and analyzed polling. White House Volunteer Corps June to August 2001 – Washington, D.C. Handled Presidential correspondence. Campaigner/Republican Presidential Vote Re-count Observer for George W. Bush for President 2000 Campaign September to November 2000 – Palm Beach County, Florida Handled grassroots development, phone banks, election events, got out the vote; checked/challenged ballots in recount. Intern at U.S. Speaker of the House Newt Gingrich's Political Action Committee GOPAC September to December 1998 – Washington, D.C. Worked on media watches/instant response activities during the Impeachment; helped to maintain candidate resource website; assisted in fundraiser; handled general clerical tasks and minor research on redistricting.

No. of years

See descriptions and resume

Please provide details regarding your educational background:

Boston College – Class of 2000 Bachelor of Arts in Political Science Previous to that I attended high school here at Cardinal Newman and was a lifer at Palm Beach Day School before that.

Question applies to Landmarks Preservation Commission, Code Enforcement Board

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

☒ None

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to multiple boards

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

☒ Yes ☐ No

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

Mother - Carol Ives

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

Question applies to Landmarks Preservation Commission

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

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

LANDMARKS PRESERVATION COMMISSION

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

ALEXANDER C. IVES
237 Jamaica Lane
Palm Beach, Florida 33480-3321
telephone 561/309-1645
alexives@hotmail.com

Experience:

Consultant

January 2017 to present – Palm Beach, Florida

Offered consulting services for marketing, long-term planning, and general non-profit strategies

Multiple Positions at the Preservation Foundation of Palm Beach

President from October 2014 to June 2016; Executive Director from October 2011 to October 2014; Co-Director from October 2010 to October 2011; Advocacy and Public Affairs Director from October 2009 to October 2010; Communications/Media Director from July 2007 to October 2009 – Palm Beach, Florida

Facilitated a total average annual revenue increase from \$1.5 million to \$2.3 million; facilitated a membership increase of near 3 times; created an eightfold increase in number of programs offered by the Foundation; advocated and supported for the first landmark district in twenty-five years in Palm Beach; oversaw expansion of archives by tens of thousands of documents, including key building plans of not just historic properties but non-historic; oversaw Education, Gardens, Advocacy, Public Affairs, Administrative and Operations, Budget and Finance, Membership, Communications and Library departments and Dinner Dance Gala event; management and oversight of publications and website, including selection and oversight of outsourcing and redesign of website; coordination of publicity and promotional strategies for advocacy issues and fundraising campaigns; development and monitoring of budgets and production timelines; chose and marketed event speakers; oversaw planning and facilitation of all Foundation events; analyzed findings and recommend appropriate actions to the Chairman and the Board and executed appropriate actions as directed; assisted Chairman and Board with short and long-range planning and development of policies and procedures relating to the Foundation's advocacy in the Town of Palm Beach; identified means of implementing those policies and procedures.

Town of Palm Beach's Architectural Review Commission (ARCOM)

Appointed Member March 2011 to March 2022 – Palm Beach, Florida

ARCOM reviews and approves modifications to any existing structures visible from public rights-of-way, new construction, and landscaping. Members are Town of Palm Beach registered voters appointed by the Town Council on the basis of experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business, profession, or civic interest.

Freelance Writer

September 2001 to present – Palm Beach, Florida

Wrote and submitted articles, critiques and op-ed pieces; interviewed and researched for stories; made deadlines; etc. for Quest Magazine, Paste Magazine, Industry Magazine, The Palm Beach Daily News, The New Times, et al.; opinions quoted in The New York Times, The Times of London, The Guardian, The Hudson Review, W Magazine.

Part-Time Sales Associate for Ralph Lauren

November 2005 to July 2007 – Palm Beach, Florida

Sold high-end quality products to luxury customers with sales achievement of approximately half a million dollars a year.

Paralegal/Investigator for Criminal Defense Attorney Richard G. Lubin

April 2002 to March 2004, July to August 2004, January to March 2005 – West Palm Beach, Florida

Assisted in development of defense theories and arguments, examination and cross-examination of witnesses, presentation of cases, and writing of motions; researched case law; investigated and analyzed evidence and witnesses; researched and found experts; devised questions, ran, and analyzed polling.

White House Volunteer Corps

June to August 2001 – Washington, D.C.

Handled Presidential correspondence.

Campaigner/Republican Presidential Vote Re-count Observer for George W. Bush for President 2000 Campaign

September to November 2000 – Palm Beach County, Florida

Handled grassroots development, phone banks, election events, got out the vote; checked/challenged ballots in recount.

Intern at U.S. Speaker of the House Newt Gingrich's Political Action Committee GOPAC

September to December 1998 – Washington, D.C.

Worked on media watches/instant response activities during the Impeachment; helped to maintain candidate resource website; assisted in fundraiser; handled general clerical tasks and minor research on redistricting.

Education:

Boston College – Class of 2000

Bachelor of Arts in Political Science; GPA 3.45; Deans List 1997-2000; Recipient of 1998 Gary Brazier Award

Other:

Bath and Tennis Club Restoration Foundation Board member 2012 to 2021

Palm Beach Illustrated Magazine 2015 Palm Beach Rising listing

Quest Magazine 400 listing - 2010 to present

Young Friends Acquisition Committee for the Norton Museum of Art - 2015 to 2017

Appointee to the Town of Palm Beach's Royal Poinciana Way Committee - 2012 to 2013

Member of The Society of the Four Arts' Contemporaries - 2009 to present

Flagler Bridge Aesthetics Committee - 2008 to 2010

Participant Royal Poinciana Planning study charrettes - 2007

Usher at St. Edward's Catholic Church - 2007 to present

Young Friend of the Norton Museum of Art - 2004 to present

Member of the West Palm Beach Top 100 Young Professionals – 2004 to 2009

Application for Service

Profile

Anne

First Name

G.

Middle Initial

Metzger

Last Name

277 Esplanade Way

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

annegm44@gmail.com

Email Address

Home: (561) 842-0224

Primary Phone

Home: (561) 236-3446

Alternate Phone

Question applies to multiple boards

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

KMC verified

AGM

Question applies to multiple boards

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Question applies to multiple boards

residency verified

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

In what area of town do you live?☒ North

Interests/Experience

Question applies to Landmarks Preservation Commission

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

All

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

None

Question applies to multiple boards

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

Palm Beach Day Academy: 14+ years. Vice President of the Board of Trustees with William Matthews, President. I was Head of the vibrant Educational Policy Committee and chaired all the meetings. It was fascinating because of a merger with Palm Beach Day School and The Academy of the Palm Beaches. Will Matthews called the merger, "3-D chess!" I was also on the Head Search Committee for a new Head of School more than once. I attended all the meetings all the time and never missed one. I am still a Trustee.

Question applies to Landmarks Preservation Commission

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

☒ Yes ☐ No

Question applies to Landmarks Preservation Commission

If So, where?

Freshford Manor, Bath, England It was added to the National Heritage List for England on 2/1/1956

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

I have had experience with Landmarked properties in the past from growing up in Philadelphia, living in Bath, England, studying art and architecture classes at the University of Pennsylvania, and from being on the Landmarks Preservation Commission here in Palm Beach. Please read the following: The Landmarks Commission is vibrant. There is preparation for the monthly meetings by visiting the upcoming projects and meeting with architects and owners on site, which I enjoy doing. As my Ex Parte will show, I make a point of talking and meeting with the representatives of properties prior to our meetings -- and the meetings are fascinating and lively! In addition, I have been working on MORE ways to encourage, enhance, preserve and protect Landmarks and Historic properties in Palm Beach and spread information and recognition about them to residents. I responded in several ways to Landmarks Commission Chairman Rene Silvin's call to action by initiating communication, resident-to-resident, as a Landmark Commissioner. I have worked with several owners and with our consultants, Janet Murphy and Emily Stillings, to identify worthy properties and districts and speak with the owners, which will expand the number of valuable Landmarked properties and the involvement of residents in the Landmarking process and the honor and benefits of being Landmarked. Further, when a property is proposed for Landmarking and the owners are unsure of supporting the designation, I have reached out and answered questions and concerns, and I believe I helped de-mystify the Palm Beach Landmarks program for the owners and therefore have secured positive results so that more properties have been landmarked. One major project I came up with is a great idea: The Town of Palm Beach Historic Landmark Plaque Presentation Program. I explained it to Council President Maggie Zeidman and she liked it and put me in charge of it -- and I got busy! The Town of Palm Beach Historic Landmark Plaque Program is launched! I told Maggie about my first wonderful victory with a lady whose house was recently landmarked at the end of Pendleton Lane -- she was Over-the-Moon happy and excited about the present from the Town that I hand delivered to her in person: The beautiful bronze Historic Landmark Plaque. She said, 'I'll put it right here next to my front door!' Here's how it works. During the past several months, as houses were designated as Landmarks at our meetings, I made a point of contacting owners to see if they would like to have an Historic Landmark Plaque, a present from the Town. Most of the time I already knew the owners. When I did not, then I would find someone I knew who knew them, so that later I could hand-deliver the plaque. One owner was not sure if they wanted one, so I sent a photograph of the plaque. I called again, and I was very pleased when they said yes!! Now I have a list of 9 property owners who would like a plaque for their house! I have learned that it is most effective for me to talk to a potential recipient one on one, Landmark Commissioner resident speaking to Landmark Owner resident. Our Town staff has been very helpful to me in advancing this new program. I have additional ideas for you to consider in the future, to encourage the community to embrace our Landmarks Preservation program. As Palm Beach grows and changes, we need to expand our Landmarking efforts. As a Landmarks Commissioner, through these and other personal pro-active ideas and projects, I am contributing to the growth of positive enthusiasm and the number of beautiful Landmarked properties for Palm Beach!

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

- ☒ Palm Beach Civic Association
- ☒ Preservation Foundation of Palm Beach
- ☒ National Trust for Historic Preservation
- ☒ Florida Trust for Historic Preservation
- ☒ Palm Beach County Historical Society

Present Occupation

Retired

No. of years

Past occupation(s)

Counselor in Education and Guidance, Palm Beach County Arts School.

No. of years

10

Please provide details regarding your educational background:

I was born in Paris, France because my father was a Diplomat. I grew up in Philadelphia and attended Springside School. I went to St. Timothy's School, all girls high school in Maryland. Then I graduated from the University of Pennsylvania in Philadelphia, Pennsylvania.

Question applies to Landmarks Preservation Commission, Code Enforcement Board

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

- ☒ Architecture
- ☒ Architectural History
- ☒ Landscape/Architecture Design

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to multiple boards

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

☒ Yes ☐ No

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

Bill Metzger, husband.

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

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From: [Anne Metzger](#)
To: [Kelly Churney](#)
Subject: Request, please
Date: Monday, February 28, 2022 12:19:54 PM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Kelly,

As referenced in my most recent email to you, please send this easier to read text of my 'Experience with Landmarked Properties' section of my LPC application to the Mayor and Town Council. It's the same text as filed, but with paragraphs.

Thank you,
Anne.

I have had experience with Landmarked properties in the past from growing up in Philadelphia, living in Bath, England, studying art and architecture classes at the University of Pennsylvania, and from being on the Landmarks Preservation Commission here in Palm Beach. Please read the following:

The Landmarks Commission is vibrant. There is preparation for the monthly meetings by visiting the upcoming projects and meeting with architects and owners on site, which I enjoy doing. As my Ex Parte will show, I make a point of talking and meeting with the representatives of properties prior to our meetings -- and the meetings are fascinating and lively!

In addition, I have been working on MORE ways to encourage, enhance, preserve and protect Landmarks and Historic properties in Palm Beach and spread information and recognition about them to residents. I responded in several ways to Landmarks Commission Chairman Rene Silvin's call to action by initiating communication, resident-to-resident, as a Landmark Commissioner. I have worked with several owners and with our consultants, Janet Murphy and Emily Stillings, to identify worthy properties and districts and speak with the owners, which will expand the number of valuable Landmarked properties and the involvement of residents in the Landmarking process and the honor and benefits of being Landmarked.

Further, when a property is proposed for Landmarking and the owners are unsure of supporting the designation, I have reached out and answered questions and concerns, and I believe I helped de-mystify the Palm Beach Landmarks program for the owners and therefore have secured positive results so that more properties have

been landmarked.

One major project I came up with is a great idea: The Town of Palm Beach Historic Landmark Plaque Presentation Program.

I explained it to Council President Maggie Zeidman and she liked it and put me in charge of it -- and I got busy! The Town of Palm Beach Historic Landmark Plaque Program is launched! I told Maggie about my first wonderful victory with a lady whose house was recently landmarked at the end of Pendleton Lane -- she was Over-the-Moon happy and excited about the present from the Town that I hand delivered to her in person: The beautiful bronze Historic Landmark Plaque. She said, 'I'll put it right here next to my front door!'

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I have additional ideas for you to consider in the future, to encourage the community to embrace our Landmarks Preservation program. As Palm Beach grows and changes, we need to expand our Landmarking efforts. As a Landmarks Commissioner, through these and other personal pro-active ideas and projects, I am contributing to the growth of positive enthusiasm and the number of beautiful Landmarked properties for Palm Beach!

Application for Service**Profile**

Bridget

First Name

Moran

Middle Initial

Last Name

257 Dunbar Raod

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

pbgidge@yahoo.com

Email Address

Mobile: (561) 346-1574

Primary Phone

Alternate Phone

Question applies to multiple boards

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

KMC verified

BRM

Question applies to multiple boards

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Question applies to multiple boards

residency verified

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

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

Question applies to Landmarks Preservation Commission

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

all of them

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

Question applies to multiple boards

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

TOPB alternate member of Landmarks Preservation Commission, March 2021 - present, attended all meetings

Question applies to Landmarks Preservation Commission

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

☐ Yes ☒ No

Question applies to Landmarks Preservation Commission

If So, where?

I have not lived in or owned a landmarked home

Question applies to Landmarks Preservation Commission

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

Only through serving on LPC

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

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

Present Occupation

Home maker

No. of years

30+

Past occupation(s)

Buyer

No. of years

5

Please provide details regarding your educational background:

BS Marketing & Management, Siena College

Question applies to Landmarks Preservation Commission, Code Enforcement Board

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

☒ None

[Upload a Resume](#)

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to multiple boards

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

☒ Yes ☐ No

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

Tim Moran Kate Moran

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

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

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

LANDMARKS PRESERVATION COMMISSION

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

My name is Bridget Moran and I have been a resident of Palm Beach since 1998. I graduated from Siena College in Loudonville, NY with a BS in Marketing and Management. I enjoyed a brief career as a buyer of golf equipment before retiring to raise a family.

I am a member of the Palm Beach Civic Association, The Preservation Foundation of Palm Beach, Palm Beach Crime Watch (Board member 2022-present) and St. Edward Guild (former President 2005-2007). In addition, I am an alternate member of the Town of Palm Beach Landmarks Preservation Commission and a graduate of Palm Beach Police Citizen's Academy (class #10).

I have enjoyed volunteering for the following organizations:

- Rosarian Academy (1998-2007, Auction & Ball co-chair 2004)
- Palm Beach Police & Fire Foundation (2005-present)
- Town of Palm Beach United Way (Allocation Committee volunteer 2008-2017 & 2022-present, Allocation Committee chairman 2012-2017, Executive Committee 2012-2016, Red Feather Committee 2016-2017)
- Palm Beach Crime Watch (Board Member 2022-present)

My interests in volunteerism stem from my belief that if we intend to continue to enjoy the community we live in, we need to give back and invest in it.



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

LANDMARKS PRESERVATION COMMISSION

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

Name: Sue Patterson Residence Address: 710 S Ocean Blvd PB, FL 33480
Mailing Address: 710 S Ocean Blvd PB, FL 33480 Home Telephone: 561-659-4447
E-mail Address: ssolie@aol.com Work Telephone: 561-346-7007 (cell)

I am a registered voter of the Town of Palm Beach SSP (please initial) KMC verified

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

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

I've been on the LPC for the past 5 years (2 as an alternate) and loved every minute. I'd be honored to serve another term. LPC marries my love

of preservation, architecture and design. My feeling is preservation has never been more important in the Town of Palm Beach--

our beautiful and unique gem by the sea. I feel a civic duty to help protect it.

2. How many meetings of the Landmarks Preservation Commission have you attended in the last year? 100%

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

Current: University of Wisconsin-Madison, Foundation Board and School of Education board (12 years), Brown University Presidents Council (3 years)

Previous: Palm Beach Day Academy Board (12 years), Dreyfoos School of the Arts Foundation Board (10 years)--Attendance close to 100%

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

I'm available all year.

5. Have you ever lived in or owned a landmarked home or property? Yes ☒ No ☐ (If so, where?)

710 S Ocean Blvd PB, FL 33480 (12 years and counting...)

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

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

- | | |
|---|--|
| ☐ National Trust for Historic Preservation | ☐ Preservation Foundation of Palm Beach |
| ☐ Florida Trust for Historic Preservation | ☐ North End Property Owner's Association |
| ☐ Palm Beach County Historical Society | ☒ Palm Beach Civic Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other Preservation Organization: _____ |

8. Present occupation. Writer, Photographer No. of years. 25

Employer.

9. Past occupation(s). SVP/Sr. Art Director No. of years. 22

Employer(s).

J. Walter Thompson/NY

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- | | |
|---|--|
| ☒ Architecture | ☒ History |
| ☒ Design | ☐ Landscape Architecture/Design |
| ☒ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background:

BS/MFA University of Wisconsin-Madison

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

My background as an Art Director in advertising as well as my Master of Fine Arts Degree in Graphic Design-- which involved studying Art History and Architecture-- I believe qualifies me to have a well rounded application for LPC.

But perhaps the best qualification is my first hand experience I got renovating our landmarked home. After 17 years of abandonment, the first floor was sand, there were no windows, doors, walls, plumbing, electricity, etc.

You could stand in one corner of the house and see right through to the other corner. Bringing 710 SOB back to life was a joy. It was that experience that got me interested in Landmarking-- and it's importance.

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

Family Member Name	Relationship	Address	Occupation	Employer
James B Patterson	Husband	710 S Ocean Blvd PB, FL 33480	Novelist	Self

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

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

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

☐ Yes ☒ No

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

RACE

☐ African American

☐ Asian American

☐ Hispanic American

☐ Native American

☒ Caucasian

☐ Other

GENDER

☐ Male

☒ Female

PHYSICALLY DISABLED

☐ Yes

☒ No

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

SIGNATURE: Susan Patterson

Digitally signed by Susan Patterson
Date: 2022.01.04 09:42:10 -0500

DATE: January 4th, 2022

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

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

LANDMARKS PRESERVATION COMMISSION

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Application for Service

Profile

J David Seay
First Name Middle Initial Last Name

3456 South Ocean Blvd Apt 304
Home Address Suite or Apt

Palm Beach FL 33480
City State Postal Code

jdavidseay@aol.com
Email Address

Mobile: (917) 885-2989
Primary Phone Alternate Phone

Question applies to multiple boards

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

JDS

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

residency verified
Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

In what area of town do you live?

☒ South

Interests/Experience

Question applies to Landmarks Preservation Commission

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

none

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

none

Question applies to multiple boards

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

have served on a dozen boards of directors of not-for-profit organizations as well as a New York City cooperative housing corporation (Director and President)

Question applies to Landmarks Preservation Commission

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

☒ Yes ☐ No

Question applies to Landmarks Preservation Commission

If So, where?

1820 side-hall Colonial home in North Chatham, Columbia County, New York; owned for 30 years and was successful in getting it listed on the New York State and National Registry of Historical Properties

Question applies to Landmarks Preservation Commission

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

see above; I have owned and lived in a landmarked property

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

☒ Palm Beach Civic Association

Present Occupation

retired

No. of years

4

Past occupation(s)

attorney at law

No. of years

41

Please provide details regarding your educational background:

BA (philosophy) Oklahoma City University, 1973 JD (law) Columbus School of Law of the Catholic University of America, Washington, DC, 1977

Question applies to Code Enforcement Board, Landmarks Preservation Commission

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

☒ Law

Upload a Resume

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

☐ Yes ☒ No

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

☒ I Agree

Question applies to multiple boards

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☒ Yes ☐ No

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

Anita Seay, spouse

Demographics

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Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

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J. DAVID SEAY
3456 South Ocean Boulevard
Apartment 304
Palm Beach, FL 33480
(917) 885-2989 jdavidseay@aol.com

QUALIFICATIONS

- Nonprofit legal affairs and executive management
- Government relations and advocacy
- Corporate governance and legal expertise in exempt organizations
- Health care, disability and mental health policy
- Extensive experience with nonprofit and health care organizations in New York City, New York State, and across the U.S.

PROFESSIONAL ACHIEVEMENTS

2010 – 2018

Executive Vice President & Chief Legal Officer

Cerebral Palsy Associations of New York State

- Chief legal officer of 60+ year old disabilities service organization with 24 statewide affiliates and 17,000 employees serving more than 90,000 persons annually
- Provided advice and counsel as a critical part of a senior management team based in Manhattan and with offices in Albany, New York

2007 - 2010

President

J. David Seay Consulting

- Engagements included: creating national advocacy materials for nonprofit hospitals and their community benefit obligations; planning and staff recruitment for statewide health care educational organization; analysis of conversion to for-profit status of a major nonprofit health plan, and provided strategic counsel and health care constituency relations consulting services to pharmaceutical and biotechnology companies. Clients included:
- A national health care association
- A statewide health care association
- A state health care educational organization
- A leading regional nonprofit health plan
- A consulting firm specializing in patient advocacy programs

2001 - 2007

Executive Director

National Alliance on Mental Illness of New York State

Increased revenue by 65% over five years through effective fund raising

- Successfully accomplished a turn-around of a grassroots mental health support, education, and advocacy organization with 58 affiliate organizations and more than 5,000 members in New York State through effective management, communications and development
- Enhanced the organization's visibility, credibility, and effectiveness with the New

	York State Legislature, Office of Mental Health, the media, and the public. • Initiated Corporate Campaign and increased grants and contributions • Elected to serve as Chair of the national NAMI Executive Directors' Group.
1979 - 2000	<u>Vice President, Secretary and General Counsel</u> United Hospital Fund of New York • Managed the health care grants program, the development office, and New York City Health Care for the Homeless program; supervised 17 staff • Developed the first grant for AIDS services in New York City • Turned money-losing annual fundraiser into a successful \$1 million+ event. • Created a new special event that raised \$500,000+ in annual revenue • Co-authored "Mission Matters: A Report on the Future of Voluntary Health Care Institutions" and co-edited <u>In Sickness and in Health: The Mission of Voluntary Health Care Institutions</u> with Bruce C. Vladeck, PhD.
1977 -1979	<u>Group Operations Executive</u> John Hancock Mutual Life Insurance Company • Coordinated an in-depth corporate analysis of the growing managed care market and recommended a new model for corporate involvement. • Established and maintained strategic relationships in Washington, DC and nationally in industry and national health policy.
1973 - 1974	<u>Health Services Industry Specialist</u> Executive Office of the President of the United States • Developed domestic health policy for the President's Cost of Living Council in the Office of Health Policy Development during wage and price controls. • Staffed the President's Health Industry Advisory Committee and ad hoc Committee on Long Term Care. • Created presentation materials and composed correspondence for presidential advisors George P. Shultz, Melvin Laird, John Dunlop, and James Hodgson.
EDUCATION	
Legal	<u>Columbus School of Law</u> Catholic University of America, Washington, D.C. Juris Doctor degree
Graduate	<u>Graduate School of Philosophy</u> Georgetown University and Catholic University of America Graduate study toward Master of Arts in Philosophy
College	<u>Oklahoma City University</u>, Oklahoma City, OK Bachelor of Arts in Philosophy, <i>magna cum laude</i> Student Government President
ADMITTED TO PRACTICE	State of New York Commonwealth of Massachusetts

ACADEMIC
APPOINTMENTS

New School University, Adjunct Professor
New York Medical College, Senior Lecturer,
Cardozo School of Law, Yeshiva University, Adjunct Professor
Invited Lectures: Yale, Cornell, Columbia, and New York Universities
and Albany Law School

AWARDS

NAMI Staten Island 2006 Advocacy Award
Professional Examination Service, Board Leadership Award, 2004
Institute for Community Living, Governance Award, 2002
New York Business Group on Health, Distinguished Service Award, 1999
New School University, Faculty Service Award, 1997
Margaret Loeb Kempner Award for Community Service,
New York Eye and Ear Infirmary, New York, 1993

PUBLICATIONS

More than 40 books, book chapters, journal articles, and testimony.

Application for Service**Profile**

Alexandria

First Name

B.

Middle Initial

Williams

Last Name

828 Flamingo Drive

Home Address

Suite or Apt

West Palm Beach

City

FL

State

33401

Postal Code

abwilliams@pbcgov.org

Email Address

Mobile: (561) 201-3452

Primary Phone

Business: (561) 355-4133

Alternate Phone

Question applies to multiple boards

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

Non-Resident KMC

No

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

Non-Resident

Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Landmarks Preservation Commission: Submitted

In what area of town do you live?

None Selected

Interests/Experience

Question applies to Landmarks Preservation Commission

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

N/A

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

Question applies to multiple boards

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

President of Property Appraiser's Office American Cancer Society Committee 2010-2013 and 2015-2016, Treasurer and Vending Liaison for Property Appraiser's Office Coffee Committee, Food Drive Coordinator Property Appraisers Office 2015-2016, OneBlood Donation Center liaison for the Property Appraiser's Office 2017-2018, President of the Property Appraiser's Office Children's Home Society Committee 2017-2018, President of the Property Appraiser's Office Forgotten Soldiers Outreach Committee 2019, International Association of Assessing Officers Florida Chapter member 2017 - present, International Association of Assessing Officers Worldwide Chapter member 2020 - present.

Question applies to Landmarks Preservation Commission

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

☒ Yes ☐ No

Question applies to Landmarks Preservation Commission

If So, where?

I grew up in 111 Seabreeze Avenue. My family purchased the home in 1979. My Mother had the home landmarked in 1995. We sold the home after she passed 1999. I then moved over to Flamingo Park in West Palm Beach in 2003 and live in a 1950 craftsman bungalow.

Question applies to Landmarks Preservation Commission

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

I am a huge fan of historical and landmarked properties and architecture and have followed the Preservation Foundation for years. I also am the assessor for these properties on the Island.

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

☒ Other

Present Occupation

Property Appraiser

No. of years

20

Past occupation(s)

Owner of Sprinkles Ice Cream and Sandwich Shop. My family opened the shop in 1985 at 253 Royal Poinciana Way, when it was located next to Main Street News and Lena's Shoe Repair. In 1997, we moved to the current location, 279 Royal Poinciana Way, with the aid of Frank Coniglio when the current space became available.

No. of years

16

Please provide details regarding your educational background:

I graduated from Graham Eckes / Palm Beach Academy in 1982. I continued my education at Palm Beach Community College earning my Associate of Arts in Business. In 1985, at 20 years old, the family opened Sprinkles. I was there until 2001, when I sold the business and went to the Gold Coast School of Real Estate, for real estate appraisal. I was in the field working myself from appraiser trainee to Senior Appraiser. During the market crash of 2007-2008, I had a baby. I took a year off and the following year, 2009, I found my way to the Palm Beach County Property Appraiser's Office. I earned my Certified Florida Evaluator's designation (CFE) from the Department of Revenue in December 2013. I am currently pursuing my Residential Evaluation Specialist designation with the International Association of Assessing Officers (IAAO).

Question applies to Code Enforcement Board, Landmarks Preservation Commission

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

☒ None

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

Question applies to multiple boards

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

☒ Yes ☐ No

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

N/A

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

Physically Disabled

☒ Yes ☐ No

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

LANDMARKS PRESERVATION COMMISSION

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

Alexandria Williams

828 Flamingo Drive, West Palm Beach, FL 33401

561.201.3452

alexandria.williams52924@gmail.com

Career Overview

Established Palm Beach County real estate appraiser with experience executing real property assessment, valuation, and building cost estimation. Highly knowledgeable in real estate appraising fundamentals and property tax laws and regulations. Skilled in developing and maintaining models, composition of appraisal reports and record maintenance. Special interest in landmarked and historical properties.

Core Strengths

- Outstanding ability to estimate market value for real properties within Palm Beach County using standard appraisal practices and procedures
- Experienced in appeals and litigation of commercial properties
- Robust background in assessment practices per Department of Revenue (DOR), International Association of Assessing Officers (IAAO) standards and Florida statutes
- Exemplary communication skills
- Efficient worker, able to adapt and multitask
- Knowledgeable of Palm Beach County's established regulations
- Capable of establishing and maintaining effective working relationships with peers, county personnel, contractors, realtors and property owners
- Ability to encourage and facilitate cooperation, pride and trust

Work Experience

December 2009 - current - Palm Beach County Property Appraiser's Office - Barrier Island Specialist, West Palm Beach, FL

Senior Appraiser currently serving as Deputy representing Dorothy Jacks via the Residential Department in various duties to include:

- Inspection of properties to evaluate construction, condition, special features and functional design to aide in property value estimation
- Provide substantiation of all findings and complete appraisal reports
- Represent the Property Appraiser's Office in defense of tax roll during value hearings at the Value Adjustment Board
- Handle confidential calls with the public regarding property valuations, methods of valuation, taxes et al.
- Confirm sales within a specific sector of real estate in regard to DOR qualification guidelines

- Develop tax roll for all commercial land parcels in North County (2009 - 2012) and for all commercial condominiums in Palm Beach County (2012 -2021)
- Develop and maintain mass appraisal models for commercial condominiums
- Prepare written reports estimating property values and outlining methods while meeting appraisal standard guidelines
- Compute final estimation of property values, taking all pertinent factors into account
- Provide training of standard operating procedures of valuation of commercial condominiums

* Appraiser I – December 2009, Appraiser II - June 2012, Appraiser III - July 2017, Senior Appraiser - September 2021 to current

September 2001 - December 2009 - Landmark Real Estate Solutions – Boynton Beach

Certified Senior Residential Real Estate Appraiser

February 1985 - September 2001 - Sprinkles Ice Cream and Café – Palm Beach

Owner / Manager

Educational Background

Palm Beach Community College, Lake Worth, FL - A.A., General Education, 1998

Palm Beach Academy - General Diploma, 1982

Certifications

- Residential Evaluation Specialist designation (RES) - Currently pursuing
- Certified Florida Evaluator – December 2013
- State Certified Residential Appraiser #RD5017 – February 2005
- State Certified Trainee Appraiser – September 2001

References

Available upon request



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

LANDMARKS PRESERVATION COMMISSION

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

Name: Fernando Wong Residence Address: 2774 South Ocean Blvd #105 Palm Beach, FL 33480
Mailing Address: 320 Pine Street, West Palm Beach FL 33407 Home Telephone: 3053210546
E-mail Address: tim@fernandowongold.com Work Telephone: 5615150213

I am a registered voter of the Town of Palm Beach FW (please initial) KMC verified

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

1. Why are you interested in serving on the Landmarks Preservation Commission? (Please explain and attach additional pages if necessary)

I am presently an alternate member and would like to be a regular commissioner.

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

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

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

None

5. Have you ever lived in or owned a landmarked home or property? Yes ☐ No ☒ (If so, where?)

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

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

- | | |
|--|---|
| ☒ National Trust for Historic Preservation | ☒ Preservation Foundation of Palm Beach |
| ☐ Florida Trust for Historic Preservation | ☐ North End Property Owner's Association |
| ☒ Palm Beach County Historical Society | ☒ Palm Beach Civic Association |
| ☐ Citizens' Association of Palm Beach | ☐ Other Preservation Organization: <u>ICAA</u> |

8. Present occupation. Own A Landscape Architecture Firm No. of years. 15

Employer. SELF

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

Employer(s). _____

10. Do you have a degree in, or have you taken courses in, any of the following fields of study: (Check all that apply)

- | | |
|--|---|
| ☒ Architecture | ☐ History |
| ☒ Design | ☒ Landscape Architecture/Design |
| ☐ Architectural History | ☐ Building Construction |

11. Please provide details regarding your educational background:

University of Panama

12. Why do you feel that you are qualified to serve on the Town's Landmarks Preservation Commission (Attach additional page if necessary)

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

Family Member Name	Relationship	Address	Occupation	Employer
Tim Johnson	Husband	2774 South Ocean Blvd #105 Palm Beach 33480	CEO	Fernando Wong Outdoor Living Design

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

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

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

☒ Yes ☐ No

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

RACE

☐ African American

☒ Asian American

☒ Hispanic American

☐ Native American

☐ Caucasian

☐ Other

GENDER

☒ Male

☐ Female

PHYSICALLY DISABLED

☒ Yes

☐ No

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

SIGNATURE: _____

DATE: 2/10/2022

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

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

LANDMARKS PRESERVATION COMMISSION

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

FERNANDO WONG

OUTDOOR LIVING DESIGN

February 16, 2022

Town Council
Town Of Palm Beach
360 South County Road
Palm Beach, Florida 33480

Dear Town Council,

I am respectfully writing to ask to be elevated to a voting member of the Landmarks Preservation Commission.

Growing up in Panama I was fascinated by the classical Spanish and Mediterranean inspired architecture and then later by the explosion of sleek glass towers that started to sprout up on the waterfront. This fascination led me to study architecture at the University of Panama. After graduation I came to the United States where I taught myself to speak English by watching television and found work on a landscape crew. During my breaks I would design and draw elaborate gardens. One day the owner took notice and moved me into the office to design for his clients. My career as a Landscape Designer officially began.

I started my company in 2005 and have had the privilege of designing almost 200 projects from hotels, parks, and museum sculpture gardens to some of the most architecturally significant homes in the world. One my fondest professional memories was when a client cried because she loved my plan.

I have learned so much from my time as an alternate commissioner and feel that I have much to offer the Town as a full-time voting member. Palm Beach is my home and the place where I will live for the rest of my life. I want to do everything in my power to make sure that it remains the most beautiful town on earth. This place has given me so much and I am honored to have the opportunity to serve the Community in this small way.

Sincerely,



Fernando Wong

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Presentations by the Applicants and Appointments to the Retirement Board of Trustees

Presenter

Pat Gayle-Gordon, Acting Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated February 28, 2022, from Pat Gayle-Gordon, Acting Town Clerk**
- ▣ **Attendance Record**
- ▣ **Sample Ballot**
- ▣ **Status Sheet**
- ▣ **Application - John W. Copeland**
- ▣ **Application - Thomas Parker**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jay Boodheshwar, Deputy Town Manager

FROM: Pat Gayle-Gordon, Acting Town Clerk

RE: Retirement Board of Trustees Appointment of Two (2) Resident Members

DATE: February 28, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint two (2) resident members to the Retirement Board of Trustees. These members will fill the vacancies created due to the term expirations for Bradford D. Kaufman and Thomas Parker who are both eligible for reappointment.

GENERAL INFORMATION

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

1. Thomas Parker – 215 Jamaica Lane, Palm Beach, FL.

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

1. John W. Copeland – 1191 North Lake Way, Palm Beach, FL.

Attachments

cc: Gillian Barth, Director of Human Resources

TOWN OF PALM BEACH ATTENDANCE RECORD 2020 - 2022
RETIREMENT SYSTEM BOARD

08-22 TOS Backup

MEMBERS	3/13/2020	5/8/2020	8/21/2020	12/4/2020	3/12/2021	5/14/2021	8/20/2021	11/15/2021	3/4/2022	5/20/2022	8/19/2022	11/14/2022
C. Gerald Goldsmith	P	P	-	-	-	-	-	-	-	-	-	-
Bradford D. Kaufman	P	P	P	P	P	P	P	P				
Brett Madison	P	P	P	P	P	-	-	-				
Daniel Wilkinson	P	P	P	P	P	P	P	P				
Michael Marx	P	P	P	P	P	P	P	P				
Daniel Stanton	P	P	P	P	P	P	P	P				
Tom Parker	P	P	P	P	P	P	P	P				
C. Edward Carter	P	P	P	P	P	P	P	P				
Jane Le Clainche	P	P	P	P	P	P	P	P				
David Lambert	-	-	-	P	P	P	P	P				
Jason Debrincat	-	-	-	-	-	P	P	P				

Legend:

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

Allowed 2 unexcused absences per 12 month period

Special Meetings are not subject to the attendance policy

BALLOT FOR APPOINTMENT OF **RESIDENT** MEMBER(S)
TO THE **RETIREMENT BOARD OF TRUSTEES**
Town Council Meeting on **March 8, 2022**

Positions to be filled: 2 **Resident Members**

Please circle 2 from the list of names appearing below

Resident Members Applying for Reappointment

Thomas Parker

Others Who Have Submitted Applications

(Listed Alphabetically)

John W. Copeland

Signature of Town Council Member: _____

Town Council Member

RETIREMENT BOARD OF TRUSTEES

Next appointment: **March 8, 2022, Town Council meeting**

Openings advertised via news release: **January 14, 2022**

Deadline to submit applications: **Friday, February 25, 2022, by 5:00 p.m.**

Number of openings: **2 Resident Members**

Applicants

<u>NAME</u>	<u>SEEKING</u>
Thomas Parker	Reappointment
John W. Copeland	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Resident Members</u>	
C. Edward Carter	March, 2023
Bradford D. Kaufman	March, 2022
David G. Lambert	March, 2023
Thomas Parker	March, 2022
Daniel Stanton	March, 2024
<u>Employee Members</u>	
Daniel Wilkinson (Police)	March, 2022
Michael Marx (Fire)	March, 2023
Jason DeBrincat (General)	March, 2024
Jane Le Clainche (Ex-officio)	

Highlighted in yellow=term currently expiring/vacant

*=Applied for reappointment

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

***=Termed out

Application for Service**RECEIVED**
By Kelly Churney at 9:44 am, Feb 25, 2022

Profile

John W. Copeland
First Name Middle Initial Last Name

1191 North Lake Way
Home Address Suite or Apt

Palm Beach FL 33480
City State Postal Code

john.copeland@wealthpcg.com
Email Address

Business: (561) 567-8161 Mobile: (561) 319-6959
Primary Phone Alternate Phone

Question applies to multiple boards

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

JWC

Question applies to multiple boards

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

Question applies to multiple boards

 Residency Confirmed
Please upload proof of residency

Which Boards would you like to apply for?

Retirement Board: Submitted

In what area of town do you live?☒ North

Interests/Experience

Question applies to Retirement Board

Why do you wish to be appointed as a member of the Retirement Board of Trustees?

I am committed to protecting and ensuring the long-term financial viability of the Town's retirement funds, and believe my experience in investments and wealth management would allow me to meaningfully contribute to the Palm Beach Retirement Board.

Question applies to Retirement Board

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

☒ 0

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

N/A

Question applies to multiple boards

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

N/A

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

None Selected

Present Occupation

Managing Partner, Wealth Partners Capital Group

No. of years

5

Past occupation(s)

President, AMG Wealth Partners

No. of years

5

Please provide details regarding your educational background:

B.A. Georgetown University, 1984, magna cum laude J.D. Harvard Law School, 1988, magna cum laude
M.S. MIT, 1988

[CV - 2022.docx](#)

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

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

Gianna F. Biondi (spouse) Aidan Biondi-Copeland (dependent child) Ariana Biondi-Copeland (dependent child)

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

Question applies to Retirement Board

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

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

RETIREMENT BOARD OF TRUSTEES

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

- One employee who is a member of benefit group general or benefit group lifeguard.
- One employee who is a member of benefit group firefighter.
- One employee who is a member of benefit group police officer.
- Five residents of the Town.
- The Town Manager.

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

John W. Copeland
1191 North Lake Way
Palm Beach, FL 33480
(561) 319-6959 john.copeland@wealthpcg.com

Experience:

- 2017-Present: Wealth Partners Capital Group, LLC, Managing Partner** **Palm Beach, FL**
- Launched firm in 2017 with five colleagues, partner firm AUM of \$ 11.3bn
 - As of January 2022, firm has 21 employees and partner firm AUM of \$ 46 bn
- 2011-2017: AMG Wealth Partners, President** **West Palm Beach, FL**
- Ran AMG division responsible for investing in registered investment advisory firms (RIAs)
 - Grew division from \$ 0 to over \$ 40bn in AUM
- 2001-2008/ 2008-2011: Lehman Brothers / Morgan Stanley** **New York, NY**
- Managing Director, Private Investment Management (PIM); Sr. Partner, Global Capital Mngmnt
- Oversaw one of largest PIM teams at the Firms; oversaw family assets of \$2.5bb
- 2000: Credit Suisse First Boston** **New York, NY**
- Managing Director, E-Commerce and Wealth Management
- Head of Wealth Management for Private Advisor, CSFB high net worth wealth division
- 1988-2000: Goldman, Sachs & Co.** **Boston, MA / New York, NY**
- 1999 Managing Director, Private Client Services (PCS) Management
- One of four MDs responsible for Global Private Client Business of 450 salespeople, \$230bb in assets; focus on families and entities with over \$10mm in investable assets
 - Designed, started and ran numerous new businesses, products and services (personal trust, open architecture, lending facilities, tax/estate planning, etc.)
- 1988-1999** Associate / Vice President / Managing Director, Private Client Services (PCS) Sales
- Started and lead the largest wealth management team for the Firm worldwide: team of fourteen responsible for 100+ clients; \$8bb+ in assets
 - Lead new business generation, asset management, client relationships, strategic team growth
 - 1993-1995: Recruited and trained all Equities Division and PCS New Associates and analysts
 - Hired and managed over 300 associates and 100 analysts

Education:

- 1984-1988 Harvard Law School and MIT Sloan School of Management: Dual Degree Program**
- Harvard Law School** **Cambridge, Massachusetts**
- J.D.; *Magna Cum Laude*
 - Concentrations: Securities Law, Corporate Law, Taxation
- MIT Sloan School of Management** **Cambridge, Massachusetts**
- M.S.; completed two year program requirements in eighteen months
 - Concentrations: Accounting, Taxation, Finance
- 1980-1984 Georgetown University,** **Washington D.C.**
- B.A.; *Magna Cum Laude*, Dean's List; Phi Beta Kappa
 - Dual major: English Literature and Economics; Varsity Swim Team

Personal: Married, three children
Chairman of the Board, Rainforest Foundation U.S.
Guest Lecturer, Tufts Univ. Volunteer speaker, NYC public schools
Life Member, Sierra Club; Jackson Hole Land Trust, Jackson WY

Application for Service

Profile

Thomas

First Name

Parker

Middle Initial

Last Name

215 Jamaica Lane

Home Address

Suite or Apt

Palm Beach

City

FL

State

33480

Postal Code

teexparker@gmail.com

Email Address

Business: (561) 440-6280

Primary Phone

Mobile: (561) 351-1157

Alternate Phone

Question applies to multiple boards

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

TXP

Question applies to multiple boards

Appointment to the Architectural Commission (ARCOM), Landmarks Preservation Commission, Planning and Zoning Commission, Recreation Advisory Commission, & Underground Utilities Task Force (UUTF) requires the applicant to be a registered voter in the Town of Palm Beach. Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the required copy of the voter registration card shall be grounds for rejection of the application.

Question applies to multiple boards

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

TXP

Question applies to multiple boards

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

Question applies to multiple boards

 **Residency Confirmed**

Please upload proof of residency

Question applies to multiple boards


Upload a Voter Registration Card (Front)

Question applies to multiple boards

Upload a Voter Registration Card (Back)

Which Boards would you like to apply for?

Retirement Board: Submitted

In what area of town do you live?

☒ North

Interests/Experience

Question applies to Underground Utilities Task Force (UUTF)

Why are you interested in serving on the Underground Utilities Task Force?

This application pertains to the Retirement Board of Trustees. My term on the UUTF expires June 1, 2022.

Question applies to Retirement Board

Why do you wish to be appointed as a member of the Retirement Board of Trustees?

I was appointed to this Board three years ago and would like to continue my service for a second term at the pleasure of the Town Council. In 2021 I was elected Secretary by the Board.

Question applies to Retirement Board

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

☒ 4+

Question applies to Underground Utilities Task Force (UUTF)

How many meetings of the Underground Utilities Task Force have you attended in the last year?

0

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

There have been no meetings of the UUTF since October 2020.

Question applies to multiple boards

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

I have served on the Underground Utilities Task Force since its inception in 2015. My UUTF term expires June 1, 2022.

Question applies to Underground Utilities Task Force (UUTF)

Do you have any personal experience or special skills related to underground conversion projects? (Please explain)

See above.

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

☒ Palm Beach Civic Association

Present Occupation

Financial Advisor

No. of years

29

Past occupation(s)

Bond Trading at Citibank and Bear Stearns; New York, NY prior to 1992.

No. of years

18

Please provide details regarding your educational background:

St. Ann School, West Palm Beach Cardinal Newman High School, West Palm Beach, Class of 1970
University of Virginia, B.A. English, 1974

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

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

☒ History

Why do you feel you are qualified to serve on the Town's Underground Utilities Task Force?

I have served on UUTF for almost 7 years. My term is expiring June 1, 2022.

[20220203_TP_B_RBT_no_resume.pdf](#)

Upload a Resume

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

☐ Yes ☒ No

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

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

☒ I Agree

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

Mary V. Parker, Spouse

Demographics

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

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

Physically Disabled

☐ Yes ☒ No

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

☒ I Agree

Question applies to Underground Utilities Task Force (UUTF)

Please provide a copy of BOTH SIDES of your Palm Beach County Voter Registration card, which shows your Town of Palm Beach address, with your application. (Unless you are applying as a non-resident with a special skill in undergrounding).

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

UNDERGROUND UTILITIES TASK FORCE (UUTF)

UUTF is charged with the investigation and review of the undergrounding of utilities throughout the Town. Members must be residents and electors of the Town, however, one of the members may be a non-resident of the Town provided said member has a special skill related to undergrounding. Members and alternate members shall be appointed to office for three-year terms.

Question applies to Retirement Board

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

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

RETIREMENT BOARD OF TRUSTEES

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

- One employee who is a member of benefit group general or benefit group lifeguard.
- One employee who is a member of benefit group firefighter.
- One employee who is a member of benefit group police officer.
- Five residents of the Town.
- The Town Manager.

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

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda Minutes

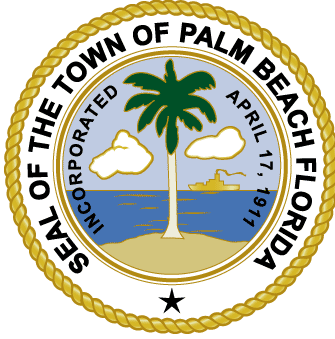
Agenda Title
Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk

- a. February 8, 2022, Town Council Meeting Minutes
- b. February 9, 2022, Town Council Development Review Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **February 8, 2022, Town Council Meeting Minutes**
- ▣ **February 9, 2022, Town Council Development Review Meeting Minutes**



MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 8, 2022

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of Tuesday, February 8, 2022, was called to order at 9:30 a.m. in the Town Council Chambers. On roll call, all council members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. MODIFICATIONS TO THE AGENDA

The following modifications were made to the Agenda:

- (1) A Resolution was added to the agenda under as Item No. VIII.B.8.

RESOLUTION NO. 029-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Temporary Access Easement Agreement for a 2022 Dune Restoration Project Between the Town of Lantana, the Town of South Palm Beach and the Town of Palm Beach; Authorizing the Mayor to Execute the Easement Agreement on Behalf of the Town.

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

- (2) Item No. VIII.C.4 under OTHER was removed from the agenda.

IV. APPROVAL OF AGENDA

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

V. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore announced the employee milestones for February: Michelle Sentmanat (PZB) – 10 years; Albert Moreland (PW) – 5 years; Dionne Lightborne (FIN) – 5 years; Emily Pelayo (PD) – 5 years; Jared Willson (FR) – 5 years; Patrick Frawley (FR) – 5 years. She announced that Michelle Pagan retired from the Police Department after 27 years of service. She also acknowledged the March milestones: Curtis Cameron (PW) – 15 years; Gerald Satern (PW) – 15 years. She acknowledged the retirement of Paul Castro, Zoning Manager after 27 years of service and Jimmy Duane, Assistant Fire Chief, after 29 years of service. She expressed her appreciation and congratulations to them both on their retirement.

VI. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Pro Tem Lindsay spoke regarding Town-sponsored workshops that had been held in the past, “Where have all the Songbirds Gone,” and announced that there will be an event entitled “Restore the Earth” on Earth Day, Friday, April 22 at 10:00 a.m. at the Recreation Center.

Council Member Crampton spoke regarding many complaints he received regarding large truck traffic on the North end of town. He spoke regarding revisiting the truck study and adding an item to the March agenda to discuss this issue. Council Member Araskog spoke regarding recent ORS meeting discussions on this item and suggested she would provide a report at the March meeting. Council President Zeidman spoke in support of an actual item be added to the March agenda and putting up signs in the interim. Council President Pro Tem Lindsay spoke regarding issues with trucks that she witnesses almost daily and the majority of the trucks are due to large construction projects. She spoke in support of interim measures to try to stop these trucks from driving on the narrow streets. Council Member Araskog spoke regarding construction companies being able to use smaller trucks to transport materials and spoke in support of ensuring that they use them on the narrow streets. She spoke in support of placing signs on several of the streets affected by the trucks.

Council Member Araskog thanked Code Enforcement, PZB, Town Manager and Town Council for their efforts with the new construction and landscape noise ordinance. She spoke regarding other noise issues, specifically a car wash occurring at a condo, that she would like to discuss under Any Other Matters. She also expressed interest in looking into some regulations that would stop the proliferation of restaurants in Town. She congratulated Paul Castro and Jimmy Duane on their retirements.

Council President Zeidman stated that masks and other mitigation measures will be discussed during the COVID item. She spoke regarding the two agenda items that Ms. Araskog had requested be added to the agenda.

Mayor Moore congratulated Friends of Palm Beach on being awarded second place at the Great Charity Challenge. She also announced that Ms. Buhler had an unveiling of the new trash bucket stands at Phipps Ocean Park.

VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Diane Buhler, Friends of Palm Beach, expressed appreciation to the Wellington Community for the Great Charity Challenge award. She spoke regarding the unveiling event of the bucket stands at Phipps Ocean Park and expressed appreciation to the participants, including Council Member Crampton. In response to a question by Council President Zeidman, Ms. Buhler spoke regarding the public response to the bucket stands.

Council President Zeidman spoke in support of installing a bucket stand at the Clarke Avenue beach as an additional pilot. She asked Town Council about placing a Town logo on the bucket stand and Council President Pro Tem Lindsay spoke in support of placing the Town logo below the Friends of Palm Beach logo. The Council provided consensus to move forward with another bucket stand at Clark Avenue beach as a pilot.

VIII. APPROVAL OF CONSENT AGENDA

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

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk

January 3, 2022, Special Town Council Meeting
January 11, 2022, Town Council Meeting
January 12, 2022, Town Council Development Review Meeting
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of January 26 and 27, 2022.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 008-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute a Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation.
H. Paul Brazil, P.E., Director of Public Works
2. RESOLUTION NO. 018-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Authorizing the Mayor

to Sign the Memorandum of Understanding between Palm Beach County, the City of Riviera Beach, the Town of Palm Beach Shores, and the Town of Palm Beach for the Recreational and Educational Use of the Leased Area of Peanut Island.

Jay Boodheshwar, Deputy Town Manager

3. RESOLUTION NO. 019-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the A-7 Pump Station Improvements in the Amount of \$65,700 and Establishing a Project Budget of \$72,250.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 020-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc. for Coastal Engineering Services in Support of the 2022 Dune Restoration Projects in Reaches 4 and 9 in the Amount of \$49,968 and Establishing a Project Budget of \$60,000.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 021-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Execution of First Amendment to Interlocal Agreement with Palm Beach County to Outsource the Maintenance and Repair of Fire Rescue Fleet Apparatus.

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 022-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Contract for License Plate Recognition to Vetted Security Solutions as a Sole Provider.

Dean Mealy, Purchasing Manager

7. RESOLUTION NO. 023-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Duval Ford LLC in the Amount of \$71,715 and Establishing a Project Budget of \$72,000.

Dean Mealy, Purchasing Manager

C. OTHER

1. Approval of Town Manager Performance Evaluation
Kirk W. Blouin, Town Manager
2. Budget Calendar for FY23 Budget Process
Jane Le Clainche, Director of Finance

3. Advisory Capacity of the Shore Protection Board
H. Paul Brazil, P.E., Director of Public Works
4. Accept Donation of \$100,000 for Purchase of Equipment for the Police Department
Nicholas Caristo, Chief of Police
5. Town Marina and Lake Drive Park Improvements - Project Update
H. Paul Brazil, P.E. Director of Public Works

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Investment Advisory Committee
Chris Storkerson, Chair

Chair Storkerson answered the Mayor's and Council Members' questions.

Motion was made by Council Member Cooney and seconded by Council Member Lindsay to accept the Annual Report of the Investment Advisory Committee. On roll call, the Motion passed unanimously.

X. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on January 13, 2022
Lew Crampton, Chair

Chair Crampton provided an update on the recent BAC Meeting, specifically regarding South Lake Drive and the parking flow in the area of the Town Marina. He stated that there was enough data to support securing more parking for residents on the west side of South Lake Drive. He spoke regarding the Committee moving forward with the signage and apologized that the Committee had moved forward without Town Council approval. Council President Pro Tem Lindsay spoke regarding parking spaces that had been taken away when the Marina was reconstructed. Deputy Town Manager Jay Boodheshwar provided further information on the parking program around the Marina and stated that staff will be bringing forward other items to the BAC and Council in the upcoming months. Council Member Cooney stated that he has no problem with the Committee moving forward on a relatively minor change. Council Member Araskog expressed concern with Committees taking action without the vote of the full Town Council. Deputy Town Manager Boodheshwar and Carolyn Stone, Assistant Town Manager, and Town Manager Kirk Blouin answered Council Members' questions. Council President Pro Tem Lindsay stated that the Committee was looking at the hours after 4:00 p.m and the effect on parking availability. Town Manager Blouin spoke regarding additional data being collected and stated that staff will continue to monitor the situation.

Town Manager Blouin announced that the Marina is almost at full capacity and that they are anticipating raising fees next year.

Motion was made by Council Member Cooney and seconded by Council Member Crampton to accept the Report of the Business and Administrative Committee Meeting held on January 13, 2022. On roll call, the Motion passed unanimously.

The following item was heard out of order of the agenda:

XII. REGULAR AGENDA

B. Old Business

1. Discussion Regarding Potential Resolution Requesting that the State of Florida Allow Non-Agricultural Communities to Enact Local Policies to Regulate Chemical Applications

RESOLUTION NO. 028-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Requesting Exemption from Preemptive Laws Controlling the Applications of Pesticides.

TIME CERTAIN: 10:30 AM

Bobbie Lindsay, Council President Pro Tem

Council President Pro Tem Lindsay provided a brief background and introduced Lisa Interlandi, Executive Director, Everglades Law Center, who provided further information on the proposed resolution.

Mayor Moore expressed support for anything that is for home rule. She expressed concern over enforcement of a potential pesticide ban.

Council Member Crampton expressed concern that the Town wouldn't have much impact in Tallahassee and spoke in support of the Town joining other municipalities and/or organizations to approach the legislature.

Council President Pro Tem Lindsay spoke regarding the Town of Palm Beach being a leader and having clout in the State. She spoke regarding working with the Florida League of Cities and others on this issue as it relates to home rule. She spoke regarding the fact that these chemicals are extremely dangerous and that the Town has no ability to regulate it at this time.

Council Member Cooney, Council Member Araskog and Council Member Crampton spoke in support of this effort due to issue of home rule powers and the public health concerns.

Council President Zeidman commended Council President Pro Tem Lindsay on the green initiatives that she has pursued. She spoke regarding next steps. Discussion ensued regarding the Mayor and Town Council visiting Tallahassee to speak on this item. Council President Pro Tem Lindsay spoke in support of other Palm Beach County cities also visiting Tallahassee with the Town of Palm Beach.

Town Manager Blouin spoke regarding the resolution and the next steps of the process.

Motion was made by Council Member Lindsay and seconded by Council Member Crampton to approve Resolution No. 028-2022. On roll call, the Motion passed unanimously.

Council President Zeidman called for comments and the following individuals spoke on this item:

A.P. “Skip” Aldridge, Citizens Association, spoke in support of the resolution.

XI. PUBLIC HEARINGS

- A. RESOLUTION NO. 024-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement Within the Property Commonly Known as 117 El Mirasol Road, in the Town of Palm Beach, Florida.
H. Paul Brazil, P.E., Director of Public Works

Patricia Strayer, Town Engineer, provided background information on the item.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to approve Resolution No. 024-2022. On roll call, the Motion passed 4-0 with Council Member Araskog absent.

- B. RESOLUTION NO. 025-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement Within the Property Commonly Known as 206 Caribbean Road, in the Town of Palm Beach, Florida.
H. Paul Brazil, P.E., Director of Public Works

Discussion ensued regarding combining these types of requests. Patricia Strayer, Town Engineer, provided background information on the item and stated that she will be working with Council President Pro Tem Lindsay on the process.

Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve Resolution No. 025-2022. On roll call, the Motion passed unanimously.

The Town Council recessed at 11:15 a.m. and reconvened at 11:30 a.m.

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. Discussion Regarding Potential Resolution Requesting that the State of Florida Allow Non-Agricultural Communities to Enact Local Policies to Regulate Chemical Applications

RESOLUTION NO. 028-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Requesting Exemption from Preemptive Laws Controlling the Applications of Pesticides.

TIME CERTAIN: 10:30 AM

Bobbie Lindsay, Council President Pro Tem

This item was heard above, out of order of the agenda.

2. Update Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts

TIME CERTAIN: 11:30 AM

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

Director of Public Works Brazil provided an explanation of why the City of West Palm Beach ended the expert panel. Jason Debrincat, Senior Project Engineer, introduced John Potts, who spoke regarding the expert panel and explained that the report has not yet been received. He distributed a letter that included studies regarding TTHM (chlorination by-products). He spoke regarding the infrequency of chlorine spikes and spoke regarding measures that can be taken by residents who do not want to drink the water at the time of excess chlorination.

Council President Zeidman expressed concern that the City of West Palm Beach did not notify the residents in advance of the last time they did the chlorination. Mr. Potts spoke regarding the notification by the City and the need for communication to the Town. Town Manager Blouin spoke regarding staff making assurances that the Town will be notified when this process is taking place and that the Town will notify the residents.

Council Member Crampton and Council President Zeidman emphasized that the Town needs ample notice.

Mayor Moore stated that the City's communication has improved since the issue with cyanotoxins.

In response to Council Member Araskog, Mr. Debrincat explained the communication and process at this point with the City of West Palm Beach and Mr. Potts spoke provided clarification on some of the materials.

Director Brazil spoke regarding the next steps with the new expert panel and consultant. Mr. Debrincat explained the short-term versus long-term strategies.

3. COVID-19 Situation Update
Kirk W. Blouin, Town Manager

a. COVID-19 Monthly Report

Chief Darrel Donatto provided an update on the downward trend of new cases. He spoke regarding experts saying that COVID will be around for a long time and referred to the mutations and immunity. He spoke regarding strategies for dealing with the virus, such as getting the vaccination and staying away from those who are sick. He spoke regarding the importance of transitioning into learning how to live with the new normal rather than in crisis mode.

Council President Zeidman spoke regarding transitioning into the new normal, as well. She inquired about the necessity for wearing masks and Chief Donatto stated that once the positivity rate is below 5%, then it can be discussed and that it should be a planned transition. Town Manager Blouin spoke regarding the informal plan once the positivity rate is below 5%.

Mayor Moore spoke in support of no longer requiring masks. Council Member Cooney also spoke in support of no longer requiring masks, but supports following Town Manager Blouin's plan.

Council President Zeidman recommended waiting until the rate is lower in order to lift the mask mandate in Town facilities. Council Member Araskog spoke in support of waiting until the rate is lower. She spoke in support of authorizing the Town Manager to lift the mask restrictions once the positivity rate is less than 5%.

In response to a question from Council Member Araskog, Chief Donatto spoke regarding variants and vaccine boosters. Council Member Araskog spoke regarding inaccuracies in tests.

- b. RESOLUTION NO. 026-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring with the Request of the Town's Chief of Police, to Extend the Chief's Declaration of the Existence of a State of Emergency within the Corporate Limits of the Town to March 8, 2022, Unless Earlier Terminated by the Chief of Police, at which time the Town Council will Address the Need for any Extension of the Declaration of Emergency; Providing for an Effective Date.

President Zeidman recommended that the State of Emergency be terminated based on the data and that most Palm Beach residents are vaccinated and boosted.

It was the consensus of the Town Council to deny this Resolution.

- c. Discussion Regarding Public Meetings

Council President Zeidman spoke regarding having meetings return back to in-person rather than remotely.

Deputy Town Boodheshwar spoke in support of allowing the Strategic Planning Committee to have members be remote. Mayor Moore spoke regarding the short-term duration of this board.

Council President Zeidman spoke regarding the importance of holding in-person meetings and using mitigation measures until the positivity rate is lower.

Council Member Araskog spoke in support of waiting until the positivity rate is lower.

Council President Pro Tem Lindsay spoke in support of holding in-person meetings.

It was the consensus of the Town Council to return to in-person public meetings.

- d. Temporary Outdoor Seating - COVID

Council President Zeidman provided background information on this item and recommended that any transgression from what was allowed in terms of “temporary COVID outdoor seating” would result in removal of said seating.

Council President Pro Tem Lindsay spoke in support of staff addressing issues as they occur.

Council Member Cooney spoke regarding the temporary outdoor seating ending in May and allowing for the outdoor seating unless there are issues.

Council Member Araskog spoke in support of the Town being strict on those that are non-compliant and spoke in support of removing the outdoor seating if they are non-compliant. She spoke regarding the differences between the café seating and COVID seating.

Council Member Lindsay encouraged restaurants to submit their outdoor seating permit applications soon as the current program is ending in May. Council Member Araskog recommended an email be sent to the restaurants to remind them of that deadline.

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

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

Patricia Strayer, Town Engineer, provided an overview of the project dashboard and provided an update on the phases and easement agreements.

Ms. Strayer presented choices for streetlights to the Town Council. She and Director Brazil answered Council Members' questions. She stated that these sample lights are up now and requested that Town Council visit each one to determine the ones they would like to choose. Council Member Araskog expressed concern that the lights are bright enough for certain areas of Town that are darker, to which Mr. Brazil and Ms. Strayer answered. Council Member Cooney spoke in support of waiting for another month in order to visit the streetlights at night and to engage the public for input. He recommended that there is a separate item on the March agenda under the undergrounding project update specifically for the streetlights. Discussion ensued regarding the possible ways to engage the public.

Public Comment:

John David Corey, 426 Australian, provided input on the streetlights, specifically appropriate lighting strengths for residential areas. He spoke regarding the lights that had been placed on the North end. He also spoke regarding the map shown by Ms. Strayer.

The following item was heard out of order of the agenda:

C. New Business

5. Consideration of Town Incentive for Removal of Ficus

Julie Araskog, Town Council Member

Director of Public Works Brazil presented background information on this item.

Council President Pro Tem Lindsay spoke in support of continuing this program.

Town Manager Blouin requested that a financial cap be placed on this program. Director Brazil stated that the timeline would be the summer.

It was the consensus of the Town Council to continue the Town Incentive.

The Town Council recessed at 1:00 p.m. and reconvened at 1:45 p.m.

The meeting resumed at the following item on the agenda:

B. Old Business

5. Implementation Plan for Coastal Resiliency
H. Paul Brazil, P.E., Director of Public Works

Director Brazil provided a PowerPoint presentation on the Woods Hole Group report, Level Up Palm Beach. He spoke regarding staff recommendations on each item, requested Council direction on certain items and answered Council Members' questions.

The Town Council provided consensus to authorize staff to develop renderings at typical locations on the Lake Trail to show the impacts of the grade transitions of private seawalls that are raised.

Director Brazil spoke regarding a recommendation for enacting an ordinance to develop stricter standards and maintenance requirements for residents' seawalls. Mayor Moore expressed concern over unintended consequences of requiring residents to replace seawalls, such as a prohibitive cost to older residents on a fixed income.

Director Brazil spoke regarding neighborhood scale flood control projects that could potentially be undertaken to address larger areas of Town.

Council Member Crampton spoke regarding the complexity of this issue and the decision-making process.

Director Brazil and Town Manager Blouin addressed questions regarding potential funding and the potential projects being discussed, as well as the timeline for when those projects would be constructed. Mr. Brazil and Mr.

Blouin spoke regarding the incremental and long-term approach to the decision-making process.

Mayor Moore spoke regarding the Town already being very far ahead of other municipalities and the County with addressing these issues and commended Town staff and the Town Council on their work and discussion on this so far.

Council Member Araskog spoke in support of a slow and steady approach to this process. She spoke regarding the proposed gate and the large expense of sea walls as well as addressing sea walls on the ocean side in addition to the intracoastal side.

Director Brazil spoke regarding a recommendation to conduct high resolution survey of shoreline infrastructure, which would provide data that is not currently known. He spoke regarding recommended next steps, specifically approving the shoreline infrastructure survey and water level monitoring, and answered Council Member's questions.

Council Member Araskog recommended four locations for the water level survey and asked if there would be potential for litigation if the Town required private property owners to raise their seawalls, to which Town Attorney Randolph answered.

The Town Council provided consensus to move forward with the staff's recommendations on conducting the survey, the renderings of Lake Trail and studying the water levels.

In response to a question by Council President Zeidman, Director Brazil spoke regarding the next steps with hiring a long-term consultant to assist with this process.

6. Proposed Amendments to Further Restrict the Use of Public Property for Private Special Events

Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar presented the background information and spoke regarding recommendations for this item.

Council President Pro Tem Lindsay spoke regarding the limitations of the Town's roadways and spoke in opposition to allowing any additional special events in Town parks. She was especially concerned about large events, such as weddings and the impact they would have on our limited roadways. She also expressed concern that traffic could hinder emergency services trying to get over the bridges.

Mayor Moore spoke in support of the proposed changes and spoke regarding the Town's special event permit process allowing Town staff to deny events.

Council Member Crampton spoke in support of the proposed changes to the code and spoke regarding how special events can be beneficial for the community.

Council Member Araskog spoke in support of limiting special events to fewer than once per month. Discussion ensued regarding the use of various parks and Deputy Town Manager Boodheswar provided clarification.

Council Member Cooney spoke in support of the direction that staff is taking on this process and spoke regarding the positive nature of the community events that are held.

Council Member Crampton spoke regarding the use of Phipps Ocean Park and expressed concern that it would be closed off to events.

Council President Pro Tem Lindsay stated that her concern was more about private events in Town parks, such as weddings and birthday parties. She spoke regarding the importance of staff considering the types of events when they are approving special event permit applications.

Council President Zeidman stated there are two issues on which the Council is being asked to provide direction: no "special event use of Memorial Park and Lakeside Park and secondly reduced frequency to once/ month in other public parks such as Bradley Park.

The Council provided consensus to remove Lake Drive Park, Memorial Park from the list of parks that allow special events; and allow one event per month. It was suggested that since the restricted use of Phipps Plaza Park would soon sunset, it could be added to the ordinance.

Town Manager Blouin spoke regarding the potential for increased requests for special event permits and provided background information on public safety and other logistical issues with larger events.

Deputy Town Manager Boodheshwar stated that staff will come forward with an ordinance and fee resolution to Town Council.

Council Member Araskog spoke in support of also excluding Phipps Plaza Park due to the traffic in the area and size of the park. Deputy Town Jay Boodheshwar clarified that Phipps Plaza Park was already addressed in our Code of Ordinances

Deputy Town Manager Boodheshwar provided clarification on what the Code states on the use of public facilities. He spoke regarding being able to do this incrementally and revisit in the future if there are issues.

Town Manager Blouin spoke regarding having an appeal process that could be appealable to the Town Council.

Council Member Araskog spoke in support of ensuring that there is a cap to the amount of participants.

Staff will bring back an ordinance which addresses the concerns of Council and one which incorporates the decisions reached by Council during the discussion.

The Town Council recessed at 3:20 p.m. and reconvened at 3:25 p.m.

7. Review of Boards and Commissions Relative to Total Members and Ratio of Regular and Alternate Positions

Margaret A. Zeidman, Town Council President

Council President Zeidman provided background information on the item and explained that this item is specific to the Architectural Review Commission (ARCOM). She spoke regarding the length of the meetings over the past two years. She stated that this discussion pertains to two specific questions: the number of commissioners on ARCOM and what should be the composition of the commission. She provided a list of professions that have been recommended to her for the composition, as well as other suggestions which might reduce the amount of time spent on discussion items including: time limits for applicants and commissioners; reducing the number of commissioners from 10 to 7 which would include 5 voting members and 2 alternates. She reviewed information from other municipalities that are similar to the Town with regard to being coastal and valuing historic preservation. She spoke regarding a current list of Commissioners who are up for reappointment and members that are terming out. Council President Zeidman expressed a reticence for change but if there is going to be change, the time to do so is before we appoint new commissioners to the Board.

Council Member Cooney spoke regarding ARCOM meetings had always lasted one day and expressed concern that the meetings have become so long. He expressed concern over changing the size of ARCOM at this time and he stated that the Code has good guidance on the composition. He stated that this issue is complex and that there are many factors that have led to these inefficiencies, including ex-parte meetings not occurring, additional projects coming to the board due to new processes and relatively new members of staff.

Mayor Moore requested clarification to what ex-parte communications, to which Town Attorney Randolph responded that reading the agenda backup and reviewing plans are not actually ex-parte communications. She spoke in support of including more structure in the ARCOM meetings in order to provide more efficiency in the meetings. She commended the Town Council for the individuals who they have appointed on the Commission, and spoke in support of staff's recommendations to reduce the number of members.

Council President Pro Tem Lindsay spoke in support of moving toward five primary and two alternate members and appointing more professionals. She spoke regarding the impacts of COVID measures to leading to inefficient meetings. She spoke regarding alternates not speaking at meetings unless they are voting.

Discussion ensued regarding the appropriate amount of Commission members.

Council Member Crampton recommended that the Town Council request Michael Small to do a report to provide recommendations on making more smoothly run meetings. He spoke in support of having five primary and two alternate members. He spoke regarding a similar board in Nantucket and how they handle their meetings.

Council Member Araskog expressed concern over making a quick decision. She spoke regarding her research into the history of ARCOM and stressed the importance of not having the professionals outweigh the number of residents. She spoke regarding keeping the number as it currently is.

Director of Planning, Zoning and Building Bergman provided further information on proposed changes to assist with making ARCOM meetings more efficient.

Council President Zeidman spoke regarding the fact that there is currently a crunch of projects, but chances are, the projects will calm down and cautioned against making a "knee jerk" decision.

Assistant Director Murphy provided historical information on ARCOM's membership and spoke regarding the role of alternates.

Public Comment:

Michael Small, 156 East Inlet Drive, Chair and member of ARCOM for nine years. He spoke regarding the volume and significant development in Town that has been occurring recently. He spoke regarding the complexity and large number of projects that have been on the ARCOM agenda each month. He spoke in opposition to taking away powers of the alternates and not having certain projects being heard by ARCOM but rather approved by Town staff.

He spoke regarding this issue most likely not being an issue long-term. He answered Council Members' questions.

Council President Zeidman spoke in support of the idea of having staff keep a record of issues that come up at each meeting to review at future meetings in order to have the Commission focus on the issues that had been discussed. She spoke in support of allowing staff to expand the consent agenda for ARCOM agenda.

Discussion ensued regarding revising the number of members on ARCOM.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to direct staff to bring back a draft Ordinance regarding adjusting the size of ARCOM to seven voting members and one alternate. Motion died.

Discussion ensued regarding allowing for staff to assist ARCOM with increasing meeting efficiency rather than looking at changing the membership of the commission. All Council members agreed to try this approach before making changes.

The Town Council recessed for five minutes.

C. New Business

1. Review of Options for Further Amendments to Construction and Landscaping Hours of Operations
Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar provided background information on the item. He spoke regarding proposed changes for prohibiting construction and landscaping during holidays and answered Council Members' questions.

Public Comment:

Scott Lewis, 514 14th Street, West Palm Beach, spoke in opposition to the proposed changes and explained how landscaping companies should not be considered the same as construction companies and spoke regarding the busy nature of that time. He answered questions from Council Member Araskog.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to direct staff to prepare a draft Ordinance regarding the recommended changes to the construction and landscaping hours of operation. On roll call the Motion passed 3-2 with Council Members Araskog and Crampton dissenting.

2. RESOLUTION NO. 027-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-07 Valet Parking Services for the Town of Palm Beach to One Parking, Inc.

Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar provided background information on the item. He introduced Kirsten Dolan, CEO, One Parking, who provided further information on the proposal she submitted.

Council Member Crampton spoke in support of eventually implementing valet parking in the Town and expressed appreciation for the company and spoke in support of developing a relationship with the company in order to support the entire parking plan.

Council President Pro Tem Lindsay spoke regarding the fact that few people use the valet service that is currently at 150 and expressed concern over subsidizing a valet service in the wrong location. She spoke in support of having the Deputy Town Manager work with the proposer to determine a location in the 200 block.

Council Member Cooney spoke in support of working with the proposer and spoke regarding the difficulty of finding parking in lots. He spoke regarding the expense and the valet stand signage.

Deputy Town Manager Boodheshwar spoke regarding items that can be negotiated with the proposer.

Council President Pro Tem Lindsay provided further information on why she opposes the proposed location.

Council Member Araskog expressed concern over the proposed cost and location.

Council Member Crampton stated that he does not feel that the cost is prohibitive and that he supports working with the company to move the location down the street.

Council President Zeidman spoke in support of moving the proposed location to the 200 block, even if customers need to wait longer for their cars. She inquired about the Town subsidizing the company, to which Ms. Dolan responded. Ms. Dolan spoke regarding the cost being different if the location is moved.

It was consensus of the Town Council to defer this Resolution to next month's meeting.

3. Re-Appointment of Town Manager Pursuant to Section 4.02(b) of the Town Charter from February 9, 2022 through February 14, 2023
Kirk W. Blouin, Town Manager

Motion was made by Council Member Crampton and seconded by Council Member Lindsay to reappoint the Town Manager pursuant to Section 4.02(b) of the Town Charter from February 9, 2022 through February 14, 2023. On roll call, the Motion passed unanimously.

4. Approval of 2022 Town-wide Goals
Kirk W. Blouin, Town Manager

Town Manager Blouin provided background information on the item.

Motion was made by Council Member Crampton and seconded by Council Member Lindsay to approve the 2022 Town-wide goals. On roll call, the Motion passed unanimously.

5. Consideration of Town Incentive for Removal of Ficus
Julie Araskog, Town Council Member

This item was heard above, out of order of the agenda.

XIII. ORDINANCES

A. First Reading

1. Proposed Ordinance to Amend Chapter 134 of the Town Code, Relative to Residential On-Street Parking Permits

ORDINANCE NO. 001-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134, Article X – On Street Parking Permits, at Sections 134-2292, 134-2296 (B) and 134-2296 (C); Relating to Issuance of Decals and Visitor/Service Permits; Changing the Effective Year from a Fiscal Year to a Calendar Year; Providing For Severability; Providing For Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date. [Jay Boodheshwar, Deputy Town Manager]

Town Attorney Randolph read the title of the ordinance.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to approve Ordinance No. 001-2022 on first reading. On roll call, the Motion passed unanimously.

XIV. ANY OTHER MATTERS

Council Member Araskog requested that car washing at a condominium be added into the noise ordinance discussion at ORS. Discussion ensued regarding whether or not this item should be discussed by ORS. Town Council provided consensus to approve staff to work with the Town Attorney to bring it to ORS for discussion.

Council Member Araskog requested the Town Attorney look into limiting the amount of restaurants on a future agenda, to which he agreed.

Mayor Moore spoke regarding several emails that were received from residents over the weekend regarding a change in flight pattern from the airport and she read the response from Cassandra Davis, the Manager of Noise Abatement and Community Affairs from the airport.

XV. ADJOURNMENT

Motion was made by Council Member Cooney and seconded by Council Member Araskog to adjourn the Town Council Meeting of February 8, 2022 at 6:00 PM. On roll call, the Motion passed unanimously.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Date



TOWN OF PALM BEACH

Minutes of the Development Review

Town Council Meeting

Held on February 09, 2022

I. CALL TO ORDER AND ROLL CALL

The Development Review Town Council Meeting was called to order February 9, 2022 at 9:32 a.m. On roll call, all elected officials were found to be present; Ms. Araskog participated via Zoom.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. APPROVAL OF AGENDA

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

Addition of Item VII. B.

Deferral of Item X.A.1b to the March 9, 2022 meeting

Deferral of Item X.A.1c to the March 9, 2022 meeting

Deferral of Item X.A.1d to the March 9, 2022 meeting

Deferral of Item X.A.1e to the March 9, 2022 meeting

Deferral of Item X.A.1f to the March 9, 2022 meeting

Deferral of Item X.A.2 a to the March 9, 2022 meeting

Deferral of Item X.A.2 b to the March 9, 2022 meeting

Deferral of Item X.A.2 d to the March 9, 2022 meeting

Deferral of Item X.A.2 g to the March 9, 2022 meeting

Deferral of Item X.A.2 j to the April 13, 2022 meeting

Deferral of Item X.A.2 k to the March 9, 2022 meeting

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

IV. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore had no comments at this time.

V. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog requested to add an item under “Other” to discuss the powers of ARCOM.

President Zeidman inquired about the number of staff deferrals on the agenda and the reasons for the deferral. Mr. Murphy stated the deferrals were due to the projects not being approved at ARCOM.

Council Member Crampton inquired about the new submittal process and how it was working. Mr. Murphy responded that he thought the new process was going well and provided a few examples.

VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

No one indicated a desire to speak.

VII. NEW BUSINESS

A. Review of a Stop Work Order Due to the Three Strike Rule at 346 Seaspray Avenue

Mr. Bergman provided background information on the item and explained the three tickets for construction violations that the property had received.

Edward Cury, The Cury Group, stated he would work with his employees and subcontractors to ensure that these types of issues would not happen again. He spoke regarding having difficulty with some of the subcontractors. He stated that he would be providing on-site parking attendants.

Council Member Cooney spoke regarding the difficulty with overseeing many different subcontractors.

Council Member Crampton acknowledged that The Cury Group was respected in Town. He also stated the reason the Town had the three-strike rule was to bring attention to the issues on construction sites.

Council President Pro Tem Lindsay stated that ultimately, it was Mr. Cury's issue, but she thanked him for addressing the issue.

Council Member Araskog inquired if a parking attendant was on site when the last ticket was issued, to which Mr. Cury responded no. Council Member Araskog stated that she had received many calls of complaints for this site. She inquired about whether it would be appropriate to directly fine a subcontractor and Town Manager Blouin stated that the correct procedures were in place to stop the issues.

Motion made by Council Member Cooney to lift the stop work order at 346 Seaspray Avenue.

Discussion ensued regarding the motion and what would happen if there was a fourth violation.

Motion seconded by Council Member Crampton.

Council Member Araskog inquired if an appearance would be required if a fourth strike occurred and Director Bergman stated that they would receive another stop work order. Town Manager Blouin spoke regarding the process being discussed by the Department Heads and explained the progressive approach to the process.

Council President Pro Tem Lindsay inquired if the motion included requiring them to pay any fines.

Motion amended by Council Member Cooney and seconded by Council Member Crampton to lift the stop work order at 346 Seaspray Avenue contingent upon all the payment of any outstanding fines. Motion carried unanimously, 5-0.

Council President Zeidman called for public comment. There were no public comments heard at this time.

B. Review of a Stop Work Order Due to the Three Strike Rule at 726 Hi-Mount Road

Mr. Bergman provided background information on the item and explained the three tickets for construction violations that the property had received.

Gene Parker, Hedrick Brothers, stated that the fines had been paid. He agreed with all the statements by Mr. Cury. He explained the third strike that they had received.

Council Member Cooney inquired about the third strike violation. Ben Alma, Code Enforcement, explained how the third strike violation was issued.

Council Member Araskog inquired about the violation. Mr. Parker explained the situation.

Motion amended by Council Member Cooney and seconded by Council Member Crampton to lift the stop work order at 726 Hi-Mount Road contingent upon all the payment of any outstanding fines. Motion carried unanimously, 5-0.

Council President Zeidman called for public comment. There were no public comments heard at this time.

VIII. PRESENTATIONS

a. Presentation on CCR and FAR

Director Bergman provided a presentation of the difference between CCR and FAR.

Council President Pro Tem Lindsay inquired about the number of permits issued for one-story homes in the last five years, to which Mr. Bergman stated he did not know. She spoke regarding there not being many individuals building one-story homes. In response to questions by Council President Pro Tem Lindsay, Mr. Bergman explained how second floors would be addressed with using FAR and addressed proposed criteria. Ms. Lindsay spoke regarding massing that has been occurring.

Mayor Moore stated that this was a good starting point and requested if the survey would be finished and Mr. Bergman responded that the survey will be completed and that they are still researching what FAR would be translatable to the current CCR requirements. He spoke regarding hiring a professional planning consultant on this process, as well as assistance by the Town Attorney's firm or another land use law firm.

Council Member Araskog spoke in support of moving forward with using FAR. She spoke regarding the need to consult with a land use attorney on these requirements. She spoke in support of completing the survey as soon as possible due to the projects being completed in Town.

Council President Zeidman requested clarification on Mr. Bergman's suggestion that ARCOM could grant a FAR outside of the code as long as criteria were met. She suggested that Mr. Bergman work with the Town Attorney's office to determine what criteria should be considered and stated that the process for hiring a consultant is moving forward.

There was no action taken on this item.

The Town Council recessed at 10:47 a.m. and reconvened at 11:00 a.m. At this time, the Town Council moved to time certain item Z-20-00318.

IX. DEVELOPMENT REVIEWS

a. **Variances, Special Exceptions, and Site Plan Reviews**

1. Old Business

- a. **Z-20-00318** Consideration of an Application of Blossom Way Holdings, LLC, to Replat Lots 1-6; Relocate the 8 foot wide Pedestrian Beach Access Easement to the North Side of Proposed Lot 6; Eliminate; the Limited Access Easement (LAE) along the East Side of South Ocean Boulevard; Abandon the Private Road Known as Blossom Way, in the Replat of the Blossom Estate; and Create a Pedestrian Beach Access Easement Across the North Property Line of Property Currently Known as 60 Blossom Way

TIME CERTAIN: 11:00 AM

Ms. Churney sworn in all who intended to speak at this time and continued to

do so throughout the meeting as necessary.

Ex parte communications were declared by Council Members Cooney, Crampton, Araskog, Council President Zeidman, Council President Pro Tem Lindsay and Mayor Moore.

Maura Ziska, Attorney on behalf of the applicant, indicated the amount of time that she would need to present her project.

James McGuire, attorney representing the owners at 1236 S. Ocean Blvd., stated his objection to proceeding in hearing the application.

Council Member Araskog inquired about the noticing and submittal requirements for this project to which Paul Castro, Zoning Manager, responded. Council Member Araskog inquired why the information was not given to the other attorneys. Ms. Ziska responded.

Kristofer Machado, attorney on behalf of 1275 S. Ocean Blvd., stated his objection to proceeding in hearing the application.

At this time, discussion ensued on whether the item should be deferred or if it should be heard based on the objections of Attorneys Machado and McGuire. By a consensus of the Town Council, the item was moved forward to be heard.

Maura Ziska, attorney for the applicant, presented the Replat number 2 for the Blossom estates.

Council Member Cooney inquired about the beach easement access and how it would be protected in perpetuity. Ms. Ziska responded.

Council Member Crampton inquired about the location of the new beach easement. Ms. Ziska responded. Mr. Crampton inquired if all the homeowners in the HOA needed to agree with the decision.

Mayor Moore inquired if the other owner, aside from Mr. Lurie, in the HOA (Mr. Peterffy) objected to the Replat. Ms. Ziska stated he had no objections.

Council President Zeidman provided clarification on the new proposal for the beach easement. She inquired if the proposed is reasonably maintained for the benefit of the homeowner.

Mayor Moore inquired about parking being available at the beach access and Ms. Ziska provided confirmation that there is a parking spot.

Mr. Castro provided staff comments and answered Council Members' questions. Town Attorney Randolph and Ms. Ziska answered Council Members' questions.

James McGuire, attorney representing the owners at 1236 S. Ocean Blvd., presented objections in approving the replat application.

Kristofer Machado, attorney on behalf of 1275 S. Ocean Blvd., presented his objection to the proposed relocated beach access easement and the replat application. In response to Council Members' questions, Mr. Machado addressed the negotiations that had been taking place between Mr. Lurie and Mr. Griffin regarding the access easement.

Douglas Husid, Attorney for the owner of 1275 S. Ocean Blvd., provided background on the negotiations.

Shawn Fagan, attorney for the applicant, spoke regarding the negotiations and stated that the attorneys are not able to disclose information regarding a settlement.

Council President Zeidman called for public comment. There were no public comments heard at this time.

Ms. Ziska provided rebuttal arguments.

Council Member Cooney inquired whether the Town Council can approve the replat with the contingency that there is language approving the beach access easement that is status quo. Discussion ensued regarding the legality of including the original access agreement with the replat.

Zoning Manager Castro emphasized that staff is not recommending that the easement allows for anything other than pedestrian access.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve Application Z-20-00318. Motion carried unanimously, 5-0.

The Town Council recessed at 1:00 p.m. and reconvened at 1:45 p.m.

- b. Consider New and Updated PZB Brochures for Prospective Home Buyers, Architects, Realtors and Contractors
Julie Araskog, Town Council Member

Motion made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to defer the item to the March 9, 2022 meeting. Motion carried unanimously, 5-0.

X. RESOLUTIONS

- a. RESOLUTION NO. 016-2022 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 250 Algoma 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.

Ex parte communications were declared by Council Members Cooney, Crampton, Araskog, President Pro Tem Lindsay, President Zeidman and Mayor Moore.

Emily Stillings, Murphy Stillings, presented background information on the project and historical information on the property. She outlined how the property meets Criteria 1, 3 and 4 for Landmark Designation.

Council President Zeidman requested confirmation of proof of publication. Deputy Town Clerk Churney provided confirmation.

Motion made by Council Member Cooney and seconded by Council Member Crampton that the designation report be made part of the record. Motion carried unanimously, 5-0.

Council President Zeidman called for staff comment. Mr. Murphy provided staff comments.

Council President Zeidman called for public comment. There were no comments heard at this time.

Motion made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to adopt Resolution 016-2022, designating the property at 250 Algoma Road as a landmark of the Town of Palm Beach, on the basis that it meets criteria Number 1, 3 and 4 of Section 54-161 of the Town of Palm Beach Code and in the Landmarks Preservation Ordinance No. 2-84. Motion carried unanimously, 5-0.

- b. RESOLUTION NO. 017-2022 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 266 Atlantic Ave Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

Council President Zeidman requested confirmation of proof of notification. Deputy Town Clerk Churney provided confirmation.

Ex parte communications were declared by Council Members Cooney, Crampton, Araskog, President Pro Tem Lindsay, President Zeidman and Mayor Moore.

Janet Murphy, Murphy Stillings, presented background information on the project and historical information on the property. She outlined how the property meets Criteria 1 and 3 for Landmark Designation.

Council President Zeidman called for staff comment. Mr. Murphy provided staff comments.

Motion made by Council Member Cooney and seconded by Council Member Araskog that the designation report be made part of the record. Motion carried unanimously, 5-0.

Council President Zeidman called for public comment. There were no comments heard at this time.

Motion made by Council Member Cooney and seconded by Council Member Crampton to adopt Resolution 017-2022, designating the property at 266 Atlantic Avenue as a landmark of the Town of Palm Beach, on the basis that it meets criteria Number 1 and 3 of Section 54-161 of the Town of Palm Beach Code and in the Landmarks Preservation Ordinance No. 2-84. Motion carried unanimously, 5-0.

Council Member Araskog and Ms. Murphy thanked the owners for designating their home as a landmark of Palm Beach.

XI. DEVELOPMENT REVIEWS

b. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **Z-20-00318** Consideration of an Application of Blossom Way Holdings, LLC, to Replat Lots 1-6; Relocate the 8 foot wide Pedestrian Beach Access Easement to the North Side of Proposed Lot 6; Eliminate; the Limited Access Easement (LAE) along the East Side of South Ocean Boulevard; Abandon the Private Road Known as Blossom Way, in the Replat of the Blossom Estate; and Create a Pedestrian Beach Access Easement Across the North Property Line of Property Currently Known as 60 Blossom Way
TIME CERTAIN: 11:00 AM

This item was heard out of order of the agenda and approved above.

- c. **ZON-21-006 (ARC-21-040) 164 SEASPRAY AVENUE (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW AND VARIANCES** The applicant, Hayati Banastey, has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review for the construction of new two story residence on 2 platted lots deficient in lot width and lot area, including the following variances (1) a variance to reduce the required side (east) yard setback to 10 ft in lieu of 15 feet required for 2 story structure; (2) a variance to reduce the required side (west) yard setback to 10 ft in lieu of 12.5 feet required for the 1 story portion; (3) a variance to reduce the required side (west) yard setback to 10 feet in lieu of 15 feet required for the 2 story portion. [Architectural Review Commission deferred the project to the February 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting.

This item was deferred to the March 9, 2022 meeting at the approval of the

agenda.

- c. **ZON-21-011 (ARC-21-050) 1090 SOUTH OCEAN BOULEVARD (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW** The applicant, 1090SOCEAN LLC (Brad McPherson), has filed an application requesting Town Council review and approval of a Special Exception Request with Site Plan Review to allow the construction of a new two-story residence on non-conforming portions of platted lots that is 135' in depth where 150' is required and 18,558 SF of lot areas where 20,000 SF is required in the R-A zoning district. [Architectural Review Commission deferred the project to the February 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting
This item was deferred to the March 9, 2022 meeting at the approval of the agenda.
- d. **ZON-21-013 (ARC-21-044) 1800 SOUTH OCEAN BLVD (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, 1800 South Ocean LLC (Maura Ziska, Manager), has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review to install a padel court and generator over 100kW in power, in association with a new two-story residence. [Architectural Review Commission deferred the project to the February 23, 2022 meeting. Carried 6-1.] Staff Recommends a Deferral to the March 9, 2022 Meeting
This item was deferred to the March 9, 2022 meeting at the approval of the agenda.
- e. **ZON-21-018 (HSB-21-004) 245 BARTON AVE (COMBO)—VARIANCES** The applicant, Elizabeth Sorrel, has filed an application requesting Town Council review and approval for variances (1) to reduce the front (south) setback for a new entry addition, (2) to exceed the maximum allowable cubic content ratio 'CCR', and (3) to exceed the maximum allowable lot coverage, in order to construct a new 35 SF entry addition to a historically significant building. [The Landmarks Preservation Commission deferred the project to the February 16, 2022 meeting. Carried 7- 0.] Staff Recommends a Deferral to the March 9, 2022 Meeting.
This item was deferred to the March 9, 2022 meeting at the approval of the agenda.
- f. **ZON-22-002 (ARC-21-093) 150 WORTH AVE, STE 234 (COMBO) - SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, Cojimar Palm Beach (Joseph Hernandez and Charles Masson), has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review requesting outdoor seating (28 total seats) at the first (20 seats) level and second (8 seats) level of the two-story Esplanade retail building in conjunction with a new restaurant (Cojimar) to occupy the second floor space of a prior restaurant. [Architectural Review Commission deferred the project to the February 23, 2022 meeting. Carried 6-1.]
This item was deferred to the March 9, 2022 meeting at the approval of the

agenda.

- g. **ZON-22-006 (ARC-21-095) 432 SEABREEZE AVE (COMBO)**
- VARIANCES The applicant Bijon Memar, has filed an application requesting Town Council review and approval for modifications and an addition to the existing residence, requiring variances for lot coverage and retention of existing nonconforming side yard and rear yard setbacks. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the architectural portion of the project 7-0. The Commission deferred the February 23, 2022 meeting. Carried 5-2.]

Ex parte communications declared by Council Members Cooney, Crampton, Araskog, Council President Zeidman, Council President Pro Tem Lindsay and Mayor Moore.

Kristen Kellogg, Smith Kellogg Architecture, Inc., presented the architectural modifications and addition proposed for the existing residence. She pointed out the requested variances.

Zoning Manager Castro provided staff comments.

Mayor Moore spoke regarding the goal of attempting to save older homes in that neighborhood. She spoke in support of the proposed changes and addition.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Variance ZON-22-006, shall be granted and find in support thereof that all criteria applicable to this application as set forth in Section 134.201(a) items 1 through 7 of the Town Code have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

Council President Zeidman called for public comment. There were no public comments heard at this time.

2. New Business

- a. **ZON-21-002 (ARC-21-038) 218 ROYAL PALM WAY (COMBO)—
SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND
VARIANCES** The applicant, 218 Holdings LLC (Susan Hudson, Manager), has filed an application requesting Town Council review and approval for Special Exception Request with Site Plan Review and including variances (1) to reduce the front setback for the third floor addition (2) to reduce the side (east) setback for the third floor addition, (3) to reduce side (east) setback for the new exterior egress stairs, (4) to reduce side (east) setback for a new generator, (5) to reduce the required

parking (4 additional spaces required) and (6) to exceed the maximum height of a generator and screening wall in a required yard, in order to expand a third story of an existing three-story building to accommodate two new residential uses. The Architectural Commission will perform design review of the application. [Architectural Review Commission deferred the project to the February 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting

This item was deferred to the March 9, 2022 meeting at the approval of the agenda.

- b. **ZON-22-004 977 S OCEAN BLVD—VARIANCES** The applicant, 195 Pheston Associates Palm Beach LLC (Charles Holzer, Manager), has filed an application requesting Town Council review and approval for a variance to construct a new seawall 169'-7" in length directly adjacent but 2'-6" feet eastward of the existing seawall and partially east of the Town of Palm Beach's Bulkhead Line. Deferral Request to the March 9, 2022 Meeting per Letter from Maura Ziska, Esq.

This item was deferred to the March 9, 2022 meeting at the approval of the agenda.

- c. **ZON-22-012 (ARC-22-008) 420 BRAZILIAN AVE (COMBO)—VARIANCES** The applicant, Ronald Gross, has filed an application requesting Town Council review and approval of variances to place a generator in the front yard setback of an existing residence, to allow a generator screening height to exceed the maximum height allowed in the front yard setback, to reduce the required front setback and to further decrease nonconforming landscape open space area. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 6-1.] [The Architectural Review Commission approved the project as presented. Carried 7-0.]

There were no ex parte communications declared at this time.

Maura Ziska, attorney for the applicant, described the variance request as proposed.

Dustin Mizell, Environment Design Group, presented the landscape plans to show the generator as proposed.

Zoning Manager Castro provided staff comments.

Mayor Moore expressed concern over the proposed location of the generator but acknowledged there was no other location for the generator to be located.

Council President Pro Tem Lindsay expressed concern over the generator's proximity to the sidewalk. She inquired if the owner would be willing to add some sound abatement if there were any complaints. Mr. Mizell responded.

Mayor Moore indicated that the generator could only be tested during the

parameters set by the Town.

Council Member Araskog expressed concern over the proposed location due to its proximity to the sidewalk. She inquired about the hardship for the application to which Ms. Ziska responded.

Mr. Cooney stated that he understands the concerns of other Council Members, he realizes that this lot is very tight and that current generators are much quieter than older ones.

Motion made by Council Member Cooney and seconded by Council Member Crampton that Variance ZON-22-012 shall be granted and find in support thereof that all criteria applicable to this application as set forth in Section 134.201(a) items 1 through 7 of the Town Code have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried 4-1. Council Member Araskog voted no.

Council President Zeidman called for public comment. There were no public comments heard at this time.

- d. **ZON-22-013 (ARC-22-009) 215 SEABREEZE AVE (COMBO) — VARIANCES** The applicant, Edward & Margot Mehm, has filed an application requesting Town Council review and approval for a variance to reduce the required side yard setback in order to construct a pergola in the required yard. The Architectural Commission will perform design review of the application. [Architectural Review Commission deferred the project to the February 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting
This item was deferred to the March 9, 2022 meeting at the approval of the agenda.
- e. **ZON-22-014 227 ROYAL POINCIANA WAY—VARIANCES AND SPECIAL EXCEPTION** The applicant, PNC Bank (Barry Criss, Officer), has filed an application requesting Town Council review and approval for a Special Exception and Variance to locate an additional PNC Bank financial services office within 1500 feet of another PNC Bank.

Ex parte communications declared by Council Member Cooney and Council President Zeidman.

Harvey Oyer, attorney for the applicant, presented the application on behalf of PNC Bank and discussed the request for a special exception and variance.

Jamie Crowley, attorney on behalf The Breakers, stated that he has been working with Mr. Oyer on the application and supported the request.

Zoning Manager Castro provided staff comments.

Mayor Moore expressed concern over the location becoming a bank. Mr. Oyer responded.

Council Member Cooney stated that he had that the proposed space would have been used as a retail space rather than office use, however, he understood the request.

Council Member Crampton spoke regarding this type of business being town-serving and spoke in support of the proposed project.

Council President Pro Tem Lindsay spoke regarding this project being an office use in a retail location. Mr. Crowley responded to her questions.

Council President Zeidman stated that she understands the concern for using this space for office use but stated that she assumes that this business would be town-serving.

Council Member Araskog inquired if there was another space that is not located in the main retail space for this business, to which Mr. Crowley responded. Council Member Araskog requested if the application could be deferred so that the applicant could consider another space. Mr. Oyer responded.

Motion made by Council Member Crampton and seconded by Council Member Cooney that Variance ZON-22-014, shall be granted and find in support thereof that all criteria applicable to this application as set forth in Section 134.201(a) items 1 through 7 of the Town Code have been met. Motion carried unanimously, 5-0.

Motion made by Council Member Crampton and seconded by Council Member Cooney that Special Exception ZON-22-014 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. Motion carried unanimously, 5-0.

- f. **ZON-22-016 (ARC-22-036) 60 COCOANUT ROW (COMBO) - SPECIAL EXCEPTION, SITE PLAN REVIEW AND VARIANCES**
The applicant, Royal Poinciana Chapel, Inc. (Cater Randolph, Board President)), has filed an application requesting Town Council review and approval for a Special Exception, Site Plan Review and Variances for a generator over 100 kW and the required building enclosure including a variance request to reduce the reduced side-yard setback. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 5-0.] [The Architectural Review Commission approved the project as presented. Carried 5-0]

Ex parte communications were declared by Mayor Moore.

Mindi Schwab, Dailey Janssen Architects, presented the architectural plans

for the proposed generator.

Zoning Manager Castro provided staff comments.

Council President Zeidman called for public comment. There were no public comments heard at this time.

Mayor Moore expressed appreciation that the generator is enclosed and spoke regarding it being a necessity for the chapel.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Variance ZON-22-016 shall be granted and find in support thereof that all criteria applicable to this application as set forth in Section 134.201(a) items 1 through 7 of the Town Code have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

Motion made by Council Member Cooney and seconded by Council Member Araskog that Special Exception ZON-22-016 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. Motion carried unanimously, 5-0.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Site Plan Review ZON-22-016 shall be granted based upon the finding that such grant will not adversely and that the Council affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329 items 1 through 11. Motion carried unanimously, 5-0.

- g. **ZON-22-019 (ARC-22-033) 200 OCEAN TERRACE (COMBO) — VARIANCES** The applicant, Mr. & Mrs. Timothy Davidson, has filed an application requesting Town Council review and approval for a variance to reduce the required street rear-yard setback for the construction of a new one-story guest house. The Architectural Commission will perform design review of the application. [Architectural Review Commission deferred the project to the February 23, 2022 meeting. Carried 6-0.] Staff Recommends a Deferral to the March 9, 2022 Meeting
This item was deferred to the March 9, 2022 meeting at the approval of the agenda.

- h. **ZON-22-020 (COA 22-004) 8 SOUTH LAKE TRAIL (COMBO)—SPECIAL EXCEPTION** The applicant, The Lakeside Trust dated November 19, 2020 (Patrick Emans, Trustee), has filed an application requesting Town Council review and approval for a Special Exception Request approval for driveway gates on a dead end street which do not provide the required vehicle stacking area between pavement and gate. The

Landmarks Preservation Commission will perform the design review portion of the application. [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

Ex parte communications were declared by Mayor Moore and Council Member Cooney.

Maura Ziska, attorney for the applicant, presented the special exception for the vehicular gates.

Zoning Manager Castro provided staff comments and answered a question by Council Member Araskog.

Council President Zeidman called for public comment. There were no public comments heard at this time.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Special Exception ZON-22-020 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

- i. **ZON-22-030 (ARC-22-014) 143 SEMINOLE AVE (COMBO) – SPECIAL EXCEPTION W/ SITE PLAN REVIEW & VARIANCES** The applicant, Lisa Pevaroff Cohn, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review and Variances related to the renovation and addition to an existing non-conforming residence on a lot deficient in area for the zoning district. The Architectural Commission will perform design review of the application. [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project as presented. Carried 7-0]

There were no ex parte communications declared at this time.

Kristin Kellogg, Smith Kellogg Architecture, Inc., presented the architectural plans for the modifications and addition proposed to the existing residence.

Zoning Manager Castro provided staff comments. Mr. Murphy also provided staff comments.

Council President Zeidman called for public comment. There were no public comments heard at this time.

Council Member Araskog inquired about the hardship for the request, to which Ms. Kellogg responded.

Council Cooney thanked Ms. Kellogg for her recent work on single-family homes that are being preserved.

Motion made by Council Member Cooney and seconded by Council Member Araskog that Variance ZON-22-030 shall be granted and find in support thereof that all criteria applicable to this application as set forth in Section 134.201(a) items 1 through 7 of the Town Code have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay that Special Exception ZON-22-030 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. Motion carried unanimously, 5-0.

Motion made by Council Member Cooney and seconded by Council Member Araskog that Site Plan Review ZON-22-030 shall be granted based upon the finding that such grant will not adversely and that the Council affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329 items 1 through 11. Motion carried unanimously, 5-0.

- j. **ZON-22-033 (ARC-22-001) 108 EL MIRASOL (COMBO) - VARIANCES** The applicant, ANK Palm Beach LLC (Anand “Andy” Khubani, Managing Member), has filed an application requesting Town Council review and approval for a variance to allow a basement in a North side-yard setback for basement vehicular access in relation to the construction of a new single-family residence. The Architectural Commission will perform design review of the application. [Architectural Review Commission deferred the project to the March 23, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the April 13, 2022 Meeting
This item was deferred to the April 13, 2022 meeting at the approval of the agenda.

- k. **ZON-22-034 (ARC-22-027) 127 EL BRAVO WAY (COMBO)— VARIANCES** The applicant, 127 El Bravo Trust (Guy Rabideau, Trustee), has filed an application requesting Town Council review and approval for a variance to exceed the maximum building height allowed in relation to new construction of single family residence. The Architectural Commission will perform design review of the application. [Architectural Review Commission deferred the project to the February 23, 2022 meeting. Carried 7- 0.] Deferral Request to the March 9, 2022 Meeting per Letter from David E. Klein, Esq.

This item was deferred to the March 9, 2022 meeting at the approval of the agenda.

XII. UPDATES

1. Update on the Building Recertification Program

Director Bergman provided a brief update and spoke regarding State bills that are currently moving through committees that provides legislation for a building recertification program. He recommended that the Town wait to move forward with its own program until the State acts.

Council President Zeidman inquired if there were certain buildings in Town that would need to be addressed immediately, to which Mr. Bergman responded.

Council Member Araskog spoke in support of waiting to see if the State would pass legislation on this issue.

XIII. ANY OTHER MATTERS

1. Discussion regarding ARCOM's Powers

Council Member Araskog spoke in support of having Town Attorney Randolph attending an ARCOM meeting to provide background on the powers of the board and ex parte meetings. Mr. Randolph spoke regarding presenting this information, as well as public records, Sunshine, etc.

Council President Zeidman spoke regarding having Director Bergman, Assistant Director Murphy, and Town Attorney Randolph to address these items as well as the process of keeping a record on what had been discussed on each application to ensure continuity.

Council President Pro Tem Lindsay spoke regarding the importance of the ARCOM members understanding the ordinance regarding the "excessively dissimilar" clauses and ensuring that the ARCOM members understand that they know all the powers that they have available to them.

Assistant Director Murphy informed the Town Council on a presentation that was made to ARCOM.

Discussion ensued regarding holding another in-person meeting to present these items.

Council President Zeidman spoke regarding ARCOM having a lengthy discussion regarding furniture for outdoor seating at restaurants and spoke regarding her discussion with the ARCOM Chair on this issue. She requested that this item be placed on the March Town Council agenda.

2. Review of a Stop Work Order Due to the Three-Strike Rule at 1500 N. Ocean Blvd.

Director Bergman provided background information on the tickets for construction violations that had been issued at this address.

Maura Ziska, homeowner, spoke regarding how quickly this became an issue.

Todd Michael Glaser, contractor for the project, discussed the issues that occurred with

these violations.

Council Member Araskog stated that Ms. Ziska has been responsive to her calls of complaints.

Council President Pro Tem Lindsay stated that the residents were demanding this type of enforcement and spoke regarding the importance of general contractors ensuring their subcontractors comply.

Mayor Moore stated that she lived next to a project of Mr. Glaser's where she personally witnessed many violations. She believed that there would be many stop work notices in the near future but stated that she feels that these issues will be resolved once all of the general contractors understand the gravity of the situation.

Council Member Araskog restated the words of Council President Pro Tem Lindsay that the contractor is ultimately responsible for all violations.

Mr. Glaser stated that his company will no longer use subcontractors who have caused these issues.

Motion made by Council Member Araskog and seconded by Council Member Crampton to lift the stop work order at 1500 North Ocean Blvd. contingent upon all the payment of any outstanding fines. Motion carried unanimously, 5-0.

XIV. ADJOURNMENT

Motion made by Council Member Cooney and seconded by Council Member Araskog to adjourn the meeting at 3:47 p.m. without the benefit of a roll call.

APPROVED:

Margaret Zeidman, Town Council President

ATTEST:

Kelly Churney, Deputy Town Clerk
Date: _____

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of February 23, 2022.

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated March 1, 2022 from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **Minutes of the Architectural Review Commission Meeting of February 23, 2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: Approval of the Architectural Commission Meeting Minutes of February 23, 2022

Date: March 1, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of February 23, 2022.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items that were considered at the regularly scheduled meeting of February 23, 2022.

GENERAL INFORMATION

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

Attachment

kmc



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, FEBRUARY 23, 2022

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

I. CALL TO ORDER

Mr. Small called the meeting to order at 9:00 a.m.

II. ROLL CALL

Michael B. Small, Chairman	PRESENT
John David Corey, Vice Chairman	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Jeffrey Smith, Member	PRESENT
Thomas Kirchhoff, Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Richard F. Sammons, Alternate Member	PRESENT

Staff Members present were:

James G. Murphy, Assistant Director of Planning, Zoning and Building
Sarah Pardue, Historic Preservation Planner
Jordan Hodges, Planner II
Kelly Churney, Secretary to the Architectural Review Commission
John Randolph, Town Attorney

III. PLEDGE OF ALLEGIANCE

Chairman Small led the Pledge of Allegiance.

IV. RULES OF ORDER AND PROCEDURE

Mr. Small acknowledged the Town Council's decision to return in person for this month's meeting. Mr. Small continued with procedural information and comments regarding the upcoming meeting.

V. **APPROVAL OF THE MINUTES FROM THE JANUARY 26, 2022 MEETING**

Mr. Ives stated he misunderstood the motion made at the last meeting regarding the project ARC-22-035, 726 Hi-Mount Road, specifically the portion of the motion that dealt with the metal roof over the pergola. He requested to bring the item up for a discussion and questioned if there was an appetite to re-open the motion.

Mr. Small indicated that since he was on the prevailing side of the motion, he could re-open the motion.

Mr. Corey inquired about the actual motion. Ms. Churney read the motion from the minutes.

Town Attorney Randolph indicated that the motion could be opened for reconsideration, however the item would have to be discussed at the next agenda so that the parties involved could receive notice of the discussion.

Motion made by Mr. Ives to reconsider the motion for ARC-22-035, 726 Hi-Mount Road.

Both Ms. Shiverick and Mr. Small asked for clarification on the motion.

Mr. Small clarified that the motion by Mr. Ives was to re-open the motion for ARC-22-035, 726 Hi-Mount Road. There was no second to the motion.

Motion failed for lack of a second.

Motion made by Ms. Grace and seconded by Mr. Corey to approve the minutes from the January 26, 2022 meeting as amended. Motion carried 6-1, with Mr. Ives opposed.

VI. APPROVAL OF THE AGENDA

Mr. Small announced the following changes to the agenda:

Move ARC-22-038, 225 Indian Road to Major Projects/New Business
Deferral of B-063-2021, 280 Via Marila to the March 23, 2022 Meeting
Deferral of ARC-21-064, 120 Seagate Road to the March 23, 2022 Meeting
Deferral of ARC-21-077, 991 N. Lake Way to the March 23, 2022 Meeting
Withdrawal of ARC-21-093 (ZON-22-002), 150 Worth Ave., Ste 234
Deferral of ARC-21-101, 425 Chilean Avenue to the March 23, 2022 Meeting
Deferral of ARC-22-006, 215 Arabian Rd. to the March 23, 2022 Meeting
Move ARC-22-011 233 Bahama Lane to the Consent Agenda
Deferral of ARC-22-040, 60/70 Blossom Way to the March 23, 2022 Meeting
Move ARC-21-046, 237 Brazilian Avenue to the Consent Agenda
Deferral of ARC-21-062, 327 Barton Ave. to the March 23, 2022 Meeting

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the agenda as amended. Motion carried 6-1, with Mr. Ives opposed.

Mayor Moore thanked Messrs. Ives and Small for their years of service on the Architectural Review Commission and of their service to the Town.

Town Council President Maggie Zeidman thanked Messrs. Ives and Small for their hard work and service on the Architectural Review Commission and especially the entire Commission's commitment for the past two years during the COVID epidemic.

VII. **PROJECT REVIEW**

A. **CONSENT AGENDA OF MINOR PROJECTS**

1. **ARC-22-047 288 SANDPIPER DR (minor project)** The applicant, Mr. & Mrs. Forsyth-Williams, has filed an application requesting Architectural Commission approval for modifications to windows, doors, and paint trim on guest house, to match main house.

Please refer to staff memo for additional information on this project.

2. **ARC-22-038 (ZON-22-027) 225 INDIAN ROAD (COMBO)** The applicant, White Oak, LLC, a Wyoming LLC, as Trustee for 225 Trust u/a/d 12/13/2019 (Dennis Walsh, Trust Officer), has filed an application requesting Architectural Commission review and approval for a driveway hardscape addition and a 226 sq. ft. loggia expansion with staircase to access the existing 2nd floor open terrace including variances from the setback requirements. The variance portion of the application will be reviewed by Town Council.

Please note: This item was moved from consent to Major Projects – New Business at Item V., Approval of the Agenda.

3. **ARC-22-011 233 BAHAMA LN.** The applicant, Richard and Lori Jabara, has filed an application requesting Architectural Commission review and approval for exterior modifications to the landscape and hardscape plan.

Please note: This item was pulled from consent and was not approved with the consent agenda.

4. **ARC-21-046 237 BRAZILIAN AVE. (minor project)** The applicant, Brazilian PB Land Trust, has filed an application requesting Architectural Commission review and approval for the installation of two new side entry gates.

Motion made by Mr. Corey and seconded by Ms. Grace to approve the consent agenda as amended. Motion carried unanimously, 7-0. Please note: This approval did not include the following projects: ARC-22-011, 233 Bahama Lane and ARC-22-038, 225 Indian Road.

B. **DEMOLITIONS AND TIME EXTENSIONS**

None

C. MAJOR PROJECTS – OLD BUSINESS

1. B-063-2021, 280 VIA MARILA

Applicant: CJN P Holdings LLC (Daniel Pergola, Managing Member)

Professional: MP Design & Architecture, Inc.

Project Description: Demolition of an existing two-story structure. Proposal of a new two-story residence with rear facing two-car garage, new pool, hardscape and landscape.

A motion carried at the June meeting to approve the demolition of the existing home as requested. A second motion carried to defer the project to the July 28, 2021 meeting to address the comments of the commissioners. A motion carried to defer the project to the September 29, 2021 meeting with a clear understanding that a complete redesign of the home was highly requested. A motion carried at the September meeting to defer the project to the November 19, 2021 meeting for a restudy in accordance with the comments from the Commissioners, particularly with the scale and mass of the proposed home. A motion carried at the November meeting to defer the project to the December 17, 2021 meeting. A motion carried at the December meeting to defer the project to the February 23, 2022 meeting.

Please note: This project was deferred to the March 23, 2022 meeting at the Approval of the Agenda, Item VI.

- 2. ARC-21-038 (ZON-21-002) 218 ROYAL PALM WAY (COMBO)** The applicant, 218 Holdings LLC (Susan Hudson, Manager) has filed an application requesting Architectural Commission review and approval for the expansion of a third floor to an existing three-story building including variances from the parking, generator and wall height, and setback requirements. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

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

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Nelo Freijomel, Spina O'Rourke + Partners, presented the architectural and landscape modifications proposed for the existing building.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for this site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Corey supported the aesthetics of the third floor. Mr. Corey inquired about the changes to the front façade. Mr. Freijomel responded and explained the

reason for the change. Mr. Corey inquired about the elimination of the egress of the outside stair to the third floor. Mr. Freijomel responded and explained why the staircase was eliminated. Mr. Corey recommended eliminating the exterior staircase and including it in the interior of the building. He recommended studying this suggestion. Mr. Corey indicated his support for the project but felt the fenestration and front façade could still be restudied. Mr. Freijomel responded and indicated the reasons the exterior stair could not be relocated within the interior of the building.

Ms. Shiverick agreed with Mr. Corey's assessment of the fenestration. She recommended a restudy of the fenestration and thought the addition of muntins would be helpful. Ms. Shiverick recommended an awning for the third floor, north façade to help with the abruptness of the eave and would soften the front of the building. Ms. Shiverick inquired about the color of the building. Mr. Freijomel responded. She asked about the material proposed for the east side of the building. Mr. Freijomel responded and further explained the proposed.

Mr. Sammons recognized that the windows had been narrowed. He made suggestions for the detailing on the windows and portico. He thought the front façade was a bit massive and suggested the addition of an awning. He also questioned the proposed cornices. Mr. Freijomel responded.

Ms. Grace appreciated the changes and thought it was improved. However, she questioned the addition of the third floor, due to the existing mass of the building. She thought it would detract from the street.

Ms. Catlin thought the changes had improved the building. She believed this type of development was a national trend. She thought this was a good building to expand, especially since residential already existed in the building. She supported the request.

Mr. Floersheimer thought the setback on the east was very tight and thought the existing fire escape was very narrow. He acknowledged that the east side was not feasible for a staircase; however, he questioned if the staircase could be moved to the south side. Mr. Freijomel responded and indicated that the suggestion was studied but explained why it was not feasible.

Mr. Kirchhoff thought the changes were a dramatic improvement. He still was not in favor of the overhang on the second floor and thought the classical cornice should continue around to the street side. He agreed with Ms. Shiverick that an awning would be nice on the second floor. He liked the step back of the third story and recommended a restudy of the window surrounds on the second floor. He thought the supports of the Porte cochere should be increased.

Mr. Small was generally supportive of the project. However, he still could not support the east side staircase. There was a short discussion on the requirements of the egress from the second floor. He thought the east side

staircase was still a distraction for the street. He thought the possibility of the staircase on the south side should be restudied.

Mr. Floersheimer wondered if the staircase could be reworked somehow within the lobby. Mr. Freijomel responded.

Mr. Sammons thought the similar staircases were located all over town. He thought the design was successful since one exterior staircase was removed. He also stated another building would eventually be built and the proposed would not be seen.

Mr. Corey inquired if the staircase needed a variance. Mr. Freijomel responded and explained the proportion of the staircase needed a variance.

Mr. Small requested that the applicant outline the variance requests.

Maura Ziska, attorney for the applicant, outlined the zoning requests for the application and advocated for a positive recommendation to the Town Council.

Christian Rollins, representing the owner, explained the importance of the project and advocated for an approval of the project.

Motion made by Ms. Grace and seconded by Ms. Shiverick to defer the project to the March 23, 2022 meeting in accordance with the comments of the Commissioners. Motion carried 4-3, with Messrs. Smith, Kirchhoff and Small opposed.

Discussion ensued on the motion.

Motion made by Mr. Corey and seconded by Mr. Ives to reconsider the previous motion for the project. Motion carried 5-2, with Mses. Shiverick and Grace opposed.

Motion made by Mr. Corey and seconded by Mr. Ives to approve the project with the condition that the following items shall return to the March 23, 2022 meeting: the second and third floor fenestration (including the proportions, muntins and surrounds), the entablature over the portico, and the projecting roof over the north and south side. Motion carried 4-3, with Mses. Grace, Shiverick and Mr. Small opposed.

Motion made by Mr. Corey and seconded by Mr. Ives that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 4-3, with Mses. Grace, Shiverick and Mr. Small opposed.

3. **ARC-21-040 (ZON-21-006) 164 SEASPRAY AVE (COMBO) – VARIANCES.** The applicant, Hayati Banastey, has filed an application

requesting Architectural Commission review and approval for the construction of a new two-story home designed in the Classical Style and related site improvements, including variances for side yard setbacks as they pertain to the new residence on a nonconforming lot. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Patrick Segraves, SKA Architect + Planner, presented an overview of the changes to the design.

Daniel Clavijo, SKA Architect + Planner, showed the Commission why the current design no longer needed any variances.

Mr. Segraves presented the architectural plans proposed for the new home.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for this site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Sammons thought the changes were a big improvement. He inquired about the two windows on the east side of the home; he thought they were too narrow.

Ms. Grace appreciated the changes in bringing the home down in height. She appreciated the elimination of variances. She did not believe the front façade had any charm. She also believed that that home did not fit into the streetscape and recommended adding more charm to the home.

Ms. Catlin had an issue with the front façade of the home. She did not believe the home was in harmony with the streetscape.

Mr. Kirchhoff agreed with Ms. Catlin and Grace; he did not understand the number of French doors facing the front street. He believed the proposed was not in character with the street. He questioned the lack of garden space or terraces that was in front of the proposed French doors. He thought the doors should be changed to windows.

Mr. Corey agreed with Mr. Kirchhoff and was not in favor of the French doors facing the front driveway; he thought it decreased the charm of the home. He questioned the rafter tails and closed eaves; he recommended an open eave to increase the charm. He believed the home worked in size and scale but agreed the home lacked charm. Mr. Corey inquired about the percentage of native plantings proposed and wondered if the percentage was correct.

Mr. Smith thought the front façade needed work and lacked charm.

Mr. Ives agreed with Mr. Smith and thought a few changes should be made to the home, particularly relating to charm and whimsy. He thought that while the proposal was fine, it lacked the special charm and identity of the Sea Streets, which he believed was slowly eroding over time.

Ms. Grace thought the idea of an addition of a porch could add some charm to the home.

Ms. Shiverick agreed that the home lacked the charm that currently existed on the street.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to defer the project to the March 23, 2022 meeting in accordance with the comments of the Commissioners. Motion carried 6-1, with Ms. Grace opposed.

Please note: A short break was taken at 10:42 a.m. The meeting resumed at 11:10 a.m.

4. **ARC-21-044 (ZON-21-013) 1800 S. OCEAN BLVD. (COMBO)** The applicant, Gerard Beekman, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence designed in the Traditional Anglo Caribbean-Georgian style of architecture over 20,000 sf in size, multiple accessory buildings, generator and Padel court on a vacant site. The application will require Special Exception request and Site Plan Review by Town Council.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Beekman agreed to the easement.

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Gerard Beekman, Madison Worth Architecture, Inc. presented the architectural modifications proposed for the new residence.

Tim Johnson, Fernando Wong Outdoor Living Design, presented the landscape and hardscape modifications for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Ms. Shiverick thought the improvements were terrific. She was in favor of the additional street level gardens. She wondered if the pagoda tops were a bit too short and suggested they be slightly increased.

Ms. Grace felt the changes to the front façade, the windows and moving the home back were very successful. She thought the project was a nice project. She wondered if front hedge could be changed a bit so that the home could be seen more front the street.

Mr. Corey agreed with Ms. Grace and Shiverick. He inquired about the hedge material in the front. Mr. Wong responded. Mr. Corey inquired about the roof pitch shown on the west elevation. Mr. Beekman responded. Mr. Corey inquired about the previous roof pitch and the reason the new pitch has increased. A short discussion ensued on the roof pitch. Mr. Corey thought the previously proposed roof height enhanced the vernacular style.

Mr. Kirchhoff agreed with Ms. Shiverick that the roofs on the pagodas should be slightly increased. He also thought a 7/12 or 8/12 roof pitch was superior to a 9/12 roof pitch. He also liked the previous detailing on the windows in front of the exercise room.

Ms. Catlin thought the design was extraordinary. She agreed with Ms. Shiverick and thought the pagoda roofs should be a bit taller. She thought the home was romantic and the landscaping was superb.

Mr. Ives recognized that the design team listened to the critiques and added that the home would be a great addition to the community. He was in full support of the project.

Mr. Smith was supportive of the changes. Mr. Smith inquired about the white flowering tree material in the plan. Mr. Wong responded.

Mr. Small was supportive of the project and as happy to vote in support of the project.

Mr. Floersheimer inquired about the finished floor height. Mr. Beekman responded.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project with the following conditions: the roof heights of the two pagoda

elements shall be increased and the main roof height pitch shall be reduced to 8/12.

Mr. Sammons defended the applicants' roof pitch of 9/12.

Motion carried 6-1, with Mr. Smith opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

5. **ARC-21-050 (ZON-21-011) 1090 S OCEAN BLVD. (COMBO)** The applicant, 1090SOCEAN LLC (Brad McPherson), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence designed in the traditional Georgian style. The application will require special exception and site plan reviewed by Town Council. The application will require special exception and site plan reviewed by Town Council.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Harold Smith agreed to the easement.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Harold Smith, Smith and Moore Architects, Inc. presented the architectural modifications proposed for the new residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Corey thought the changes addressed all the comments of the Commissioners. He thanked the professional for the changes. Mr. Corey inquired about the material for the proposed railings. He recommended the possibility that all of the railings should be in cast stone.

Ms. Shiverick thought the changes and the landscaping were very nice. She questioned the two projecting bays. She preferred the cantilevered balconies that were previously proposed. If the professional decided to change the balconies to cantilevered, she thought the two different railings were acceptable.

Mr. Sammons thought the front door was too big and questioned the proportions. He also stated he preferred the single window over the front door as previously proposed. Mr. Sammons thought the bays were too large.

Mr. Kirchhoff agreed that a return to the cantilevered balconies would be preferred. He provided a suggestion for the eave. Mr. Kirchhoff inquired about the height of a door in the pool area. Mr. Smith responded.

Ms. Grace thought the changes to the garage and windows were successful. She was in favor of the change to the cantilevered balconies. She questioned the color of the proposed limestone.

Mr. Smith thought the changes to the front door were an improvement. He agreed that the projecting bays were not successful and preferred the cantilevered balconies.

Ms. Grace was not in favor of the sconces by the front door.

Mr. Sammons inquired about an increase in width to one of the bays. Mr. Smith responded.

Motion made by Mr. Kirchhoff and seconded by Mr. Smith to approve the project with the following conditions: the projecting bays on the two flanking wings shall be changed to cantilevered balconies and the roof over the front door shall be lowered to match the cornice. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

6. **ARC-21-064 120 SEAGATE RD.** The applicant, Tracey Hirt, has filed an application requesting Architectural Commission review and approval for modifications to an existing two-story residence including the addition of new front entry, the enclosure of a second floor terrace and ground floor patio, the construction of a new one-story addition totaling approximately 600SF in area, a new pool, spa and pool deck, new landscaping, and other exterior modifications.

Please note: This project was deferred to the March 23, 2022 meeting at the Approval of the Agenda, Item VI.

7. **ARC-21-077 991 N LAKE WAY** The applicant, Michael Rapp, has filed an application requesting Architectural Commission review and approval for exterior modifications to a previously approved two-story residence, including the demolition of portions of the existing structure and the construction of a new detached accessory structure, architectural changes and modifications to the site plan and landscaping.

Please note: This project was deferred to the March 23, 2022 meeting at the Approval of the Agenda, Item VI.

8. **ARC-21-093 (ZON-22-002) 150 WORTH AVE, STE 234 (COMBO)** The applicant, Cojimar Palm Beach (Joseph Hernandez and Charles Masson) has filed an application requesting Architectural Commission review and approval for outdoor furniture associated with proposed exterior seating in association with a new second floor restaurant in The Esplanade (Cojimar). The outdoor seating will require a Special Exception Review w/Site Plan Review by the Town Council.

Please note: This project was withdrawn at the Approval of the Agenda, Item VI.

9. **ARC-21-095 (ZON-22-006) 432 SEABREEZE AVE (COMBO)** The applicant, Bijon Memar, has filed an application requesting Architectural Commission review and approval for modifications to the exiting residence including window and door replacements, roof changes, and new covered loggia, including variances from lot coverage and setback requirements. The variance portion of the application will require review and approval by town council.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Visconti agreed to the easement.

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Claudia Visconti, SMI Landscape Architecture, Inc. presented the landscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

10. **ARC-21-101 425 CHILEAN AVE.** The applicant, Lorraine Charman, has filed an application requesting Architectural Commission review and approval for the modification of a previously approved landscape plan to include the removal of two trees to be replaced with hedge material.

Please note: This project was deferred to the March 23, 2022 meeting at the Approval of the Agenda, Item VI.

11. **ARC-22-005 225 EL PUEBLO WAY** The applicant, 225 El Pueblo Way LLC, has filed an application requesting Architectural Commission review and approval for the demolition of an existing one-story residence and the construction of a new 5,006 SF two-story residence designed in a Regency-inspired style.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Asbacher agreed to the easement.

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Kevin Asbacher, Asbacher Architecture Inc. presented the architectural modifications proposed for the new residence.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Kirchhoff thought the changes were a vast improvement from the prior presentation. He expressed concern for the projections with the flat roofs and thought they were a bit boxy. He recommended a change in the railing. Mr. Kirchhoff was not in favor of the flat roof over the master bath. He pointed out the two different transoms above the front door. Mr. Asbacher addressed the change to the transom and responded to the comments.

Ms. Catlin thought the proposed home was still wider than the other surrounding homes. She recommended creating a visual to hide this aspect of the home.

Ms. Grace appreciated the change to the French doors on the rear of the home. She thought the one-story projections on the front façade appeared boxy and heavy. She recommended restudying these elements. She was not in favor of the black railings proposed; she recommended using white railings.

Ms. Shiverick thought the front elements were a bit boxy. She recommended continuing the jasmine on the east wall over to the west. She also recommended an espalier on the west wall next to the garage. Mr. Nievera agreed to the recommendation.

Mr. Smith thought the changes were better, particularly with the massing. He agreed the projecting bays were a bit heavy. He liked the idea of the aluminum railings. He thought the window above the front door a bit too large.

Ms. Catlin inquired about the trucks logistic plan. Mr. Asbacher responded.

Mr. Corey thought the site placement was good. He liked the roof pitch and thought it was acceptable. He expressed concern for the front façade, particularly with the projecting bays. He made some suggestions for the pediment and cornice and questioned some of the elements in this front façade design. He recommended a restudy of the front façade.

Mr. Sammons recommended adding a projecting cornice to break up the projecting bays. He also suggested improving the proportions.

Mr. Small thanked the professional for being responsive to the Commissioners' comments.

Motion made by Ms. Grace and seconded by Ms. Shiverick to defer the project to the March 23, 2022 meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

12. **ARC-22-006 215 ARABIAN RD.** The applicant, 215 Arabian LLC, has filed an application requesting Architectural Commission review and approval for new construction of a 7,400 SF two story residence designed in the Regency style, detached cabana, swimming pool and associated hardscape and landscape.

Please note: This project was deferred to the March 23, 2022 meeting at the Approval of the Agenda, Item VI.

13. **ARC-22-009 (ZON-22-013) 215 SEABREEZE AVE. (COMBO)** The applicant, Edward & Margot Mehm, has filed an application requesting Architectural Commission review and approval for construction of an unenclosed pergola structure in the rear of the property, including a setback variance. Town Council will review the variance portion of this application.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Mizell agreed to the easement.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Dustin Mizell, Environment Design Group, presented modifications proposed for the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Kirchhoff inquired about the height of the pergola. Mr. Mizell responded. Mr. Kirchhoff thought the height should be lowered by one foot.

Motion made by Ms. Grace and seconded by Ms. Shiverick to approve the project with the condition that the pergola shall be lowered to 8 feet. Motion carried 6-1, with Mr. Corey opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

A second motion made by Ms. Grace and seconded by Mr. Kirchhoff that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 6-1, with Mr. Corey opposed.

Please note: A lunch break was taken at 12:46 p.m. The meeting resumed at 1:34 p.m.

At the return of the lunch break, Ms. Shiverick stated she was confused about the motion to reconsider the previous motion for ARC-22-035, 726 Hi-Mount Road this morning and explained that she thought she had seconded Mr. Ives's motion. Mr. Ives stated he would be happy to make the motion again.

Motion made by Mr. Ives and seconded by Ms. Shiverick to reopen the motion for ARC-22-035, 726 Hi-Mount Road, solely to discuss the metal roof over the pergola, noting that the remainder of the motion would stand.

Staff indicated that if four affirming votes were received, the project would return to the March 23, 2022 meeting, solely to discuss the metal roof over the pergola.

Motion carried 6-1, with Mr. Corey opposed.

14. **ARC-22-011 233 BAHAMA LN.** The applicant, Richard and Lori Jabara, has filed an application requesting Architectural Commission review and approval for exterior modifications to the landscape and hardscape plan.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Mizell agreed to the easement.

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Dustin Mizell, Environment Design Group, presented landscape and hardscape modifications proposed for the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Ms. Grace expressed concern that the proposed was not consistent with the other homes on the street. She also thought the proposed was too formal for the Bahamian style home.

Ms. Shiverick inquired about the location of the generator. Mr. Mizell confirmed the location. Ms. Shiverick asked if any letters opposing the project had been sent by the neighbors. Mr. Mizell responded.

Mr. Floersheimer inquired about the step exiting the rear of the home. Mr. Mizell responded. Mr. Floersheimer inquired about the new railing. Mr. Mizell responded.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project as presented. Motion carried 6-1, with Ms. Grace opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

15. **ARC-22-016 625 CREST RD.** The applicant, Crest Road LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new 10,518 SF two story main house and a 576 SF one story pool pavilion designed in the Anglo-Caribbean style.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Torres-Cruz agreed to the easement.

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Jaime Torres-Cruz, Fairfax and Sammons, presented the architectural modifications proposed for the new residence.

Dustin Mizell, Environment Design Group, presented landscape and hardscape modifications proposed for the site.

Mr. Corey thought the landscaping looked much better. Mr. Corey inquired about the change to the garage element. Mr. Torres-Cruz responded. Mr. Corey thought the follies on the front of the home belonged on the rear of the home. He expressed concern for the size of the home and the break in the roof on the south side of the home. Mr. Corey thought the massing was too tall on the south side of the home. Mr. Torres-Cruz responded and explained the design. Mr. Corey recommended separating the garage from the home with the breezeway. Mr. Torres-Cruz responded and explained the design on the front.

Ms. Shiverick thought the home was nice, especially from the rear of the home. She expressed concern for the flat roof portions on the front of the home. She wondered if the elements could be changed with an addition of a breezeway as Mr. Corey suggested. Mr. Torres-Cruz responded.

Mr. Kirchhoff thanked the professional for the changes. He recommended changing the south wing as it was previously proposed; he also recommended a change for the north portion of the home.

Motion made by Ms. Shiverick and seconded by Mr. Ives to approve the project as presented. Motion carried 6-1, with Mr. Corey opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

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

~~AR08-02~~ Mr. Bakropes 2-23-2022

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Harold Smith, Smith and Moore Architects, Inc. presented the architectural modifications proposed for the existing cabana.

Mr. Small called for public comments. There were no comments heard at this time.

Ms. Shiverick thought the cabana was more graceful as a one-story building. She thought the second story overpowered the lot. She expressed concern for the massing of the proposed cabana.

Mr. Floersheimer appreciated the changes but agreed with Ms. Shiverick. He was in favor of the one-story cabana. He also was appalled with the amount of artificial turf in the rear of the home.

Mr. Corey thought the proposed was better but did not believe it was reduced enough in scale. He thought the proposed was too tall up against the property line. He thought the front entablature was too much for the simple and clean façade that currently existed. He suggested designing it as an old carriage house or with dormers.

Mr. Small agreed with Mr. Corey and Ms. Shiverick. Mr. Small recommending looking at putting the extra space in an additional building or expanding the one-story portion. He thought the existing building would lose its beauty if changed.

Ms. Grace thought the arched walls were problematic.

Mr. Smith thought the design was better but provided some suggestions for the bedroom wings and roof of the building. He thought the number of balustrades needed to be reduced.

Motion made by Mr. Corey to defer the project to the March 23, 2022 meeting in accordance with the comments of the Commissioners.

A discussion ensued on the possible changes the professional could make to the cabana.

Motion seconded by Ms. Shiverick. Motion carries 6-1, with Mr. Ives opposed.

17. **ARC-22-026 170 N OCEAN BLVD.** The applicant, The Condominium Association of Ocean Towers, Inc., has filed an application requesting Architectural Commission review and approval for the installation of a metal railing along the entirety of an existing rooftop penthouse terrace/balcony.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the existing condominium.

Mr. Small called for public comments. There were no comments heard at this time.

Ms. Grace thought that all railings should be replaced at the same time.

Ms. Shiverick thought the old railings provided some character, while the proposed railings were a bit sterile. She thought the proposed was too severe of a change from what existed today. Mr. Janssen responded.

Mr. Corey inquired about the historic drawing of the railing. Mr. Janssen responded. Mr. Corey agreed with Ms. Shiverick and thought the old railings helped define Palm Beach with a certain character. He thought the proposed was stripping the building of its charm.

Mr. Kirchhoff agreed with Ms. Shiverick and Mr. Corey. He thought a more appropriate railing should be proposed.

Ms. Catlin thought the proposed helped the building feel light and airy. She wondered if a similar railing, more of a middle ground, could be found to be used rather than the proposed.

Mr. Floersheimer agreed with Ms. Catlin and thought the proposed railings worked rather well. He thought it cleaned up the building. He added that he understood the huge undertaking it was to replace all the balconies.

Mr. Ives recognized that the building was not landmarked and saw no detriment to the proposed railings. He stated he would support the application. However, he did believe it would be problematic to piecemeal the replacements.

Ms. Grace suggested that a similar style railing would be easier to install in separate projects.

Mr. Smith agreed with Ms. Catlin. He found the railings acceptable and did believe the concrete railings could be problematic. He also thought the replacements should include the entire building and the condominium should

18. **ARC-22-027 (ZON-22-034) 127 EL BRAVO WAY (COMBO)** The applicant, 127 El Bravo Trust (Guy Rabideau, Trustee), has filed an application requesting Architectural Commission review and approval for construction of a new residence and guest house designed in a Mediterranean Revival style and landscaping. Town Council will review the variance portion of the application.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the new residence.

John Lang, Lang Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Ms. Grace was in favor of the changes. She pointed out the light divisions that were made but wondered why these same changes were not made on the French doors on the north elevation. Mr. Janssen responded and explained the design. She added that she preferred a slightly larger tower. She thought the hedge material on the front elevation was too high. Mr. Janssen responded and explained the tower design.

Mr. Kirchhoff thought there were a few too many windows on the front elevation. Mr. Kirchhoff inquired about the front door design. Mr. Janssen responded.

Mr. Corey thought the professional listened to the comments of the commission and added it was a fantastic project. He recommended removing the windows on the east and west of the south elevation.

Mr. Small agreed with Mr. Corey's comments.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the project with the changes to the two windows on the east and west side of the south elevation. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

A second motion by Mr. Corey and seconded by Mr. Kirchhoff that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.

19. **ARC-22-031 2285 IBIS ISLE RD.** The applicant, Global 1 Investment Group LLC, has filed an application requesting Architectural Commission review and approval for the renovation and major additions to an existing one-story residence.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Patrick Segraves, SKA Architect + Planner, presented the architectural modifications proposed for the existing residence.

Keith Williams, Nievera Williams Design, discussed the gate request and the reason for the gate.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Sammons inquired about the reduction of the pitch of the roof; he made a few suggestions for the roof design. Mr. Segraves agreed with Mr. Sammons's suggestions.

Ms. Shiverick inquired about the color proposed for the home. Mr. Segraves responded and indicated the proposed colors for the home. Ms. Shiverick inquired about the roof material and color. Mr. Segraves responded and stated he would show the Commission a sample. Ms. Shiverick recommended using double hung windows and thought it would add charm. Ms. Shiverick recommended a grass checkerboard driveway. Mr. Williams stated he could change the apron.

Mr. Segraves presented a material sample of the roof.

Mr. Corey agreed with Ms. Shiverick's recommendation on the change to the windows.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project with the following conditions: the roof pitch shall be changed to a 6/12 roof pitch; and the windows, which will return to the March 23, 2022 meeting, shall be changed to a colonial style. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

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

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Adam Mills, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Ms. Shiverick inquired if the planting material on Osceola Way matched the material on Ocean Terrace. Mr. Mills responded.

A second motion made by Mr. Corey and seconded by Mr. Kirchhoff that implementation of the proposed variances will not cause negative

architectural impact to the subject property. Motion carried unanimously, 7-0.

Please note: A short break was taken at 3:32 p.m. The meeting resumed at 3:45 p.m.

D. MAJOR PROJECTS – NEW BUSINESS

1. **ARC-21-039 (ZON-21-003) 380 SOUTH COUNTY ROAD (COMBO)** The applicant, 380 S County LLC (Phillip Norcross, Manager) has filed an application requesting Architectural Commission review and approval for the construction of new one- and two-story additions to an existing two-story building including variances from setbacks, rooftop mechanical equipment height, and to reduce the existing parking in order to expand an existing food and beverage serving lounge and office use. The variance portion of the application shall be reviewed by Town Council. The application will require special exception and site plan reviewed by Town Council.

Please refer to staff memo for additional information on this project.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Maura Ziska, attorney for the applicant, presented the zoning requests and advocated for a positive recommendation to the Town Council.

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

Dustin Mizell, Environment Design Group, presented the landscape and hardscape plans proposed for the existing site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment.

Frank Lynch, on behalf of two neighboring residents, spoke about the parking deficient for the proposed building and the additional dining.

Ms. Shiverick thought the proposed would help clean up the disorganized outdoor seating that currently existed. She thought the south side of the building felt extremely wide. She also questioned the hedge proposed for the south side.

Ms. Catlin inquired about the loss of parking. She inquired if the parking would solely rely on valet services. She also inquired if there would be any screening on the outdoor patio.

Mr. Corey inquired if the ground floor plan was to be approved by the Commission. Ms. Ziska responded and discussed the seating for the establishment. Mr. Freijomel explained the proposed seating. Mr. Corey was not supportive of the beam across the parking lot on the south side. Mr. Corey recommended changing some of the details on the addition to demonstrate that the building was an addition.

Mr. Ives was supportive of the application; however, he was not in favor of the beam that spanned the parking in the rear of the building.

Ms. Grace supported the covered dining area; however, she added that she generally did not support the increase of mass on the existing building.

Mr. Freijomel indicated that his client would be willing to pull in the second story overhang by 5 feet on the west side.

Mr. Corey requested to see the rooftop equipment and the proposed screening.

Mr. Smith requested to hear the requested variances. Ms. Ziska explained each requested variance. Mr. Smith requested to see the scrubber on all the renderings, as he believed it would be seen from all sides of the building. Mr. Smith stated he could not support the addition.

Mr. Murphy reviewed the previous approval of this building and restaurant.

Mr. Corey wondered if Town Council should review the application prior to the review of the Architectural Review Commission.

Mr. Small inquired if the outdoor dining would remove any of the sidewalk space. Mr. Freijomel responded.

Ms. Grace inquired about the west elevation and how it would change in the expansion. Mr. Freijomel stated that the new addition would store some of the items that were currently exposed on the west side.

Mr. Sammons thought the addition to the west improved the aesthetics of the building; however, he recommended bringing out the addition to match the façade above. He was not in favor of the beam that spanned the parking lot.

Town Attorney Randolph reminded the Commission to focus only on the proposed architecture.

Motion made by Mr. Corey to defer the project to the March 23, 2022 meeting to allow the professional to restudy the following items: the roof top equipment, the overhang over the exterior parking on the west, the massing of the building with the cantilever addition, and return with renderings showing the equipment from all angles.

Ms. Shiverick inquired if the outdoor dining area could be added as an approval in the motion. Mr. Corey considered the suggestion.

Town Attorney Randolph stated that the Town Council would consider the outdoor dining; the Commission was to consider the architecture.

Ms. Grace seconded the motion.

Mr. Floersheimer recommended making a motion that suggested the variances did cause a negative architectural impact to the property. Mr. Corey stated that he thought the professional should have an opportunity to restudy the project.

Motion failed 3-4, with Messrs. Ives, Kirchhoff, Smith, and Ms. Shiverick opposed.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the outdoor dining structure to the south and to defer the remainder of the project to the March 23, 2022 meeting. Motion failed 3-4, with Messrs. Ives, Smith, Kirchhoff, and Ms. Grace opposed.

A discussion ensued about a possible motion.

Motion made by Mr. Smith and seconded by Mr. Kirchhoff that implementation of the proposed variances will cause negative architectural impact to the subject property. Motion carried 6-1, with Mr. Ives opposed.

Ms. Ziska inquired about how the applicant should proceed forward.

Ann Des Ruisseaux, owner, discussed the process and asked for the Commissioners feedback on how to move forward.

Motion made by Mr. Ives and seconded by Mr. Corey to defer the entire project to the March 23, 2022 meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

Small opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

A second motion made by Ms. Shiverick and seconded by Mr. Smith that implementation of the proposed variances will not cause negative architectural impact to the subject project. Motion carried unanimously, 7-0.

3. **ARC-22-029 411 BRAZILIAN AVE.** The applicant, Holy Union PB Limited (Sean Sheridan), has filed an application requesting Architectural Commission review and approval for the construction of a new approximately 3700 SF two story residence designed in a mix of modern and classical style architecture.

Please refer to staff memo for additional information on this project.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Clavijo agreed to the easement.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Daniel Clavijo, SKA Architect + Planner, presented the architectural plans proposed for the new residence.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Corey thought the previous home had some charm and romance. He stated he could not support any portion of the proposed home. He recommended referencing the previous home as inspiration when designing the new home.

Ms. Catlin agreed with Mr. Corey. She thought the proposed home was static, had no character and proposed too much hardscape in the front entrance. She thought the home would not fit on the street.

Mr. Small agreed with Mr. Corey and Ms. Catlin. He agreed that the house did not fit onto the street.

Ms. Shiverick thought the previous home should be an inspiration in providing direction in the future design.

Ms. Grace agreed.

Motion made by Ms. Grace and seconded by Mr. Corey to defer the project to the April 27, 2022 meeting for a complete restudy. Motion carried unanimously, 7-0.

4. **ARC-22-032 (ZON-22-017) 1237 N LAKE WAY (COMBO)** The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Architectural Commission review and approval for construction of a new 5800 SF two story residence and two-story accessory structure in the modern/classical style of architecture including variances for a two-story accessory structure to replace an existing two-story residence to be demolished. The variance portion of the application will be reviewed by Town Council.

Please refer to staff memo for additional information on this project.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Clavijo agreed to the easement.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Daniel Clavijo, SKA Architect + Planner, presented the proposed demolition of the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Motion made by Ms. Grace and seconded by Mr. Kirchhoff that the proposed demolition of 1237 N. Lake Way has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the demolition as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Clavijo presented the architectural plans proposed for the new residence.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape plans proposed for the site.

Pat Segraves, SKA Architect + Planner, discussed the owner's wishes for garden space.

Mr. Small called for public comments. There were no comments heard at this time.

Ms. Grace thought the proposed looked like a townhome and did not belong on North Lake Way. She was not in favor of the two garage doors facing the front of the home as well as the heavy, front entrance.

Ms. Catlin questioned the distance between the two proposed buildings. Mr. Clavijo responded. Ms. Catlin stated she was struggling with the building on the front of the home; she thought something like this belonged on an estate property. She was not in favor of the front façade of the front building. She also expressed concern about the truck logistics plan.

Mr. Kirchhoff liked the idea of the two structures and the gardens between them. He stated he could support the variances. He thought the front building was too complicated and offered design suggestions for this element. He expressed concern for the fenestration on the west elevation; he suggested a loggia on this façade. He recommended restudying the detailing.

Ms. Shiverick agreed with Mr. Kirchhoff and liked the idea of the two buildings. She recommended simplifying the front building and the front entrance. She recommended adding some shade trees in the courtyard. She thought the garage doors were too tall and questioned the pattern of the garage doors. She thought the fenestration on the guest house needed some restudy.

Mr. Smith agreed with Mr. Kirchhoff. He liked the idea of the carriage house and liked the gardens. He recommended the addition of a balcony on the second floor of the guest house.

Mr. Corey thought the front needed more shade but was in favor of the gardens. He thought the front façade was too stoic and symmetrical. He suggested adding some charm on the front façade.

Mr. Floersheimer thought the garage and front building needed to be subservient to the main house. He also thought there was too much glass on the west side.

Mr. Small agreed with the other Commissioners. He expressed concern for the front entrance. He inquired if the professional considered opening the garage to the north or south sides, rather than the west side. Mr. Clavijo responded.

Motion made by Ms. Shiverick and seconded by Mr. Ives to defer the project to the April 27, 2022 meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

5. **ARC-22-037 (ZON-22-025) 247 MIRAFLORES DR (COMBO)** The applicant, Laetitia Oppenheim, has filed an application requesting Architectural Commission review and approval for the installation of a generator and associated required site wall screening. The variance portion of the application will be reviewed by Town Council.

Please refer to staff memo for additional information on this project.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Lynch stated that the easement was granted at the previous approval of the project.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Frank Lynch, attorney for the applicant, indicated the purpose for the application was to increase the height of the site wall and generator. He indicated that conversations that occurred between the applicant and the neighbors.

Mr. Small called for public comments. There were no comments heard at this time.

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

Mr. Floersheimer inquired about the location of the generator and suggested the possibility of a new location. Mr. Lynch responded. Mr. Floersheimer thought that the proposed location created architectural issues and inquired about an alternate location. Mr. Lynch responded.

Mr. Small inquired if the professionals considered placing the generator on the west side of property. Mr. Lynch responded.

Motion carried unanimously, 7-0.

Motion made by Mr. Corey and seconded by Mr. Ives that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.

Mr. Kirchhoff somewhat agreed with Ms. Grace and did not believe the staircase was appropriate. He wondered why the staircase was not integrated into the home. Mr. Kirchhoff provided a few suggestions for the design of the staircase. Mr. Janssen responded and further explained the design.

Mr. Floersheimer agreed with Ms. Grace and Mr. Kirchhoff. He added that he could not support the project.

Motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented except for the stairs and the deck. Motion carried 7-0.

Ms. Ziska asked for a deferral for the stairs and the deck.

Motion amended by Mr. Corey and seconded by Mr. Ives to defer the entire project to the March 23, 2022 meeting in accordance with the comments of the Commission. Motion carried unanimously, 7-0.

E. MINOR PROJECTS – OLD BUSINESS

1. **ARC-21-046 237 BRAZILIAN AVE. (minor project)** The applicant, Brazilian PB Land Trust, has filed an application requesting Architectural Commission review and approval for the installation of two new side entry gates.

Please refer to staff memo for additional information on this project.

Please note: This project was moved to the Consent Agenda at the Approval of the Agenda, Item VI.

2. **ARC-21-062 327 BARTON AVE (minor project)** The applicant, Brian and Laura Carr, has filed an application requesting Architectural Commission review and approval of modifications to an existing landscape and hardscape plan as well as a driveway opening increase of 2 feet.

Please note: This project was deferred to the March 23, 2022 meeting at the Approval of the Agenda, Item VI.

F. MINOR PROJECTS – NEW BUSINESS

None

VIII. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public
There were no comments heard at this time.
2. Staff

Ms. Churney stated that Richard Sammons declared a conflict for a project at 625 Crest Road at the January 27, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

3. Commission

Alexander Ives thanked his fellow Commissioners and staff for their support during his time on the Commission.

Michael Small also thanked his fellow Commissioners and staff for their support and indicated it was a privilege to serve on the Commission and to serve his Town.

Mr. Corey discussed his recent trip to Guatemala, particularly the city of Antigua. He discussed Addison Mizner's influence on the city of Antigua. He asked what his fellow Commissioners thought about the possibility of Antigua, Guatemala as the sister city of Palm Beach.

IX. **NEXT MEETING DATE:** Wednesday, March 23, 2022

X. **ADJOURNMENT**

Motion made by Mr. Ives and seconded by Mr. Kirchhoff to adjourn the meeting at 6:00 p.m. on Wednesday, February 23, 2022. Motion carried unanimously, 7-0.

The next meeting will be held on Wednesday, February 23, 2022 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,

Michael B. Small, Chairman
ARCHITECTURAL COMMISSION

kmc

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 033-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute a Restrictive Covenant with the Florida Department of Environmental Protection.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated February 17, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 033-2022**
- ▣ **Declaration of Restrictive Covenant**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Authorize the Town Manager to Execute a Restrictive Covenant with the Florida Department of Environmental Protection for Town Marina Waste Oil Tank Closure
Resolution No. 033-2022

DATE: February 17, 2022

STAFF RECOMMENDATION

Town staff requests that Town Council authorize the Town Manager to execute a Restrictive Covenant with the Florida Department of Environmental Protection (FDEP) for the Town Marina Waste Oil Tank Closure, and approve Resolution No. 033-2022.

GENERAL INFORMATION

During the planning and design of the Town Marina Project, environmental surveys were performed. One of those surveys was an assessment of the waste oil storage tank used by the Town Docks staff. That above-ground storage tank (AST) had a secondary containment structure but that was found to have failed and after notifying FDEP in November 2019, an assessment of soil and groundwater was conducted in the vicinity of the former AST location. The Town hired Kimley-Horn and Associates, Inc. and SCS Engineers to conduct that assessment and to prepare a scope of services for any resulting remediation required. Initial results indicated that there were detected petroleum impacts in both the soil and groundwater exceeding cleanup standards. The soil sample had exceedances of arsenic, total recoverable petroleum hydrocarbons, and benzo(a)pyrene. The groundwater sample had exceedances of lead and dieldrin.

Plans and specifications were developed to have the contaminated soil and groundwater removed, and subsequent remedial activities were performed by Cliff Berry Inc. in March/April 2020 to excavate and dispose of contaminated soil and groundwater. Subsequent soil and groundwater samples were taken after removal of the contaminated material, and results showed that soil was not identified in excess of the applicable cleanup target level (CTL). Clean fill was placed in the excavation. Sampling of groundwater confirmed that levels of lead and dieldrin were below the applicable CTLs. FDEP reviewed the assessment and remediation results, and requested that additional delineation samples be collected and analyzed for polycyclic aromatic hydrocarbons (PAH) to delineate the potential impact of the AST on the surrounding soil. Additional soil samples were collected in October/November 2020. Based on the sample results, the removal of an additional quantity of soil was required. In cases where it is impractical to remove all the contaminated soils, the FDEP allows the upper two (2) feet of contaminated soil to be removed and replaced with clean soil that then serves as a protective soil cap, or “engineering control”. The proposed recommendation is to record a declaration of restrictive covenant (DRC) for a clean soil cap to act as an engineering control.

The Restrictive Covenant will have to be recorded on the property to protect the integrity of the engineering control over the contaminated portion of the site in the long term. This portion of the site is referred to as the “Restricted Property” within the language of the DRC. The restriction will reduce or eliminate the risk of exposure of users or occupants of the Restricted Property and the environment to the contaminants. The Town’s engineering consultant, Kimley-Horn and Associates, Inc. and SCS Engineers, along with legal assistance from Jones, Foster, P.A., the Town’s legal counsel, prepared the supporting documentation which will allow the site to be brought to conditional closure. The DRC has also been reviewed and preliminarily approved by the FDEP. The precedent exists for this process, since the Town previously recorded a similar Restrictive Covenant as part of the environmental remediation work performed at Phipps Ocean Park (A-39 location) back in 2015.

FUNDING/FISCAL IMPACT

Any funding associated with the remediation and closure of this project is contained within the Risk Fund Reserve for Catastrophic Exposures/Emergencies.

TOWN ATTORNEY REVIEW

This covenant has been prepared by attorneys at Jones, Foster, P.A., and has been reviewed by the Town Attorney for legal form and sufficiency.

Attachment

cc: Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E. Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Dean Mealy, Purchasing Manager
Karen Temme, Risk Manager

RESOLUTION NO. 033-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE A RESTRICTIVE COVENANT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Florida Department of Environmental Protection, has requested the execution of a Restrictive Covenant with the Town of Palm Beach (TOWN) associated with the closure of a former waste oil tank at the Town Marina site; and

WHEREAS, the parties mutually recognize the need to execute the Restrictive Covenant setting forth the responsibilities of each party.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

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

Section 2. The Town Manager is hereby authorized to execute the Restrictive Covenant between the Florida Department of Environmental Protection, and the Town of Palm Beach.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 8th day of March 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

This instrument prepared by:
Mark H. Dahlmeier
Jones Foster, P.A.
505 South Flagler Drive
Suite 1100
West Palm Beach, FL 33401

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (hereinafter "Declaration") is made by Town of Palm Beach, a municipal corporation existing under the laws of the State of Florida (hereinafter "GRANTOR"), and the Florida Department of Environmental Protection (hereinafter "FDEP"). This Declaration is neither extinguished nor affected by the Marketable Record Title Act pursuant to section 712.03, Florida Statutes (F.S.).

RECITALS

A. GRANTOR is the fee simple owner of that certain real property situated in the County of Palm Beach, State of Florida, more particularly described and identified as the Entire Property in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Property"). The portion of the Property this is being restricted by this Declaration is more particularly described and identified as the Restricted Property in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Restricted Property").

B. The FDEP Facility Identification Number for the Restricted Property is Site No.: ERIC_15384 (Formerly COM_389587). The facility name at the time of this Declaration is Town of Palm Beach Marina. This Declaration addresses the discharge that was reported to the FDEP on November 6, 2019.

C. The discharge of waste oil on the Restricted Property is documented in the following reports that are incorporated by reference:

1. *Waste Oil Tank Assessment, dated October 28, 2019, prepared and submitted by SCS Engineers; and*
2. *Tank Closure Assessment Report, dated February 26, 2021, prepared and submitted by SCS Engineers; and*
3. *Memorandum dated March 10, 2021, from Michael J. Bland, Professional Geologist II, District & Business Support Program, Division of Waste Management, Florida Department of Environmental Protection; and*
4. *Engineering Control Maintenance Plan, dated September 3, 2021, prepared and submitted by SCS Engineers; and*
5. *Letter dated October 7, 2021, from Christopher Weller, Environmental Manager, Permitting & Waste Cleanup Program, Florida Department of Environmental Protection.*

D. The reports noted in Recital C set forth the nature and extent of the contamination described in Recital C that is located on the Restricted Property. These reports confirm that contaminated soil as defined by Chapter 62-780, Florida Administrative Code (F.A.C.), exists on the Restricted Property.

E. It is GRANTOR's and FDEP's intent that the restrictions in this Declaration reduce or eliminate the risk of exposure of users or occupants of the Restricted Property and the environment to the contaminants and to reduce or eliminate the threat of migration of the contaminants.

F. FDEP has agreed to issue a Site Rehabilitation Completion Order with Conditions (hereinafter "Order") upon recordation of this Declaration. FDEP can unilaterally revoke the Order if the conditions of this Declaration or of the Order are not met. Additionally, if concentrations of petroleum products' chemicals of concern increase above the levels approved in the Order, or if a subsequent discharge occurs at the Restricted Property, FDEP may require site rehabilitation to reduce concentrations of contamination to the levels allowed by the applicable FDEP rules. The Order relating to FDEP Facility No. ERIC_15384 (Formerly COM_389587), can be found by contacting the appropriate FDEP district office or Tallahassee program area.

G. GRANTOR deems it desirable and in the best interest of all present and future owners of the Restricted Property that an Order be obtained and that the Restricted Property be held subject to certain restrictions and engineering controls, all of which are more particularly hereinafter set forth.

NOW, THEREFORE, to induce FDEP to issue the Order and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the undersigned parties, GRANTOR agrees as follows:

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

2. GRANTOR hereby imposes on the Restricted Property the following restrictions:

- a. Soil Engineering Controls. The "Restricted Property" as shown on Exhibit "B" shall be permanently covered and maintained with a minimum of two (2) feet of clean and uncontaminated soil that prevents human exposure, a portion of which shall also be overlaid by a paver walkway and other low permeability caps over said minimum of two (2) feet of clean and uncontaminated soil that prevents human exposure (hereinafter referred to as "the Engineering Control"). The location and extent of each of the above-described Engineering Controls are depicted in Exhibit "C". An Engineering Control Maintenance Plan (ECMP) has been approved

by the FDEP. The ECMP specifies the frequency of inspections and monitoring for the Engineering Control and the criteria for determining when the Engineering Control has failed. The Engineering Control shall be maintained in accordance with the ECMP as it may be amended upon the prior written consent of the FDEP. The ECMP, as amended, relating to FDEP Facility No. ERIC_15384 (Formerly COM_389587), can be obtained by contacting the appropriate FDEP district office or Tallahassee program area.

- b. Excavation and Construction. Excavation and construction below the Engineering Control is not prohibited on the Restricted Property provided any contaminated soils that are excavated are either: 1) placed back into the excavation and the Engineering Controls are reconstructed or 2) are removed and properly disposed of pursuant to Chapter 62-780, F.A.C., and any other applicable local, state, and federal requirements. Nothing herein shall limit any other legal requirements regarding construction methods and precautions that must be taken to minimize risk of exposure while conducting work in contaminated areas.

3. In the remaining paragraphs, all references to "GRANTOR" and "FDEP" shall also mean and refer to their respective successors and assigns.

4. For the purpose of monitoring the restrictions contained herein, FDEP is hereby granted a right of entry upon, over and through, and access to the Restricted Property at reasonable times and with reasonable notice to GRANTOR. Access to the Restricted Property is granted via providing access to the Property located at 320 South Lake Drive, Palm Beach, Florida, and as defined in Exhibit "A".

5. It is the intention of GRANTOR that this Declaration shall touch and concern the Restricted Property, run with the land and with the title to the Restricted Property, and shall apply to and be binding upon and inure to the benefit of GRANTOR and FDEP, and to any and all parties hereafter having any right, title or interest in the Restricted Property or any part thereof. FDEP may enforce the terms and conditions of this Declaration by injunctive relief and other appropriate available legal remedies. Any forbearance on behalf of FDEP to exercise its right in the event of the failure of GRANTOR to comply with the provisions of this Declaration shall not be deemed or construed to be a waiver of FDEP's rights hereunder. This Declaration shall continue in perpetuity, unless otherwise modified in writing by GRANTOR and FDEP as provided in paragraph 7 hereof. These restrictions may also be enforced in a court of competent jurisdiction by any other person, firm, corporation, or governmental agency that is substantially benefited by these restrictions. If GRANTOR does not or will not be able to comply with any or all of the provisions of this Declaration, GRANTOR shall notify FDEP in writing within three (3) calendar days. Additionally, GRANTOR shall notify FDEP thirty (30) days prior to any conveyance or sale, granting or transferring the Restricted Property or portion thereof, to

any heirs, successors, assigns or grantees, including, without limitation, the conveyance of any security interest in said Restricted Property.

6. In order to ensure the perpetual nature of this Declaration, GRANTOR shall record this Declaration, and GRANTOR shall reference these restrictions in any subsequent lease or deed of conveyance, including the recording book and page of record of this Declaration. Furthermore, prior to the entry into a landlord-tenant relationship with respect to the Restricted Property, GRANTOR agrees to notify in writing all proposed tenants of the Restricted Property of the existence and contents of this Declaration of Restrictive Covenant. Without limiting the generality of paragraph 3 above, it is the intention of the parties that if GRANTOR has conveyed the Restricted Property, the GRANTOR's successors and assigns shall be required to perform such notification.

7. This Declaration is binding until a release of covenant is executed by the FDEP Secretary (or designee) and is recorded in the public records of the county in which the land is located. To receive prior approval from the FDEP to remove any requirement herein, cleanup target levels established pursuant to Florida Statutes and FDEP rules must be achieved. This Declaration may be modified in writing only. Any subsequent amendments must be executed by both GRANTOR and FDEP and be recorded by GRANTOR as an amendment hereto.

8. If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, the invalidity of that provision shall not affect the validity of any other provisions of the Declaration. All such other provisions shall continue unimpaired in full force and effect.

9. GRANTOR covenants and represents that on the date of execution of this Declaration that GRANTOR is seized of the Restricted Property in fee simple and has good right to create, establish, and impose this restrictive covenant on the use of the Restricted Property. GRANTOR also covenants and warrants that the Restricted Property is free and clear of any and all liens, mortgages, or encumbrances that could impair GRANTOR'S rights to impose the restrictive covenant described in this Declaration.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, TOWN OF PALM BEACH has executed this instrument,
this _____ day of _____, 20____.

GRANTOR

TOWN OF PALM BEACH, a municipal
corporation existing under the laws of the State
of Florida

By: _____
Kirk Blouin, Town Manager

Full Mailing Address:
360 South County Road
Palm Beach, Florida 33480

Signed, sealed and delivered in the presence of:

Date: _____
Witness
Print Name: _____

Date: _____
Witness
Print Name: _____

STATE OF FLORIDA)

COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of ☐ physical
presence or ☐ online notarization, this _____ day of _____, 20____,
by Kirk Blouin, Town Manager for TOWN OF PALM BEACH, a municipal corporation
existing under the laws of the State of Florida.

Personally Known _____ OR Produced Identification _____.
Type of Identification Produced _____.

Signature of Notary Public

Print Name of Notary Public
Commission No. _____
Commission Expires _____

Approved as to form by the Florida Department of Environmental Protection, Office of General Counsel _____.

IN WITNESS WHEREOF, the Florida Department of Environmental Protection has executed this instrument, this _____ day of _____, 20____.

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

JASON ANDREOTTA
Director of District Management
Department of Environmental Protection
Southeast District
3301 Gun Club Road, MCS7210-1
West Palm Beach, Florida 33406

Signed, sealed and delivered in the presence of:

Witness: _____ Date: _____
Print Name: _____

Witness: _____ Date: _____
Print Name: _____

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 20____, by _____ as representative for the Florida Department of Environmental Protection.

Personally Known _____ OR Produced Identification _____.
Type of Identification Produced _____.

Signature of Notary Public

Print Name of Notary Public
Commission No. _____
Commission Expires: _____

EXHIBIT "A"

DESCRIPTION SKETCH FOR: TOWN OF PALM BEACH

LEGAL DESCRIPTION (Entire Property):

Block 20, according to the **REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA**, as recorded in Plat Book 4, Page 1, Public Records of palm Beach County, **LESS AND EXCEPT** that portion lying South of the Westerly prolongation of the South line of Lot 2, Block 13, according to said **REVISED MAP OF ROYAL PARK ADDITION**.

Containing in all 6.366 acres, more or less.

LEGAL DESCRIPTION (Restricted Property):

A Portion of Block 20, according to the **REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA**, as recorded in Plat Book 4, Page 1, Public Records of Palm Beach County, being more particularly described as follows.

COMMENCE at the North West corner of Lot 3, Block 13, according to said plat;
thence N. 88°55'12" W., along the Westerly prolongation of the North line of said Lot 3 (the North line of said Lot 3 is assumed to bear N. 88°55'12" W. and all other bearings are relative thereto), a distance of 40.05 feet to a point on the East line of said Block 20;
thence N. 01°48'12" W., along said East line, a distance of 333.93 feet to a point;
thence N. 03°21'35" E., a distance of 69.47 feet to a point;
thence S. 89°19'45" W., departing said East line, a distance of 20.35 feet to the **POINT OF BEGINNING** of the hereinafter described parcel;
thence S. 89°19'45" W., a distance of 64.56 feet to a point;
thence N. 2°49'19" W., a distance of 25.85 feet to a point;
thence N. 88°13'23" E., a distance of 36.46 feet to a point;
thence S. 5°22'32" E., a distance of 15.49 feet to a point;
thence S. 89°14'31" E., a distance of 28.74 feet to a point;
thence S. 04°28'00" W., a distance of 10.42 feet to the **POINT OF BEGINNING**.

Containing in all 1,269 square feet, more or less.

NOTES:

1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect the subject property. No search of the Public Records has been made by this office.
2. This sketch cannot be transferred or assigned without the specific written permission of **Wallace Surveying Corporation**.
3. This is not a survey!
4. Unless presented in digital form with electronic seal and electronic signature this sketch must bear the signature and the original raised seal of a Florida licensed surveyor or mapper this drawing, sketch, plat or map is for informational purposes only and is not valid. This sketch must be accompanied by Exhibit "B".

CERTIFICATION:

I HEREBY ATTEST that the description sketch shown hereon conforms to the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.

CRAIG L
WALLACE

Digitally signed by
CRAIG L WALLACE
Date: 2022.01.04
13:15:03 -05'00'




Craig L. Wallace
Professional Surveyor and Mapper
Florida Certificate No. 3357



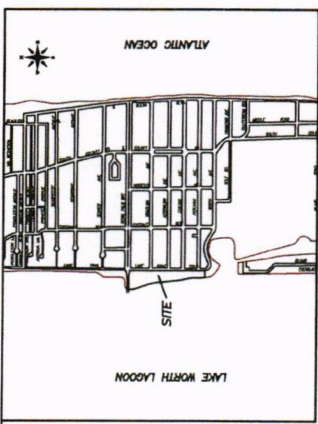
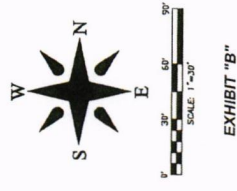
WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4669

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 09/03/21	DWG. No.: 95-1311-3
OFFICE: S.W.	SHEET: 1 OF 1
C'K'D.: C.W.	JOB No.: 95-1311.7

BOUNDARY SURVEY FOR: THE TOWN OF PALM BEACH

This survey is made specifically and only for the purpose of a closing on the surveyed property.
The underlying owner assumes no responsibility or liability for any other party other than stated above.



LAKE WORTH LAGOON

SEE SHEET 2

VICINITY SKETCH N.T.S.

LAKE WORTH LAGOON

LAKE WORTH LAGOON

LAKE WORTH LAGOON

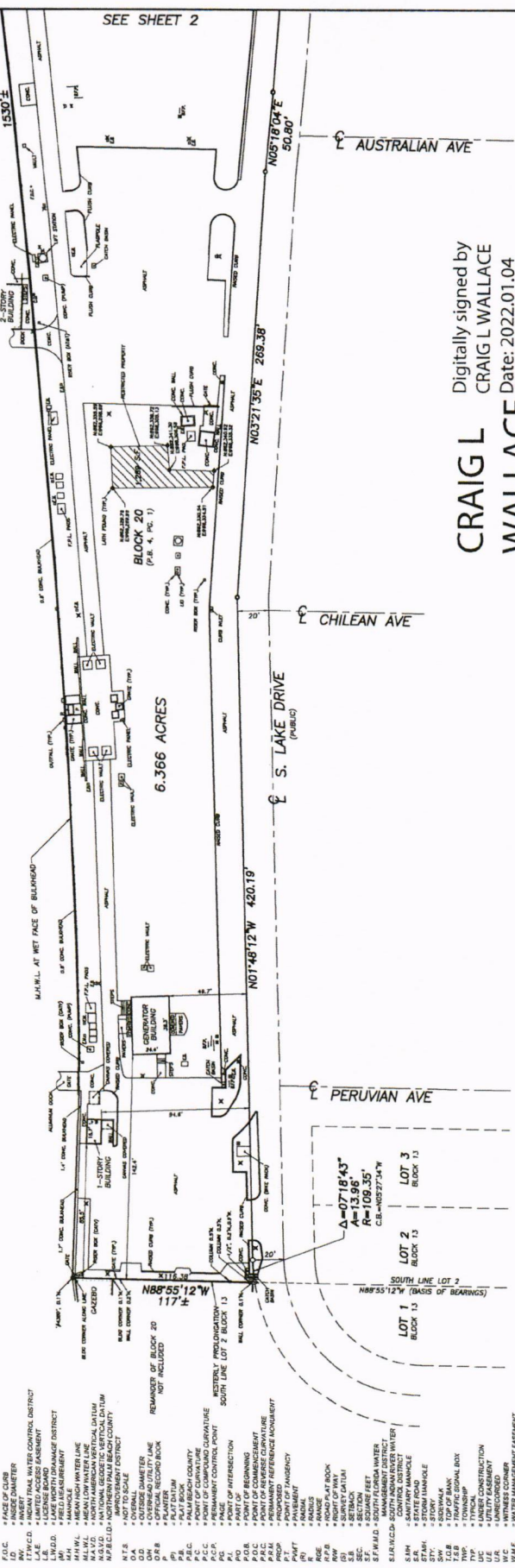
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LAKE WORTH LAGOON



CRAIG L WALLACE
Digitally signed by
CRAIG L WALLACE
Date: 2022.01.04
13:14:31 -05'00'

PROPERTY ADDRESS:
2001
Palm Beach, FL 33480

LEGAL DESCRIPTION:
APPLICABLE MAP OF PALM BEACH, FLORIDA, AS RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, IN THE BOOK 4, PAGE 1, A.D. 1900, TO THE LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 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992, 993, 994, 995, 996, 997, 998, 999, 1000.

- NOTES:
1. All information regarding record statements, signatures, and other documents that might affect the quality of this title shown herein was gathered from a file search by Gordon Thompson, P.E., dated 10/15/2021. The search was conducted in the Public Records of Palm Beach County, Florida, and the results are shown herein.
 2. Elevation of the datum is 10 feet above mean sea level (MSL) and is based on NAVD83. The elevation of the datum is shown herein as 10.00 feet for the horizontal alignment.
 3. The survey was conducted on 10/15/2021. The survey was conducted by Craig L. Wallace, P.E., and the results are shown herein.
 4. The survey was conducted on 10/15/2021. The survey was conducted by Craig L. Wallace, P.E., and the results are shown herein.
 5. The survey was conducted on 10/15/2021. The survey was conducted by Craig L. Wallace, P.E., and the results are shown herein.
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 14. The survey was conducted on 10/15/2021. The survey was conducted by Craig L. Wallace, P.E., and the results are shown herein.

- LEGEND
- A. ANGLE
 - A.C. AREA
 - A.K.A. ALSO KNOWN AS
 - B. BOUNDARY
 - B.C. BOUNDARY CORNER
 - B.D. BOUNDARY DISTANCE
 - B.E. BOUNDARY ELEVATION
 - B.F. BOUNDARY FENCE
 - B.G. BOUNDARY GROUND
 - B.H. BOUNDARY HATCH
 - B.I. BOUNDARY IDENTIFICATION
 - B.J. BOUNDARY JUNCTION
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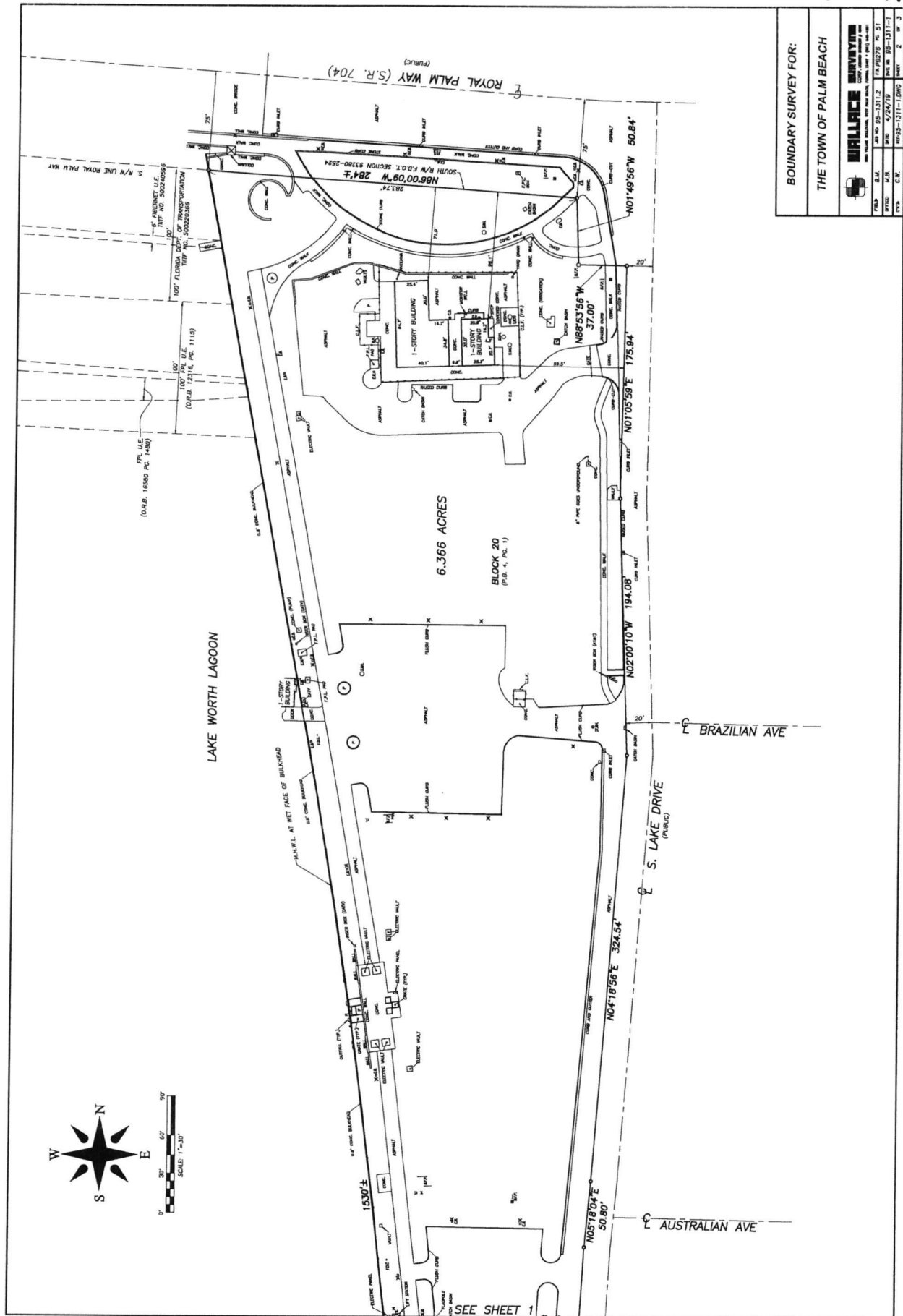
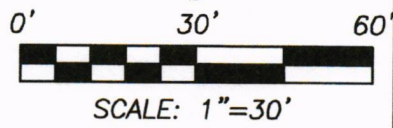
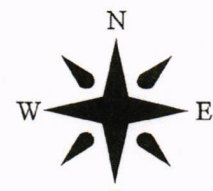
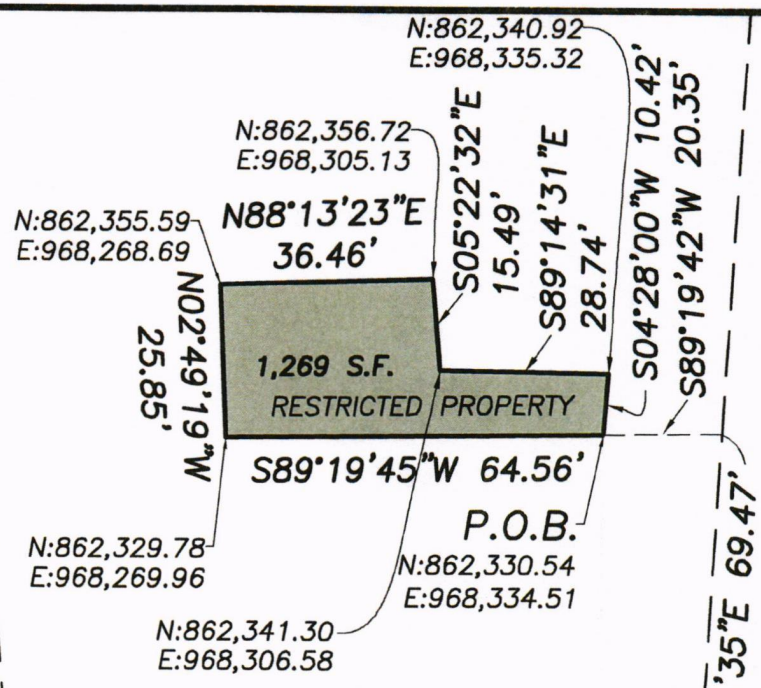


EXHIBIT "B"



LAKE WORTH LAGOON

REVISED MAP OF
ROYAL PARK ADDITION
TO PALM BEACH,
FLORIDA
BLOCK 20
(P.B. 4, PG. 1)



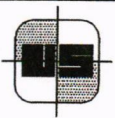
S. LAKE DRIVE
(PUBLIC)

EAST LINE BLOCK 20
N01°48'12"W 333.93' (N.T.S.)
WESTERLY PROLONGATION OF
THE NORTH LINE OF LOT 3

N88°55'12"W
40.05'

PERUVIAN
AVE

P.O.C. N.W. CORNER LOT 3 BLOCK 13
(BASIS OF BEARINGS)
N88°55'12"W
NORTH LINE LOT 3



WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4569
5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 07/22/21	DWG. No.: 95-1311-2
OFFICE: S.W.	SHEET: 3 OF 3
C'K'D.: C.W.	JOB No.: 95-1311.7



TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 034-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Interlocal Agreement Governing Use of Palm Beach County Regional Opioid Settlement Funds and Authorizing the Town Manager and Staff to Execute All Documents Necessary on Behalf of the Town of Palm Beach.

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▣ **Memorandum dated February 24, 2022, from Nicholas Caristo, Chief of Police**
- ▣ **Resolution 034-2022**
- ▣ **Palm Beach County Interlocal Agreement - Attachment A**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Interlocal Agreement Governing Use of Regional Opioid Settlement Funds
Resolution No. 034-2022

Date: February 24, 2022

STAFF RECOMMENDATION

Staff recommends Mayor and Town Council approve Resolution No. 034-2022, authorizing the execution of the attached Interlocal Agreement governing the use of regional opioid settlement funds (Exhibit A).

GENERAL INFORMATION

On May 11, 2021 the Mayor and Town Council resolved (Resolution 052-2021) to enter in to a proposed Memorandum of Understanding (MOU) with the State of Florida agreeing with proposed terms of the MOU in regards to Opioid Litigation and settlement funds.

In order for Palm Beach County to achieve greater funding and control over a Regional Fund of the proposed Opioid Litigation, they must be designated a “Qualified County”, as defined by the Florida Plan regarding the litigation settlement funds. In order for Palm Beach County to be designated as a “Qualified County” under the Florida Plan, they must enter into an agreement with municipalities whose populations, taken together, contain more than 50% of the municipalities’ total population. Participation in this Interlocal Agreement recognizes that enabling Palm Beach County to receive the County Regional Funds for expenditure in the best interest of all persons within the geographic boundaries of Palm Beach County will ensure that Opioid Litigation settlement funds are available and used to address opioid-related impacts within Palm Beach County.

Regional funds are separate from the proposed litigation settlement City/County and State funds, and this Interlocal Agreement will have no effect on proposed direct funds already sought by the Town of Palm Beach.

TOWN ATTORNEY REVIEW

The resolution and agreement have been reviewed and approved by the Town Attorney for legal form and sufficiency.

NC/wmr

Attachments

cc: Darrel Donatto, Fire Rescue Chief
John C. Randolph, Town Attorney

RESOLUTION NO. 034-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT GOVERNING USE OF PALM BEACH COUNTY REGIONAL OPIOID SETTLEMENT FUNDS AND AUTHORIZING THE TOWN MANAGER AND STAFF TO EXECUTE ALL DOCUMENTS NECESSARY ON BEHALF OF THE TOWN OF PALM BEACH.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Interlocal Agreement sets forth the parameters under which Palm Beach County and participating municipalities may use Florida Plan Opioid Litigation Settlement Regional Funds should the County obtain designation as a “Qualified County”.

Section 2. Town Manager and staff are authorized to execute all documents necessary to effectuate this agreement.

Section 3. The Interlocal Agreement is attached hereto as *Exhibit A* and is hereby incorporated within this Resolution and made a part hereof.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of March, 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

**INTERLOCAL AGREEMENT GOVERNING USE OF PALM BEACH COUNTY
REGIONAL OPIOID SETTLEMENT FUNDS**

This Interlocal Agreement ("Agreement") is made and entered into by and between Palm Beach County ("County"), a political subdivision of the state of Florida, and each of the following municipalities that elects to enter into this Agreement.

The Municipalities in Exhibit A, each a municipal corporation existing under the laws of the state of Florida (each a "Municipality" and collectively the "Municipalities") (County and the Municipalities are collectively referred to as the "Parties").

Recitals

A. A national epidemic arose as a result of the manufacture, distribution, and over-prescribing of opioid analgesics and resulted in opioid overdoses and addictions throughout Palm Beach County ("Opioid Epidemic").

B. County and Municipalities have suffered harm from the Opioid Epidemic.

C. County is a Charter County within the state of Florida, and has an estimated population of approximately 1.497 million based on the most recent census data.

D. Municipalities are located in Palm Beach County, Florida.

E. The state of Florida has filed an action pending in Pasco County, Florida, and a number of Florida cities and counties have also filed an action titled *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) ("Opioid Litigation"). The County is a litigating participant in the Opioid Litigation.

F. Proposed settlements have been developed to resolve certain claims under the Opioid Litigation.

G. The Attorney General for the State of Florida ("Attorney General") anticipates that settlement funds arising out of the Opioid Litigation will be distributed to the State of Florida over multiple years as part of a global settlement, and not directly distributed to County and Municipalities.

H. The Florida Memorandum of Understanding a/k/a Florida Opioid Allocation and Statewide Response Agreement ("Florida Plan") attached hereto as Exhibit B sets forth the framework for a unified plan between the state of Florida and local governments within the state of Florida regarding the proposed allocation and use of Opioid Litigation settlement funds. The Florida Plan, as currently drafted, divides the settlement funds into three funds: (i) the City/County Fund; (ii) the Regional Fund (which includes funds to Qualified Counties in addition to funds received in the City/County Fund); and (iii) the State Fund.

I. To receive its share of the Regional Fund (the "County Regional Funds," as defined below), County must qualify as a "Qualified County" as that term is defined under the Florida Plan.

J. If County does not qualify as a "Qualified County," the County Regional Funds will be allocated to the Southeast Florida Behavioral Health Network, Inc., which would be required under the Florida Plan to spend such funds within Palm Beach County to the greatest extent practicable.

K. To qualify as a Qualified County under the Florida Plan, County must enter into an Agreement with municipalities whose populations, taken together, contain more than 50% of the Municipalities total population.

L. Under the Florida Plan, County will be required to expend the County Regional Funds in Palm Beach County for abatement of the effects of the Opioid Epidemic.

M. County has an abatement plan that is being utilized to respond to the Opioid Epidemic.

N. The *Behavioral Health Substance Use & Co-Occurring Disorder Steering Committee* is a taskforce that advises, plans, and provides for programs relating to the abatement of opioid abuse and other substance abuse throughout Palm Beach County.

O. County contracts to provide funding for *The South County Mental Health Center, The Addiction Stabilization Unit, The Drug Abuse Foundation* and other Financially Assisted Agencies which provide substance abuse assessment, prevention, detoxification, residential, and outpatient services to adults aged 18 years and older and also provides treatment for substance abuse and co-occurring disorders such as depression, anxiety, trauma, and other mental health concerns that may contribute to an individual's substance abuse and dependence.

P. The Parties recognize that enabling County to receive the County Regional Funds for expenditure in the best interest of all persons within the geographic boundaries of Palm Beach County will ensure that Opioid Litigation settlement funds are available and used to address opioid-related impacts within Palm Beach County.

Q. The Parties recognize that it is in the best interest of County and Municipalities to enter into this Agreement to ensure County qualifies as a "Qualified County" to receive the County Regional Funds pursuant to the Florida Plan.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

**ARTICLE 1.
DEFINITIONS**

- 1.1 Unless otherwise defined herein, all defined terms in the Florida Plan are incorporated herein and shall have the same meanings as in the Florida Plan.
- 1.2 "County Regional Funds" shall mean the amount of the Regional Funds remitted to County by the state of Florida, provided County qualifies as a Qualified County.

**ARTICLE 2. CONDITIONS
PRECEDENT**

- 2.1 This Agreement shall become effective on the Commencement Date set forth in Article 3, so long as the following conditions precedent have been satisfied:
- A. Execution of this Agreement by County and Municipalities that, taken together, contain more than 50% of the Municipalities total population, as required by Florida Plan to enable County to become a Qualified County and receive the County Regional Funds from the state of Florida;
 - B. Execution of all documents necessary to effectuate the Florida Plan in its final form; and
 - C. Filing of this Agreement with the Clerk of the Circuit Court for County as required by Florida Statutes Section 163.01.

**ARTICLE 3.
TERM**

- 3.1 The term of this Agreement shall commence upon the satisfaction of all conditions precedent stated in Article 2 ("Commencement Date"), and shall continue until one (1) year after the expenditure of all County Regional Funds, unless otherwise terminated in accordance with the provisions of the Florida Plan ("Term"). Obligations under this Agreement that by their nature survive termination or expiration, including, but not limited to, any and all obligations relating to record retention, audit, and indemnification, will survive and remain in effect after termination or expiration of this Agreement.

**ARTICLE 4.
PLAN ADMINISTRATION**

- 4.1 County is responsible for administering the County Regional Funds pursuant to the Florida Plan. County staff shall provide all support services including but not limited to legal services, as well as contract management, program monitoring, and reporting, required by the Florida Plan up to the moment of distribution of funds to cities at which point the cities are responsible for all reporting and monitoring and other requirements as set forth in the Plan and including providing data and reporting to County.. County is entitled to and shall receive no more than 5% from

the County Regional Funds for administrative fees as provided under the Florida Plan and will deduct such administrative fees on an annual basis. After such deduction, County shall spend all of the remaining County Regional Funds on efforts to abate the deleterious effects of the Opioid Epidemic by utilizing funds for the Approved Purposes (as defined in the Florida Plan), including the provisions related to Core Services (if and as applicable) identified in Exhibit C. County shall spend the County Regional Funds on programs and in geographic areas based on demonstrated need throughout Palm Beach County without choosing or favoring any particular municipality, geographic area, or socio-economic group.

ARTICLE 5. LOCAL GOVERNMENT REPORTING REQUIREMENTS

5.1 To the extent a City Municipality receives County Regional Funds directly from County, that Municipality agrees to spend such funds solely for Approved Purpose(s) (as defined in the Florida Plan), and further agrees to timely satisfy all reporting requirements of the Florida Plan. In addition to other available remedies, failure to comply with this provision may disqualify the Municipality from further receipt of County Regional Funds.

ARTICLE 6. NON-APPROPRIATION

6.1 This Agreement is not a general obligation of the County. County is not obligated to expend any funds under this Agreement except to the extent of County Regional Funds budgeted and actually received, all of which the County agrees to expend consistent with the terms of this Agreement.

ARTICLE 7. GOVERNMENTAL IMMUNITY

7.1 Nothing herein is intended to serve as a waiver of sovereign immunity by County or any Municipality nor shall anything included herein be construed as consent by County or any Municipality to be sued by third parties in any matter arising out of this Agreement. County and Municipalities are political subdivisions as defined in Section 768.28, Florida Statutes, and shall be responsible for the negligent or wrongful acts or omissions of their employees to the extent of and within the limits set forth in Section 768.28, Florida Statutes.

ARTICLE 8. INSURANCE

8.1 Parties are entities subject to Section 768.28, Florida Statutes, and shall furnish the other Parties with written verification of liability protection in accordance with state law upon request by the requesting party.

**ARTICLE 9.
MISCELLANEOUS**

9.1 Public Records. The Parties shall comply with all public records requirements of Chapter 119, Florida Statutes, as may be required by law.

IF ANY PARTY HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO A PARTY'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE PALM BEACH COUNTY CUSTODIAN OF PUBLIC AFFAIRS AT 561-355-2754, OR VIA ELECTRONIC MAIL AT *RECORDSREQUEST@PBCGOV.ORG* OR THE MUNICIPALITY'S CUSTODIAN OF PUBLIC RECORDS (SEE EXHIBIT A FOR EACH MUNICIPALITY'S CUSTODIAN'S CONTACT INFORMATION).

9.2 Truth-In-Negotiation Representation. This Agreement is based upon representations supplied by the Parties to each other and the Parties certify that the information supplied, including without limitation in the negotiation of this Agreement, is accurate, complete, and current at the time of contracting.

9.3 Public Entity Crime Act. Each of the Parties represents that it is familiar with the requirements and prohibitions under the Public Entity Crime Act, Section 287.133, Florida Statutes, and represents that its entry into this Agreement will not violate that Act. In addition to the foregoing, each of the Parties further represents that there has been no determination that it committed a "public entity crime" as defined by Section 287.133, Florida Statutes, and that it has not been formally charged with committing an act defined as a "public entity crime" regardless of the amount of money involved or whether it has been placed on the convicted vendor list. Notwithstanding any provision in this Agreement to the contrary, if any representation made by a party pursuant to this paragraph is false, each of the Parties shall have the right to immediately terminate this Agreement.

9.4 Third Party Beneficiaries. Neither County nor the Municipalities intend to directly or substantially benefit a third party by this Agreement. Therefore, the Parties acknowledge that there are no third-party beneficiaries to this Agreement and that no third party shall be entitled to assert a right or claim against any party based upon this Agreement. Nothing in this Agreement, express or implied, is intended to (i) confer upon any entity or person other than the Parties and their successors or assigns any rights or remedies under or by reason of this Agreement as a third-party beneficiary or otherwise, except as specifically provided in this Agreement; or (ii) authorize anyone not a party to this Agreement to maintain an action pursuant to or based upon this Agreement.

9.5 Notices. In order for a notice to a party to be effective under this Agreement, notice must be sent via U.S. first-class mail to the addresses listed below and shall be effective upon mailing. The addresses for notice shall remain as set forth herein unless and until changed by providing notice of such change in accordance with the provisions of this section.

FOR COUNTY:

Attn: Office of the County Attorney, Litigation Section
300 North Dixie Highway
Suite 359
West Palm Beach, FL 33401

FOR MUNICIPALITY:

The addresses specified in Exhibit A.

9.6 Assignment. No Party shall have the right to assign this Agreement.

9.7 Materiality and Waiver of Breach. Each requirement, duty, and obligation set forth herein was bargained for at arm's-length and is agreed to by the Parties. Each requirement, duty, and obligation set forth herein is substantial and important to the formation of this Agreement, and each is, therefore, a material term hereof. The failure of any Party to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement. a waiver of any breach of a provision of this Agreement shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of the terms of this Agreement.

9.8 Compliance with Laws. The Parties shall comply with all applicable federal, state, and local laws, codes, ordinances, rules, and regulations in performing its duties, responsibilities, and obligations pursuant to this Agreement.

9.9 Severability. In the event any part of this Agreement is found to be unenforceable by any court of competent jurisdiction, that part shall be deemed severed from this Agreement and the balance of this Agreement shall remain in full force and effect.

9.10 Joint Preparation. This Agreement has been jointly prepared by the Parties hereto, and shall not be construed more strictly against any party.

9.11 Interpretation. The headings contained in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement. All personal pronouns used in this Agreement shall include any other gender, and the singular shall include the plural, and vice versa, unless the context otherwise requires. Terms such as "herein," "hereof," "hereunder," and "hereinafter" refer to this Agreement as a whole and not to any particular sentence, paragraph, or section where they appear, unless the context otherwise requires. Whenever reference is made to a section or article of this Agreement, such reference is to the section or article as a whole, including all of the subsections of such section, unless the reference is made to a particular subsection or subparagraph of such section or article.

9.12 Priority of Provisions. If there is a conflict or inconsistency between any term, statement, requirement, or provision of any document or exhibit attached hereto or referenced or incorporated herein and any provision of Articles 1 through 9 of this Agreement, the provisions contained in Articles 1 through 9 shall prevail and be given effect.

9.13 Law, Jurisdiction, Venue, Waiver of Jury Trial. This Agreement will be interpreted and construed in accordance with and governed by the laws of the State of Florida. The Parties acknowledge and accept that jurisdiction of any controversies or legal problems arising out of this Agreement, and any action involving the enforcement or interpretation of any rights hereunder, will be exclusively in the State courts of the Fifteenth Judicial Circuit in Palm Beach County, Florida, and venue for litigation arising out of this Agreement will be exclusively in such State courts, forsaking any other jurisdiction that any party may claim by virtue of its residency or other jurisdictional device. **BY ENTERING INTO THIS AGREEMENT, THE PARTIES HEREBY EXPRESSLY WAIVE ANY RIGHTS ANY PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO THIS AGREEMENT.**

9.14 Amendments. No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by the Board and the Municipalities or others with delegated authority or otherwise authorized to execute same on their behalf.

9.15 Prior Agreements. This Agreement represents the final and complete understanding of the Parties regarding the subject matter hereof and supersedes all prior and contemporaneous negotiations and discussions regarding that subject matter. There is no commitment, agreement, or understanding concerning the subject matter of this Agreement that is not contained in this written document.

9.16 Incorporation by Reference. Any and all Recital clauses stated above are true and correct and are incorporated herein by reference. The attached Exhibits are incorporated into and made a part of this Agreement.

9.17 Representation of Authority. Each individual executing this Agreement on behalf of a party hereto hereby represents and warrants that he or she is, on the date he or she signs this Agreement, duly authorized by all necessary and appropriate action to execute this Agreement on behalf of such party and does so with full legal authority.

9.18 Counterparts and Multiple Originals. This Agreement may be executed in multiple originals, and may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

9.19 Force Majeure. If the performance of this Agreement, or any obligation hereunder, is prevented by reason of epidemic, pandemic, hurricane, earthquake, or other casualty caused by nature, or by labor strike, war, or by a law, order, proclamation, regulation, or ordinance of any governmental agency, the party so affected, upon giving prompt notice to the other party, shall be excused from such performance to the extent of such prevention, provided that the party so affected shall first have taken reasonable steps to avoid and remove such cause of non-performance and shall continue to take reasonable steps to avoid and remove such cause, and shall promptly notify the other Parties in writing and resume performance hereunder whenever such causes are removed; provided, however, that if such nonperformance exceeds sixty (60) days, the party that is not prevented from performance by the force majeure event shall have the right to terminate this Agreement upon written notice to the Parties. This section shall not

supersede or prevent the exercise of any right the Parties may otherwise have to terminate this Agreement.

IN WITNESS WHEREOF, the Parties have made and executed this Agreement: Palm Beach County, through its Board of County Commissioners, signing by and through its County Administrator, authorized to execute same by Board action on the _____ day of _____ 2022, and the City of _____, signing by and through its officials, duly authorized to execute same.

COUNTY

WITNESSES:

PALM BEACH COUNTY, by and through
its County Administrator

Signature

By:
County Administrator

____ day of _____, 2022

Print/Type Name

Signature

Print/Type Name

APPROVED AS TO FORM:

By:

By:

PARTICIPATING
MUNICIPALITY

ATTEST:

MUNICIPALITY

City
Clerk

By: _____
Mayor-Commissioner

____ day of _____, 2022

By:
City Manager

____ day of _____, 2022

APPROVED AS TO FORM:

By:
City Attorney

____ day of _____, 2022

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 035-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Amendments to the Statement of Investment Policy for the OPEB Trust Board of Trustees of the Town of Palm Beach Pursuant to Section 82-153 of the Code of Ordinances of the Town of Palm Beach; Providing an Effective Date.

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Memorandum Dated February 25, 2022, from Jane Le Clainche, Director of Finance**
- ▣ **Resolution No. 035-2022**
- ▣ **Exhibit A - Investment Policy**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Finance Director

Re: **Resolution No. 035-2022**
Amendments to the Town's Investment Policy for the OPEB Trust

Date: February 25, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Resolution No. 035-2022 adopting the amendments to the Town's Investment Policy for the OPEB Trust.

BOARD OR COMMISSION RECOMMENDATION

The Investment Advisory Committee recommends that the Town Council approve the revisions to the Town's Investment Policy for the OPEB Trust.

GENERAL INFORMATION

Background:

The IAC, in collaboration with the Town and consulting professionals, have reduced the actuarial Rate of Return Assumption "ROR" to 5% (down from 6%). The Trust is 147.8% Funded.

The primary objective of the reduction to the ROR is threefold:

- a. The OPEB Plan is well funded and does not need to take additional risks associated with a higher rate of return objective.
- b. A desire to lower the expected contribution volatility (generally a function of variation in investment return) for the Town.
- c. Maintain funding surety of the Trust by reducing the overall funding contribution from investments.

This action provides an opportunity to lower the investment risks of the investment allocation which is intended to mitigate the contribution volatility coming from investments. AndCo completed an asset allocation study that was done in a manner consistent with the new funding

objectives adopted by the Town. AndCo's recommendations are to adjust the asset allocation targets in a manner that lowers the overall expected risk profile of the investment program as presented in the study and red-line amendments to the Investment Policy Statement, attached as Exhibit A to Resolution 035-2022 and are described below:

Asset Class	Target	Range	Benchmark Index
Domestic Equity	40%	35% - 45%	Russell 3000
International Equity	10%	5% - 15%	MSCI-ACWI ex US (net)
Total Equity	50%	40% - 55%	
Broad Market Fixed Income	25%	10% - 40%	BB- Barelays Int. Aggregate.
Non-Core Fixed Income ¹	5%	0% - 10%	BB-Barelays-TIPs Strategy Index
Total Fixed Income	30%	20% - 55%	
Real Estate Core / Plus ¹	10%	0% - 15%	NFI-ODCE Fund Index (EW)
Direct Lending – Middle Mkt. Debt. Pvt. Equity ¹	5%	0% - 10%	Strategy Index ²
Global Macro Allocation ¹	5%	0% - 15%	Strategy Index ²
Alternative Investment	0%	0% - 10%	Strategy Index ²
Total Non-Traditional Assets	20%	0% - 30%	
Cash Equivalents	2%	0% - 5%	BB-90 Day T-Bill

- Other minor changes to wording as shown in attached investment policy.

The changes were recommended by the Town's consultant AndCo, and approved by the Committee.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed the resolution and investment policy for legal form and sufficiency.

Jls

cc: Investment Advisory Committee
Dave West, AndCo

RESOLUTION NO. 035-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING AMENDMENTS TO THE STATEMENT OF INVESTMENT POLICY FOR THE OPEB TRUST BOARD OF TRUSTEES OF THE TOWN OF PALM BEACH PURSUANT TO SECTION 82-153 OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by adoption of Resolution No. 159-2017 the Town Council adopted a Statement of Investment Policy for the OPEB Trust Board of Trustees of the Town of Palm Beach pursuant to Section 82-153 of the Code of Ordinances of the Town; and

WHEREAS, the investment policy has been amended with the adoption of Resolution No. 107-2020; and

WHEREAS, it is the desire of the Town Council to amend the Statement of Investment Policy for the OPEB Trust Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, AS FOLLOWS:

Section 1. Resolution No. 107-2020 is hereby rescinded.

Section 2. The Statement of Investment Policy for the OPEB Trust Board of Trustees attached hereto as Exhibit "A" is hereby adopted.

Section 3. This Resolution shall become effective immediately upon passage by the Town Council.

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

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

TOWN OF PALM BEACH OPEB TRUST

INVESTMENT POLICY STATEMENT

I. PURPOSE OF INVESTMENT POLICY STATEMENT

The OPEB TRUST Board of Trustees (“Board”) maintains that an important determinant of future investment returns is the expression and periodic review of the Town of Palm Beach OPEB System (“the OPEB System”) investment objectives. To that end, the Board has adopted this statement of Investment Policy and directs that it applies to all assets under their control.

In fulfilling their fiduciary responsibility, the Board recognizes that the OPEB system is an essential vehicle for providing income benefits to retired participants or their beneficiaries. The Board also recognizes that the obligations of the OPEB System are long-term and that investment policy should be made with a view toward performance and return over a number of years. The general investment objective is to obtain a reasonable total rate of return - defined as interest and dividend income plus realized and unrealized capital gains or losses - commensurate with the Prudent Investor Rule and any other applicable ordinances and statutes.

Reasonable consistency of return and protection of assets against the inroads of inflation are paramount. However, interest rate fluctuations and volatility of securities markets make it necessary to judge results within the context of several years rather than over short periods of five years or less.

The Board will employ investment professionals to oversee and invest the assets of the OPEB System. Within the parameters allowed in this document and their agreements with the Board, the investment management professionals shall have investment discretion over their mandates, including security selection, sector weightings and investment style.

The Board, in performing their investment duties, shall comply with the fiduciary standards set forth in Employee Retirement Income Security Act of 1974 (ERISA) at 29 U.S.C. s. 1104(a) (1) (A) – (C). In case of conflict with other provisions of law authorizing investments, the investment and fiduciary standards set forth in this section shall prevail.

II. TARGET ALLOCATIONS

In order to provide for a diversified portfolio, the Board has engaged investment professional(s) to manage and administer the fund. The investment manager(s) are responsible for the assets and allocation of their mandate only and may be provided an addendum to this policy with their specific performance objectives and investment criteria.

The Board has established the following asset allocation targets for the total fund:

Asset Class	Target	Range	Benchmark Index
Domestic Equity	40%	35% - 45%	Russell 3000
International Equity	10%	5% - 15%	MSCI-ACWI ex US (net)
<i>Total Equity</i>	50%	40% - 55%	
Broad Market Fixed Income	25%	10% - 40%	BB-Int. Aggregate
Non-Core Fixed Income ¹	5%	0% - 10%	Strategy Index ²
<i>Total Fixed Income</i>	30%	20% - 55%	
Real Estate Core / Plus ¹	10%	0% - 15%	NFI-ODCE Fund Index (EW)
Direct Lending – Middle Mkt. Debt. Pvt. Equity ¹	3%	0% - 10%	Strategy Index ²
Global Macro Allocation ¹	5%	0% - 15%	Strategy Index ²
Alternative Investment	0%	0% -10%	Strategy Index ²
<i>Total Non-Traditional Assets</i>	18%	0% - 30%	
<i>Cash Equivalents</i>	2%	0% - 5%	BB-90 Day T-Bill

Note: Allocation to Pvt. Equity and Real Estate shall be based on invested capital.

1. ¹Benchmark and allocation targets to these asset classes will default to “core fixed income” if these classes are not funded

2. The “strategy index” for alternative assets is defined as the most appropriate index, combination of indices, or absolute return target for the investment(s) in question. The strategy index will be determined at the time of engagement based on the specific investment’s long-term objective, prospectus, and/or governing documents and reflected in performance evaluation reports.

The Board of Trustees, with assistance from the Consultant, will monitor the aggregate asset allocation of the portfolio, and will rebalance to the target asset allocation based on market conditions. If at the end of any calendar quarter, the allocation of an asset class falls outside of its allowable range, barring extenuating circumstances such as pending cash flows or allocation levels viewed as temporary, the asset allocation will be rebalanced into the allowable range. To the extent possible, contributions and withdrawals from the portfolio will be executed proportionally based on the most current market values available. The Board does not intend to exercise short-term changes to the target allocation.

The Office of the Town Finance Director is authorized to move funds as required within the existing investment structure and its established investments as required for the maintenance of the target allocation, and for the management of OPEB System Cash Flow.

III. INVESTMENT PERFORMANCE OBJECTIVES

The following performance measures will be used as objective criteria for evaluating the effectiveness of the Investment Managers.

A. Total Portfolio Performance

1. On an absolute basis, the objective is that the return of the total portfolio will equal or exceed the actuarial earnings assumption as established by the Board.
2. The performance of the total portfolio will be measured for rolling three and five year periods. The Target Index for the OPEB System is defined in the TARGET ASSET ALLOCATION table included within this policy.
3. On a relative basis, it is expected that the total portfolio performance will rank in the top 50th percentile of the appropriate peer universe over three and five-year time periods.

B. Equity Performance

The combined equity portion of the portfolio, defined as common stocks and convertible bonds, is expected to perform at a rate at least equal to the respective indices indicated in the target allocation table. Individual components of the equity portfolio will be compared to the specific benchmarks defined in each Investment Manager addendum. All portfolios are expected to rank in the top 50th percentile of the appropriate peer universe over three and five-year time periods.

C. Broad Market and Non-Core Fixed Income Performance

The overall objective of the fixed income portion of the portfolio is to add stability and liquidity to the total portfolio. The fixed income portion of the portfolio is expected to perform at a rate at least equal to the respective indices indicated in the target allocation table. Individual components of the bond portfolio will be compared to the specific benchmarks defined in each Investment Manager addendum. All portfolios are expected to rank in the top 50th percentile of the appropriate peer universe over three and five-year time periods.

D. Real Estate Performance

The overall objective of the real estate portion of the portfolio, if utilized, is to add diversification and another stable income stream to the total fund. The real estate portion of the total fund, defined as core, open ended private real estate, is expected to perform at a rate at least equal to the NFI-ODCE Fund Index (EW) and rank in the top 50th percentile of the appropriate peer universe over 5-year time periods.

E. Alternative and Other Non-Traditional Asset Performance

The overall objective of the alternative and/or "other asset" portion of the portfolio, if utilized, is to reduce the overall volatility of the portfolio and enhance returns. This portion of the fund will be benchmarked as outlined in the manager addendum.

IV. INVESTMENT GUIDELINES

A. Authorized Investments

Pursuant to the investment powers of the Board of Trustees as set forth in the Florida Statutes and local ordinances, the Board of Trustees sets forth the following investment guidelines and limitations.:

1. Equities (direct investment):
 - a. Must be traded on a national exchange or electronic network; and
 - b. Not more than five percent (5%) of the OPEB System's assets, at the time of purchase, shall be invested in the common stock, capital stock or convertible stock of any one issuing company, nor shall the aggregate investment in any one issuing company exceed 5% of the outstanding capital stock of the company; and
 - c. Additional criteria may be outlined in the manager's addendum.
2. Fixed Income (direct investment):
 - a. All directly held fixed income investments shall have a rating of in the Top Four ratings classifications as reported by a major credit rating service;
 - b. The value of bonds issued by any single corporation shall not exceed 5% of the total fund;
 - c. Additional criteria may be outlined in the manager's addendum.
3. Money Market:
 - a. The money market fund or STIF options provided by the OPEB System's custodian;
 - b. Have a minimum rating of Standard & Poor's A1 or Moody's P1.
4. Pooled Funds:

Investments made by the Board may include pooled funds. For purposes of this policy pooled funds may include, but are not limited to, mutual funds, commingled funds, exchange-traded funds, limited partnerships and private equity. The asset classification of the fund will be based upon its investment objective and may be interpreted consistent with the Florida Department of Management Services Division of Retirement. Pooled funds may be governed by separate documents which may include investments not expressly permitted in this Investment Policy Statement. In the event of investment by the OPEB System into a pooled fund, the Board will adopt the prospectus or governing policy of that fund as the stated addendum to this Investment Policy Statement.

B. Trading Parameters

When feasible and appropriate, all securities shall be competitively bid. Except as otherwise required by law, the most economically advantageous bid shall be selected. Commissions paid for purchase of securities must meet the prevailing best-execution rates. The responsibility of monitoring best price and execution of trades placed by each manager on behalf of the OPEB System will be governed by the Portfolio Management Agreement between the OPEB System and the Investment Managers.

C. Limitations

1. Investments in corporate common stock and convertible bonds shall not exceed fifty-five percent (55%) of the OPEB System assets at market.
2. Foreign securities shall not exceed thirty percent (30%) of OPEB System's market value.
3. All directly held equity and fixed income securities must be readily marketable. Commingled funds must be independently appraised at least annually.

D. Absolute Restrictions

No investments shall be permitted in;

1. Any investment not specifically allowed as part of this policy.
2. Illiquid investments in excess of limitations as described in Chapter 215.47, Florida Statutes (15); 2019..
3. Direct investment in 'Scrutinized Companies' identified in the periodic publication by the State Board of Administration ("SBA list", updated on their website www.sbafla.com/fsb/), is prohibited. Securities identified after January 1, 2010, must be divested within twelve (12) months of the company's initial appearance on the list. However, if divestiture of business activities is accomplished and the company is subsequently removed from the SBA list, the manager can continue to hold that security. Indirect investment in 'Scrutinized Companies' (through pooled funds) are governed by the provisions of Section V. (G) below.

V. **COMMUNICATIONS**

- A. On a monthly basis, the custodian shall supply an accounting statement that will include a summary of all receipts and disbursements and the cost and the market value of all assets.
- B. On a quarterly basis, the Investment Managers shall provide a written report affirming compliance with the security restrictions of Section IV (as well as any provisions outlined in the Investment Manager's addendum). In addition, the Investment Managers shall deliver a report each quarter detailing the OPEB System's performance, forecast of the market and economy, portfolio analysis and current assets of the OPEB System. Written reports shall be delivered to the Board within 30 days of the end of the quarter. A copy of the written report shall be submitted to the person designated by the Town, and shall be available for public inspection. The Investment Managers will provide immediate written and telephone notice to the Board of any significant market related or non-market related event, specifically including, but not limited to, any deviation from the standards set forth in Section IV or their Investment Manager addendum.

- C. If the Fund owns investments, that complied with section IV at the time of purchase, which subsequently exceed the applicable limit or do not satisfy the applicable investment standard, such excess or noncompliant investments may be continued until it is economically feasible to dispose of such investment in accordance with the prudent man standard of care, but no additional investment may be made unless authorized by law or ordinance. An action OPEB System outlining the investment 'hold or sell' strategy shall be provided to the Board immediately.
- D. The Investment Consultant shall evaluate and report on a quarterly basis the rate of return net of investment fees and relative performance of the OPEB System.
- E. The Board will meet periodically to review the Investment Consultant performance report. The Board will meet with the investment manager and appropriate outside consultants to discuss performance results, economic outlook, investment strategy and tactics and other pertinent matters affecting the OPEB System on a periodic basis.
- F. At least annually, the Board shall provide the Investment Managers with projected disbursement needs of the OPEB System so that the investment portfolio can be structured in such a manner as to provide sufficient liquidity to pay obligations as they come due. To this end the Investment Managers should, to the extent possible, attempt to match investment maturities with known cash needs and anticipated cash-flow requirements.
- G. The Investment Consultant, on behalf of the Retirement System, shall send a letter to any pooled fund referring the investment manager to the listing of 'Scrutinized Companies' by the State Board of Administration ('SBA list'), on their website www.sbafla.com/fsb/. This letter shall request that they consider removing such companies from the fund or create a similar actively managed fund having indirect holdings devoid of such companies. If the manager creates a similar fund, the Retirement System shall replace all applicable investments with investments in the similar fund in an expedited timeframe consistent with prudent investing standards. For the purposes of this section, a private equity fund is deemed to be an actively managed investment fund. However, after sending the required correspondence, the Retirement System is not required to sell the pooled fund.

VI. COMPLIANCE

- A. It is the direction of the Board that the OPEB System assets are held by a third party custodian, and that all securities purchased by, and all collateral obtained by the OPEB System shall be properly designated as OPEB System assets. No withdrawal of assets, in whole or in part, shall be made from safekeeping except by an authorized member of the Board or their designee. Securities transactions between a broker-dealer and the custodian involving purchase or sale of securities by transfer of money or securities must be made on a "delivery vs. payment" basis to insure that the custodian will have the security or money in hand at conclusion of the transaction.
- B. The investment policy shall require all approved institutions and dealers transacting repurchase agreements to execute and perform as stated in the Master Repurchase Agreement. All repurchase agreement transactions shall adhere to the requirements of the Master Repurchase Agreement.

- C. At the direction of the Board operations of the OPEB System shall be reviewed by independent certified public accountants as part of any financial audit periodically required. Compliance with the Board's internal controls shall be verified. These controls have been designed to prevent losses of assets that might arise from fraud, error, or misrepresentation by third parties or imprudent actions by the Board or employees of the OPEB System sponsor, to the extent possible.
- D. The Board acknowledges the importance of continuing education for the Trustees. Education will be provided on an on-going basis by the Fund's actuary, attorney, custodian, investment manager(s), consultant and administrator. In addition, the Trustees are encouraged to attend educational conferences in connection with their duties and responsibilities. Each trustee is encouraged to attend a minimum of one conference or seminar per year. Additional conferences or seminars are also encouraged.
- E. With each actuarial valuation, the Board shall determine the total expected annual rate of return for the current year, for each of the next several years and for the long term thereafter. This determination shall be filed promptly with the appropriate State Agency as so required, the OPEB System's sponsor and the consulting actuary.
- F. The proxy votes must be exercised for the exclusive benefit of the participants of the OPEB System. Each Investment Manager shall provide the Board with a copy of their proxy voting policy for approval. On a regular basis, at least annually, each manager shall report a record of their proxy vote.

VII. CRITERIA FOR INVESTMENT MANAGER REVIEW

The Board wishes to adopt standards by which judgments of the ongoing performance of a portfolio manager may be made. If, at any time, any three of the following is breached, the portfolio manager may be warned of the Board's serious concern for the OPEB System's continued safety and performance. If any five of these are violated the consultant may recommend a manager search for that mandate.

- Four (4) consecutive quarters of relative under-performance verses the benchmark index.
- Three (3) year trailing return below the top 50th percentile within the appropriate peer group and under performance verses the benchmark index.
- Five (5) year trailing return below the top 50th percentile and under performance verses the benchmark index.
- Three (3) year downside volatility greater than the index (greater than 100), as measured by down market capture ratio.
- Five (5) year downside volatility greater than the index (greater than 100), as measured by down market capture ratio.
- Style consistency or purity drift from the mandate.
- Management turnover in portfolio team or senior management.
- Investment process change, including varying the index or benchmark.
- Failure to adhere to the IPS or other compliance issues.

- Investigation of the firm by the Securities and Exchange Commission (SEC).
- Significant asset flows into or out of the company.
- Merger or sale of firm.
- Fee increases outside of the competitive range.
- Servicing issues – key personnel stop servicing the account without proper notification.
- Failure to attain a 60% vote of confidence by the Board.

Nothing in this section shall limit or diminish the Board’s right to terminate the manager at any time for any reason.

VIII. APPLICABLE TOWN ORDINANCES

If at any time this document is found to be in conflict with the Town Ordinances or applicable Florida Statutes such as F.S. 215.47(1) (8), (10) and (16), and 215.473(e), the Ordinances and Statutes shall prevail.

IX. REVIEW AND AMENDMENTS

It is the Board’s intention to review this document periodically (no less than every 3 years) and to amend this statement to reflect any changes in philosophy, objectives, or guidelines. In this regard, the Investment Manager's interest in consistency in these matters is recognized and will be taken into account when changes are being considered. If, at any time, the Investment Manager feels that the specific objectives defined herein cannot be met, or the guidelines constrict performance, the Board should be notified in writing. By initialing and continuing acceptance of this Investment Policy Statement, the Investment Managers concur with the provisions of this document. By signing this document, the Chairman attests that this policy has been recommended by the Investment Consultant, reviewed by the OPEB System’s legal counsel for compliance with applicable law, and approved by the Board of Trustees.

X. FILING OF THE INVESTMENT POLICY

Upon adoption by the Board, the investment policy shall be promptly filed with the Town, and the OPEB System’s actuary.

Approved as to form and legal sufficiency:

Date

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 036-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-10, Planning Services for Code Reform for the Town of Palm Beach to ZoneCo, LLC and The Corradino Group, Inc.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum dated March 2, 2022, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 036-2022**
- ▣ **Selection Committee Scoring**
- ▣ **Ordinal Scoring After First Round of Oral Interviews**
- ▣ **Final Recommendation of Award Vote**
- ▣ **Proposal - ZoneCo**
- ▣ **Proposal - The Corradino Group, Inc**

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving the Award of RFQ No. 2022-10, Planning Services for Code Reform for Town of Palm Beach to ZoneCo, LLC and The Corradino Group, Inc.;
Resolution No. 036-2022

DATE: 2 March 2022

STAFF RECOMMENDATION

Staff recommends Town Council approve the Award of RFQ No. 2022-10, Planning Services for Code Reform for Town of Palm Beach to ZoneCo, LLC and The Corradino Group, Inc.

SUMMARY EXPLANATION/BACKGROUND

The Town invited proposals from qualified firms/consultants with expertise in zoning and land use for assisting staff with a process resulting in the preparation of an improved and updated zoning code for the Town. The Scope of Work was developed by PZB for issuance.

SCOPE OF WORK

The selected Consultant(s) will work with Town staff, the Planning and Zoning Committee, Town Council and the community (through public outreach sessions and Town meetings) to develop zoning amendments and related code amendments.

The services being requested by the Consultant(s) for this project include the following:

- Review and assess the Town zoning regulations and all other relevant Town ordinances with staff, the local development community, elected officials, appointed officials, residents and other interested parties to determine deficiencies.
- Conduct public outreach meetings / workshops to cooperatively develop regulations with elected and appointed officials, Town staff, the development community and members of the public.

- Addressing new FEMA requirements to deal with rising sea levels.
- Review, identify, recommend and facilitate potential changes to the Code of Ordinances.
- Prepare specific updates to the Town Code of Ordinances to ensure elected officials, appointed officials, staff and the general public understand the use of the Town codes.
- Evaluate different approaches and determine the most effective type of code amendments for the Town.
- Consideration of sustainable and resilient development practices, design features and other approaches.
- Prepare amendments that will clearly define the expectations of the Town in regard to the appearance, quality, density of development, and address any identified weaknesses.
- Work in partnership with Town staff and advisory committees, as needed.
- Coordinate the development of the amendments with any concurrent projects.
- Provide guidance regarding any possible zoning map amendments which may result from text amendments to the zoning code.
- Prepare updates as necessary to the Town zoning map, or the creation of new maps, using files compatible with ArcGIS shapefile format.
- Present the amendments at public meetings and public hearings (the ultimate number of meetings to be determined by Town staff).
- Ensure compliance with all applicable State statutes and regulations.
- Act as facilitator with representatives of the Town's business community, residents, elected and appointed officials, and the Town staff in the formulation of the regulations.
- Provide all meeting materials (drafts and final drafts) to the Town in common formats such as PDF or Word for reproduction at meetings and printing the final amendments; and
- Recommend the best approach for managing and maintaining codification of the amendments for adoption.

- The Consultant(s) shall commit to the continued participation by high-level professionals to ensure that all products are well-written, technically accurate and address the concerns of the Town and its residents.

- **PUBLIC PARTICIPATION**

Public participation is paramount to the development of the zoning amendments. This is especially true given the current development concerns within the Town, maintaining the traditional feel of the Town of Palm Beach, while preserving single-family neighborhoods and enhancing the commercial areas. Consequently, the planning process should incorporate an intensive public participation program that will encourage and facilitate input from property owners, developers, engineers, planners, business owners, Town residents and special interest groups.

- **PROJECT SCHEDULE**

It is estimated by Town staff that the review of the code, public outreach component, preparation of amendments and presentation of the work to the appointed and elected Town officials could take between two and three years. However, the actual need for the Consultant(s) services may run longer or shorter than this estimation. As the project moves forward and specific tasks are assigned to the Consultant(s) by Town staff, the Consultant(s) shall provide the Town with an anticipated schedule and cost estimate for the completion of the task work.

METHOD OF PROCUREMENT

The PZB Department developed a scope of services which was reviewed by the Purchasing. The Request for Qualifications (RFQ) was issued on January 11th and closed on February 10th.

The Town did issue an addendum to the solicitation on February 2nd to all potential proposers for an inclusion as to how FEMA flood maps have changed and sea levels rise, that no meaningful effort has been taken to adjust the zoning regulations for elevated buildings and lots. Therefore, a primary objective of this zoning code update is to recognize the effects that rising water levels (ocean and intercoastal) impose on the barrier island.

The solicitation was broadcast nationwide to eight hundred thirty-two (832) firms through DemandStar and one thousand two hundred thirty-two (1,232) firms through Public Purchase. Town Purchasing also sent emails to nineteen (19) known consultants/individuals advising of the solicitation and invited the consultants to review and participate in the solicitation.

Additionally, the RFQ was advertised on the following four nationally recognized planning websites:

1. American Planning Association – for 30 days of offer phase
2. Congress for New Urbanism – -same-

- 3. Planetizen – -same-
- 4. Urban Land Institute – -same-

By use of the e-bidding platform purchasing is able to view potential firms that may show interest in our solicitations. For this particular solicitation, twenty-four (24) firms accessed and downloaded the solicitation. When the solicitation closed, five (5) firms submitted proposals through the e-bidding platform in addition to submitting a paper copy to purchasing.

Purchasing reached out to all twenty-four firms twice a week to encourage their submittal to the RFQ and to offer any assistance with the process of online submittal of their proposals.

The five firms that submitted were:

- ZoneCo, LLC
- The Corradino Group, Inc.
- MHCP COLAB
- NZ Consultants
- Bonnie C. Landry and Associates

The initial ranking of the Selection Committee was held on February 17, 2022. The Selection Committee consisted of the following members:

Voting

James Murphy, Assistant Director, PZB
Paul Castro, PZB
Paul Brazil, P.E., Public Works Director
Jane Le Clainche, CPA, Finance Director

Non-Voting

Wayne Bergman, Director of PZB

Facilitators

Dean Mealy, CPPO Purchasing
Duke Basha, CPPB Purchasing

The Selection Committee reviewed the five (5) proposals and short listed three (3) for oral presentations. The three (3) firms shortlisted for oral interviews were:

- ZoneCo, LLC
- The Corradino Group, Inc.
- MHCP COLAB

The oral interviews were held on February 28th and March 1st. The Selection Committee ranked and recommended award of the top two firms after engaged interaction with the firms presenting.

The recommendation to award two firms will provide PZB greater flexibility and management of tasks associated to the scope of work that was issued. In addition, the two firms can collaborate on specific tasks when best suited to specific work assignments.

When the Town issues a solicitation based on qualifications, better known as an RFQ, there is generally more than one firm noted in the award recommendation. This provides for a pool of

qualified firms that can respond to specific deliverables.

The Town has historically used a pool of qualified firms for engineering service projects with great success. By prequalifying the two topped ranked firms, PZB will have greater access to resources as they progress in the phases of the project.

When a RFQ is issued, price is not an evaluation factor. The proposal is based solely on qualifications of the consultants submitting.

FISCAL IMPACT/FUNDING SOURCE

The funding will come from the General Fund Contingency Account. Once cost proposals are finalized, a funding request will be made at a future Town Council meeting.

USER DEPARTMENT CONCURRENCE

PZB is in full concurrence with this recommendation. PZB staff believes that each firm brings certain significant strengths to the code review and reform project, with ZoneCo, LLC providing the stronger public engagement and code writing abilities; and The Corradino Group providing the stronger experience with South Florida barrier island resiliency and sustainability issues (FEMA, floodplain management, fill, minimum building floor elevations, freeboard and seawalls). The Corradino Group will also provide a land use attorney to assist, as needed, throughout the process.

Another advantage of this bifurcation of work involves proposed work that is contemplated by both Public Works and PZB regarding the implementation of the concepts that were presented in the Woods Hole Group Level Up Palm Beach coastal resiliency plan. The Corradino Group's strong experience with coastal communities in South Florida will not only be a benefit to the code review and reform process but will also help the Town as the resiliency plan takes shape and as new regulations are crafted.

DUE DILIGENCE

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

TOWN ATTORNEY REVIEW

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

CC: Wayne Bergman, Director of Planning, Zoning and Building
Paul Brazil, Director of Public Works

RESOLUTION NO. 036-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF RFP NO. 2022-10, PLANNING
SERVICES FOR CODE REFORM FOR THE TOWN OF PALM
BEACH TO ZONECO, LLC AND THE CORRADINO GROUP,
INC.**

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, Palm Beach County, Florida hereby approves Resolution No. 036-2022, approving the award of RFQ No. 2022-10, Planning Services for Code Reform for the Town of Palm Beach to ZoneCo, LLC and The Corradino Group, Inc

Section 2. The Town Purchasing Manager or his designee is hereby authorized to negotiate labor pricing on behalf of the Town of Palm Beach for these services.

Section 3. The Town Manager or his designee is hereby authorized to execute annual purchase orders on behalf of the Town of Palm Beach for these services, at annual approved budget.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of March 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk



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Solicitations Palm Beach
(561) 838-5406
solicitations@townofpalmbeach



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8856 RFQ No. 2022-10 Planning Services for Code Reform for Town of Palm Beach

BAFO-evaluation phase Ends on **Mar 8 2022 10:00 AM**

Settings Participants Schedule Pricing sheets Questionnaires Question & Answer
Offers/Applications Evaluate Compare & Select 5

[My Evaluation](#) [Evaluators progress](#) [All evaluations](#) [Overview](#)

ZoneCo, LLC

1. SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS Questionnaire

24 Questions

[Help](#)

1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 75.88%

[Back to question groups](#)

Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

EXPERIENCE OF FIRM/PAST PERFORMANCE

Please attach the following evaluation information:

- Completed Municipal Projects
- Demonstrated Experience with other Code Reform Projects
- Relevant Projects
- Schedule/Budget Compliance of Previous Work

NET WEIGHT OF SCORE 25%

Answer

Attached documents by supplier:

Firm Experience - Online Submission.pdf 7695 Kb [Download](#) | [Preview](#)

Score: 18.75%

[View evaluation method](#)

Paul Brazil (25%) 3

Paul Castro (25%) 4

Jane LeClainche (25%) 4

James Murphy (25%) 4

Score Comment

3.75%

5%

5%

Works nationally. Have done zoning code updates. Is working with Yard and Co.

5%



03-08-22 TCM Backup

343

Score Comment

Total score: 18.75%

Technical Approach

1.3.2. evaluated Knockout question

Weight: 30%

TECHICAL APPROACH

Please attach the following evaluation information:

- Technical Approach to Complete Scope of Work
- Understanding of the Town's needs
- Overall completeness, technical soundness, clarity and quality of proposal

NET WEIGHT OF SCORE 30%**Answer**

Attached documents by supplier:

 Technical Approach - Online Submission.pdf 901 Kb [Download](#) | [Preview](#)

Score: 22.5%

[View evaluation method](#)

Score Comment

Paul Brazil (25%) 3

4.5%

Paul Castro (25%) 4

6%

Jane LeClainche (25%) 4

6%

They had a 14 month timeline and had a 3 phase systematic approach with public input in 2 of the 3 phases.

James Murphy (25%) 4

6%

Total score: 22.5%

EXPERIENCE/ABILITY OF PERSONNEL

1.3.3. evaluated Knockout question

Weight: 25%

EXPERIENCE/ABILITY OF PERSONNEL

Please attach the following evaluation information:

- Management's Credentials
- Project Personnel Credentials
- Staff Size of Key Participants
- Location of Company/Key Participants

NET WEIGHT OF SCORE 25%

Attached documents by supplier:

 Personnel - Online Submission.pdf 1207 Kb [Download](#) | [Preview](#)

Score: 20%

[View evaluation method](#)

	Score	Comment
Paul Brazil (25%) 3	3.75%	
Paul Castro (25%) 5	6.25%	
Jane LeClainche (25%) 4	5%	Had 3 from Zone and 4 from Yard assigned. Had experience in zoning code reform.
James Murphy (25%) 4	5%	
Total score: 20%		

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

WORKLOAD AND SCHEDULING

Please attach the following evaluation information:

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Meeting the Town's operational and administrative requirements

NET WEIGHT OF SCORE 15%**Answer**

Attached documents by supplier:

 Workload and Scheduling - Online Submission.pdf 51 Kb [Download](#) | [Preview](#)

Score: 10.88%

[View evaluation method](#)

	Score	Comment
Paul Brazil (25%) 2.5	1.88%	
Paul Castro (25%) 4	3%	
Jane LeClainche (25%) 4	3%	Had a 14 month timeline. Quote seemed reasonable.
James Murphy (25%) 4	3%	
Total score: 10.88%		

Other

1.3.5. evaluated Knockout question

Weight: 5%

345

- Present and past litigation or disputes
- Insurance
- License sanctions
- Lost accounts and/or cancelled accounts, contract denial
- Financial Information, like financial statements, or any other information like your bank or surety support letter, or letter from you company finance section. Example: Statement that your firm is in a firm financial standing position to support services under this contract.
- Note: Shortlisted companies may be asked to provide Dun and Bradstreet Report with submittal.

NET WEIGHT OF SCORE 5%

Answer

Attached documents by supplier:

 Other Information Requested - Online Submission.pdf 173 Kb [Download](#) | [Preview](#)

Score: 3.75%

[View evaluation method](#)

		Score	Comment
Paul Brazil (25%)	4	1%	
Paul Castro (25%)	4	1%	
Jane LeClainche (25%)	3	0.75%	
James Murphy (25%)	4	1%	

Total score: 3.75%

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1.3. EVALUATION FACTORS ▾



8856 RFQ No. 2022-10 Planning Services for Code Reform for Town of Palm Beach

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The Corradino Group, Inc.

1. SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS Questionnaire

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1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 71.75%

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Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

EXPERIENCE OF FIRM/PAST PERFORMANCE

Please attach the following evaluation information:

- Completed Municipal Projects
- Demonstrated Experience with other Code Reform Projects
- Relevant Projects
- Schedule/Budget Compliance of Previous Work

NET WEIGHT OF SCORE 25%

Answer

Attached documents by supplier:

1.3.1. Experience of Firm_Past Performance.pdf 3951 Kb [Download](#) | [Preview](#)

Score: 18.13%

[View evaluation method](#)

Paul Brazil (25%) 4

Paul Castro (25%) 3

Jane LeClainche (25%) 3.5

Score Comment

5%

3.75%

4.38%

Worked mostly in Broward and Miami-Dade. Seemed to have some experience, but not as extensive as our request.

James Murphy (25%) 4

Score Comment

5% updated score

Total score: 18.13%

Technical Approach

1.3.2. evaluated Knockout question

Weight: 30%

TECHICAL APPROACH

Please attach the following evaluation information:

- Technical Approach to Complete Scope of Work
- Understanding of the Town's needs
- Overall completeness, technical soundness, clarity and quality of proposal

NET WEIGHT OF SCORE 30%**Answer**

Attached documents by supplier:

 1.3.2. Technical Approach.pdf 2570 Kb [Download](#) | [Preview](#)

Score: 22.5%

[View evaluation method](#)

Paul Brazil (25%) 4

Score Comment

6%

Paul Castro (25%) 4

6%

Jane LeClainche (25%) 3

4.5%

They had workshops first then review code. Seemed backward

James Murphy (25%) 4

6%

updated score

Total score: 22.5%

EXPERIENCE/ABILITY OF PERSONNEL

1.3.3. evaluated Knockout question

Weight: 25%

EXPERIENCE/ABILITY OF PERSONNEL

Please attach the following evaluation information:

- Management's Credentials
- Project Personnel Credentials
- Staff Size of Key Participants
- Location of Company/Key Participants

NET WEIGHT OF SCORE 25%**Answer**

03-08-22 TCM Backup

Attached documents by supplier:

 1.3.3 Experience and Ability of Personnel.pdf 1673 Kb [Download](#) | [Preview](#)

Score: 18.13%

[View evaluation method](#)

	Score	Comment
Paul Brazil (25%) 3.5	4.38%	
Paul Castro (25%) 4	5%	
Jane LeClainche (25%) 3	3.75%	Had a total of 7 assigned and a legal firm.
James Murphy (25%) 4	5%	
Total score: 18.13%		

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

WORKLOAD AND SCHEDULING

Please attach the following evaluation information:

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Meeting the Town's operational and administrative requirements

NET WEIGHT OF SCORE 15%**Answer**

Attached documents by supplier:

 1.3.4. Workload and Scheduling.pdf 1432 Kb [Download](#) | [Preview](#)

Score: 10.13%

[View evaluation method](#)

	Score	Comment
Paul Brazil (25%) 4	3%	
Paul Castro (25%) 3	2.25%	
Jane LeClainche (25%) 2.5	1.88%	Had a 24 month schedule. Seems like a long time to be engaged. Quote provided was also quite high.
James Murphy (25%) 4	3%	
Total score: 10.13%		

Other

1.3.5. evaluated Knockout question

Weight: 5%

- Present and past litigation or disputes
- Insurance
- License sanctions
- Lost accounts and/or cancelled accounts, contract denial
- Financial Information, like financial statements, or any other information like your bank or surety support letter, or letter from you company finance section. Example: Statement that your firm is in a firm financial standing position to support services under this contract.
- Note: Shortlisted companies may be asked to provide Dun and Bradstreet Report with submittal.

NET WEIGHT OF SCORE 5%

Answer

Attached documents by supplier:

 1.3.5. Other_MS.pdf 1127 Kb [Download](#) | [Preview](#)

Score: 2.88%

[View evaluation method](#)

		Score	Comment
Paul Brazil (25%)	2.5 ↻	0.63%	
Paul Castro (25%)	3	0.75%	
Jane LeClainche (25%)	2	0.5%	Many lawsuits.
James Murphy (25%)	4	1%	
		Total score: 2.88%	

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1.3. EVALUATION FACTORS ▼



8856 RFQ No. 2022-10 Planning Services for Code Reform for Town of Palm Beach

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NZ Consultants

1. SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS Questionnaire

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1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 63.25%

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solicitations@townofpalmbeach



Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

EXPERIENCE OF FIRM/PAST PERFORMANCE

Please attach the following evaluation information:

- Completed Municipal Projects
- Demonstrated Experience with other Code Reform Projects
- Relevant Projects
- Schedule/Budget Compliance of Previous Work

NET WEIGHT OF SCORE 25%

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Answer

Attached documents by supplier:

Experience.pdf 4776 Kb [Download](#) | [Preview](#)

Score: 15%

[View evaluation method](#)

Paul Brazil (25%) 3

Paul Castro (25%) 3

Jane LeClainche (25%) 3

James Murphy (25%) 3

Score Comment

3.75%

3.75%

3.75%

A lot of local municipal work, but didn't see like they had prior experience with this comprehensive of a task.

3.75%

Total score: 15%

Technical Approach

1.3.2. evaluated Knockout question

Weight: 30%

TECHICAL APPROACH

Please attach the following evaluation information:

- Technical Approach to Complete Scope of Work
- Understanding of the Town's needs
- Overall completeness, technical soundness, clarity and quality of proposal

NET WEIGHT OF SCORE 30%

Answer

Attached documents by supplier:

 Technical.pdf 7958 Kb [Download](#) | [Preview](#)

Score: 20.25%

[View evaluation method](#)

	Score	Comment
Paul Brazil (25%) 3	4.5%	
Paul Castro (25%) 4	6%	
Jane LeClainche (25%) 3.5	5.25%	Mentioned coastal element. Seemed boilerplate as far as technical approach.
James Murphy (25%) 3	4.5%	

Total score: 20.25%

EXPERIENCE/ABILITY OF PERSONNEL

1.3.3. evaluated Knockout question

Weight: 25%

EXPERIENCE/ABILITY OF PERSONNEL

Please attach the following evaluation information:

- Management's Credentials
- Project Personnel Credentials
- Staff Size of Key Participants
- Location of Company/Key Participants

NET WEIGHT OF SCORE 25%

Answer

Attached documents by supplier:

 Experience Ability of Personnel.pdf 10903 Kb [Download](#) | [Preview](#)

Score: 15%

[View evaluation method](#)

Score Comment

Paul Brazil (25%) 3

3.75%

Paul Castro (25%) 3

3.75%

Jane LeClainche (25%) 3

3.75%

Had 9 planners assigned plus a law firm.

James Murphy (25%) 3

3.75%

Total score: 15%

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

WORKLOAD AND SCHEDULING

Please attach the following evaluation information:

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Meeting the Town's operational and administrative requirements

NET WEIGHT OF SCORE 15%**Answer**

Attached documents by supplier:

 Workload.pdf 339 Kb [Download](#) | [Preview](#)

Score: 9.38%

[View evaluation method](#)

Score Comment

Paul Brazil (25%) 2.5

1.88%

Paul Castro (25%) 3

2.25%

Jane LeClainche (25%) 3

2.25%

Had availability, but didn't have timeframe.

James Murphy (25%) 4

3%

Total score: 9.38%

Other

1.3.5. evaluated Knockout question

Weight: 5%

- Present and past litigation or disputes
- Insurance
- License sanctions
- Lost accounts and/or cancelled accounts, contract denial
- Financial information, like financial statements, or any other information like your bank or surety support letter, or letter from you company finance section. Example: Statement that your firm is in a firm financial standing position to support services under this contract.
- Note: Shortlisted companies may be asked to provide Dun and Bradstreet Report with submittal.

NET WEIGHT OF SCORE 5%

Answer

Attached documents by supplier:

 Other.pdf 1505 Kb [Download](#) | [Preview](#)

Score: 3.63%

[View evaluation method](#)

	Score	Comment
Paul Brazil (25%) 3.5	0.88%	
Paul Castro (25%) 4	1%	
Jane LeClainche (25%) 3	0.75%	Small Company
James Murphy (25%) 4	1%	

Total score: 3.63%

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1.3. EVALUATION FACTORS ▾



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MHCP COLAB

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1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 67.88%

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Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

EXPERIENCE OF FIRM/PAST PERFORMANCE

Please attach the following evaluation information:

- Completed Municipal Projects
- Demonstrated Experience with other Code Reform Projects
- Relevant Projects
- Schedule/Budget Compliance of Previous Work

NET WEIGHT OF SCORE 25%

Answer

Attached documents by supplier:

1.3.1_Experience.pdf 10115 Kb [Download](#) | [Preview](#)

Score: 18.13%

[View evaluation method](#)

Paul Brazil (25%) 4

Paul Castro (25%) 3

Score Comment

5%

3.75%

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Jane LeClainche (25%) 3.5

Score	Comment
4.38%	Clients include WPB, Hollywood, Wilton Manners. They are using REG and Chen Moore as subs. Didn't see a lot of complete code reform projects.

James Murphy (25%) 4

5%

Total score: 18.13%

Technical Approach

1.3.2. evaluated Knockout question

Weight: 30%

TECHICAL APPROACH

Please attach the following evaluation information:

- Technical Approach to Complete Scope of Work
- Understanding of the Town's needs
- Overall completeness, technical soundness, clarity and quality of proposal

NET WEIGHT OF SCORE 30%**Answer**

Attached documents by supplier:

 1.3.2_Technical_approach.pdf 2996 Kb [Download](#) | [Preview](#)

Score: 20.25%

[View evaluation method](#)

Paul Brazil (25%) 4

Score	Comment
6%	

Paul Castro (25%) 3

4.5%

Jane LeClainche (25%) 3.5

5.25%	Have a detailed approach with REG reviewing other historic cities in FL.
-------	--

James Murphy (25%) 3

4.5%

Total score: 20.25%

EXPERIENCE/ABILITY OF PERSONNEL

1.3.3. evaluated Knockout question

Weight: 25%

EXPERIENCE/ABILITY OF PERSONNEL

Please attach the following evaluation information:

- Management's Credentials
- Project Personnel Credentials
- Staff Size of Key Participants
- Location of Company/Key Participants

NET WEIGHT OF SCORE 25%**Answer**

Attached documents by supplier:

 1.3.3_personnel.pdf 13383 Kb [Download](#) | [Preview](#)

Score: 15.63%

[View evaluation method](#)

	Score	Comment
Paul Brazil (25%) 3.5	4.38%	
Paul Castro (25%) 3	3.75%	
Jane LeClainche (25%) 3	3.75%	The proposer only had 2 staff members plus PT. Seem to be relying on REG and CM
James Murphy (25%) 3	3.75%	

Total score: 15.63%

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

WORKLOAD AND SCHEDULING

Please attach the following evaluation information:

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Meeting the Town's operational and administrative requirements

NET WEIGHT OF SCORE 15%**Answer**

Attached documents by supplier:

 1.3.4 SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS.pdf 56 Kb [Download](#) | [Preview](#)

Score: 10.13%

[View evaluation method](#)

	Score	Comment
Paul Brazil (25%) 3.5	2.63%	

03-08-22 TCM Backup

Score Comment

Paul Castro (25%) 3

2.25%

Jane LeClainche (25%) 3

2.25%

Continuing
contracts
represent
65% of
their time.
Didn't see a
time frame
for
completion

James Murphy (25%) 4

3%

Total score: 10.13%

Other

1.3.5. evaluated Knockout question

Weight: 5%

- Present and past litigation or disputes
- Insurance
- License sanctions
- Lost accounts and/or cancelled accounts, contract denial
- Financial Information, like financial statements, or any other information like your bank or surety support letter, or letter from you company finance section. Example: Statement that your firm is in a firm financial standing position to support services under this contract.
- Note: Shortlisted companies may be asked to provide Dun and Bradstreet Report with submittal.

NET WEIGHT OF SCORE 5%

Answer

Attached documents by supplier:

 1.3.5_Other.pdf 663 Kb [Download](#) | [Preview](#)

Score: 3.75%

[View evaluation method](#)

Score Comment

Paul Brazil (25%) 4

1%

Paul Castro (25%) 4

1%

Jane LeClainche (25%) 3

0.75%

James Murphy (25%) 4

1%

Total score: 3.75%

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1.3. EVALUATION FACTORS ▼



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Bonnie C. Landry and Associates

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1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 55.13%

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Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

EXPERIENCE OF FIRM/PAST PERFORMANCE

Please attach the following evaluation information:

- Completed Municipal Projects
- Demonstrated Experience with other Code Reform Projects
- Relevant Projects
- Schedule/Budget Compliance of Previous Work

NET WEIGHT OF SCORE 25%

Answer

Attached documents by supplier:

1.3.1 Experience of Firm and Past Performance.pdf 1039 Kb [Download](#) | [Preview](#)

Score: 11.88%

[View evaluation method](#)
Paul Brazil (25%) **2.5**Paul Castro (25%) **2**Jane LeClainche (25%) **3**James Murphy (25%) **2**

Score Comment

3.13%

2.5%

3.75%

2.5%

Mostly smaller projects.

Total score: 11.88%

Technical Approach

1.3.2. evaluated Knockout question

Weight: 30%

TECHICAL APPROACH

Please attach the following evaluation information:

- Technical Approach to Complete Scope of Work
- Understanding of the Town's needs
- Overall completeness, technical soundness, clarity and quality of proposal

NET WEIGHT OF SCORE 30%**Answer**

Attached documents by supplier:

 1.3.2 Technical Approach.pdf 723 Kb [Download](#) | [Preview](#)

Score: 18%

[View evaluation method](#)Paul Brazil (25%) 2.5 

Paul Castro (25%) 3

Jane LeClainche (25%) 3.5

James Murphy (25%) 3

Score Comment

3.75%

4.5%

5.25%

Detailed approach and good ideas on video diary and project webpage.

4.5%

Total score: 18%

EXPERIENCE/ABILITY OF PERSONNEL

1.3.3. evaluated Knockout question

Weight: 25%

EXPERIENCE/ABILITY OF PERSONNEL

Please attach the following evaluation information:

- Management's Credentials
- Project Personnel Credentials
- Staff Size of Key Participants
- Location of Company/Key Participants

NET WEIGHT OF SCORE 25%**Answer**

Attached documents by supplier:

 1.3.3 Experience and Ability of Personnel.pdf 1016 Kb [Download](#) | [Preview](#)

Score: 11.25%

[View evaluation method](#)

Paul Brazil (25%) 2.5

Paul Castro (25%) 2

Score Comment

3.13%

2.5%

Score Comment

Jane LeClainche (25%)

2.5

3.13%

Only 2 people on firm and outsourced GIS. Not many people to handle this task.

James Murphy (25%)

2

2.5%

Total score: 11.25%

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

WORKLOAD AND SCHEDULING

Please attach the following evaluation information:

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Meeting the Town's operational and administrative requirements

NET WEIGHT OF SCORE 15%**Answer**

Attached documents by supplier:

 1.3.4 Workload and Scheduling.pdf 575 Kb [Download](#) | [Preview](#)

Score: 10.5%

[View evaluation method](#)

Score Comment

Paul Brazil (25%)

3

2.25%

Paul Castro (25%)

4

3%

Jane LeClainche (25%)

3

2.25%

It appears that we would be their only project.

James Murphy (25%)

4

3%

Total score: 10.5%

Other

1.3.5. evaluated Knockout question

Weight: 5%

- Present and past litigation or disputes
- Insurance
- License sanctions
- Lost accounts and/or cancelled accounts, contract denial
- Financial Information, like financial statements, or any other information like your bank or surety support letter, or letter from you company finance section. Example: Statement that your firm is in a firm financial standing position to support services under this contract.
- Note: Shortlisted companies may be asked to provide Dun and Bradstreet Report with submittal.

NET WEIGHT OF SCORE 5%

Answer

Attached documents by supplier:

 1.3.5 Other and Financial Statement.pdf 402 Kb [Download](#) | [Preview](#)

Score: 3.5%

[View evaluation method](#)Paul Brazil (25%) 3

Score Comment

0.75%

Paul Castro (25%) 4

1%

Jane LeClainche (25%) 3

0.75%

James Murphy (25%) 4

1%

Total score: 3.5%

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1.3. EVALUATION FACTORS ▼

RFQ No. 2021-27 Professional Engineering Services for Town of Palm Beach Facilities Assessment

		Companies	
Selection Committee		MHCP COLAB	
		ZoneCo, LLC	The Corradino Group, Inc.
Paul Castro	1	1	3
Paul Brazil	2	1	3
James Murphy	1	2	3
Jane LeClainche	1	2	3
TOTAL	5	6	12

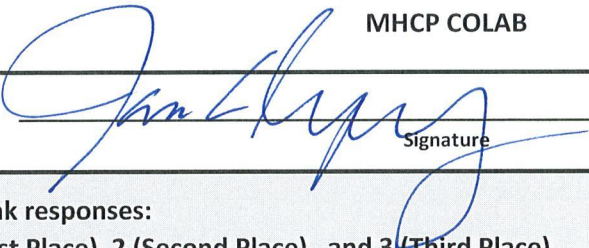
Date: 2/28/2022

Witness: [Signature]

NOTE: The lowest score is the highest ranked company etc.

RFQ No. 2022-10
Planning Services for Code Reform for Town of Palm Beach
ORAL INTERVIEWS

Committee Member: JAMES G. MURPHY

Proposer	Rank*
ZoneCo, LLC	1
The Corradino Group, Inc.	2
MHCP COLAB	3
 Signature	<u>02/28/22</u> Date

* Rank responses:
1 (First Place), 2 (Second Place), and 3 (Third Place)

Comments:

RFQ No. 2022-10 Planning Services for Code Reform for Town of Palm Beach ORAL INTERVIEWS	
Committee Member: <u>Jane LeClainche</u>	
Proposer	Rank*
ZoneCo, LLC	1
The Corradino Group, Inc.	2
MHCP COLAB	3
<u>Jane LeClainche</u> Signature	<u>2/28/22</u> Date
* Rank responses: 1 (First Place), 2 (Second Place), and 3 (Third Place)	
Comments: 	

RFQ No. 2022-10 Planning Services for Code Reform for Town of Palm Beach ORAL INTERVIEWS	
Committee Member: <u>H.P. Brazil</u>	
Proposer	Rank*
ZoneCo, LLC	<u>2</u>
The Corradino Group, Inc.	<u>1</u>
MHCP COLAB	<u>3</u>
 _____ Signature	<u>2/28/22</u> _____ Date
* Rank responses: 1 (First Place), 2 (Second Place), and 3 (Third Place)	
Comments: _____ _____ _____ _____ _____ _____ _____	

RFQ No. 2022-10 Planning Services for Code Reform for Town of Palm Beach ORAL INTERVIEWS	
Committee Member: <u>Paul Castro</u>	
Proposer	Rank*
ZoneCo, LLC	1
The Corradino Group, Inc.	1
MHCP COLAB	3
 _____ Signature	_____ Date
* Rank responses: 1 (First Place), 2 (Second Place), and 3 (Third Place)	
Comments: 	

March 1, 2022

RE: PZB Code Reform

Voice vote after second presentation of two topped ranked firms:

Unanimous recommendation to award to both ZoneCo, LLC and The Corradino Group, Inc.

Signed

A handwritten signature in blue ink, appearing to read "Tom Neely", positioned above a horizontal line.

A handwritten signature in blue ink, appearing to read "Barlow", positioned above a horizontal line.



LETTER OF INTENT

TO: Town of Palm Beach

FROM: Sean Suder, ZoneCo, LLC

DATE: 2 / 4 / 2022

RE: RFQ No. 2022-10 Planning Services for Code Reform for Town of Palm Beach

The team of ZoneCo, LLC and YARD & Company (“YARD”) is excited about the opportunity to provide planning services for the Town of Palm Beach and we thank you in advance for your time in reviewing our proposal.

Both ZoneCo and YARD have extensive zoning code experience. As a team, they have worked on successful, innovative code updates in several states. Furthermore, YARD & Company was recently awarded the contract for Palm Beach’s Retail Analysis and Development Strategy. We believe that our team’s involvement in that project will supplement our understanding of the Town’s zoning needs to better integrate the strategy into the code. Our team has an ideal combination of deep zoning and land use law experience mixed with the following additional skills: long-range planning, market analysis and business district activation, public engagement, design, water resource management, real estate/development, historic ordinances, and design guidelines.

All ZoneCo’s staff members have administered a zoning code from the public sector, and we understand the challenges that can arise from inconsistencies, outdated regulations, inaccurate or incomplete definitions, and standards that are not achieving desired outcomes. Our codes are easy to use and easy to administer. They are graphically-rich, and we utilize language that carefully balances legal defensibility with usability. Furthermore, our team has experience training zoning boards and commissions, as well as serving on them.

Our codes integrate character- and form-based standards. Design and historic preservation are greatly valued in Palm Beach and we will be attuned to the community’s desire to preserve, maintain, and promote the Town’s architectural assets. ZoneCo has extensive experience writing historic ordinances and design guidelines.

We utilize a three-module approach for project delivery that is streamlined, efficient, and is consistent with the project’s scope of work. The modules are: 1. Diagnose, 2. Calibrate, and 3. Codify. We first diagnose the zoning code using a line-by-line analysis that compares the zoning regulations against planning goals and objectives, and prioritizes recommendations. From there, we calibrate the base regulations of the code prior to drafting the code language. The first two modules are collaborative, and we integrate feedback meaningfully. Once the

ZONING POWERED BY LAW + PLANNING



community has provided feedback on proposed base regulations, we will draft the full language of the code document within the codification module.

Our projects employ thoughtful and effective engagement. YARD & Company has received national attention for their innovative public engagement. They are adept and making information accessible and visual. Engagement exercises are tailored to the needs of the project, and feedback is effectively integrated.

We custom-tailored this team to the needs of the project, and we have the necessary skills and experience to develop a code that is usable, defensible, and achieves desired outcomes for your community.

Thank you for your consideration of our proposal. Please do not hesitate to reach out for additional information.

Sincerely,



Sean S. Suder, Esq., LEED AP
Lead Principal/Founder
ZoneCo

**Important Notice*

Although some of our professionals are also attorneys who may be separately engaged to provide legal representation in states where we are licensed to practice law, we are not a law firm and ZoneCo does not provide legal representation or services and is not engaged in the practice of law in any jurisdiction. Engaging ZoneCo does not form an attorney-client relationship and, as such, the protections of the attorney-client relationship do not apply. If you wish to create an attorney-client relationship, you are encouraged to contact counsel of your choosing.

ZONING POWERED BY LAW + PLANNING

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ZONE^{CO}

DESCRIPTION OF FIRM

We craft clear, consistent, user-friendly, equitable, and defensible zoning codes that remove barriers and achieve desired outcomes.

ZoneCo is a national zoning code consulting firm and our core focus is updating and auditing zoning codes. Our professionals have all held public positions, and we understand the complexities of administering a zoning code. Public sector experience has also enabled us to effectively facilitate and foster public engagement. Our work has spanned the Midwest and Eastern United States, and we are passionate about being part of positive change in the communities we serve.

We believe that zoning should facilitate a community's desired outcomes, not serve as a barrier to development and placemaking.

ZoneCo has developed a unique method of code development called Development

Pattern Districting (DPD) that is outcome-focused, and brings together elements of character-based, form-based, and Euclidean zoning. DPD is flexible and adaptable, and ensures that communities have all the tools at their disposal to realize their vision.

Our codes are user-friendly and graphically-rich; we prioritize usability and streamlined language.

ZoneCo professionals are thought leaders, and have presented on zoning, planning, equity, placemaking, and economic development issues at national and regional conferences.

Learn more about us at
www.thezoneco.com



Zoning Should Respect Existing and Reflect Desired Development Patterns

Zoning Should Regulate Only What Actually Needs to Be Regulated and Focus on Desired Outcomes

Zoning Should Be the Implementation of a Plan, not a Barrier to Achieving the Vision

Zoning Should Promote Equity and the Health of the Environment

WHAT WE ARE ABOUT



YARD & Company is a Cincinnati-based urban growth firm that uses place to solve problems. We are a team of designers, development strategists, and planners who double as people connectors, activators, and storytellers. We thrive at the intersection of community and commerce. Sometimes complicated, sometimes tense, and sometimes downright messy, that energy is the same space where growth begins. We believe development shouldn't develop-out the community, and the best way to get there is through a collaborative process for building places that people connect to emotionally and economically.

WE BELIEVE...

- » In using physical spaces to solve social and economic problems
- » Solutions are often hidden in plain sight
- » Iterating is a powerful tool for human-centered problem-solving
- » Growth and change should happen *with* a place, not to a place

WHAT WE DO

- » Urban Design + Planning
- » Experience Management
- » Development

OUR EXPERIENCE

“

“ZoneCo took what we had in our heads, and transferred those thoughts and plans into a defensible, yet progressive document. Our experience with ZoneCo is one of pride in our local community, as we grow into one of the most forward thinking, and development friendly municipalities in the state! Our new zoning code will live long after I’m gone, still providing a framework for the built environment of a more prosperous Reynoldsburg.”

ANDREW BOWSHER

Reynoldsburg, Ohio

“

“I go to a lot of towns and states. I have never seen regulations that have really jumped out at me as clear and well-organized as what Sean has provided to us.”

PLANNING COMMISSIONER

Winchester, Connecticut

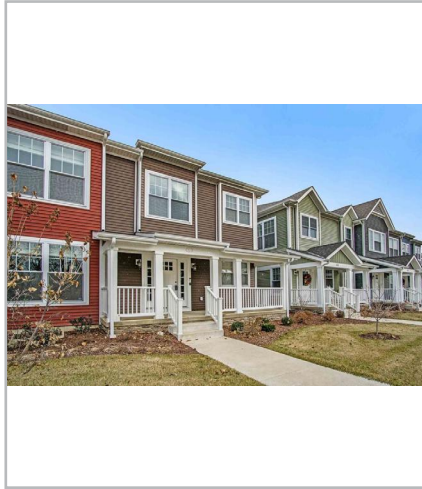
“

“This citywide code is an excellent model for any city - particularly legacy cities-seeking to use code reform to promote fiscally and environmentally sustainable urban regeneration, greater housing diversity, walkable neighborhoods, and stronger urban design. The code's helpful "how to use" guide, clean easy-to-read graphics, and logical layout make navigation easy for administrators, applicants, and citizens. The historic preservation provisions, bike and car parking standards, and clever treatment of cul-de-sacs are some of the many exemplary features...This new code will have a lasting and positive transformational impact on South Bend's future and provides many lessons for other cities considering a form-based code.”

SMART GROWTH AMERICA / FBC INSTITUTE

ZoneCo, Co-Winner of Driehaus Award, South Bend, IN

SOUTH BEND, INDIANA ZONING ORDINANCE PEER REVIEW



21-04.02		SPECIAL USE DISTRICTS	
Uses		U University	
Principal Uses		Principal Uses (notwithstanding)	
Agriculture	U 21-05.04	Transportation	
Community Garden	U 21-05.04	Airport	U 21-05.04
Civic & Institutional	U 21-05.04	Harbor	U 21-05.04
Assembly Neighborhood	U 21-05.04	Parking Lot	U 21-05.04
Assembly, General	U 21-05.04	Passenger Terminal	U 21-05.04
Cemetery	U 21-05.04	Transit Station	U 21-05.04
College/University	U 21-05.04	Utilities	U 21-05.04
Hospital	U 21-05.04	Cover Farm	U 21-05.04
Library/Museum/Cultural Facility	U 21-05.04	Utilities, Major	U 21-05.04
Parks & Open Space	U 21-05.04	Utilities, Minor	U 21-05.04
Police/Fire Facilities	U 21-05.04	Utilities, Minor	U 21-05.04
Religious Institutions	U 21-05.04	Utilities, Minor	U 21-05.04
Schools, Pre-K/Primary/Secondary	U 21-05.04	See Section 21-05.05 for all principal use definitions.	
Industrial, Artisan	U 21-05.04	See Section 21-05.05 for all accessory use regulations.	
Research/Laboratory Facility	U 21-05.04		
Lodging	U 21-05.04		
Bed & Breakfast	U 21-05.04		
Hotel	U 21-05.04		
Office	U 21-05.04		
Professional Offices	U 21-05.04		
Recapitalized	U 21-05.04		
Dwelling, Ancillary	U 21-05.04		
Dwelling, Multi Unit	U 21-05.04		
Group Residence	U 21-05.04		
Retail & Service	U 21-05.04		
Beer Tavern	U 21-05.04		
Commercial School	U 21-05.04		
Day Care Center	U 21-05.04		
Manufactured/Recreation Facility	U 21-05.04		
Indoor	U 21-05.04		
Entertainment/Recreation Facility	U 21-05.04		
Outdoor	U 21-05.04		
Personal Care Services	U 21-05.04		
Recreation	U 21-05.04		

OVERLAY DISTRICTS		21-05.02	
Northwest Neighborhood Zoning Overlay			
(C) Colors		(E) Mechanical Equipment and Utilities	
(1) Bright colors are prohibited as primary house colors but may be used for outside trim accents in amounts not to exceed 20% of the facade area. All colors shall complement the architectural style and character of the house and the surrounding neighborhood.		(1) Window-mounted air conditioning units placed through primary or secondary street frontages are prohibited.	
(2) Building Components		(3) Landscaping	
(1) Main entrance shall be visible from the primary street, easily accessible, and well-lit. Architectural elements such as porches, stoops, and canopies are required to identify main entrances and maintain the existing neighborhood's architectural character.		(1) Steeply sloped yards in excess of a slope of 2 to 1 (one foot horizontal for one foot vertical) shall incorporate a slope retention element of either a small retaining wall with steps as a transition to the sidewalk or ground cover/low shrub planting scheme.	
(2) A porch shall cover a minimum of 50 percent of the Primary House Pans. A Stoop shall cover a minimum of 50 percent of the Primary House Pans, as referenced in the accompanying graphic.		(2) Decorative walls and fences shall be consistent with the house's architectural style and character and meet the height regulations of the applicable zoning district.	
(3) Parking and Access		(3) Off-street parking shall be provided by an enclosed garage located to the rear of the primary building footprint.	
(1) If the garage door on an attached garage must face a primary street, the garage door must be set back a minimum of 20 feet from the primary building footprint, as referenced in the accompanying graphic.		(2) If the garage door on an attached garage must face a primary street, the garage door must be set back a minimum of 20 feet from the primary building footprint, as referenced in the accompanying graphic.	

PROJECT SCOPE

Peer review services were provided for the re-write of the Zoning Ordinance.

GEOGRAPHY

Northern Indiana

ZONECO REVIEWED THE FOLLOWING:

- Signage Standards
- Special Districts
- Overlay Districts
- Standard Districts
- Form-Based Standards
- Mixed-Use Standards
- Building Standards
- Parking Standards
- Floodplain Standards

PROJECT OVERVIEW

ZoneCo was hired to provide peer review services for the South Bend, Indiana zoning ordinance re-write. South Bend crafted a zoning code that provides flexibility while achieving the desired urban form. The code is highly visual, and ZoneCo helped to ensure that the code is facilitating the community vision while checking for compliance with Indiana statutes. ZoneCo is part of a team currently nominated for a national award for work on this project.

BUDGET / TIMELINE

\$40,000 / 10 months*
*completed within budget

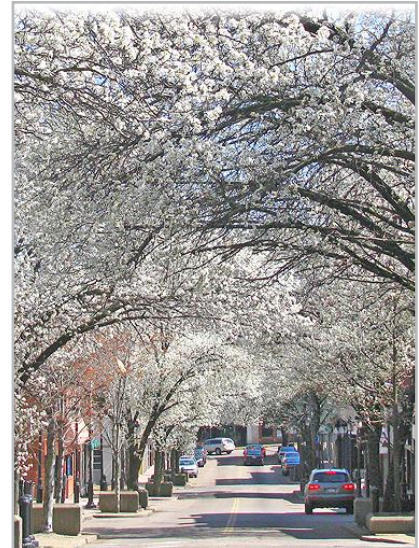
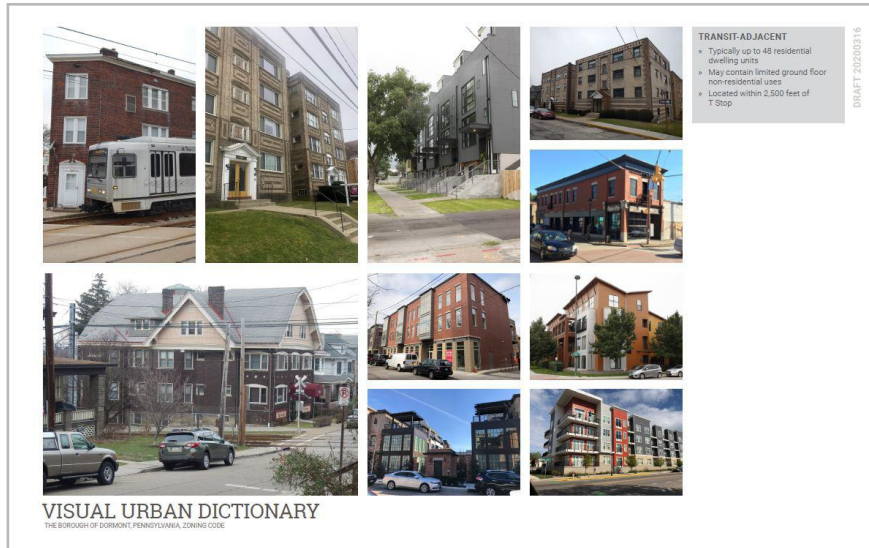
MUNICIPAL PROJECT MANAGER REFERENCE

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ZONECO++

DORMONT, PENNSYLVANIA

ZONING ORDINANCE UPDATE



PROJECT SCOPE

A modern, streamlined, and updated Zoning Ordinance, with transit-oriented and form-based elements.

GEOGRAPHY

Pittsburgh Metropolitan Area

SKILLS AND TECHNIQUES

- Transit-Oriented Standards
- Full Code Diagnostic
- Calibration of Development Standards and Regulations
- Form-Based Standards
- Mixed-Use Standards
- Design Standards
- Development Pattern Districting

- Floodplain Standards
- Visual Urban Dictionary

PROJECT OVERVIEW

The Borough of Dormont, Pennsylvania, has engaged the team of ZoneCo and YARD & Company to help modernize its zoning ordinance. As one of Pittsburgh's several transit-oriented inner ring suburbs, Dormont seeks to build on the momentum created by recent regional transit-oriented development planning efforts. The team will craft a zoning ordinance that not only allows for context sensitive infill development and adaptive reuse but enables the borough to capitalize on several light rail stations and bus stops. The process

includes active engagement and education; the testing of new ideas and zoning concepts to determine the most appropriate content; and a user-friendly tool to guide growth.

BUDGET / TIMELINE

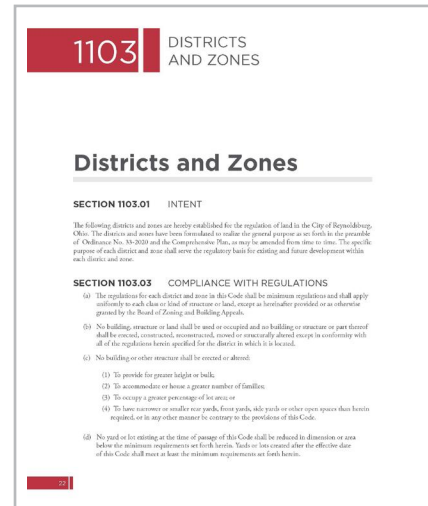
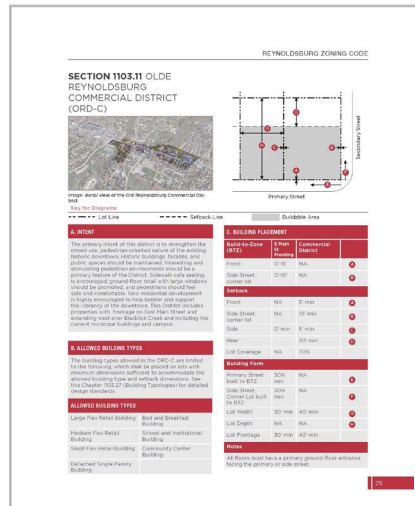
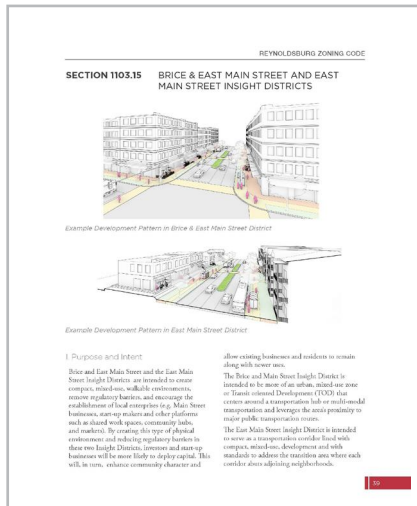
\$140,000 / 15 months*
*completed within budget

MUNICIPAL PROJECT MANAGER REFERENCE

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ZONECO++

REYNOLDSBURG, OHIO ZONING ORDINANCE UPDATE



PROJECT SCOPE

A modernized, streamlined, and updated zoning code.

GEOGRAPHY

Columbus Metropolitan Area

SKILLS AND TECHNIQUES

- Full Code Diagnostic
- Calibration of all Regulations and Standards
- Old Towne District Infill Analysis
- Development Pattern Districting
- Form-Based Coding
- Recommendations and Considerations for Suburban Retrofit
- Presentations at all Adoption Meetings

PROJECT OVERVIEW

In 2018, Reynoldsburg, Ohio retained ZoneCo and OHM Advisors to re-write the City's Planning and Zoning Code. Prior to this, OHM Advisors completed an update of the Comprehensive Plan which sets new goals for the City for the next 10 to 20 years. The land use goals of the plan relate strongly to the East Main Street Corridor, strengthening Olde Reynoldsburg, and promoting economic diversity and economic development.

In the Diagnostic Module, ZoneCo compared each section of the existing Zoning Code against the specific objectives and land use goals of the Comprehensive Plan. The

calibration of the code's regulations included a thoughtful and exhaustive evaluation of the desired development patterns in Olde Reynoldsburg.

BUDGET / TIMELINE

\$155,000 / 17 months*
*completed within budget

MUNICIPAL PROJECT MANAGER REFERENCE

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Former Development Director
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ZONECO

DUNWOODY, GEORGIA

SIGN ORDINANCE UPDATE

ARTICLE IV. - SIGN LIGHTING TYPES

Certain sign types may be illuminated as indicated herein. The type of lighting depends on the sign type and district in which it is located as set forth herein. The following defines and provides example depictions of the various sign lighting types used in this chapter.

Sign Lighting Type	Definition	Example Graphic
Direct Lighting	A specific style of illumination where the source of light is internal and integral to the sign structure and where the resultant illumination radiates out in the direction of the viewer. This designation includes face-lighted channel letters and sign panels with routed and push-through graphics (backlit).	
Internal Box Lighting	Signs that use a lightbox configuration where a light fixture is inside a box with the front surface consisting of a translucent panel that becomes illuminated on which information is displayed.	
Shadow/Halo Lighting	A specific style of illumination where the sign face and letters are mounted on a stand-off away from the wall which projects illumination in the wall surface giving the sign a halo effect. In some instances, lighting that creates a shadow/halo effect may be located on the interior of the lettering – this is permissible if the light radiation is not visible on the front surface of lettering, logos, or symbols, and the front is entirely opaque.	
Indirect Lighting	A specific style of illumination where the source of light is external to, and independent of, the sign structure, and the illumination radiates toward the message area away from the viewer. This includes gooseneck, linear sign lights, and ground mounted spotlights.	

Chapter 20. Signs
Sign Standards: Office Districts (O-1, O-1-T, O-D, OCR, DV-2)

(D) RAYFINDING SIGN

STANDARDS (all measurements in accordance with Sec. 20-3 above)	O-1	O-1-T	O-D	OCR	DV-2
Count					Max. 2 per curb cut
Sign Face Area					5 sq. ft. Max.
Total Sign Height					3 ft. Max.
Supports					Shall be mounted on base of same material as sign.
Illumination Types					Direct, indirect, shadow/halo

(E) PAINTED MURAL SIGN

STANDARDS (all measurements in accordance with Sec. 20-3 above)	O-1	O-1-T	O-D	OCR	DV-2
Location and Size					On side facade only not larger than 1/8 of the total facade wall area not including the area of glazing

Chapter 20. Signs
Commercial and Industrial Districts (NS, C-1, CR-1, C-2, M, DV-1, DV-4)

(G) CANOPY SIGN AND AWNING SIGN

STANDARDS (all measurements in accordance with Sec. 20-3 above)	NS	C-1, DV-1, DV-4	CR-1	C-2 / M
Count				
Location				
Sign Face / Lettering Area				
Illumination Types				

AWNING SIGN

STANDARDS (all measurements in accordance with Sec. 20-3 above)	NS	C-1, DV-1, DV-4	CR-1	C-2 / M
Count				
Sign Face Area (% of awning)				
Materials				
Illumination Types				
Lettering				

PROJECT SCOPE

Update to the City sign code

GEOGRAPHY

Atlanta Metropolitan Area

SKILLS AND TECHNIQUES

- Creation of Sign Menu by District
- Content Neutral Sign Code
- Signage Standards Calibrated by Character Area
- Signage Inventory Created to Understand Existing Conditions

PROJECT OVERVIEW

ZoneCo was retained to rewrite Dunwoody's sign code to reflect community preferences with regards to sign lighting and aesthetics, and provide greater flexibility for institutions and establishments. Special signage regulations were created for the new development at the Perimeter Center.

Sign area permissions in the previous sign code were difficult to administer and leading to unintended outcomes. The permitted amount of signage was tailored to districts and building types. The code itself was simplified and streamlined.

BUDGET / TIMELINE

\$80,000 / 12 months*
*completed within budget

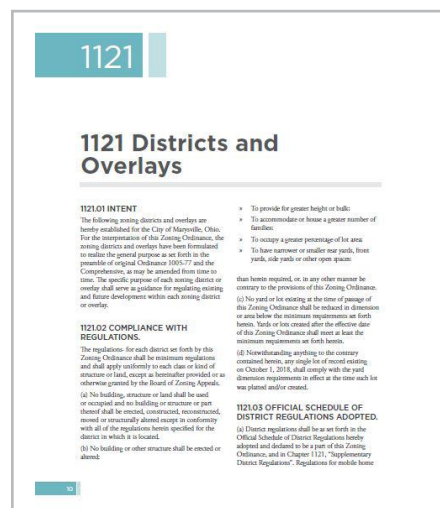
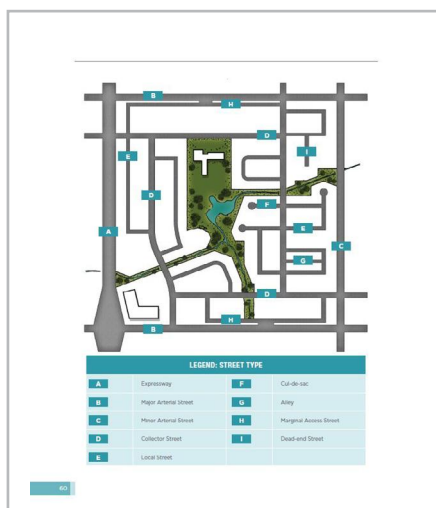
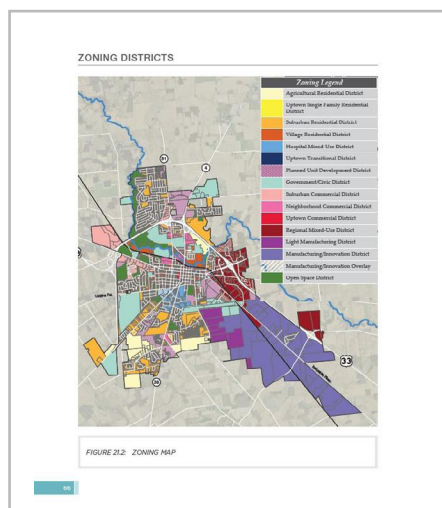
MUNICIPAL PROJECT MANAGER REFERENCE

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ZONECO++

MARYSVILLE, OHIO

ZONING CODE MODERNIZATION



PROJECT SCOPE

A modern, streamlined, and updated zoning ordinance.

GEOGRAPHY

Columbus Metropolitan Area

SKILLS AND TECHNIQUES

- Full Code Diagnostic
- Calibration of all Regulations and Standards
- Development Pattern Districting
- Form-Based Coding
- Character-Based Zoning
- Collaborative Public Engagement
- Comprehensive Strategy to deal with Non-Conformities
- Presentations at all Adoption Meetings

PROJECT OVERVIEW

The team of ZoneCo and OHM Advisors was selected to update the City of Marysville, Ohio's Zoning Ordinance to implement the 2018 Comprehensive Plan.

ZoneCo created custom districts that promote and reflect the City's desired development patterns and reduce unnecessary or burdensome regulations. The uses and development regulations have been carefully crafted and revised to ensure that the goals of the Comprehensive Plans are met, while still respecting the existing urban fabric.

Due to the proximity of the Plan update and the Code development, joint public engagement sessions for visioning took place, with

additional sessions to allow the public to walk through how the new regulations affect their built environment.

The final product is an intuitive and user-friendly set of character-based land use regulations that promote the City's development vision.

BUDGET / TIMELINE

\$140,000 / 19 months*
*completed within budget

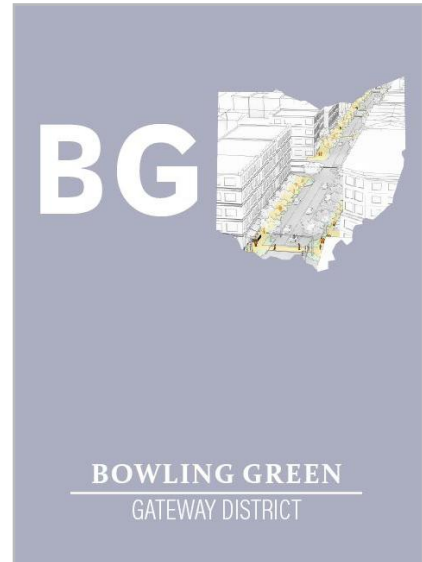
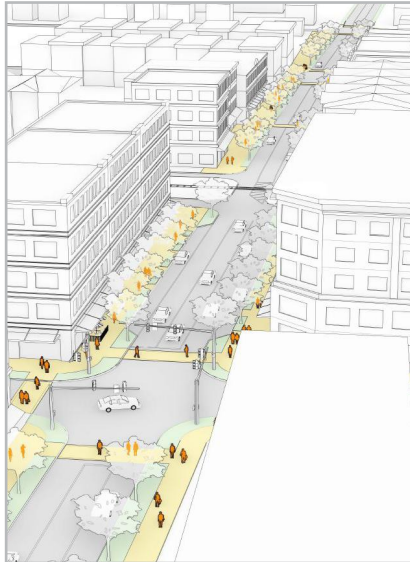
MUNICIPAL PROJECT MANAGER REFERENCE

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rtodd@marysvilleohio.org

ZONECO

BOWLING GREEN, OHIO

GATEWAY DISTRICT AND FULL CODE RE-WRITE



PROJECT SCOPE

A new Development Pattern District and accompanying standards for a well-traveled Gateway between Downtown and the University in the City of Bowling Green, Ohio. ZoneCo was subsequently retained to write the full code.

GEOGRAPHY

Toledo Metropolitan Area, Population

SKILLS AND TECHNIQUES

- Calibration of Development Standards and Regulations
- Mixed-Use and Pedestrian-Oriented

Standards

- Design Standards
- Document and Graphic Design

PROJECT OVERVIEW

The team of ZoneCo and OHM Advisors was selected to create building, use, design and signage standards for the Gateway District in Bowling Green. This district is located in between the walkable historic Downtown and Bowling Green State University. The corridor is currently comprised of disconnected commercial uses and the goal is to connect these two walkable places and make the new district human-scaled and pedestrian-oriented while creating an

attractive gateway for the City and the University.

ZoneCo created a highly visual and streamlined document, consistent with City branding. ZoneCo was subsequently retained to complete a full re-write of the Zoning Code, which is in the codification module.

BUDGET / TIMELINE

\$140,000 / Ongoing

MUNICIPAL PROJECT MANAGER REFERENCE

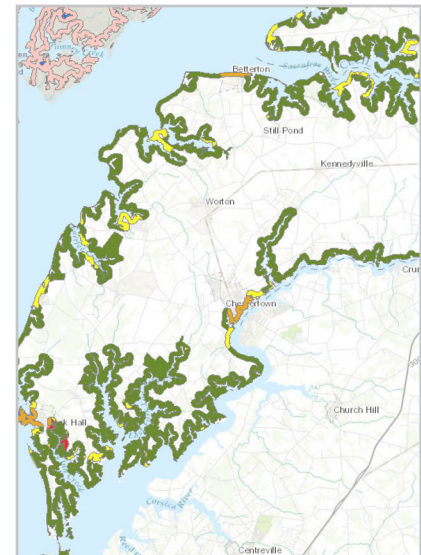
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ZONECO

KENT COUNTY, MARYLAND

LAND USE ORDINANCE

	Goal #1: Preserve Agriculture	Goal #2: Locate and Expand Employment	Goal #3: Create Housing Opportunities	Goal #4: Ensure Future Growth Complements	Comments
Statement of Intent					This purpose statement has a neutral impact on the Land Use Goals.
Permitted Principal Uses and Structures					The permitted principal uses fail to reflect a mix of modern uses that are consistent with best practices. There is no opportunity for a mixed-use building. Uses such as artisan shops should be promoted to permitted uses rather than special exceptions.
Special Exceptions					Cottage industries and artisan shops should be permitted uses and will build interest in the district as well as a critical mass of employees.
Accessory Uses and Structures					The inclusion of apartments as an accessory use promotes Land Use Goal #3. Consider including offices as an accessory to a permitted use.
Density, Area, Height, Width and Yard Requirements					The flexibility of minimum lot sizes in the district allows for a range of new development opportunities, which promotes Land Use Goal #2 and also promotes unique character consistent with Land Use Goal #4.
Crossroads Commercial General Standards					Several of the general standards could apply to several districts and should be moved to a separate generally applicable chapter rather than being stated specifically under these regulations.
Crossroads Commercial Environmental Standards					Consider incorporating these standards within a generally applicable environmental standards chapter.
Crossroads Commercial Design Standards					These provisions have a neutral impact on the Land Use Goals.



PROJECT SCOPE

An update of the Kent County Land Use Ordinance which includes new Development Pattern Districts and accompanying standards for environmentally sensitive shoreline. The process is in the Calibration phase.

GEOGRAPHY

Maryland's Eastern Shore

SKILLS AND TECHNIQUES

- Land Use Assessment
- Calibration of Development Standards and Regulations
- Environmentally-

Oriented Zoning

- Mixed-Use Standards
- Design Standards
- Agricultural Land Planning and Maintenance

PROJECT OVERVIEW

The Land Use Ordinance update includes current best practices for the significant amount of sensitive shoreline and agricultural land in Kent County, which will require careful zoning calibration, and an assessment of consistency with State of Maryland environmental and land use law.

ZoneCo is calibrating the zoning within population centers to be walkable

with mixed-use centers of activity that reflect the unique and historic context of Kent County. The standards will be a mixture of form-based and character-based.

BUDGET / TIMELINE

\$210,000 / Ongoing

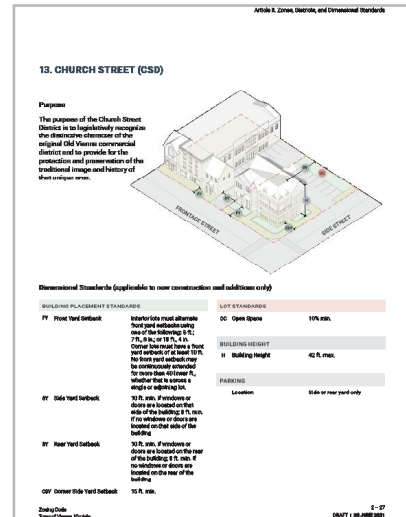
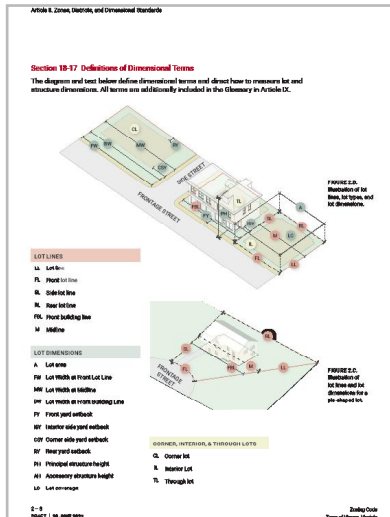
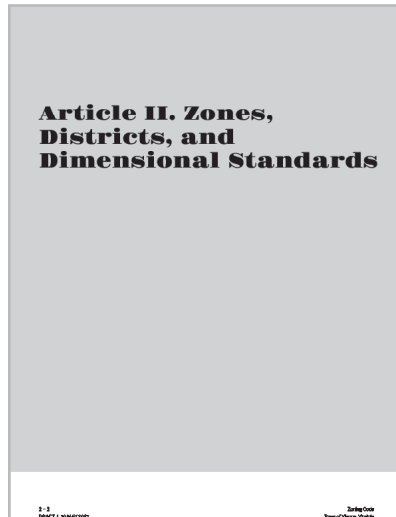
MUNICIPAL PROJECT MANAGER REFERENCE

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wmackey@kentgov.org

ZONECO

VIENNA, VIRGINIA

ZONING & SUBDIVISION ORDINANCES



PROJECT SCOPE

ZoneCo was chosen to re-write Vienna, Virginia's subdivision and zoning ordinances as the lead consultant joined by Venable LLP, Nelson Nygaard, and YARD & Company.

GEOGRAPHY

Washington D.C. Metropolitan Area

SKILLS AND TECHNIQUES

- Land Use Assessment
- Calibration of Development Standards and Regulations
- Transportation-Land Use Coordination
- Mixed-Use Standards
- Design Standards
- Main Street Standards

PROJECT OVERVIEW

ZoneCo will clarify, simplify, and reorganize its subdivision and zoning ordinances so the regulations are logically organized and easy to understand through the use of plain language, charts, tables, and illustrations.

In addition, the subdivision and zoning ordinances will be updated so they are in compliance with State statutes, recent Supreme Court decisions with regards to sign regulations, and consistent with the Town's Comprehensive Plan.

The update will address areas where the Code is silent and zoning determinations have been made over the years by the Town's zoning

administrator, and where regulations are currently lacking, like for parking standards and definitions for all uses.

BUDGET / TIMELINE

\$225,000 / Ongoing

MUNICIPAL PROJECT MANAGER REFERENCE

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Director of Planning & Zoning
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ZONE^{CO}++

ADDITIONAL PROJECTS

ZONING CODE UPDATE - SIDNEY, OH

The Sidney, Ohio zoning code update was recently completed and adopted in early 2022. The code guides new development and infill in a manner that is consistent with the desired character for the town. The character in Sidney's downtown is promoted through character-based standards. The code update removed inconsistencies, confusing organization, and dated regulations. Sidney's City Manager, Andrew Bowsher, has worked with ZoneCo on the adoption of the Reynoldsburg, Ohio code (while he was Development Director there), and recently, for the Sidney code.

ZONING ASSESSMENT - AVONDALE ESTATES, GA

In 2017, ZoneCo (then Calfee Zoning) was selected to produce a Zoning Code Audit for the City of Avondale Estates Georgia. The project centered upon evaluating whether the zoning code and supplementary land use regulations advance the City's recently adopted Downtown Master Plan and Comprehensive Plan.

ZoneCo designed a public engagement module to foster input from key internal and external stakeholders. The facilitation of walkability in downtown was a key objective for the assessment. The final product was a report that highlights policy solutions and best practices for the City to consider and implement in order to advance its development goals.

ZONING ASSESSMENT - FLORENCE, KY

ZoneCo was hired as part of a team led by Yard & Company to assess the zoning regulations governing the Main Street District in the City of Florence, Kentucky. It had been nearly thirty years since the Main Street District regulations had been adopted. Utilizing the planning vision of the City's steering committee and core planning documents, ZoneCo reviewed each regulation governing the City's Main Street District to determine whether the provision (i) advanced the planning vision; (ii) had a neutral impact on the planning vision; or (iii) served as a barrier to the planning vision.

The final diagnostic report incorporated summary conclusions and recommendations for overhauling the Main Street District regulations to ensure that the district develops as a vibrant, pedestrian-oriented destination in Northern Kentucky. The findings in the diagnostic report will serve as a foundation for codifying new zoning regulations that will govern the Florence Main Street District moving forward.

ZONING CODE UPDATE - PROJECT MANAGEMENT, PEER REVIEW, AND SIGN ORDINANCE: WESTERVILLE, OH

ZoneCo was engaged to provide special legal counsel to the project, being led by Lisa Wise Consulting (LWC). ZoneCo has undertaken a diagnostic of the existing Code and is leading the final stages of codification at the request of the City.

Westerville is hoping to implement a code that will both reflect the community's goals for growth, as well as streamline the approvals process.

Stakeholder meetings were held with developers and the business community, the Chamber of Commerce, Westerville Schools, Otterbein University, and community groups to ensure that the Code reflects all members of the Community. Instead of asking for stakeholder commentary upon completion of the Code, local practitioners and experts in zoning, land use, environmental conservation, urban design, historic preservation, transportation, lighting, parks, recreation, and economic development were invited to give granular feedback.

ADDITIONAL PROJECTS

ZONING ASSESSMENT - HARRISON TOWNSHIP, OH

In 2018, a multi-disciplinary team led by Yard & Company, completed the Forest Park Area Plan. The Plan focused on establishing planning goals and objectives to guide the redevelopment of a former amusement park and shopping plaza in Harrison Township, Ohio. In conjunction with the planning efforts, ZoneCo conducted a zoning diagnostic report to benchmark the Plan's goals and objectives against the Township's zoning code.

ZONING ASSESSMENT - ORANGE TOWNSHIP, OH (ZONING CODE UPDATE ONGOING)

In 2019, ZoneCo completed a diagnostic report for Orange Township, Ohio. Orange Township has seen substantial growth; recent development has almost exclusively occurred through the Planned Development process within their zoning code. The code is old, difficult to navigate, and creating administrative challenges. Their goals for walkability, a town center, and housing variety cannot be accommodated by the current zoning regulations. ZoneCo created a report that analyzed every section of the code, and provided a clear assessment of how the code is not achieving the community's vision. ZoneCo was subsequently retained to rewrite the full code.

ZONING ASSESSMENT AND RE-WRITE OF COMMERCIAL ZONING DISTRICTS - WHITEHALL, OH (ZONING CODE UPDATE ONGOING)

In 2019 ZoneCo completed a zoning diagnostic report in conjunction with the Whitehall Works Development Blueprint. The zoning diagnostic report benchmarked the City's current zoning code against the planning goals and objectives set forth in the City's plan. The diagnostic report also included recommendations regarding updates to the zoning code to advance the City's goals and objectives. ZoneCo and OHM Advisors was subsequently retained to re-write the zoning code. The commercial districts were updated and adopted in late 2021; the new districts accommodate improved flexibility and walkability within the districts.

ZONING ASSESSMENT - GERMANTOWN, TN

In 2015, Sean Suder (then Lead Principal of Graydon Land Use Strategies, LLC) was hired as part of a team to provide zoning consulting services to suburban Germantown, Tennessee (Memphis area). Sean provided a review of the current zoning resolution to determine how it may be promoting the city's desired development outcomes and in what instances it may be serving as a barrier to achieving its land use goals and objectives.

ZONING CODE UPDATE - GREENWOOD, IN

In 2019-2020, ZoneCo (then Calfee Zoning) completed a full update of the Greenwood, IN zoning code. The City is growing at a fast rate, and sought to develop a more granular development pattern in downtown Greenwood. Non-monotony and design standards were integrated into the residential areas while the industrial areas were adjusted to accommodate the changing needs within the logistics sector, which has a presence in Greenwood.

WORK SAMPLES

Please find the full **Reynoldsburg Zoning Code** here:

<https://publizr.com/reynoldsburg/reynoldsburg-zoning-code?html=true#/0/>

Please find the **South Bend, Indiana Zoning Regulations** here (Peer Review by Sean Suder):

<http://docs.southbendin.gov/WebLink/Browse.aspx?dbid=0,0&startid=291740&row=1&cr=1>

Please find the full **Marysville Zoning Code** here:

https://www.marysvilleohio.org/DocumentCenter/View/4375/Marysville-Zoning-Code_Revised-as-of-111920

Please find the **Bowling Green Gateway District** here:

<https://www.bgohio.org/wp-content/uploads/2020/02/Draft-Gateway-Zoning-District-2-3-2020.pdf?x33100>

Please find the **Dormont, Pennsylvania Development Code** here:

http://boro.dormont.pa.us/wp-content/uploads/2021/05/20003-Code_Book-5_6_21.pdf

Please find the **Litchfield, Connecticut Zoning Regulations** here (Completed by Sean Suder):

https://www.townoflitchfield.org/sites/g/files/vyhlif796/f/uploads/scrivners_errors_sept_2019.pdf

Please find the **Winchester Winsted, Connecticut Zoning Regulations** here (Completed by Sean Suder):

https://www.townofwinchester.org/sites/g/files/vyhlif1461/f/uploads/zoning_regulations_-_approved_12_09_2019.pdf



SEAN SUDER

LEAD PRINCIPAL
AND PROJECT MANAGER

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ABOUT

As a city planner and lawyer who has worked in both the private and public sectors, Sean combines his technical and practical knowledge and experience with innovative zoning methodologies. In his role as the City of Cincinnati's chief land use counsel, Sean served as lead counsel for the award-winning Cincinnati form-based code and historic preservation ordinances. He is a national authority on innovative zoning methods and practices, including Development Pattern Districting (DPD), our widely-acclaimed intuitive zoning approach.

EDUCATION

JURIS DOCTOR
UNIVERSITY OF VIRGINIA SCHOOL
OF LAW

BACHELOR OF URBAN AND
ENVIRONMENTAL PLANNING
UNIVERSITY OF VIRGINIA

CREDENTIALS

Leadership in Energy and
Environmental Design
Accredited Professional
(LEED®AP)

Admitted to practice law in OH,
KY, IN, and D.C.

PROFESSIONAL ASSOCIATIONS

- Congress for the New Urbanism
- Form-Based Code Institute
- Heritage Ohio
- Urban Land Institute
- American Planning Association

PAST EXPERIENCE

ZoneCo

Lead Principal and Founder (2016 - Present)

(Prior: ZoneCo, 2016-2020); Graydon Land Use Strategies, LLC, 2014-2016)
Sean consults with communities of all sizes on crafting zoning regulations that are consistent, clear, usable and defensible. As an experienced private sector land use lawyer with extensive local government experience, Sean brings a unique perspective and experience to zoning codes.

City of Cincinnati

Chief Counsel, Land Use and Planning (2010-2014)

As Chief Counsel for Land Use and Planning for the City of Cincinnati, Sean worked with a team of city staff, consultants, elected officials, and citizens to develop legally defensible zoning and land use regulations that reduced regulatory risk to property owners, increased certainty for the community, and reduced litigation risk and expense for the city. Sean served as lead counsel for Cincinnati's Historic Preservation Code (Winner of the 2012 Cincinnati Preservation Award), Cincinnati Land Development Code, which includes the City's first stream corridor protection overlay district, and Cincinnati Form-Based Code (Winner of CNU 22 Award), all of which was funded by a 2010 HUD Sustainable Communities Challenge Grant.

Adjunct Professor/Speaker/Author

Sean has served as an Adjunct Professor of Land Use Law at the University of Cincinnati College of Law and has spoken at planning conferences across the country.

RELEVANT PROJECT EXPERIENCE

PROJECT MANAGER Sean served as project manager for the following comparable projects:

- Reynoldsburg, OH: Zoning Code Update
- Gahanna, OH: Zoning Code Update
- Dormont, PA: Zoning Code Update
- Sidney, OH: Zoning Code Update
- Bowling Green, OH: Gateway District / Code Re-write
- Germantown, TN: Zoning Code Audit
- South Bend, IN: Zoning Code Peer Review Services
- Avondale Estates, Ga: Zoning Code Audit
- North Canton, OH: Main Street Districts Development and Full Zoning Code Re-Write
- Westerville, OH: Legal Counsel And Subsequently Retained As Project Manager
- Vienna, VA: Zoning And Subdivision Code Update
- Winchester/Winsted, CT: Zoning Ordinance Update
- Kent County, MD: Land Use Ordinance Update
- Litchfield, CT: Zoning Ordinance Update

JOE NICKOL AICP

PRINCIPAL, DIRECTOR OF DESIGN AND DEVELOPMENT

Joe has 15 years of experience in urban design, architecture, and development. He has directed projects for public and private clients in over 25 states and 7 countries, ranging from targeted pop-up initiatives to billion-dollar developments of city districts.

Joe grew up in a small, western resort town. The first city he lived in was not until after high school in Rome, Italy, where he learned the power of walkable neighborhoods, active streets and public spaces, and smartly adapted buildings and neighborhoods. He later settled with his wife in Pittsburgh, Pennsylvania, for ten years, experiencing first-hand how a deindustrializing city went from down and out to up and coming through bottom-up resourcefulness, smart leadership, technology, and an unshakable commitment to neighborhood livability. During that time he led the urban design studio at Urban Design Associates, designing districts, neighborhoods, and cities in North America and beyond. In 2015 he moved to Cincinnati, joining MKSK as a Senior Urban Design and Development strategist, wholly focused in cities from Detroit to Nashville. He co-authored with Kevin Wright the Neighborhood Playbook in 2016 based on their collective experiences before launching together YARD & Company in 2018.

Joe graduated summa cum laude from the University of Notre Dame in 2005 with a Bachelor's degree in Architecture. He is a co-founder of CNU-Midwest and a frequent contributor to Planning Magazine, Better! Cities and Towns, Planetizen, Smart Cities Dive, and the Congress for New Urbanism. He is a regular lecturer on urban development, placemaking, and the impact of technology on cities.



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PERSONAL EXPERIENCE

- » St. Louis West End Master Plan
St. Louis, MO
- » Elkhart County Mobility Plan
Elkhart, IN
- » Watkins Boulevard Multi-Modal Plan
Memphis, TN
- » Walnut Hills Reinvestment Plan
Cincinnati, OH
- » Highland Park Strategic Plan
Highland Park, MI
- » OpenNorfolk
Norfolk, VA

EDUCATION

- » B-ARCH, University of Notre Dame

AFFILIATIONS

- » ULI
- » CNU
- » APA
- » LEED AP
- » Placemaking Leadership Council
- » CNU-Midwest
Co-Founder and Board Member



JOCELYN GIBSON

SENIOR PLANNER

ABOUT

Jocelyn has always been passionate about zoning as a vehicle for bringing about change in the built environment. As a City Planner in the public sector, she took special interest in Zoning Hearings and the every day development decisions that lead to profound change over time. She has both public and private sector code writing and planning experience, supplemented by private sector real estate experience.

EDUCATION

MASTERS OF COMMUNITY
PLANNING
UNIVERSITY OF CINCINNATI

BACHELOR OF ARTS,
INTERNATIONAL AFFAIRS
UNIVERSITY OF CINCINNATI

PROFESSIONAL ASSOCIATIONS AND CIVIC ENGAGEMENT

- Board Member, Congress for the New Urbanism
- Chair, Midwest Chapter of the Congress for the New Urbanism (2017-2021)
- American Planning Association, Diversity, Equity & Inclusion Committee, and Legislative Committee
- President, City of North College Hill Board of Zoning Appeals
- Trustee, Camp Washington Community Council
- Board Member, Camp Washington Community Board (CDC)

PAST EXPERIENCE

ZoneCo, Senior Consultant and Planner (2018-Present, Formerly called Calfee Zoning)

Jocelyn brings both private and public sector experience in the areas of urban planning and corporate real estate. Jocelyn is a perfect fit with ZoneCo due to her passion for zoning as a way to bring long-range planning visions into reality. Her cross-section of urban planning with real estate experience ensures that she is attentive to the needs of both the community, its people and their quality of life, and also the needs of businesses and institutions.

CBRE Group Senior Client Strategy & Consulting Analyst (2015-2018)

In her role with CBRE, Jocelyn evaluated the real estate portfolios of large corporate clients in an effort to optimize their real estate expenditure across the globe. She helped clients visualize portfolios, expenditure and potential savings in unique and accessible ways. Jocelyn has worked with industrial, commercial and office real estate portfolios. She utilized mapping and analytics tools to evaluate locations, consolidations, and workspace planning. Her clients included several Fortune 500 companies.

City of Cincinnati City Planner (2013-2015)

Jocelyn served as a City Planner with the City of Cincinnati during the final stages of completion of the award-winning Comprehensive Plan, the creation of the City's award-winning Form-Based Code, and the creation of the City's Land Development Code. Jocelyn participated in all of these efforts, in addition to regular recommendations and presentations to the City Planning Commission and City Council. Jocelyn also gave zoning recommendations to the City's Zoning Hearing Examiner.

RELEVANT PROJECT EXPERIENCE

SENIOR CONSULTANT JOCELYN SERVED AS A SENIOR CONSULTANT FOR THE FOLLOWING PROJECTS:

- Bowling Green, OH: Gateway District Development And Subsequently Retained For A Full Zoning Code Re-Write
- North Canton, OH: Main Street Districts Development
- Vienna, VA: Zoning And Subdivision Code Update
- Kent County, MD: Land Use Ordinance Update
- Sidney, OH: Zoning Code Update
- Westerville, OH: Code Re-Write
- Greenwood, IN Code Re-Write
- City of Cincinnati Land Development Code (while working in city government)
- City of Cincinnati Form-Based Code (while working in city government)

KEVIN WRIGHT

PRINCIPAL, DIRECTOR OF OPERATIONS AND STRATEGY

Kevin is a leader in community development, economic and real estate development finance, planning, and placemaking.

Kevin's work as Executive Director of the Walnut Hills Redevelopment Foundation (WHRF) from 2011-2018 received local honors and was featured in national publications such as The Huffington Post. It was there where he used his diverse background in storytelling and community planning to help a struggling organization develop a new brand and mission and grow from a staff of one contracted employee to seven full-time employees and several interns. Additionally, he grew the foundation's budget ten-fold and developed a more sustainable and diverse revenue stream. Kevin has led teams in the creation and implementation of dozens of projects ranging from small creative placemaking activities to multi-million dollar real estate deals. These projects have included several public and private partners and a diverse set of public financing tools such as Tax Increment Financing, public loans/grants, and Historic Tax Credits.

Kevin earned a Bachelor's degree in journalism from Missouri State University and received a Master's Degree in Community Planning from the University of Cincinnati with a specialization in urban real estate and neighborhood development. Kevin serves locally on the Board of The Community Development Corporations Association of Greater Cincinnati, Cincinnati Neighborhood Business Districts United, is a member of the Urban Land Institute and was recently named to the 40 under 40 list by The Cincinnati Business Courier.



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PERSONAL EXPERIENCE

- » St. Louis West End Master Plan
St. Louis, MO
- » Elkhart County Mobility Plan
Elkhart, IN
- » Watkins Boulevard Multi-Modal Plan
Memphis, TN
- » OpenNorfolk
Norfolk, VA
- » SE Fort Wayne
Fort Wayne, IN

EDUCATION

- » Bachelor of Arts, Journalism
Missouri State University
- » Masters of Community Planning,
University of Cincinnati

ACCREDITATIONS

- » ULI
- » CNU
- » CDCA, Board Member
- » CNBDU, Board Member



NOLAN NICAISE

URBAN & ENVIRONMENTAL PLANNER

ABOUT

Nolan is an urban planning, environmental science, and policy professional. He has worked as a planner, scientist, environmental policy specialist, higher education program administrator, lecturer, consultant, research assistant, and leader.

He holds an MA degree in Urban and Environmental Policy and Planning from Tufts University and a BS degree in Biology from the University of Dayton, where he focused on water science.

EDUCATION

MA, URBAN AND
ENVIRONMENTAL POLICY
TUFTS UNIVERSITY

BS, BIOLOGY, SUMMA CUM
LAUDE
UNIVERSITY OF DAYTON

PROFESSIONAL ASSOCIATIONS

- Congress for the New Urbanism
- Indiana Sustainability Development Network
- Urban Land Institute

PAST EXPERIENCE

ZoneCo, Urban & Environmental Planner (2021-Present)

Nolan combines real-world planning experience with a depth of knowledge about environmental policy. Additionally, Nolan has excellent composition, mapping, and long-range planning acumen. He has a range of experience across the Midwest, including public sector experience, which means he understands the complexity of administering a zoning code.

Planning and Development Services of Kenton County, Planner, (2020)

Prior to joining ZoneCo, Nolan received public sector experience in Kenton County, Kentucky. He was engaged in a variety of planning activities for smaller municipalities within Kenton County, including zoning administration, mapping, and long-range planning.

Parsons Corporation

Planner & Environmental Scientist, (2017-2019)

Nolan evaluated environmental impacts of proposed pipeline construction projects, coordinate with local, state, and federal officials to determine environmental permitting requirements, prepare and submit permit applications to governmental agencies, and inspect construction sites to ensure compliance.

He specialized in stormwater regulations and site design (stormwater pollution prevention plans, as part of the National Pollutant Discharge Elimination System), threatened and endangered species protections, and dredge and fill activity permitting (Clean Water Act Section 404).

Nolan Provided scientific monitoring support for environmental remediation sites, such as oil terminals and industrial landfills. He regularly coordinated with state environmental protection agencies, state departments of natural resources, local soil and water conservation districts, and the US Army Corps of Engineers.

RELEVANT PROJECT EXPERIENCE

URBAN AND ENVIRONMENTAL PLANNER NOLAN SERVED AS A PLANNER ON THE FOLLOWING PROJECTS:

- Dormont, PA: Zoning Code Update
- Bowling Green, OH: Gateway District Development And Subsequently Retained For A Full Zoning Code Re-Write
- North Canton, OH: Main Street Districts Development And Subsequently Retained For A Full Zoning Code Re-Write
- Vienna, VA: Zoning And Subdivision Code Update
- Kent County, MD: Land Use Ordinance Update
- Marysville, OH: Zoning Code Update
- Gahanna, OH: Zoning Code Update

DANIELLA BELTRAN AICP

URBAN DESIGNER

Daniella is motivated by opportunities that enable communities to become healthier, more productive, connected, equitable and joyful places for all who live in and care for them.

Daniella has over eight years of professional experience in a variety of roles including urban planner, community building specialist, development team member and graphic designer. She is skilled in effectively communicating complex, community development related topics to inspire possibilities, inform thoughtful decision making, and guide successful implementation. Daniella has contributed to street and public realm initiatives that are facilitating expanded transportation options, strengthening social interactions and boosting economies. Her recent work includes strategic investment and corridor plans as well as development and design guidelines.

Daniella is active in her community, serving as a vice co-chair of the board for the Over-the-Rhine Museum in Cincinnati, co-chair of Cincinnati's Urban Land Institute Young Leaders Group, a steering committee member of Ride the Cov in Covington, Kentucky. She is an active member in ULI's Women's Leadership Initiative, the Congress for New Urbanism and the American Planning Association. Daniella is an alumna of The Ohio State University where she earned a Bachelor of Science degree in Architecture with a minor in City and Regional Planning. In 2017, she completed the Master of Community Planning program with a Graduate Certificate in Real Estate at the University of Cincinnati. In that year, Daniella published her thesis research on the Commercial Evolution in Over-the-Rhine, Cincinnati, OH.



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PERSONAL EXPERIENCE

- » Carmel Clay Comprehensive Plan
Carmel, IN
- » Dormont Development Code
Dormont, PA
- » St. Louis West End Master Plan
St. Louis, MO
- » Elkhart County Mobility Plan
Elkhart, IN
- » Watkins Boulevard Multi-Modal Plan
Memphis, TN

EDUCATION

- » Master of Community Planning and Graduate Certificate in Real Estate, University of Cincinnati
- » Master Student Semester Exchange Program, University of Leuven, Belgium
- » Bachelor of Science in Architecture with a minor in City and Regional Planning, The Ohio State University

LAYNE FERGUSON

BRAND + EXPERIENCE DESIGNER

Layne is an urban designer, brand artist, serial small business entrepreneur and ice cream aficionado.

Layne has five years of professional experience where he has performed a variety of roles including urban planner, project manager and designer. He is skilled in public space and multi-modal street design. He has extensive experience working with Cities and Districts on placemaking and place-branding initiatives. Prior to YARD & Company, Layne served as the Director of Design for Team Better Block, where he worked with cities across the country on engaging the community through pop-up urbanism projects. Most notably, he wrote the award winning 'Pop-Up Placemaking Toolkit' in coordination with AARP Livable Communities that has been used as an accessible tool to implement placemaking demonstrations across the United States. Layne also understands the role of small business in communities as a co-owner of two ice cream shops and a coffee shop in the Oklahoma City area.

Layne serves on the Board of Directors for Oklahoma City's Midtown Association and as Chair of Oklahoma's Urban Land Institute Young Leaders Group. He is an alumnus of the University of Oklahoma where he earned a Bachelor of Arts degree in Public Affairs and Administration. In 2016, he completed the Master of Science of Architecture degree at the University of Oklahoma. In that year, Layne published his thesis research on Reclaiming Infrastructure to build a Signature Bicycle Network in Oklahoma City.



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PERSONAL EXPERIENCE

- » Vine Nite Market
Kalamazoo, MI
- » Walnut Hills Town Hall
Cincinnati, OH
- » 757 Market
Norfolk, VA
- » Pop-Up Placemaking Toolkit*
AARP Livable Communities
- » Spin Space Intersection Design*
Salt Lake City, Utah
- » Fitchburg Arts & Culture Plan*
Fitchburg, MA

*work completed prior to YARD & Company.

EDUCATION

- » Master of Science in Architecture, University of Oklahoma
- » Service Learning Study Abroad, Lusaka, Zambia
- » Bachelor of Arts in Public Affairs and Administration, University of Oklahoma

TECHNICAL APPROACH: SUMMARY

1 Diagnose

The main objective within this module is to understand current planning practice and the dynamics of administration, procedures, bottlenecks, and outdated regulations.

We compare and score your current ordinance against all of the components listed in the scope of work, including goals from the Palm Beach Comprehensive Plan.

We summarize our findings into a Diagnostic Report. This report helps to orient the project, provides insight into focus areas, and allows us to create a prioritized list of objectives for updates. We outline any suggested changes to zoning districts for review at the end of this module.

Our environmental planner provides a sustainability assessment of the code.

2 Calibrate

Once changes to zoning district composition have been finalized, we move into calibrating base regulations. A draft zoning map is prepared.

We create a Calibration Table that lays out all proposed regulation alongside existing regulations and recommendations from your long-range plans within a table format.

The Calibration module creates efficiencies; when we begin to draft new language, the base regulations will be hashed out and the team can focus on the document text.

We create an administrative inventory and assess how processes could be adjusted.

3 Codify

Once the base regulations, updated use tables, and administrative inventory have been revised, we draft the language of the code. At the close of the Calibrate module, our designers will draft graphics and visuals.

We recommend that as we undertake the drafting process, that we deliver the language in sections. We can work with you to prioritize section delivery. We have found efficiencies in providing clients a chance to review completed chapters or sections while the team moves forward with document drafting. This also saves our clients from reviewing a document that is possibly several hundred pages at one time.

OUR PROCESS

ZoneCo employs a three-module approach for delivering code updates that is intuitive and streamlined, and the summary above provides an overview of this process. Public engagement will be prioritized throughout this process to ensure that we are attentive to community perspectives and feedback, particularly in the Calibrate and Codify modules. Our module-based approach encapsulates all of the items listed your RFQ. Through our many zoning code projects, this approach has maximized meaningful collaboration and project schedules.

PROJECT APPROACH DETAIL

Project Initiation & Orientation (Month 1)

- a. **Kick-Off Meeting.** We initiate the project with a kick-off meeting. We review project goals, timeline, work approach, and the public outreach and engagement strategy.
- b. **Plan Review.** We begin with a robust planning document review, including the existing code, the Palm Beach Plan, and any relevant forms or documents. We furthermore review development patterns within Palm Beach.
- c. **Staff Feedback Form.** We create a supplementary form that we will distribute to staff which compiles comments about where they feel there is most opportunity for change or revision.
- d. **Stakeholder Meetings.** We meet with Town officials and stakeholders to understand their experiences with the code.

Module 1: Diagnose (Months 2-3)

- a. **Draft Diagnostic Report.** At the close of the previous task, we will have an understanding of current planning practice in the Town and we will begin to draft a Diagnostic Report that outlines exactly how the current code is succeeding and/or falling short in meeting objectives, and how the code compares with best practices in zoning and planning. We undertake a thorough line-by-line analysis that provides detailed notes for every section within a matrix. We track instances inconsistency and problematic language, as well. The matrix scores the entire code, and the findings from this exercise are subsequently distilled and summarized within the Diagnostic Report.

- a. **Sustainability Assessment.** A sustainability assessment will discern where there are either barriers to adopting sustainable solutions, or where regulations can promote the adoption of sustainable building or site development.
- b. **Prioritized List of Changes and Updates.** As we finalize the Diagnostic Report, we create a prioritized list of changes and updates. We uncover how zoning districts could be re-organized or updated. At the close of this task, we provide the Town with the deliverables listed below.

Deliverables:

- Diagnostic Report accompanied by the line-by-line scoring matrix and Sustainability Assessment
- Outline of zoning district changes and map
- A draft table of contents which will display how we intend to re-organize the code
- A mock-up of the document design style for review

Meetings:

- Kick-off meeting
- Stakeholder meetings

Module 2: Calibration (Months 3-6)

- a. **Base Regulations.** In the previous tasks, we outlined zoning district changes, and created a prioritized list of updates for the code. In the Calibrate Module, we lay out base regulations for the various sections of the code, like districts and generally applicable regulations within a table format which we call the "Calibration Table". At the

PROJECT APPROACH DETAIL

same time, we create an administrative inventory whereby we assess the kinds of approvals needed and in which scenarios, and lay out recommendations.

- b. **Calibration Table.** The Calibration module creates efficiencies; when we draft new language, the base regulations will be fleshed out and the team can focus on the document text, graphics, and readability. We will ensure that proposed regulations are consistent with FEMA guidance/standards for rising sea levels.
- c. **Review & Test.** We will hold an internal review of the Calibration Table with staff and then test the base regulations with residents and other stakeholders at a public forum.
- d. **Diagrams & Graphics.** When the calibration table is finalized, we will create graphics that will make the code more readable and user-friendly.

Deliverables:

- Draft Calibration Table
- Final Calibration Table

Meetings:

- Forum to review Base Regulations / Calibration Table

Module 3: Codification (Months 7-14)

- a. **Code Language.** The previous modules efficiently flow into the Codification Module. With the base regulations fleshed out, the team can focus on the language of the code. We recommend that as we undertake the drafting process, that we deliver the new code language in sections. We can work with you to prioritize section

delivery.

- b. **First Draft & Public Review Draft.** When all sections have been drafted and reviewed by staff, we will have the first draft ready for the public forum. We will have graphics completed at this time. We will work with staff to coordinate the public forum to review the document. We will create an inventory of feedback received during the forum and integrate it into the document and the map. The draft code should also be available online along with a means for submitting comments electronically.
- c. **Final Draft.** A public review draft will garner additional comments, after which we will produce a final code draft of the code. We will attend meetings of the Planning and Zoning Committee and Town Council through adoption.
- d. **Design Guidelines/Comprehensive Plan.** Develop design guidelines and assist with the 2024 Evaluation and Appraisal Review of the Comprehensive Plan.

Deliverables:

- Draft Code
- Public Review Draft of Code
- Final Code
- Design Guidelines and Comprehensive Plan review

Meetings:

- Forum to Review Draft Code Language
- Presentation of Draft Code
- Presentation of Final Code (after all revisions from draft are made)



Public Outreach & Engagement Strategy

We will collaborate with the Town to design and implement community outreach and engagement for the code update. We will learn about the ways in which the Town of Palm Beach, institutions, and civic-focused organizations communicate with their respective constituencies, and integrate those existing platforms where possible. These could include websites, e-newsletters, blogs, social media, radio, newspaper, and other methods. The following is the general framework for how we will approach public and stakeholder engagement in Palm Beach.

- a. **Create Identity.** One of the first decisions to make is how to name this project or process. The name should be interesting and engaging. All outreach materials should include the logo.
- b. **Key Community Groups.** It is important that this project engage a variety of demographics, geographies, and citizenry, especially groups that are frequently under-represented at public meetings. Working with staff to develop a list of community groups to engage will position us to better ensure that we've reached out to a diverse set of community members.
- c. **Create an FAQ.** Key to this process is that residents and other stakeholders have the same baseline information and understanding of this initiative, its goals, potential outcomes, and make sure to build an understanding of why zoning is important. We would create a one- to two-page FAQ that will accomplish this aim.

- d. **Develop/Update Web Site.** The project should have a presence on the Web. We will work with the Town to create a dedicated webpage - it will serve as a repository for project information, updates, deliverables, important dates, etc. We can provide Town staff to provide language and images for the selected social media accounts upon request.
- e. **Planning Pop-Ups.** Traditional public meetings are not well-suited for modern busy lifestyles. Our planning pop-ups bring the plan directly to the community by participating in local events, festivals, and gatherings. By "popping up" at places where residents and stakeholders are already attending, we can educate and engage with a diverse audience. These ongoing opportunities for public involvement feature informational tools, mapping exercises, and thematic activities.
- f. **Appropriate Mix of Engagement Sessions.** We will work with the Town to ensure that our format for meetings works for the community. There will also be an array of virtual engagement options. We will custom-tailor engagement to this community.

All of the elements of the community outreach and engagement process will be organized into a matrix that describes each element, assigns responsibilities among the consultant team and the Steering Committee, and sets a timeline for their deployment. As stated in our project approach, our three-module approach ensures that engagement occurs at key points in the project so that engagement and feedback is integrated in a meaningful way.

WORKLOAD AND SCHEDULING

OUR TEAM

Sean Suder

ZoneCo Principal and Project Manager

(Specialty: Zoning, Project Management, Regulatory Frameworks, Real Estate, Historic Preservation, Regulatory Risk, Land Use Law Experience)

Jocelyn Gibson

ZoneCo, Senior Consultant

(Specialty: Zoning, Planning, Real Estate)

Joe Nickol

YARD & Company, Principal

(Specialty: Urban Design, Engagement, Activation, Development Strategy)

Nicole Nicaise

ZoneCo, Urban & Environmental Planner

(Specialty: Environmental Policy, Zoning)

Kevin Wright

YARD & Company, Principal

(Specialty: Development Strategy, Engagement, Economic Development)

Daniella Beltran

YARD & Company, Urban Designer

(Specialty: Urban Design, Engagement, Planning)

Layne Ferguson

YARD & Company, Designer

(Specialty: Urban Design, Engagement, Planning)

WORKLOAD AND SCHEDULING

The technical approach provided with this proposal assigns a duration to each of the three project modules, which is also summarized below. Meetings and deliverable due dates can vary within these modules, but the schedule below provides the framework for the project schedule. Although listed as part of the Codification for simplicity, the creation of the Design Guidelines could be intergrated into the project or completed as a separate document at the close of adoption, along with comprehensive plan review.

Both teams, ZoneCo and YARD, and are in the adoption phase of several projects. For example, ZoneCo is now working through the adoption of three code projects, with one recently adopted in January, 2022. Our team will have capacity to take on this project.

Please find the proposed project budget and timeline below.

COST FOR FULL CODE UPDATE BROKEN DOWN BY MODULE AND TASK		
Kick-Off Meeting (includes engagement strategy)	<i>Months 1</i>	<i>\$8,000</i>
Diagnose		
In-Depth Document Review	<i>Months 1-2</i>	<i>\$3,500</i>
Input from Staff/Stakeholders	<i>Months 2-3</i>	<i>\$4,000</i>
Diagnostic Report and Sustainability Review (Draft & Final Version)	<i>Months 2-3</i>	<i>\$16,000</i>
Calibrate		
Draft Calibration Table and Draft Map	<i>Months 3-4</i>	<i>\$26,000</i>
Input from Staff/Stakeholders	<i>Month 4</i>	<i>\$8,000</i>
Public Review of Calibration / Base Regulations	<i>Month 4</i>	<i>\$15,000</i>
Final Calibration Table	<i>Months 6</i>	<i>\$6,000</i>
Codify		
Consultant develops preliminary sections of the draft code	<i>Months 7-12</i>	<i>\$62,000</i>
Consultant develops public review draft of code (graphics and visual aids included)		
Consultant facilitates and integrates public feedback on the draft document and draft map		
Consultant makes revisions and produces adoption draft of code and map		
Public review process and public hearings with Town Commissions and Town Council. Consultant provides any needed support to staff to answer questions and address changes.	<i>Months 12-14</i>	<i>\$12,000</i>
FINAL	14 Months	\$160,500
Additional fee for Design Guidelines and Comprehensive Plan Evaluation/Appraisal Review	<i>Post-Adoption</i>	<i>\$27,000</i>

ENGINEERS • PLANNERS • PROGRAM MANAGERS • ENVIRONMENTAL SCIENTISTS

February 10, 2022

Attention: Purchasing Division
951 Okeechobee Road, Suite D
West Palm Beach, FL 33401

We look forward to delivering excellence to the Town of Palm Beach on this Contract!

RE: RFQ No. 2022-10 Planning Services for Code Reform for Town of Palm Beach

Dear Selection Committee:

In South Florida, planners have the unenviable task of disentangling old regulations and realigning codes to face current realities. However, this task is vital, and it must be done correctly in order to ensure resiliency in infill development and buildback provisions for coastal communities like Palm Beach. Coastal communities face immense pressure to maintain a high quality of life by ensuring the preservation of local amenities and enhancement of land value. As economies and opportunities evolve, critical questions resulting from local market studies should be incorporated in order to provide flexibility for a retail and restaurant-oriented core, as may be the case for Worth Avenue. Consistency in appearance and cohesion of a neighborhood's aesthetics and urban fabric, are critical to maintaining value. Often, but not always, we see this intent with overlays and special districts such as historic preservation districts, but rather than contribute, this additional layer creates confusion. Recently, we've been working with several small communities of 5,000 to 10,000 people, each with over a dozen land use categories in a small area, and the one consistent takeaway has been this: simplicity is best to maintain a small-town feel.

Reforming old codes takes a systematic approach. For this project, the building of consensus is also key in order to maintain and enhance local quality of life. It is through this development of consensus through discussion that a critical distinction between what is sacrosanct and what is perceived to be sacrosanct may be understood. All code reform, in analysis and discussion, then, takes a similar core approach with a set of vital questions: 1. What are the core aims? And 2. What are the critical rules related to those core aims? Our process aims to answer these questions to provide for the core, critical nature of the future code, touching upon critical offsets from these two questions on topics such as minimum and maximum block dimensions, build to frontage ratios, lot coverage, ground-floor transparency standards, and street design standards geared towards a walkable, aesthetically pleasing community.

The Corradino Group, Inc. (Corradino) is pleased to submit our qualifications for RFP # 2022-10 Planning Services for Code Reform for Town of Palm Beach. The staff assigned to this project have worked on planning issues with barrier island and other coastal communities throughout Florida, including Miami Beach, Key Biscayne, Islamorada, Sunny Isles Beach, Bal Harbour, Fort Myers Beach, and Treasure Island, among others. We understand the need to balance interests in these diverse communities and preserve local quality of life while preparing for the inevitable changes presented by the need to account for climate change and resiliency. Supporting our efforts will be Rachel Streitfeld from Brightside Legal. Rachel will provide expertise with an additional legal review of proposed changes from the team. She is also an expert in resiliency and land use legislation and will complement the resiliency and community ratings systems experience of Corradino's assigned planners on this contract.

I, Joseph M. Corradino, AICP, will serve as the Principal-In-Charge on this project. I will assist in the consensus building efforts for the land use effort, drawing on my experience on both sides of the dais as an urban planner and community development director, as well as Mayor of Pinecrest.

Scarlet Hammons, AICP CTP, will serve as the project manager for this effort. Scarlet's experience includes working with Key Biscayne, Islamorada, and other similar communities. Her areas of expertise include analyses of land use issues related to comprehensive plans, zoning, and all aspects of the site planning process. Her experience also includes preparing zoning regulations, writing comprehensive plans, drafting ordinances, and assisting applicants with the planning processes, which is invaluable in understanding what portions of the code may be confusing to non-planners. She is currently leading Corradino's efforts to revise the City of Treasure Island's land development regulations.

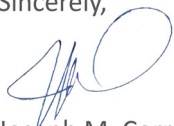
ENGINEERS • PLANNERS • PROGRAM MANAGERS • ENVIRONMENTAL SCIENTISTS

Assisting Ms. Hammons will be Edward Ng, AICP. Eddie has recently completed work with the City of North Miami Beach as its Interim Planning and Zoning Director, and has worked with Miami Beach, Key Biscayne, and other coastal communities on recent projects. His areas of expertise include economic development, transit-oriented development, and land use planning. His work involves demographic analyses, preparation of and updates to comprehensive plans, land use code revisions, geospatial planning analyses, GIS, and public outreach. He is currently leading Corradino's efforts to support the Town of Fort Myers Beach in its update of its Comprehensive Plan and Land Use Regulations.

We commit to ensuring a start date of March 15, 2022, and availability throughout the duration of the project.

Thank you for your consideration of our credentials. We look forward to further presenting our qualifications and in working with the Town on this very important project.

Sincerely,



Joseph M. Corradino, AICP
President
The Corradino Group



SUMMARY OF STAFF QUALIFICATIONS AND EXPERIENCE

Corradino is pleased to submit our qualifications for RFP # 2022-10 Planning Services for Code Reform for Town of Palm Beach. The staff assigned to this project have worked on planning issues with barrier island and other coastal communities throughout Florida, including Miami Beach, Key Biscayne, Islamorada, Sunny Isles Beach, Bal Harbour, Fort Myers Beach, and Treasure Island, among others. We understand the need to balance interests in these diverse communities and preserve local quality of life while preparing for the inevitable change presented by the need to account for climate change and resiliency.

The staff assigned to this project are veterans when it comes to both large- and small-scale land development regulation amendments and will complete these projects on budget and on time. The specific experience of this project team includes an overhaul of the Opa-Locka zoning code, with amendments to districts and an entirely new sign code; a form-based district code for downtown Palmetto Bay; land development regulations on incorporation and subsequent amendments in light of revised county and state regulations for Cutler Bay; parking and other regulations for Oakland Park; affordable housing based zoning regulations for historic Coconut Grove in the City of Miami; and others throughout South Florida. Current land development regulations amendments assignments include evaluation and appraisal reports, comprehensive plan amendments, and land use regulation amendments for coastal communities of Treasure Island and Fort Myers Beach, and for the Central City CRA in Fort Lauderdale.

Our staff's combination of both targeted neighborhood zoning regulations and entire codes means that we are able to view the perspective of change from multiple viewpoints, not only from a whole plan perspective but how each individual piece, such as districts, and importantly for Palm Beach, overlays, interact with the whole. Our experience also ranges from form-based zoning codes to hybrid and maintenance of existing Euclidean style zoning, and we can adapt to whichever direction the Town desires from a policy standpoint. Philosophically, we have learned from experience to ensure that we take a holistic look that combines zoning and conditions of transportation, a topic that comes up basically on a large majority site plan/development review but somehow is quite often forgotten in other amendment processes we've witnessed from afar.

Corradino staff assigned to this project have experience at the planning director level and know the difficult decisions that must be made. We appreciate the effort that goes into

consensus building because each of the projects above had to go through high levels of public vetting and comments before adoption. Our experience with general services planning contracts means that we are exposed to amending and interpreting codes on a regular, sometimes daily basis. We come across as many items that do not make sense or have loopholes as items that are written and structured specifically towards a community's intent in its land use planning, community development, and urban design. Staff on this project have served as in-house planners and directors for Homestead, Cutler Bay, Palmetto Bay, North Miami Beach, West Park, Islamorada, Key Biscayne, Hallandale Beach, and others in South Florida.

Our experience with comprehensive planning will aid this project as well, not only for the optional services for the evaluation and appraisal report (EAR), but also in identifying specific aspects that must be codified within the code due to state statutes, ranging from water flow in the water supply plan to other needs. Below, please find a sample listing of our General Planning Services and Comprehensive Planning clients. We have completed Evaluation and Appraisal Reports for cities on a varied basis as well – some looking for just the basic requirements on state laws; others looking for a comprehensive review of each element and the City's direction. Our staff's background allows us to tailor Palm Beach's EAR scope to your desired approach.

The following is a sample lists of our general planning and comprehensive planning clients:

General Planning (General Planning, site plan reviews, redevelopment planning, and/or code amendments)

- City of Miami Beach
- City of Oakland Park
- City of Hallandale Beach
- City of West Park
- City of Homestead
- City of Doral
- City of Aventura
- Town of Cutler Bay
- Village of Palmetto Bay
- City of Fort Lauderdale
- Village of Key Biscayne
- Village of Islamorada
- Town of Medley
- City of South Miami
- Village of Virginia Gardens
- Village of El Portal
- City of Coral Gables
- City of Miami Gardens



1.3.1. EXPERIENCE OF FIRM/PAST PERFORMANCE



Comprehensive/Strategic Planning, including Evaluation and Appraisal Reports and EAR based Amendments

- City of West Melbourne
- City of Aventura
- City of Clearwater
- City of Coral Gables
- City of Deltona
- City of Doral
- City of Fort Lauderdale
- City of Hialeah
- City of Hialeah Gardens
- City of Homestead
- City of Key West
- City of Miami
- City of Miami Beach
- City of Miami Springs
- City of Opa-Locka
- City of Oviedo
- City of Port Richey
- City of Sarasota
- City of South Miami
- Town of Cutler Bay
- Town of Highland Beach
- Town of Lake Park
- Town of Manalapan
- Town of Miami Lakes
- Village of Biscayne Park
- Village of El Portal
- Village of Palmetto Bay
- Village of Royal Palm Beach
- Village of Virginia Gardens



Joseph M. Corradino, AICP, will serve as the Principal-in-Charge on this project. He will assist in the consensus building efforts for the land use effort, drawing on his experience on both sides of the dais, as an urban planner and community development director, as well as Mayor of Pinecrest. Mr. Corradino is President of The Corradino Group, Inc. and heads the company's land use and transportation planning operations. Over his 27-year career, he has been an advocate of planning transportation and land use in concert with one another. In doing so, he has focused on working with local governments to create and improve their comprehensive plans, zoning codes and transportation master plans. His work in the field has been successful as he has developed a unique credibility within the individual communities from the very local perspective. Joe Corradino knows well what it takes to be successful in this arena, where local municipalities oversee land use decisions, because he has been in government, as an appointed and elected official

for over 15 years, most currently as Mayor of Pinecrest. Few consultants possess this perspective.



Scarlet Hammons, AICP CTP, will serve as the project manager for this effort. Scarlet's experience includes working with Key Biscayne, Islamorada, and other similar communities. Her areas of expertise include analyses of land use issues related to comprehensive plans, zoning, and all aspects of the site planning process. Her experience also includes preparing zoning regulations, writing comprehensive plans, drafting ordinances, and assisting applicants with the planning processes, which is invaluable in understanding what portions of the code may be confusing to non-planners. She is currently leading Corradino's efforts to revise the City of Treasure Island's land development regulations.



Assisting Ms. Hammons will be **Edward Ng, AICP**. Eddie has recently completed work with the City of North Miami Beach as its Interim Planning and Zoning Director, and has worked with Miami Beach, Key Biscayne, and other coastal communities on recent projects. His areas of expertise include economic development, transit-oriented development, and land use planning. His work involves demographic analyses, preparation of and updates to comprehensive plans, land use code revisions, geospatial planning analyses, GIS, and public outreach. He is currently leading Corradino's efforts to support the Town of Fort Myers Beach in its update of its Comprehensive Plan and Land Use Regulations.

Supporting our efforts in legal review of proposed amendments will be Rachel Streitfeld from Brightside Legal. Rachel will provide expertise with an additional legal review of proposed changes from the team. She is also an expert in resiliency and land use legislation and will complement the resiliency and community ratings systems experience of Corradino's assigned planners on this contract. Her diverse experience includes site plan approval, variance approval, fee mitigation, tree removal and mitigation, code interpretation, and use licensing in jurisdictions such as the Cities of Hollywood, Miami Beach, Aventura, North Miami Beach, Miami, Port St. Lucie, the Villages of Biscayne Park and North Bay Village, Palm Beach County, and Miami-Dade County. Her prior experience also includes municipal, environmental, administrative, land use, and zoning law; clients include Monroe, Martin, and St. Lucie Counties and the Cities of Pensacola, Sunrise, and Lighthouse Point. As a first-year associate representing major institutions, private clubs, and luxury malls in real property entitlement proceedings, I successfully advanced

1.3.1. EXPERIENCE OF FIRM/PAST PERFORMANCE



client interests in quasi-judicial hearings and before local government staff, prepared winning appeals of quasi-judicial and administrative decisions, and drafted litigation materials, and has comprehensive experience with Miami 21 and Special Area Plans. This experience allows her insight into how the proposed changes may be interpreted

from the development side and is an invaluable addition to this project.

The following provides for a sample, in project sheet form of specific project experience (See next page). We are happy to elaborate more on our qualifications upon request.



1.3.1. EXPERIENCE OF FIRM/PAST PERFORMANCE



► TOWN OF CUTLER BAY LAND DEVELOPMENT REGULATIONS

Client: Town of Cutler Bay

Address: 10720 Caribbean Boulevard, Suite 105
Cutler Bay, FL 33189

Contact Person: Rafael Casals, Town Manager

Phone Number: 305.234.4262

Email: townmanager@cutlerbay-fl.gov



Project Start Date (multiple dates): 02/2007 | 05/2016

Project Completion Date (multiple dates): 09/2008 | 08/2016

Contract Type: Professional services

Project Cost: Multiple work orders; approximately \$90,000

Scope of Services: Land Development Code

Project Description: Corradino prepared the Town of Cutler Bay's first Comprehensive Plan, which was adopted and found sufficient by the State; it was the basis for the Town's first Land Development Code.

The Town Land Development Regulations serves as the blueprint for development in the Town of Cutler Bay. Both the Comprehensive Plan and the Land Development Regulations are important to Cutler Bay and Miami-Dade County as it amended land use and zoning districts originally implemented by the County prior to the Town's incorporation and developed what is now known as the Urban Center District, currently occupied by the Southland Mall. This area was recognized by Miami Dade County as a major urban node. Corradino worked with the Town to place higher intensity land use and zoning on the site, essential to take it from a 1970s-era mall to a 21st century urban node. Land uses were increased to allow high-capacity transit-oriented densities within the envelope of an average 17-story height limit. This area has since transformed from purely commercial development to mixed use. Corradino also prepared the zoning ordinances for the Cutler Bay Town Center area, which completely reformed from the 1950's suburban zoning to a contemporary urban form. By rearranging setbacks, buildings of the future would create walkable spaces, with parking in the rear. This form of land use and zoning will be a prerequisite in attracting development around transit centers of the future.

Key Personnel: Scarlet Hammons, AICP CTP, Project Manager; Edward Ng, AICP, Project Manager; Joseph M. Corradino, AICP, Principal-in-Charge; Kathryn Lyon, AICP, CFM, Project Manager

1.3.1. EXPERIENCE OF FIRM/PAST PERFORMANCE



► CITY OF HOMESTEAD GENERAL PLANNING SERVICES

Client: City of Homestead

Address: 100 Civic Court, Homestead, FL 33030

Contact Person: Cate McCaffrey, City Manager

Phone Number: 305.224.4401

Email: cmccaffrey@cityofhomestead.com

Project Start Date: 2007

Project Completion Date: Ongoing

Contract Type: Varies

Project Cost: \$136,000

Scope of Services: General Services | On Call Development Review | Transportation (Traffic, Transit, Parking) | Growth Management | Embedded Staffing | Engineering Design and Construction management

Project Description: In 2014, Corradino was tasked with completing Comprehensive Plan Future Land Use Plan Map amendments, the rezoning of City-owned properties in Downtown Homestead and, amending the zoning code to allow for certain public and retail/entertainment facilities. Additionally, Corradino has worked for the City of Homestead since the mid 1990's having completed several planning and engineering studies in and around the City including a city-wide gateway signage project, the Transportation Element to the Comprehensive Plan and the design of the Campbell Drive/Florida's Turnpike interchange. In 2007, the firm was hired to its current General Planning Services Contract. Under this contract, the firm continues to provide code amendments as needed, and regularly processes zoning amendments.

In this contract Corradino serves in several capacities. Joseph M. Corradino, AICP has served since 2011 as the City's Development Services Director. In this position, he oversees the Business Licensing Division, the Planning and Zoning Division and the Building Division. This Department has a combined budget of nearly \$2 million. This year it issued nearly 5,000 permits, and over 13,000 inspections, generating nearly \$4 million in revenue. The Department renews nearly 2,500 business licenses and processes nearly 80 public or administrative hearings annually.

Corradino's staff works seamlessly with City staff and management to assure that this very important department is able to move development forward in an efficient and effective manner, as long as applicants are adhering to the City's code. Corradino provides planners to review public hearing applications as part of the City's cost recovery process. In this capacity, Corradino's Planners review all manner of applications including site plans, variances, certificates of use, special exceptions, planned unit developments and traffic impact analyses. In addition, Corradino handles special projects that have included annexation analyses, zoning code chapter revisions, a public art master plan, comprehensive plan amendments, and zoning and land use map changes.

Key Staff: Joseph M. Corradino, AICP; Scarlet Hammons, AICP CTP; Michelle Lopez, MBA



1.3.1. EXPERIENCE OF FIRM/PAST PERFORMANCE



► OAKLAND PARK GENERAL PLANNING SERVICES

Client: City of Oakland Park

Address: 3650 NE 12th Avenue Oakland Park, FL 33334

Contact Person: Jennifer Frastai, Assistant City Manager

Phone Number: 954.630.4350

Email: jennifer@oaklandparkfl.gov

Project Start Date: 10/2017

Project Completion Date: Current

Contract Type: General Services

Project Cost: Work Order Based

Scope of Services: General Planning on-call services as needed by the City.

Project Description: Corradino served as the in-house planning consultant to fill in a gap with City staffing level. TGC's primary responsibilities included reviewing applications for development and providing a written report for the Design Review Committee, Board of Adjustments and Planning and Zoning Boards. Corradino also serves on an on-call basis with the city on various tasks, such as revisions to parking codes and other planning as needed.

Through this contract, Corradino revised portions of the code, including the Parking Code for the Downtown Culinary Arts District. In evaluation, we have provided recommendations based on a desire to update the land use.



1.3.1. EXPERIENCE OF FIRM/PAST PERFORMANCE



► OPA-LOCKA PLAN UPDATES

Client: City of Opa-Locka

Address: 780 Fisherman Street, 4th Floor, Opa-Locka, Florida 33054

Contact Person: Gregory Gay, Community Development Director

Phone Number: 305.953.2868

Email: ggay@opalockafl.gov

Project Start Date: 2014

Project Completion Date: 2015

Contract Type: Planning Consultant

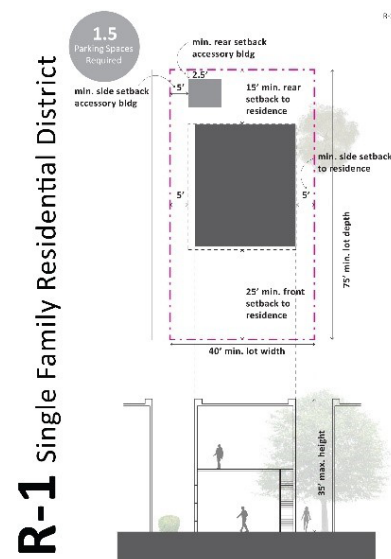
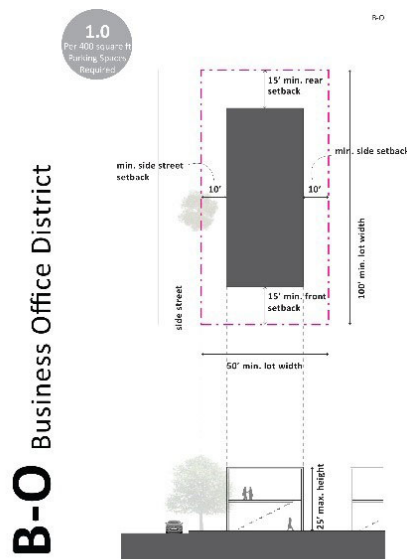
Project Cost: \$200,000



Project Description: Corradino initially began this project as a HUD funded update to the Comprehensive Plan and revisions to the zoning code and sign code, which was adopted. The land development regulations were updated based on revised local policy to pursue transit oriented development, and ensure compliance with federal and county law on a variety of issues such as sign codes.

We were then engaged in the preparation of the Illustrative Concept Plan showing new land use patterns, redevelopment opportunities, urban design elements, and landscape/streetscape enhancements in the CRA district. The document will show options for increasing the height and massing of buildings in the downtown area and CRA districts, as allowed in the proposed Comprehensive Plan and Land Development Code. Key urban design and architectural styles will be illustrated, including options for wider sidewalks, outdoor dining areas, courtyards, potential parking areas and shade trees.

The last Phase of the project is to assist the City in developing a Business Action Plan in order to implement strategies to attract new high-quality businesses into the downtown Opa-Locka area. Investigate incentives and strategies, particularly in areas that have been successful and are similar to the City of Opa-Locka.



1.3.1. EXPERIENCE OF FIRM/PAST PERFORMANCE



► PALMETTO BAY UPDATE TO THE LAND DEVELOPMENT REGULATIONS

Client: Village of Palmetto Bay

Address: Village Hall - 9705 East Hibiscus Street, Palmetto Bay, FL 33157

Contact Person: Maria Pineda

Phone Number: 305.259.1234

Email: mpineda@palmettobay-fl.gov



Project Start Date: 2020

Project Completion Date: 2021

Scope of Services: Update to the local land development code in a full rewrite of the Downtown area's Form Based Code.

Project Description: Effort included a full textual rewrite, changes to the zoning district boundary, changes to the method of regulating residential density, sub-sector mapping changes, the addition of a downtown signage section, addition of a downtown landscape section, and addition of a downtown sustainability section and associated Comprehensive Plan amendments.

Village of Palmetto Bay land development code work included a full rewrite of the Downtown form-based code to in response to 11 public workshops held in 2019 by the Mayor and Council of the Village of Palmetto Bay to:

- Improve the compatibility and transition of the scale of new development with the existing, stable single-family neighborhoods bordering the east side of the FAC;
- Integrate the existing single-family sector that is within the Downtown District;
- Increase the proportion of employment mixed-use development in the Village's FAC / Downtown District, allowing more Village and South Dade residents to work where they live, thereby helping to: ameliorate chronic traffic congestion along the South Dade US-1 Corridor; reduce cut-through traffic in the Village neighborhoods and Old Cutler Road by lessening US-1 Corridor traffic congestion; and support the County's transit development planning along the South Dade Transitway to produce more balanced 2-way commute patterns;
- Allow for greater development certainty for property owners and residents by reducing LDRs that require public hearing determinations and replace these bonuses, incentives and other benefits with as-of-right development LDR criteria.

The effort included a full textual rewrite, zoning district boundary changes, changes to the method of regulating residential density, sub-sector mapping changes, the addition of a downtown signage section, addition of a downtown landscape section, and addition of a downtown sustainability section.

The zoning rewrite has been proposed with companion amendments to the Comprehensive Plan Future Land Use Element policy and Future Land Use Map



UNDERSTANDING AND APPROACH

The Town of Palm Beach, incorporated in 1911, is a historic community in Palm Beach County of 9,245 people living in 7.8 sq. miles. Known for a high quality of life, beautiful beaches and many historical sites, Palm Beach is a destination – with the tourism industry bringing in an estimated \$5 billion annually. The Town’s code has been updated over time in a piecemeal fashion and may no longer serve the needs of a community that is facing the realities of 2022 as it plans for the next several decades. There is a need to update the code based on better understanding of planning practices, evolving economic conditions, and evolving needs for resiliency necessitated by climate change for coastal communities. The recently released FEMA flood maps reveal a need to revisit how buildings should be retrofitted, with considerations of freeboard and other buildback and pre-buildback provisions. A revised code will allow for much needed consistency and precision in maintaining and enhancing local quality of life. This update also provides the Town with an opportunity to create a document that is transparent for the general public, with illustrations that are easy to understand.

Corradino understands that this project is an update to the existing zoning code (generally, Chapter 134) that will support and preserve the historic character of Palm Beach, protect the “small town” nature of the Town, and promote a resilient residential community.

Critical to the process is a systemic approach that will carefully answer a set of vital questions: 1. What are the core aims of the zoning code? And 2. What are the critical rules related to those core aims? Our process aims to answer these questions to provide for the core, critical nature of the future code, touching upon crucial aspects of these two questions on topics such as:

1. Use typology and intensity
2. Minimum and maximum block dimensions
3. Build to frontage ratios
4. Lot coverage
5. Ground-floor transparency standards, and
6. Street design standards geared towards a walkable, aesthetically pleasing community.

This, when combined with elements like parking and façade, important particularly for character and historic preservation, will create a well-rounded set of rules that are consistent and comprehensive in meeting the Town’s needs.

For this project, the building of consensus is also key to maintain and enhance local quality of life. It is by means of



this development of consensus through discussion that a critical distinction between what is sacrosanct and what is perceived to be sacrosanct may be understood. To achieve this, we envision a series of public workshops that will dig into what the community really wants and needs and provide options for the Town to move forward.

The following describes our approach to the scope of services.

SCOPE OF WORK

► Task I: Public Engagement

General Public Workshops

Corradino envisions three (3) series of general public workshops, which will complement more targeted meetings with various stakeholder groups, advisory boards, and the commission. However, we will be available for additional meetings as needed at the discretion of Town staff. At the first public workshop series, the project will undergo a public kickoff, whereby key aspects of existing regulations and ordinances should be reviewed with opportunity for public feedback on areas of concern. Given the range of topics of discussion, it is suggested that smaller, targeted meetings be held based on different areas of discussion, either on a topical or geographical basis, and be geared towards issue identification. A second series of general workshops will be targeted towards options in a workshop or charrette setting, where possibilities will be explored. Given the nature of some of these changes, we expect

1.3.2. TECHNICAL APPROACH



a visual component, such as visual preference surveys and other tools, to be used for part of the workshop. The third series of general public workshops will provide for a presentation of draft final recommendations and discussion. Given considerations of CoVID-19 and the number of seasonal residents as well as the fact that 66% of the residents of Palm Beach are aged 65 or older, our team suggests that an online/virtual component be added to all meetings to provide a wide avenue for feedback from all stakeholders.

Stakeholder Focus Groups

As needed and determined upon discussion with Town staff, Corradino will conduct stakeholder group meetings. These will include developers, business owners to ensure that the revised regulations make sense. Specific groups to be considered and met with after discussion with Town staff include the Palm Beach Civic Association and Citizens Association of Palm Beach, among others.

Meeting with Advisory Commissions

Corradino staff, on consultation with Town staff, will meet with each planning-related advisory committee at least once. These will include the Landmarks Preservation Commission, Architectural Review Commission, and the Planning and Zoning Commission, among others as needed.

Town Council

Corradino staff will prepare for a Town Council workshop, to be completed before the final draft and adoption hearing. The purpose of this workshop will be to present the options resulting from review and analysis and to gauge the policy direction desired by the Council.

Public Hearing and Adoption Hearings

Corradino staff will provide the presentations for the final draft of the work product to Town Commissions and Council. Specifically, the Corradino Team, under direction of Town staff, will:

- Attend meetings to present the draft and receive staff comments
- Revise the draft amendments based on Town and staff input
- Present the draft amendments to advisory boards and public workshops/hearings at direction of staff
- Present the draft amendments to the Local Planning Agency (Planning and Zoning Commission) and Town Council for approval at first reading
- Present the amendments to the Local Planning Agency (Planning and Zoning Commission) and Town Council for adoption



Draft work productions to be presented to the Town's Commissions and Council will be an overview workshop PowerPoint and the amendments in strikethrough/underline format.

► Task II: Zoning and Comprehensive Plan Review

The Corradino Team will begin the review by meeting staff and officials to gather input on major issues affecting the Town as it relates to the code, including: enforceability; variances; historic districts; the need to reduce the high number of districts for a small community; beachfront preservation; sustainability and climate change; façade and “feel” of the community; and strategies for redevelopment and infill development over time.

Corradino will review the existing zoning code and the various overlaps within the code with the historic districts and the regular zoning districts. Corradino will also review the future land use designations for consistency with the desired zoning. Importantly for use, as can be seen from our experiences with other barrier islands with elongated shapes, such as Sunny Isles Beach, Fort Myers Beach and Treasure Island, it is important to consider the level of intensity in land use. Often forgotten in zoning code revisions, the connections between land use and transportation as elements of overall urban design are also important for Palm Beach. Many similar communities opt to place commercial and retail uses at the juncture of their main arterial and the point of connections off the mainland, and they do so in their zoning code because of the effect on traffic and, subsequently, local quality of life for the

1.3.2. TECHNICAL APPROACH



rest of the island. Similar approaches should continue to be considered for Palm Beach – however, the intensity of land use at these junctures, such as Royal Palm Way, should be carefully considered given evacuation zones and developmental pressure, which have the potential to have a cascading effect on the rest of the island. Appropriately designating the difference between higher and lower intensity of uses will also help preserve the “small town” aspects that the Town of Palm Beach is trying to preserve and enhance.

A critical question for the Town that will be determined during this Task is the format of the revised zoning code (i.e., Form-based, Hybrid Form/Use, etc.). The team has experience with each of these types and recognizes that the process will be smoother with this determination early on. To come to this determination, critical questions regarding the intent and aims of the zoning code will be utilized to understand the desired intensity of land use and direction of Town administration. In any case, we envision upon first review a much more simplified code in terms of the number of categories, and where possible, cohesive districts will be formed. This will not only enhance the workability of infill/redevelopment of appropriate single-family houses in areas like Ibis Isles and Everglades Island, but will provide for the retention of critical covenants such as those around Southern Boulevard and historic preservation for areas like Phipps Plaza. The Town’s 328 landmark properties, sites, and vistas will be carefully considered within the context of any land use amendments. In other areas, such as commercial

and retail along Royal Palm Way, and transient residential around Lake Avenue, a district-based approach will allow for residential preservation outside of the district, while providing for adaption for potential economic changes.

Staff assigned to this contract have previously worked with other cities on their parking program analysis and resulting code amendments, such as the City of Oakland Park, and will be able to incorporate current efforts and ongoing changes to the town’s parking program and standards into the revised code. Similarly, we expect the Market Analysis and Economic Development Strategy for the retail and commercial areas to report on the current and future types of uses within the Town, which will provide for an understanding of current needs, including spatial and floor size needs, as well as potential uses and spatial needs for the future. Similarly, any branding for the Town should be considered in light of the need to be consistent with building façade, sign codes, and other qualities regulated by zoning.

Our project team also has experience with resiliency and will work with the Town on implementing appropriate recommendations within the land development regulations as needed. Review of the coastal resiliency study will be paired with Community Ratings System (Current rating is understood to be 7), to ensure that in any revision of the code, important aspects such as freeboarding and proper zoning for repetitive loss properties, if any, are considered.



► Task III: Code Development

Corradino will provide for a revised code based on analysis and public engagement and consensus building. Before fully drafting the code, the Corradino Team will provide the Town with staff-based recommendations and understanding based on the following:

1. Code typology (Form-based, Hybrid Euclidean/Form, etc.)
2. District types and general characteristics, with geographical considerations
3. Historic Preservation and Landmark Preservation Needs
4. Façade and Sign Codes
5. Parking Regulations
6. Resiliency/Buildback/CRS
7. Economic needs for commercial and retail now and in the future
8. Supplementary regulations (such as those noted in Article VIII of the exiting code)

The code amendments shall be presented in a format and language that is "user-friendly" and accessible to the general public, with technical jargon kept to a minimum.

Our team envisions the use of graphics for each zone to enhance the readability and ease of use of the amendments. For dimensions, this will include schematics that will provide for visual depictions for items like height setbacks and other site development qualities. As needed and desired, visual examples may be included.

For adoption purposes, amendments will be presented in strikethrough and underline format per legal conventions.

Corradino will provide the revised zoning map in GIS format to the Town.

► Task IV : Optional Services

► Task IV.1: Development of design guides

Corradino staff assigned to this contract have created neighborhood plans that have provided visual guidance and clarification of zoning regulations, such as for Downtown Oakland Park and the North Beach neighborhood of Miami Beach. At the Town's request, Corradino can provide services including the development of design guides, and assistance with the 2024 Evaluation and Appraisal Review of the Comprehensive Plan. This design guide will take the code and provide for both code and frequently asked questions in a graphic brochure. It may be developed with the comments from the Architectural Review Commission and the Planning and Zoning Commission, as well as developers, in order to 1. Ensure readability and understandability, and 2. Enhance consistent outcomes in findings of facts in planning and zoning decisions.

► Task IV.2: Assistance with the 2024 Evaluation and Appraisal Review of the Comprehensive Plan

In supporting the Town with the 2024 Evaluation and Appraisal Review (EAR) of the Comprehensive Plan, Corradino can tailor the EAR to the Town's needs. Corradino staff assigned to this project have conducted simple EARs that are based on standard reviews of state mandates, to full EARs, such as the one completed for Fort Lauderdale which evaluates every element in depth through a series of discussions on specific topics and issues facing the city in the future.

PROJECT SCHEDULING

Corradino understands that the Town will be conducting the work through segmented tasks and commits to being available for the entire duration for the project, beginning March 15, 2022.



1.3.2. TECHNICAL APPROACH



Corradino proposes the following schedule, subject to revisions after discussion with Town Staff.

TASKS	MONTHS FROM START OF PROJECT																													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Task I: Public Engagement																														
General Public Workshops																														
Stakeholder Focus Groups																														
Meeting with Advisory Commissions																														
Town Council																														
Public Hearing and Adoption Hearings																														
Task II: Zoning and Comprehensive Plan Review																														
Task III: Code Development																														
Task IV: Optional Services																														
<u>Task IV.1:</u> Development of Design Guides																														
<u>Task IV.2:</u> Assistance with the 2024 Evaluation and Appraisal Review of the Comprehensive Plan																														

COST PROPOSAL

Corradino will provide a cost proposal after the finalization of the scope of services. Corradino anticipates the current scope of services can be completed estimated below:

TASKS	COST
Task I: Public Engagement	\$ 48,280.00
Task II: Zoning and Comprehensive Plan Review	\$ 49,600.00
Task III: Code Development	\$ 162,800.00
Task IV: Optional Services:	
<u>Task IV.1:</u> Development of Design Guides	\$ 14,980.00
<u>Task IV.2:</u> Assistance with the 2024 Evaluation and Appraisal Review of the Comprehensive Plan	\$ 22,800.00
Total (without Optional Services)	\$ 260,680.00
Total (with Optional Services)	\$ 298,460.00

1.3.3 EXPERIENCE AND ABILITY OF PERSONNEL



The project management team for this project are Joseph M. Corradino, AICP, who will serve as Principal-in-Charge; Scarlet Hammons, AICP CTP, who will serve as the Project Manager; and Edward Ng, AICP, who will serve as the Assistant Project Manager. Their qualifications are integral in demonstrating past experience and have been summarized in 1.3.1, and are not repeated here for space purposes. The following pages detail our project team's organizational structure, as well as the project team's management and general staff's certifications and resumes for the Evaluation Committee's review. Additional information for each staff member can be provided at the Town's request.

LICENSES AND CERTIFICATIONS

THE CORRADINO GROUP

This certificate hereby qualifies

Joseph Michael Corradino, AICP

as a member with all the benefits of a Certified Planner
and a commitment to the AICP Code of Ethics and Professional Conduct.

Certified Planner Number 012032

Paul Farmer, FAICP
Chief Executive Officer

Lee Brown, FAICP
President



This certificate acknowledges

Scarlet R. Hammons, AICP CTP

having complied with all requirements of the American Institute of Certified Planners, the American Planning Association's professional institute, providing recognized leadership nationwide in the certification of professional planners and the ethics, professional development, planning education and standards of planning practice, is hereby provided this certificate as evidence of certification of expertise in the field of transportation planning and is hereby declared to be a

Certified Transportation Planner

James M. Drinan, Jr.
Executive Director

Glenn E. Larson, AICP
President



1.3.3 EXPERIENCE AND ABILITY OF PERSONNEL

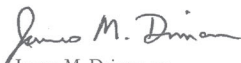


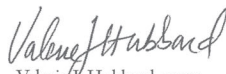
This certificate hereby qualifies

Edward Wing Keung Ng, AICP

as a member with all the benefits of a Certified Planner and a commitment to the AICP Code of Ethics and Professional Conduct.

Certified Planner Number: 028927


James M. Drinan, JD
Executive Director


Valerie J. Hubbard, FAICP
President



This certificate hereby qualifies

Kathryn Lyon, AICP

as a member with all the benefits of a Certified Planner and a commitment to the AICP Code of Ethics and Professional Conduct.

Certified Planner Number: 026921


Paul Farmer, FAICP
Chief Executive Officer


Lee Brown, FAICP
President



**ASSOCIATION OF STATE
FLOODPLAIN MANAGERS, INC.
CERTIFICATION BOARD OF REGENTS**

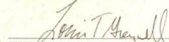
HEREBY CERTIFIES THAT PURSUANT TO THE PROVISIONS OF THE CHARTER FOR THE
CERTIFIED FLOODPLAIN MANAGER PROGRAM

Kathryn R. Lyon, CFM

IS DULY REGISTERED AS AN

ASFPM CERTIFIED FLOODPLAIN MANAGER

IN TESTIMONY WHEREOF THIS CERTIFICATE HAS BEEN ISSUED BY THE AUTHORITY OF THE
CERTIFICATION BOARD OF REGENTS, CERTIFICATE NO. US-14-08118, ISSUED 11/21/2014. THIS
CERTIFICATE SHALL EXPIRE 1/31/2021, UNLESS RENEWED ACCORDING TO THE RULES OF THIS BOARD.


CERTIFICATION BOARD OF REGENTS
PRESIDENT, LOUIS T. GREENWELL, CFM


ASSOCIATION OF STATE FLOODPLAIN MANAGERS
EXECUTIVE DIRECTOR, CHAD M. BERGINNIS, CFM



This certificate hereby qualifies

Mario Francisco Duron Jr., AICP

as a member with all the benefits of a Certified Planner and a commitment to the AICP Code of Ethics and Professional Conduct.

Certified Planner Number: 32255


Joel Albizo, FASAE, CAE
Chief Executive Officer
American Planning Association

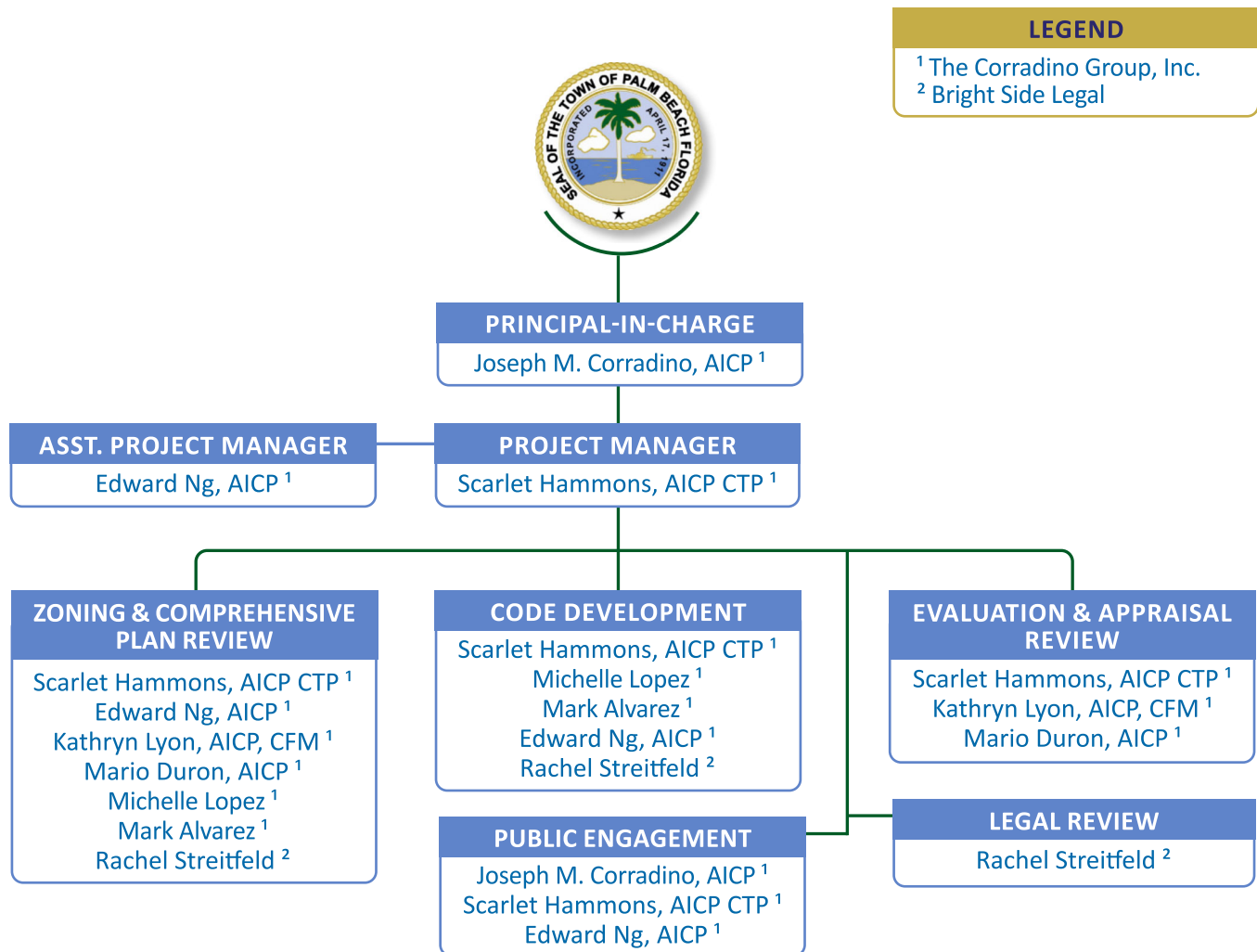

Deborah Lawlor, FAICP, PP
AICP President
American Institute of Certified Planners



1.3.3 EXPERIENCE AND ABILITY OF PERSONNEL



ORGANIZATIONAL CHART



LOCATION OF COMPANY/KEY PARTICIPANTS

Key staff/participants for this project will work from Corradino's Fort Lauderdale office, located at 5200 NW 33rd Avenue, Suite 203, Fort Lauderdale, FL 33309.



THE CORRADINO GROUP

YEARS OF EXPERIENCE 27

EDUCATION

1992, MA (Community Planning), University of Cincinnati

1990, BA (Geography), Villanova University

PROFESSIONAL REGISTRATIONS

American Institute of Certified Planners No. 012032

Mayor, Village of Pinecrest, FL (2016 – Present)

Vice Mayor, Council Member Village of Pinecrest, FL (2006-2014)

Miami-Dade MPO, Transportation Planning Council – (2009-2016)

Miami-Dade MPO, Citizens Transportation Advisory Committee, (2004-2006)

Miami-Dade County, Development Permitting Advisory Committee, (2005-2007)

Chairman of the Board, American Planning Association; Gold Coast Section Executive Board (2005-2007)

Chairman of the Board, Board of Dir. Chamber South (2006 - 2016)

Chairman of the Board, Doral Business Council (2005-2007)

Chairman, Planning Board, Pinecrest (2004-2006)

AWARDS

American Planning Association Award for Outstanding Achievement: Transportation Concurrency Management Areas

APA Award for Outstanding Mobility Project: Palmetto Bay Transportation Master Plan

Florida Redevelopment Association Award: Hialeah Transportation

JOSEPH M. CORRADINO, AICP

Principal-in-Charge



Mr. Corradino is President of The Corradino Group, Inc. and heads the company's land use and transportation planning operations. Over his 27-year career, he has been an advocate of planning transportation and land use in concert with one another. In doing so, he has focused on working with local governments to create and improve their comprehensive plans, zoning codes and transportation master plans. His work in the field has been successful as he has performed these services for nearly every city in Miami-Dade County, and has developed a unique credibility within the individual communities from the very local perspective. Joe Corradino

knows well what it takes to be successful in this arena, where local municipalities oversee land use decisions, and larger governments are in charge of transportation, because he has been in government, as an appointed and elected official for over 15 years, most currently as Mayor of Pinecrest. Few consultants possess this perspective.

Mr. Corradino has won six awards from the American Planning Association. He previously served as Chairman of the Village of Pinecrest Planning Board and currently serves as Mayor. He also served on the Miami-Dade County MPO, Citizens Transportation Advisory Committee, (CTAC), the Development Permitting Advisory Committee, (DPAC). He was the Chairman of the Gold Coast Chapter of the American Planning Association and has served as planning consultant for municipalities such as Homestead, Cutler Bay, Palmetto Bay, South Miami, Miami, Miami Beach, Aventura, Sunny Isles Beach, Doral, Miami Gardens, Hialeah, and many others.

EXPERIENCE

Miami-Dade County TPO SMART Plan/North Corridor. Project Manager. On April 21, 2016, the Miami-Dade TPO Governing Board passed the Strategic Miami Area Rapid Transit (SMART) Plan recognizing the community's long-standing desire to advance a program of rapid transit and supporting projects to address the mobility needs throughout Miami-Dade County. The six SMART Corridors are: North Corridor (NW 27th Avenue); South Dade TransitWay; Tri-Rail Coastal Link (Northeast/FEC Corridor); East-West Corridor (SR-836); Kendall Corridor; and, Beach Corridor.

Development Services Department, City of Homestead, FL. Project Manager. Corradino provides professional planning services on an ongoing basis to the City of Homestead. Mr. Corradino oversees the Building Department and Planning/Zoning Department on a consulting basis. He was in charge of administering the City's Comprehensive Plan and Land Development Code. Homestead has been one of the fastest growing cities in America, and Mr. Corradino leads the processing of all their applications for development each year. Homestead is the southern terminus of the US-1 Bus lanes, and critical terminal node in the SMART Plan system.

Homestead General Planning Services, Homestead, FL. The Corradino Group, Inc. was tasked with completing Comprehensive Plan Future Land Use Plan Map amendments, the rezoning of city-owned properties in downtown Homestead and amending the zoning code to allow for public and retail/entertainment facilities.

Rockford Comprehensive Transit Study & Analysis, Rockford, IL. Project Manager. The Rockford, IL Comprehensive Transit Analysis was a data-intensive study. Within a few weeks of the notice to proceed, Corradino mobilized a survey effort to collect boarding and alighting data for weekday, evening, Saturday and Sunday routes. In addition, passenger intercept surveys were conducted on all routes. In the fall of



THE CORRADINO GROUP

JOSEPH M. CORRADINO, AICP - PAGE 2

2011, initial routing recommendations were implemented for an expansion service to Belvidere, an adjacent community. The public involvement process included two rounds of public meetings and interviews of key stakeholders and decision makers. The product of the analysis was a set of three operating scenarios based on various projected funding levels and system goals. Recommendations included integration of Rockford's new East Side Transfer Center into this radially oriented system.

North Miami Express, North Miami, FL. *Principal-in-Charge.* Corradino is evaluating the current 4-route NOMI express system in North Miami, FL. Analysis includes the potential rerouting and retiming of the circulator system, new technology and its applicability for transit management, investigating connections with Miami-Dade Transit, and the circulators in North Miami Beach, Bal Harbour/Surfside/Bay Harbor Islands and Miami Shores. This project will evaluate the financial structure and projected demands for the circulator and its continuous funding.

Sarasota Transportation Concurrency Management Area, City of Sarasota, FL. *Project Manager.* The Newtown Comprehensive Redevelopment Plan adopted by the City on October 2002, seeks to revitalize a well-defined urban area through focused regulatory and policy strategies that promote economic redevelopment. The transportation strategy the City of Sarasota desired to promote their redevelopment with is the designation of the area as a TCMA. Corradino was hired to develop such development.

Clearwater "One City, One Future" Strategic Master Plan, City of Clearwater, FL. *Project Manager.* The City of Clearwater has constructed an ambitious strategic vision, "One City, One Future", which capitalizes on the strengths of each segment of the Clearwater Community. One such community, the North Greenwood Neighborhoods, was satisfied with many of the previous plans and were eager to see them become reality. Therefore, each project suggested in this report is a highly realistic and should be undertaken within a three-year timeframe. Implementation was arranged in five primary areas: infrastructure/community facilities, community development/business, community relations, housing and social services.

Comprehensive Plan, Zoning Code. Town of Cutler Bay, FL. *Principal-in-Charge.* Cutler Bay is the central node on the South Corridor, located at the junction of the Transitway, US-1 and Florida's Turnpike. This critical location provides access for people from South Dade who wish to get to Downtown or Doral. Corradino serves as the Town's General Consultant assisting with transportation, planning and civil engineering projects. As part of this GES contract, Corradino produced the Transportation Master Plan and completed traffic calming analyses. Corradino led the effort to write the Town's Comprehensive Plan, which led to a significant intensification and diversification of the land uses in the Southland Mall area. This activity is critical in providing the land use intensity required to support mass transit. Corradino also produced the Town's Land Development Regulations, provided cost estimates and scopes of services for major roadway reconstruction and paving, written grants, assisted with the development of Green policies and code regulations, evaluated economic development initiatives, structured aspects of the Capital Improvements Element, evaluated environmental characteristics of the community, acted as a liaison between the Town and Miami-Dade County Public Works, FDOT and the MPO, conducted public engagement and developed civil engineering and drainage plans.

Florida Department of Transportation (FDOT), District 4, Districtwide General Planning Consultant, Systems Planning Support, City of Fort Lauderdale, FL. *Project Manager.* Corradino was selected as part of a team to assist FDOT District 4 in providing professional transportation planning services to supplement the FDOT District 4 Systems Planning staff, as well as, to serve as an extension to the FDOT District 4 Planning and Environmental Management Office. The primary tasks included: Site Impact and Growth Management Reviews; Project Traffic/Travel Demand Forecasting Review; Interchange Proposal Review; Model Application; Corridor Analysis; Transportation Studies Review and Development; Transportation Plan Development; On-Site Services and Support.

Transportation Master Plan, General Planning and Engineering Services, City of Doral, FL. *Principal-in-Charge/Project Manager.* Doral most closely aligns with the East/West Corridor. The issue here is that Doral has an exploding downtown. The City has worked diligently since incorporation to re-land use and "up zone" the community. The Corradino Group: developed the City's first transportation master plan; reviewed developments moving through the public hearing process.

ENGINEERS · PLANNERS · PROGRAM MANAGERS · ENVIRONMENTAL SCIENTISTS



THE CORRADINO GROUP

YEARS OF EXPERIENCE

23

EDUCATION

University of California, San Diego,
BA Urban Studies and Planning (June 1995)

PROFESSIONAL AFFILIATIONS

Chair, Technical Coordinating Committee, Broward Metropolitan Planning Organization (2014 to 2016)
Chair, Planning and Zoning Board, Surfside, Florida (2010 to 2011)
Airport Leadership Development (class of 2014)
Member, American Association of Airport Executives (2013 to Present)
Member, American Planning Association (1995 to Present)
Chair, Gold Coast Section, APA Florida (2008 to 2011)
Gold Coast Representative, APA Florida Legislative Policy Committee (2010 to 2011)
Member, Urban Land Institute, Miami Young Leaders Steering Committee (2011 to 2013)
Chair, APA Florida Annual Conference Committee, Miami (2008)

PROFESSIONAL CERTIFICATIONS

American Institute of Certified Planners
Certificate in Community Real Estate Development, University of South Florida
Supervisor Apprenticeship course, Broward County

SCARLET R. HAMMONS, AICP CTP

Project Manager



Ms. Hammons specializes in the analyses of land use issues related to comprehensive plans, zoning, and all aspects of the site planning process. She has recently completed AICP Advanced Certification in Transportation Planning. Her experience also includes preparing zoning regulations, writing comprehensive plans, drafting ordinances, assisting with transportation master plans and preparing graphics, exhibits and maps. She has managed numerous planning projects for Corradino's municipal and agency clients. She served for three years in the Florida Department of Transportation, District 6 planning division where she was the in-house growth management analyst.

EXPERIENCE

Comprehensive Plan Update, City of Ft. Lauderdale, FL. *Assistant Project Manager.* The City of Ft. Lauderdale is revising the existing Comprehensive Plan under 6 platforms: Infrastructure, Public Places, Neighborhood Enhancement, Business Development, Public Safety and Internal Support Platform. The Comprehensive Plan will be written with conciseness in mind, and will be a visual document where applicable, with the end of creating a highly accessible document that can be easily read by citizens, businesses, policymakers and staff.

Virginia Gardens EAR, Virginia Gardens, FL. *Planner.* Corradino evaluated the Village's comprehensive plans and goals to provide a determination of sufficiency in meeting state statutory requirements. The evaluation and Appraisal Report determined the need to amend the local Comprehensive Plan to fulfill state law mandates and update the planning horizon to 10 years.

EAR Based Amendments to the Comprehensive Plan, Village of Virginia Gardens, FL. *Project Manager.* Corradino is reviewing major issues as part of the EAR update by conducting analysis of future development, transportation, land use, and urban design.

City of Homestead General Planning Services, Miami-Dade County, FL. *Senior Planner.* In 2014, Corradino was tasked with completing the Comprehensive Plan Future Land Use Plan Map amendments, rezoning of City-owned properties in Downtown Homestead, and amending the zoning code to allow for certain public and retail/entertainment facilities. Corradino's planners review all applications, including site plans, variances, certificates of use, special exceptions, planned unit developments and traffic impact analyses. In addition, Corradino handles special projects including annexation analyses, zoning code chapter revisions, a public art master plan, comprehensive plan amendments, and zoning and zoning.

EAR Based Amendments to the Comprehensive Plan, City of Key West, FL. *Project Manager.* Corradino created comprehensive plan amendments incorporated in the comprehensive plan.

Comprehensive Plan, Town of Cutler Bay, FL. *Project Manager.* Corradino led the effort to write the Town's Comprehensive Plan, which led to a significant intensification and diversification of the land uses in the Southland Mall area.

Unified Bicycle and Pedestrian Master Plan, City of Aventura, FL. *Project Manager.* The Northeastern part of the county is one of its most-congested areas. The regional roads carry heavy traffic, which is often not highly directional. Aventura realized years ago that it needed to impact the way people moved within the



THE CORRADINO GROUP

SCARLET R. HAMMONS, AICP CTP - PAGE 2

community by providing bicycle, pedestrian and transit infrastructure within these rights of way. This effort focuses on this multimodal approach and polishing an already well-functioning system.

Transportation Master Plan Update, City of Doral, FL. Assistant Project Manager. A set of over 50 projects were developed to address the City's continued multi-modal transportation system and advocate for funding of them.

Circulator Route Operational Analysis, City of North Miami, FL. Assistant Project Manager. This work entails reviewing the system's routes, headways, management and operations. A passenger survey was conducted to understand not only the stop-by-stop performance of the system, but its ridership preferences. From that data, an analysis is being performed to modify the routes and provide services and amenities more closely aligned with rider's needs.

Eminent Domain Analysis, City of Homestead, FL. Planner. Corradino serves as the City's General Consultant assisting with transportation, planning and civil engineering projects. One product of the work is a needs analysis based on alternatives, comparing land use and zoning, cost, safety and environmental considerations.

Concurrency Review Consultant, Cost Recovery, North Miami Beach, FL. Project Planner. Corradino reviews the development application data and usage for each concurrency category and compares that against the remaining capacity. Capacity surpluses or deficits are identified and a concurrency report is issued.

Land Development Regulations Rewrite, Village of Virginia Gardens, FL. Project Manager. Corradino serves as the Village's General Consultant assisting with transportation, planning and civil engineering projects. Corradino produced the Village's first major update to the Land Development Regulations since incorporation.

Safe Routes to Schools Plan, Village of Palmetto Bay, FL. Project Manager. Corradino performed the Safe Routes to School project for three elementary schools. The analysis included pedestrian, bicycling, and safety of the routes to these schools, with outreach to the community. Corradino recommended route and facility improvements within a 0.5-mile radius of school. Funding applications were also prepared for these projects on behalf of Miami-Dade County Public Schools.

EAR Based Amendments to the Comprehensive Plan, Village of El Portal, FL. Project Manager. Corradino served as the Village's General Consultant assisting with transportation, planning and civil engineering projects. Corradino produced the Village's first major update to the Comprehensive Plan to incorporate EAR-Based Amendments.

Land Development Regulations, Town of Cutler Bay, FL. Project Manager. Corradino served as the Town's General Consultant assisting with transportation, planning and civil engineering projects. Corradino produced the Town's first Land Development Regulations.

Town of Cutler Bay, Comprehensive Plan Project Manager. Corradino led the effort to write the Town's Comprehensive Plan, which led to a significant intensification and diversification of the land uses in the Southland Mall area. This activity is critical in providing the land use intensity required to support mass transit.

ENGINEERS · PLANNERS · PROGRAM MANAGERS · ENVIRONMENTAL SCIENTISTS



THE CORRADINO GROUP

YEARS OF EXPERIENCE

10

EDUCATION

Master of Public Policy,
University of Southern
California, Los Angeles, CA,
2012

Master of Planning-
(Concentration in Economic
Development), University of
Southern California, Los
Angeles, CA, 2012

BA (Planning and Public Policy,
Minor in Economics), Rutgers
University, New Brunswick,
NJ, 2008 (High Honors)

GRADUATE CERTIFICATES:

Housing and Community
Development (Rutgers, 2008)

Real Estate Development
(Rutgers, 2011)

Homeland Security and Public
Policy (USC, 2012),

Public Management (USC,
2012)

Professional Registrations
American Institute of Certified
Planners No. 28927

American Planning Association
(APA) No. 248674

APA Florida Executive
Committee Member –
November 2017 - Present

APA Gold Coast Section –
Chair (Current); Vice-Chair,
Professional Development
Officer, Young Planners
Group Ambassador
(Previous)

AWARDS

Robert Biller Award for Best
Performance in the MPP
Practicum (05/11)

Outstanding Graduate Student
Leader Award (04/12)

SPPD Academic Capstone
Achievement Award (05/11)

LGBT Service Award, USC
(04/11)

EDWARD NG, MPP, MPL, AICP

Assistant Project Manager



Mr. Edward Ng, AICP is the Technical Vice President for Corradino's Planning Department, with experience in transportation, economic development, transit-oriented development, and land use planning. His work involves demographic analyses, preparation of and updates to comprehensive plans, grant writing, land use code revisions, geospatial planning analyses, GIS mapping, public outreach, and analyses of traffic facilities and operational data. He specializes in interdisciplinary aspects of planning, including transit-oriented development and complete streets. His recent projects involve land use, transportation, and comprehensive planning services with the Miami-Dade Transportation Planning Organization and the municipalities of Doral, Cutler Bay, Key Biscayne, North Miami, North Miami Beach, Hallandale Beach, and many others. Eddie is currently the Immediate Chair of the American Planning Association, Gold Coast Section Executive Board, and teaches the AICP exam preparation course for planners in Miami-Dade, Broward, Monroe, and Collier Counties.

EXPERIENCE

Gainesville 2045 Long Range Transportation Plan. *Project Manager.* Update to the Gainesville Metropolitan Transportation Planning Organization's 2045 Long-Range Transportation Plan. This plan will take a Complete Network/Complete Streets approach, with modeling and financial analysis to provide a prioritized list of transportation infrastructure projects for Gainesville

City of Hallandale Beach Transit Mobility Plan. *Project Manager.* This project evaluated the City's prior Transportation Master Plan, with updates to local LOS determinations, intersection analyses, and planning for transit, pedestrian, and bicycle facilities. The analysis particularly focused on creating a new primary and secondary bicycle infrastructure grid, incorporated basis of design reports and local district planning, and included recommendations for new roadways transit system development.

Transportation Master Plan Update, City of Doral, FL. *Project Manager.* This project evaluated the City's 2010 Transportation Master Plan, with updates to local LOS determinations, intersection analyses, truck routing, and planning for transit, pedestrian, and bicycle facilities. The analysis also included reviewing the City's impact fees and a finalized project list that was incorporated into the City's Capital Improvements Program.

Evaluation and Appraisal Report (EAR) update, City of Fort Lauderdale, FL. *Project Manager/Lead Planner.* Lead planner for review of major issues as part of EAR update. Conducted analysis of economic conditions and development, transportation, land use, and urban design. Provided support in provision of all statutorily required maps for the EAR. Current project manager for the updates to the Data and Analysis (Volume II) of the report.

City of Fort Lauderdale Comprehensive Plan. *Project Manager.* This project will completely revise and replace the existing comprehensive plan, and introduce new elements such as Climate Change, Urban Design, and Economic Development, and build upon public school facilities by expanding the scope of policies in an Education Element geared for all ages. Conducting analysis of economic conditions and development, transportation, land use, and urban design.



THE CORRADINO GROUP

EDWARD NG, MPP, MPL, AICP - PAGE 2

AWARDS

President, Rutgers College
Alumni Class of 2008 (05/08 –
05/13)
Departmental High Honors,
Edward J. Bloustein School of
Planning and Public Policy,
Rutgers; Dean's List (Spr 06 -
Spr 08)

Virginia Gardens EAR, Virginia Gardens, FL. *Project Manager.* This report evaluated the Village's comprehensive plans and goals to provide a determination of sufficiency in meeting state statutory requirements. The Evaluation and Appraisal Report determined the need to amend the local Comprehensive Plan to fulfill state law mandates and update the planning horizon to 10 years.

Oakland Park Culinary Arts District Mobility Plan, Oakland Park, FL. *Project Manager.* District mobility and multimodal transportation planning for the Culinary Arts district in Oakland Park's CRA. Plan included the redevelopment of Main Street (12th Avenue) to include a new trolley and potential pedestrian corridor, as well as revisions to current District Design guidelines and recommendations for DUMD regulations. As part of this study, a district parking analysis was also conducted.

Comprehensive Plan Amendments – Climate Change Element, Cutler Bay, FL. *Planner.* This comprehensive Plan includes a climate change element to deal with future sea level rise projects. Analysis was used to create policies related to high- and low-priority sea level rises.

Miami-Dade TPO First-Mile/Last-Mile Mobility Study. This study evaluated the state of First Mile/Last Mile (FLM) mobility strategies and infrastructure nationwide. Beyond reviewing best practices for transference to the Miami-Dade area, the study explored basic urban travel demand assumptions, infrastructure characteristics and mobility delivery models to develop a basis for a ground-up understanding of how and when to implement different FLM strategies based on development contexts and primary corridor transit characteristics.

Town of Miami Lakes NW 59th Avenue Bridge Extension. *Project Manager.* This study is an evaluation of a new bridge's traffic impact on regional and local traffic via travel demand modeling. The proposed bridge, on NW 59th Avenue, is a missing link on a local collector roadway. The study determined that, based on modeling results, the system would have a net benefit from the building of the bridge.

City of Miami Beach NoBe Ocean Terrace Neighborhood Urban Design Plan. *Prime Consultant/Project Manager.* This study builds upon the City's prior visioning for the North Beach area of Miami Beach. Specifically, this plan focuses on an urban design plan for the Ocean Terrace neighborhood, which is located adjacent to the North Beach Town Center neighborhood as envisioned in the City's NoBe Master Plan.

City of North Miami Beach City Building ADA Master Plan. *QA/QC Officer.* This project consisted of a review of existing city owned building and adopted policies and regulations in regard to the Americans with Disability Act. 5 of 15 facilities were deemed to be insufficient in meeting local needs. The resulting report indicated deficiencies within the Town and provided an action plan to eliminate ADA deficiencies in the next several years.

Miami-Dade County TPO SMART Plan/North Corridor. *Assistant Project Manager/Senior Planner.* On April 21, 2016, the Miami-Dade TPO Governing Board passed the Strategic Miami Area Rapid Transit (SMART) Plan recognizing the community's long-standing desire to advance a program of rapid transit and supporting projects to address the mobility needs throughout Miami-Dade County. The six SMART Corridors are: North Corridor (NW 27th Avenue); South Dade TransitWay; Tri-Rail Coastal Link (Northeast/FEC Corridor); East-West Corridor (SR-836); Kendall Corridor; and Beach Corridor.

Town of Cutler Bay Complete Streets Corridor Analysis, Cutler Bay, FL. *Project Manager.* This study developed guidance through the development of street specific cross sections to implement Complete Streets for four corridors in Cutler Bay (NW 87th Avenue, Marlin Road, Gulfstream Road, and Franjo Road), based on the Town's roadways characteristics, current conditions and pedestrian, bicycle and transit facilities. Additionally, policies related to implementation are being reviewed to provide recommendations for changes to the local code of ordinances.

Unified Bicycle/Pedestrian Master Plan, Aventura, FL. *QA/QC Officer.* This project involved reviewing existing bicycle and pedestrian planning needs in the City of Aventura, FL. Responsible for developing the final project list and for overall QA/QC of the technical aspects of the report.

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THE CORRADINO GROUP

YEARS OF EXPERIENCE 20

EDUCATION

BA (Geography),
University of Florida,
June 2000
MBA (Environmental
Management), Florida
Atlantic University, August
2004

PROFESSIONAL REGISTRATIONS

American Institute of
Certified Planners No.
026921
Certified Floodplain Manager
Florida Licensed Real Estate
Agent License No. SL3265451

AWARDS

NACO Achievement Award
Winner: GIS in Transportation
Planning
GIS Expo display: 3rd Place
FHWA Environmental
Excellence
Award
American Planning
Association- Member
Florida Planning and
Zoning Association-
Member
2018 FPZA Sustainability
Award- Green Master Plan

KATHRYN R. LYON, MBA, AICP, CFM, REALTOR Zoning & Comprehensive Plan Review



With 20 years of zoning, land-use and development planning experience in Miami-Dade and Broward Counties, in both the private and public sectors, Kathryn provides invaluable expertise to navigate the land development process, from site evaluation and due diligence through project completion. As a Planner (AICP), GIS Analyst, Zoning Coordinator, Certified Floodplain Manager (CFM), Project Manager, and Realtor, Kathryn offers government, commercial and residential property owners, and developers a full range of services, at all phases of construction, from planning to completion. She also currently serves as an adjunct faculty

member at Florida International University.

EXPERIENCE

Village of Key Biscayne, Evaluation and Appraisal Report (EAR), Key Biscayne, FL. Senior Planner. Evaluation and Appraisal Report, periodic analysis of goals, objectives and policies of municipality comprehensive plan required by state law.

Islamorada, Village of Islands, Evaluation and Appraisal Report (EAR), Islamorada, FL. Senior Planner. Evaluation and Appraisal Report, periodic analysis of goals, objectives and policies of municipality comprehensive plan required by state law.

Town of Miami Lakes Mobility Fee, Miami Lakes, FL. Senior Planner. Assisted in the development of the Miami Lakes Mobility Fee to support level of service standards. Perform demographic analysis, changes in growth rates, trip generation rates, and land use changes.

Miami-Dade County, Kendall Parkway Analysis, Miami, FL. Senior Project Manager. Planning Analysis for Phase 3 and 4 of the proposed Kendall Parkway project in western Miami- Dade County to include review of demographics and environmental restrictions.

City of St. Cloud Transportation Element of the Comprehensive Plan, St. Cloud, FL. Senior Planner. Study the multimodal needs for the City while identifying transportation enhancements to improve connectivity and overall function of the transportation network.

City of St. Cloud Transportation Master Plan, St. Cloud, FL. Senior Planner. Development of the transportation master plan to provide appropriate recommendations for adequate provisions to transportation facilities. Identify and multi-modal transportation enhancements.

Community Development Department, Planning and Zoning Division, Town of Cutler Bay, FL. Planning & Zoning Director. Oversaw complex technical work and created the Comprehensive Growth Management Plan, Land Use Regulations, and other codes related to land use. Supervised

department staff and managed professional planning consultants.

Broward County MPO/Transportation Planning Division, Fort Lauderdale, FL. Information Systems Analyst I. (GIS, Map Publication, Long Range Transportation Planning.) Assisted in the development of the Long-Range Transportation Plan (LRTP) using computerized travel forecast models as well as Geographic Information Systems. Maintained Broward County streets layers, turning movement counts, and traffic counts using GIS.



THE CORRADINO GROUP

YEARS OF EXPERIENCE

5

EDUCATION

M.A in Urban and Regional
Planning August 2016
University of Florida, Gainesville,
FL

B.A in Anthropology May 2009
University of Florida, Gainesville
FL

MARIO F. DURON, AICP

Evaluation & Appraisal Review



Mario Duron is an urban planner at The Corradino Group, with over 5 years of experience in community planning. His career path stemmed from work with volunteer and environmental nonprofits, which led Mario to pursue his MA degree in urban and regional planning. While at UF, he assisted Florida municipalities prepare redevelopment plans addressing environmental and socio-economic development. His work was recognized by the Florida Chapter of the American Planning Association. After graduating, Mario entered the public sector where

he delved into all aspects of local planning. In addition to permitting and special licensing, Mario has experience with processing major redevelopment plans, amendments to the comprehensive plan, and changes to land use regulations. Mario's planning knowledge is supported by his experience in environmental consulting and his proficiency with GIS. Mario possesses a holistic understanding of community planning and approaches each project with this mindset.

EXPERIENCE

Environmental Resources Management, Miami, FL. Consultant. Part of a multinational GIS team collaborating in the completion of the Nicaragua Canal Baseline Environmental and Social Impact Assessment, producing social and spatial data analyses, map figures, and providing translation support. Provided environmental and social consulting services to clients in the US and Latin America through technical assistance, ensuring regulatory compliance of projects. Assisted clients in pursuing LEED certification of office buildings, on-site support for projects, gap analyses and in completing Phase I technical reports.

Green Cove Springs CRA Development Studio, Gainesville, FL. Project Member. Collaborated in the completion of the FL APA award-winning Green Cove Springs Redevelopment Plan; a dual-discipline studio of landscape architect and urban planning graduate students. Conducted community inventory using qualitative and quantitative metrics and developed a neighborhood impact analysis to provide policy recommendations addressing economic and social concerns. Researched and crafted design standards and recommendations to enhance green infrastructure and sustainable standards in the city.

Citizens for a Better South Florida, Miami, FL. Assisted with grant writing and data management, creating records of community tree plantings to include GPS coordinates and growth data for individual trees. Led volunteers in over 800 hours of community service urban greening projects, planting over 500 Florida native trees in underserved areas of Miami-Dade County. Developed and presented environmental education material to students, civic groups, and private businesses in English and Spanish.

Disaster Preparedness & Response and New Initiatives Coordinator, Hands on Miami, FL. Engaged residents of underserved communities in initiating greening projects promoting energy and water conservation efforts, and by creating green spaces, community gardens, and planting native trees. Augmented the number of green volunteer projects offered by the organization and engaged over 2,500 volunteers in over 128,000 hours of environmental service projects. Trained and mobilized volunteers in response to BP Oil Spill, the 2010 earthquake in Haiti, and for the Florida hurricane season.

City of North Miami, North Miami Beach, FL. Associate Planner. Provided professional planning assistance to the public, stakeholders, and policy makers; and served as point of contact between the City Planning and Zoning Division, the County, and other State agencies. Reviewed and processed complex development applications, including rezonings, conditional uses, and development agreements. Served as project manager for the development of local policy, including medical marijuana ordinances, emergency orders in response to COVID-19, and updates to critical documents like the City's Water Supply Plan. Prepared and presented staff reports and other findings to staff, Planning and Zoning Board and City Commission, and served as liaison to the City's development review committee. Oversaw the permitted use verification process for new businesses, reviewed site and development plans for compliance with the applicable zoning regulations and procedural requirements. Performed field inspections to ensure the conditions of approval are satisfied for each development.

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THE CORRADINO GROUP

YEARS OF EXPERIENCE

17

EDUCATION

Bachelor's Degree (Public Administration, Minor in Political Science and Certificate in Public Policy), Florida International University, 2011
MBA (Business Administration), Florida International University, 2014

PROFESSIONAL REGISTRATIONS/ QUALIFICATIONS

Member, American Planning Association
Chair, Miami-Dade County Public Schools Community Traffic Safety Team, 2016 - Present
Member, Miami-Dade MPO Transportation Planning Council, 2016 - Present
Member, Miami-Dade MPO Transportation Planning Technical Advisory Committee, 2016 - Present
Member, Miami-Dade MPO Transportation Improvement Plan, 2016 - Present
Member, Miami-Dade MPO Long Range Transportation Plan, 2016- Present
Member, Miami-Dade MPO Municipal Grants Committee, 2017

PROFESSIONAL CERTIFICATIONS

Real Estate Sales Associate, Florida, No. SL3143948, 2005-Present

MICHELLE M. LOPEZ, MBA

Planning/Code Development



Ms. Lopez specializes in the analyses of land use issues related to comprehensive plans and long-range planning, land development regulations, real estate development, due diligence, site planning and entitlement reviews. Her experience also includes developing and managing project teams, preparing zoning regulations, drafting ordinances, preparing studies for eminent domain, drafting technical staff memos and presenting recommendations, assisting with transportation master plans, providing code interpretations for municipal clients, and construction management. Serving as the Planning Division Manager for the Corradino Group, she manages the Divisions business operations, staff, Client relationships, and

provides technical expertise in the areas of land use, development review, transportation, eminent domain

EXPERIENCE

General Planning Consultant, Deputy Director, Development Services Department, City of Homestead, FL. Project Manager. Corradino is tasked with the overall administration, management, operations and problem solving of the Development Services Department and its Divisions, including Planning and Zoning, Building Safety, and Business Licensing. Ms. Lopez provides leadership and technical expertise as it relates to the City's Comprehensive Plan, land development regulations, development and entitlements review, long range planning, and the preparation and presentation of staff reports and agenda items. She is responsible for assigning and reviewing work of departmental personnel and consultants, as well as administering to special projects and issues. She coordinates work activities of multiple City Departments and Divisions and provides agency coordination for intergovernmental planning activities. She also prepares and monitors the Departments annual budget, allocation of funds, and capital improvement program.

Eminent Domain Analyses (Various Clients). Project Manager. Manages and reviews the preparation of various needs analysis for eminent domain based on alternatives, comparing land use and zoning, cost, safety and environmental considerations for the City of Homestead and Weiss Serota Helfman Cole & Beirman, P.L.

Transportation Consultant, Miami-Dade County Public Schools, Miami, FL. Project Manager. Corradino serves as the liaison between Miami-Dade County Public Schools (MDCPS) and the Miami-Dade Metropolitan Planning Organization (MPO) and provides representation on the MPO's committees. Ms. Lopez provides technical analysis of transportation projects and initiatives throughout Miami-Dade County for impacts to the School District and its 439 facilities. She coordinates efforts between MDCPS, Florida Department of Transportation, Miami-Dade County, and incorporated Municipalities for maintenance of traffic required for projects adjacent to MDCPS facilities. She also prepares agenda items for School Board consideration and endorsement.

Interim Planning Director, Village of Palmetto Bay, FL. Project Manager. Corradino is tasked with the overall planning, administration, management, operations and problem solving of the Planning & Zoning Division. Ms. Lopez performs professional and managerial oversight of the Division requiring advanced knowledge of development and entitlements review, long range planning, and the preparation and presentation of technical staff reports and Council agenda items. She is responsible for assigning and reviewing work of departmental personnel and consultants, as well as administering to special projects and issues. She coordinates work activities of multiple Village Departments and Divisions, and provides agency coordination for intergovernmental planning activities, and provides support on Village initiated projects.

1.3.3 EXPERIENCE AND ABILITY OF PERSONNEL



THE CORRADINO GROUP

MICHELLE LOPEZ, MBA - PAGE 2 OF 2

City of Homestead, FL. Zoning Administrator. Reviewed applications for entitlement, including site plan, variances, special exception permits, land use and zoning changes; enforced the City's land development code and comprehensive plan; and evaluated projects for community impact and feasibility. Prepared and presented staff reports to the Development Review Committee (DRC), Planning and Zoning Board, and City Council. Reviewed building permit applications for compliance with zoning, landscaping, and sign codes, comprehensive plan, and adopted ordinances and resolutions. Made recommendations for updating the land development code and comprehensive plan.

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THE CORRADINO GROUP

YEARS OF EXPERIENCE

30

EDUCATION

Master of Professional Studies,
Renewable Energy &
Sustainability Systems
Pennsylvania State
University, University Park,
PA, (expected 2020)

MS, Civil Engineering,
Transportation, The Ohio
State University, Columbus,
OH, 1992

MCRP, The Ohio State
University Columbus, OH,
1992

BS, Business Operations
Management, The Ohio State
University Columbus, OH,
1988

PROFESSIONAL REGISTRATIONS

Professionalism & Ethics
Certification for Lobbyists,
Florida International
University (FIU) Metropolitan
Center, Miami, FL, 2016,
2014, 2010

Commercial Real Estate,
Advanced, Miami Association
of Realtors, 2015

American Institute of Certified
Planners

American Planning Association
1996, Chicago, IL

Dispute Resolution Program
Florida Conflict Resolution
Consortium, Florida State
University, 1993, Tallahassee,
FL

Pedestrian & ADA Safety
Program Florida Department
of Transportation (FDOT)
1992 Stuart, FL

MARK ALVAREZ

Zoning & Comprehensive Plan Review



Mr. Alvarez is a professional planner with 30 years experience in transportation planning, land development analysis, infrastructure programming and environmental impact analysis. He brings his experience together to provide holistic approaches for integrated solutions toward sustainable and resilient urban development that is focused on developing socially and economically viable mobility plans that leverage public, business and government resources together. Toward these ends, he brings significant experience in: land use policy planning; land use regulatory analysis toward development

outcomes; transit development, policy and operational analysis; alternative-fuel vehicles; last-mile mobility planning; parking analysis; and capital improvement programming. He is very experienced in public participation processes, having delivered hundreds of presentations for community input, charettes, advisory boards, and elected bodies. Corradino is tasked with the overall planning, administration, management, operations and problem solving of the Planning & Zoning Division. Mr. Alvarez role is to provide staff support, land use zoning and comprehensive planning for the Village. Recent projects include concurrency and impact fee review; transit and parking analyses; and assistance with general planning. Corradino is tasked with the overall planning, administration, management, operations and problem solving of the Planning & Zoning Division. Mr. Alvarez role is to provide staff support, land use zoning and comprehensive planning for the Village. Recent projects include concurrency and impact fee review; transit and parking analyses; and assistance with general planning.

EXPERIENCE

South Florida Regional Policy Plan Transportation Element, South FL. Reviewed development, transportation and energy trends in the three-county region, reviewed regional planning efforts and comprehensive plans, then developed new and amended transportation policies for the South Florida Regional Policy Plan for adoption by the SFRPC Board.

Miami-Dade TPO First-Mile/Last-Mile Mobility Study. This study evaluated the state of First Mile/Last Mile (FLM) mobility strategies and infrastructure nationwide. Beyond reviewing best practices for transference to the Miami-Dade area, the study explored basic urban travel demand assumptions, infrastructure characteristics and mobility delivery models to develop a basis for a ground-up understanding of how and when to implement different FLM strategies based on development contexts and primary corridor transit characteristics.

Miami Downtown Development of Regional Impact (DRI), Increment III. Consistent with State requirements, performed technical and policy review for the South Florida Regional Planning Council (SFRPC). Review included traffic capacity and operational analysis methodologies, inputs, outputs; transit data review; and policy implications for the Person Trip Methodology, transit mode share assumptions; and implications for area-wide development.

Drive Electric Florida, Volume II. Developed a detailed feasible plan for a demonstration project to provide electric, shared vehicles to complete the "last mile" for MetroRail stations, with the dual purposes to introduce electric vehicles (EV) to increase their market penetration and increase transit usage. Additionally, performed a preliminary feasibility analysis to utilize battery-electric buses along the Busway. Work included extensive quantitative market analysis, EV transit infrastructure planning, and national benchmarking of car sharing programs and national best practices; area and neighborhood

1.3.3 EXPERIENCE AND ABILITY OF PERSONNEL



THE CORRADINO GROUP

MARK ALVAREZ- PAGE 2

compatibility; consistency with the City's Comprehensive Plan and zoning code; and community input at charrette and visioning processes.

Drive Electric Florida, Volume II. Developed a detailed feasible plan for a demonstration project to provide electric, shared vehicles to complete the "last mile" for MetroRail stations, with the dual purposes to introduce electric vehicles (EV) to increase their market penetration and increase transit usage. Additionally, performed a preliminary feasibility analysis to utilize battery-electric buses along the Busway. Work included extensive quantitative market analysis, EV transit infrastructure planning, and national benchmarking of car sharing programs.

Pinecrest Parkway Vision Plan. Working with team of architects, performed analysis and recommendations for transportation, access, delivery, bicycle/pedestrian networks, and parking toward redevelopment policy for a 3-mile linear commercial district to increase commercial viability, multimodalism and reposition gateway areas for lifestyles retail, while improving buffering and compatibility to abutting single-family neighborhoods.

Coconut Grove BID Traffic Improvements, Phase II. Provided peer review of traffic, pedestrian, transit and parking improvement plans for the Coconut Grove Business Improvement District.

Brickell Citi Center Driveway Impact Analysis on Existing Businesses. Provided peer review of impacts of drive location and spacing of Brickell Citi Center Major Use Special Permit (MUSP) on vehicular access and egress to existing adjacent businesses. Review was based analysis of driveway clearance regulations, forecast driveway volumes, and intersection operations.

Curtis Lane Right of Way Abandonment. Provided analysis of abandoning street end right-of-way for private property owner in Broward County.

Pinecrest Parkway (US-1) Intersection Improvement Study. As subconsultant to the Lehman Center for Transportation Research, participated with FIU faculty and student team to perform traffic operational alternatives analyses to improve the safety and optimize the throughput of 12 intersections along South Dixie Highway (US-1) at the edge of the Village of Pinecrest. For each intersection, priorities were established, data collected, microsimulations performed, and alternative improvements recommended for two growth horizons.

South Dade Busway Feeder Study. As Principal Investigator (PI) with the Lehman Center for Transportation Research, led FIU students and sub-consultant in the analysis of commuter utilization and latent transit markets to plan new transit feeder services to alleviate park-and-ride capacity and meet future planned transit-oriented development (TOD) for the 20-mile bus rapid transit (BRT) South Dade Busway corridor. Work included extensive data collection with origin-destination results, public input, land use analysis and operational analysis.

Zone Fare Policy Analysis. Performed a preliminary policy analysis using cost-benefit and social justice metrics to evaluate moving Miami-Dade County from a flat fare (with premium route differential) to a zone-based fare. Results of the analysis were brought to the Citizens Independent Transportation Trust; however, cost and social justice concerns prevented the CITT from approving the change.

College Discount Fare Policy Analysis. Performed a policy analysis using cost-benefit and ridership forecast to evaluate fare discounts to college students as an added discount program to incentivize ridership and provide a public benefit to a transit dependent population. The College Discount Program was approved and implemented.

Transit Operations Performance Criteria Update. Performed an update of the Miami-Dade Transit route and segment level performance criteria policy used to determine increase and decreases in service, route extensions/ diversions, and route truncations or segment deletions.

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1.3.3 EXPERIENCE AND ABILITY OF PERSONNEL



RACHEL A. STREITFELD, ESQ.

1455 N. Treasure Drive #70 North Bay Village, FL 33141
(954) 290-8600 • rachel.streitfeld@gmail.com

EXPERIENCE

BRIGHT SIDE LEGAL – NORTH BAY VILLAGE, FL

Chief Advocacy Officer, April 2018 – Present

Bright Side Legal is a boutique land use and zoning law firm securing entitlements for resilient development and protecting the property rights of the client. I represent landowners - whether individual homeowners or developers - in public hearings before land use boards and in their matters with local governments. Specific experience includes site plan approval, variance approval, fee mitigation, tree removal and mitigation, code interpretation, and use licensing in jurisdictions such as the Cities of Hollywood, Miami Beach, Aventura, North Miami Beach, Miami, Port St. Lucie, the Villages of Biscayne Park and North Bay Village, Palm Beach County, and Miami-Dade County.

ERIN L. DEADY, P.A. – DELRAY BEACH, FL

Associate, October 2018 – November 2021

As an associate at this environmental law firm, I advise private sector and local government clients on sea level rise planning: climate change “adaptation and resilience” is a fast-growing area of expertise and our firm is a vanguard in the space. Practice areas include municipal, environmental, administrative, land use, and zoning law; clients include Monroe, Martin, and St. Lucie Counties and the Cities of Pensacola, Sunrise, and Lighthouse Point. We work with engineers, data scientists, and other environmental and design professionals to assess area vulnerabilities and provide innovations and recommendations, as well as track and influence environmental policy at the state and local levels.

SHUBIN AND BASS, P.A. - MIAMI, FL

Attorney, August 2016 - March 2018

As a first-year associate representing major institutions, private clubs, and luxury malls in real property entitlement proceedings, I successfully advanced client interests in quasi-judicial hearings and before local government staff, prepared winning appeals of quasi-judicial and administrative decisions, and drafted litigation materials. I gained comprehensive experience with Miami 21 and Special Area Plans, and conducted extensive research and writing regarding land development regulations, as well as statutory and constitutional legal questions.

J STREET - PLANTATION, FL/WASHINGTON, DC

Southern Regional Director, December 2011 - July 2013; Government Affairs Associate, April 2009 - January 2012

I opened the first Florida office of this major national advocacy organization and directed its grassroots and political efforts in five states, including extensive public speaking, press and public relations management, public event strategy and organization, and our advocacy programs. I managed Congressional meetings, lobby day visits to Washington DC, media campaigns, and leadership development training. I directed strategic relationships for fundraising and political capital, as well as advised Congressional candidates for PAC endorsement to achieve a 100% winning record in 2012. As a federally-registered lobbyist, I managed a portfolio of more than ninety Congressional offices, educating and advising Members of Congress on American foreign policy regarding Israel, Iran, and the broader Middle East.

U.S. REPRESENTATIVE DEBBIE WASSERMAN SCHULTZ - WASHINGTON, DC

Staff & Research Assistant, June 2007 - April 2009

I ran the Congressional office of one of the most active members of the U.S. House of Representatives, directing in-person constituent relations and all staff coordination on Capitol Hill. I assembled the congresswoman's daily briefing materials, delegated tasks to all staff, and prepared remarks, memoranda, and the congresswoman's schedule. I staffed and advised the congresswoman during meetings and events, as well as researched and briefed staff on the full range of public policy issues. I managed interns, the Capitol Tour and flag request programs, legislative staff meetings, and front office flow. I maintain exceptional relationships with the congresswoman and her staff today.

EDUCATION

University of Miami School of Law - Coral Gables, FL

Juris Doctor, May 2016 (3.44/4.0)

The George Washington University - Washington, DC

Bachelor of Arts in Middle Eastern Studies and Political Science, June 2007 (3.45/4.0)

COMMUNITY LEADERSHIP

Treasure Island Commissioner, North Bay Village

Vice President, American Civil Liberties Union of Florida - Greater Miami Chapter

Member, The Florida Bar



BRIGHT SIDE LEGAL

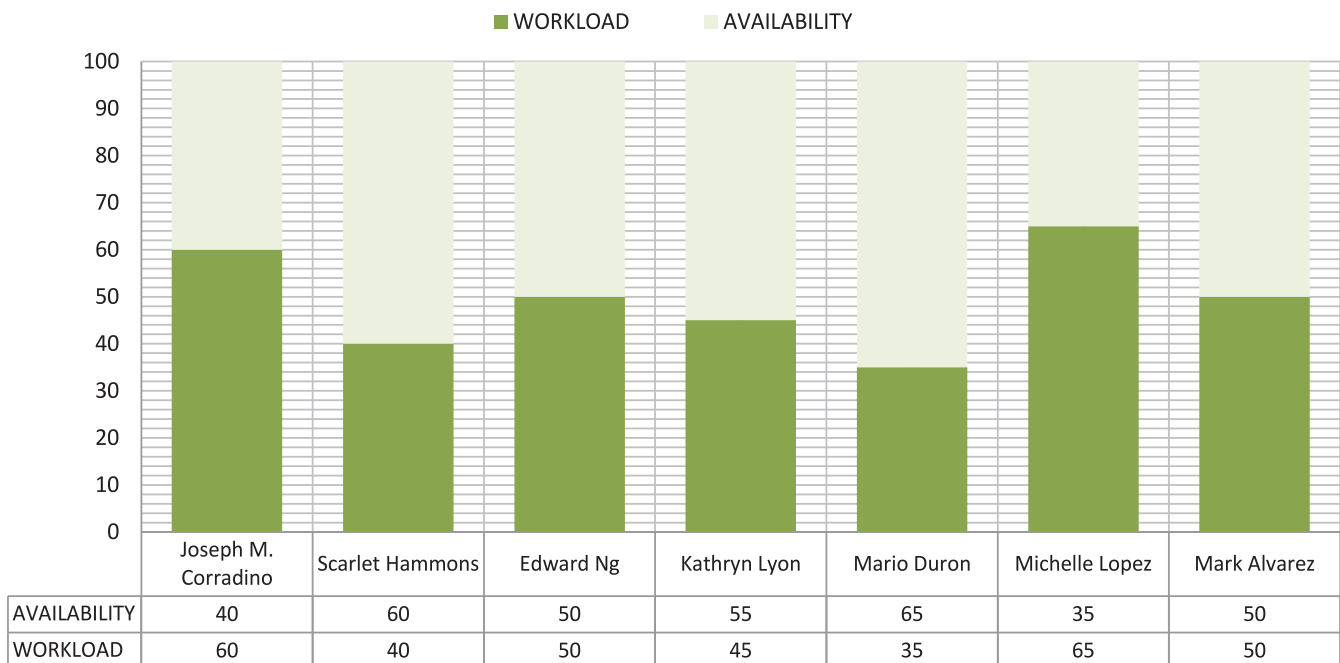
1.3.4. WORKLOAD AND SCHEDULING



OVERALL WORKLOAD OF THE COMPANY

CLIENT	CONTRACT	APPROXIMATE STAFF HOURS/WEEK	FROM	TO
City of Homestead	General Planning Support	88	Aug-13	Dec-24
City of North Miami Beach	Interim Planning Manager	24	Feb-21	Jun-21
City of Oakland Park	General Services	8	Oct-19	Oct-22
City of Fort Lauderdale	Central City CRA	16	Dec-20	Aug-20
Town of Cutler Bay	General Services	8	Nov-17	Dec-23
Village of Palmetto Bay	General Services	24	Oct-18	Apr-21
City of Miami	La Pastorita Neighborhood Design	8	Jan-20	May-21
City of Treasure Island	Comprehensive Plan Update	16	Feb-21	Feb-22
Town of Fort Myers Beach	Comprehensive Plan Update	16	Aug-20	Dec-21
City of Miami Shores	Water Supply Plan Update	10	Jan-21	Mar-21
City of Miami Gardens	Water Supply Plan Update	4	Aug-20	Apr-21
Town of Culter Bay	Transportation Master Plan	32	Jan-21	Dec-21
Village of Islamorada	General Services	2	Jun-17	Dec-23
City of North Miami Beach	General Services Work Orders	24	Jun-17	Dec-23
Village of Key Biscayne	General Services	1	Jan-21	Dec-23
City of West Park	General Planning Services	3	Jan-21	Dec-23

Workload Availability



1.3.4. WORKLOAD AND SCHEDULING



PROJECT SCHEDULING ABILITY/TIMELY COMPLETION OF WORK

The wheel that moves any process is one of administration and constant, consistent communication. The Corradino Team understands the project schedule is the most important tool available for the successful management of a project. Project scheduling matches the resources of equipment, materials, and labor with project work tasks over time. We realize that competent scheduling can eliminate problems due to production bottlenecks, can facilitate the timely procurement of necessary materials, and otherwise ensure the completion of a project as soon as possible. In contrast, poor scheduling can result in considerable waste as laborers and equipment wait for the availability of needed resources or the completion of preceding tasks.

Our project management team is designed to assure the technical tasks are completed on-time and within budget, and that all the contract requirements are met. Corradino commits to timely completion of work, and availability for this project beginning March 15, 2022. Corradino will work with Town staff on scheduling of all tasks, and understands that there may be periods between task orders. Nonetheless, we are fully committed to this project and will ensure availability for each task. The Corradino Team assigned to this project



have a diverse set of overlapping skills, and the depth of the staff chart assigned is to ensure regular availability given the unknown nature of the specific task orders as noted in the RFP. To ensure regular continuity of project assignments, all project staff members will be kept apprised of project status and upcoming tasks regularly.

As a future discussion point, Corradino proposes the following preliminary schedule for the project, subject to change based on discussions regarding scope, especially with public engagement.

TASKS	MONTHS FROM START OF PROJECT																													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Task I: Public Engagement																														
General Public Workshops																														
Stakeholder Focus Groups																														
Meeting with Advisory Commissions																														
Town Council																														
Public Hearing and Adoption Hearings																														
Task II: Zoning and Comprehensive Plan Review																														
Task III: Code Development																														
Task IV: Optional Services																														
<u>Task IV.1:</u> Development of Design Guides																														
<u>Task IV.2:</u> Assistance with the 2024 Evaluation and Appraisal Review of the Comprehensive Plan																														



MEETING THE TOWN'S OPERATIONAL AND ADMINISTRATIVE REQUIREMENTS

As in-house consultants across South Florida, the Corradino team assigned to this contract prides itself on its adaptability to each individual client's operational and administrative requirements, including, but not limited to, internal staff review periods, including by Town Attorney

and timeline in submission of materials to the Town Clerk; formatting of written documents, especially for zoning and land use amendments; public noticing for all meetings; billing and administration; and project management and meeting structure, among others. The Town of Palm Beach has our team's guarantee that we will adapt to your specific operational and administrative needs in the same manner as we have adapted to all of our other clients.



TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 037-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to the FY22 Blanket Purchase Order issued to Xylem Water Solutions USA, Inc. in the Amount of \$81,732.07 for a New Award Amount of \$150,000.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 23, 2022, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 037-2022**

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving a Change Order to the FY22 Blanket Purchase Order Issued to Xylem Water Solutions USA, Inc. in the Amount of \$81,732.07 for a New Award Amount of \$150,000; **Resolution No. 037-2022**

DATE: 23 February 2022

STAFF RECOMMENDATION

Staff recommends Town Council approve Resolution No. 037-2022, approving a Change Order to the FY22 Blanket Purchase Order issued to Xylem Water Solutions USA, Inc. in the Amount of \$81,732.07 for a New Award Amount of \$150,000.

SUMMARY EXPLANATION/BACKGROUND

During the budget process each year, the Water Resources Division reviews the anticipated requirements for services provided by the division. With aging infrastructure of various pumps for both storm and sewer, an initial recommendation was made for a Blanket Purchase Order to Xylem Water Solutions USA, Inc. that would address outsourced diagnostic evaluation of pumps to include repair of the pumps. Xylem Water Solutions USA, Inc. would also provide all OEM parts for internal stock for in-house repairs when required.

Due to the fact that we have had greater spend rate of the Blanket Purchase Order and we are only in February, Water Resources has stepped back and reviewed potential pump conditions and have requested that we raise the Blanket Purchase Order to \$150,000 for the remainder of the FY.

Xylem Water Solutions USA, Inc. is the single source of Flygt Pumps that the Town has found to be a proven pump for the stations.

A current submitted change order will now place the allocation greater than \$65,000 which requires Town Council Approval.

FISCAL IMPACT/FUNDING SOURCE

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

USER DEPARTMENT CONCURRENCE

The Public Works Department is in full concurrence with this recommendation.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues. The review included conducting market research.

TOWN ATTORNEY REVIEW

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

CC: H. Paul Brazil, P.E., Director of Public Works
 Patricia Strayer, P.E., Town Engineer
 Jason Debrincat, P.E. Senior Project Engineer

RESOLUTION NO. 037-2021

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A CHANGE ORDER TO THE FY22 BLANKET
PURCHASE ORDER ISSUED TO XYLEM WATER SOLUTIONS
USA, INC. IN THE AMOUNT OF \$81,732.07 FOR A NEW
AWARD AMOUNT OF \$150,000**

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 037-2021, Approving a Change Order to the FY22 Blanket Purchase Order issued to Xylem Water Solutions USA, Inc. in the Amount of \$81,732.07 for a New Award Amount of \$150,000.

Section 2. The Town Manager is hereby authorized to execute this contract and any deriving purchase orders on behalf of 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 8th day of March 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle Gordon, Acting Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 038-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Change Order to the Award of Engineering Design Services to Mock-Roos and Associates for the D-8 Stormwater Pump Station and the E-5 Wastewater Pump Station for an Additional \$23,858 Against Resolution No. 150-2019.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 24, 2022, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 038-2022**
- ▣ **E-5 Proposal Change Order**
- ▣ **D-8 Proposal Change Order**
- ▣ **Original Resolution No. 150-2019**

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving a Change Order to the Award of Engineering Design Services to Mock-Roos and Associates for the D-8 Stormwater Pump Station and the E-5 Wastewater Pump Station for an Additional Amount of \$23,858 against the Original Resolution 150-2019; **Resolution No. 038-2022**

DATE: 24 February 2022

STAFF RECOMMENDATION

Staff recommends Town Council approve Resolution No. 038-2022, Approving a Change Order to the Award of Engineering Design Services to Mock-Roos and Associates for the D-8 Stormwater Pump Station and the E-5 Wastewater Pump Station in the Amount of \$23,858.

SUMMARY EXPLANATION/BACKGROUND

When the original Resolution No. 150-2019 was put forth, the established contingency was incorrectly calculated at 5%. For construction projects, the contingency is generally established at 10% to 15% depending on the complexity of the project.

Mook-Roos and Associates submitted a change order request for the E-5 Wastewater Pump Station Rehabilitation in the amount of \$14,960. Mock-Roos additionally submitted a change order request for the D-8 Stormwater Pump Station Rehabilitation in amount of \$8,898.

The requested Change Order Amount of \$23,858 will address the underfunded project budget.

The original PO number for E-5 was 200487 with an initial PO Amount of \$39,764. The original PO for D-8 was 200486 with an initial PO Amount of \$144,671.

FISCAL IMPACT/FUNDING SOURCE

Funding for the Design and Bid Phase of Engineering Services of the noted projects is contained within the Pay As You Go Capital Improvement Fund.

USER DEPARTMENT CONCURRENCE

The Public Works Department is in full concurrence with this recommendation.

DUE DILIGENCE

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

TOWN ATTORNEY REVIEW

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

CC: H. Paul Brazil, P.E., Director of Public Works
 Patricia Strayer, P.E., Town Engineer
 Jason Debrincat, P.E. Senior Project Engineer

RESOLUTION NO. 038-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF A CHANGE ORDER TO THE
AWARD OF ENGINEERING DESIGN SERVICES TO MOCK-
ROOS AND ASSOCIATES FOR THE D-8 STORMWATER PUMP
STATION AND THE E-5 WASTEWATER PUMP STATION FOR
AN ADDITIONAL \$23,858 AGAINST RESOLUTION NO. 150-
2019**

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 019 -2022, Approving a Change Order to the Award of Engineering Design Services to Mock-Roos and Associates for the D-8 Stormwater Pump Station and the E-5 Wastewater Pump Station for an Additional Amount of \$23,858 against the Original Resolution 150-2019.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of March 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle Gordon, Acting Town Clerk



MOCK • ROOS

CONSULTING ENGINEERS

February 4, 2022

Mr. Dean Mealy
Purchasing Manager
P.O. Box 2029
Palm Beach, FL 33480-2029

Ref. No. B9031.00
Subject: E-5 Wastewater Pump Station Rehabilitation

Dear Dean:

We are submitting the attached *Proposal to Provide Professional Engineering Services for the E-5 Wastewater Pump Station Rehabilitation Project*. Please review the attached proposal and return one signed copy 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 \$14,960.00.

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.

Garry G. Gruber, P.E.
Senior Vice President

GGG:tsm

Copies: Bookkeeping

Proposal to Provide Professional Engineering Services for the E-5 Wastewater Pump Station Rehabilitation Project

Services to be provided by: Mock•Roos

Services provided to (Town): Town of Palm Beach

Proposal Date: February 4, 2022

Proposal Terms

A. Project Understanding:

The Town is planning to move forward with the necessary improvements to its E-5 Wastewater Pump Station identified in the Town's March 2016 Wastewater Pump Station Assessment Report. During the design of the improvements identified in the March 2016 Waste Water Pump Station Assessment Report, the Town identified that the forcemain with the wet well and valve vault was in poor condition and should be replaced from the base elbow to approximately 5-ft outside of the valve vault. The valve vault will also be replaced and a drain from the valve vault to the wetwell will be installed. This proposal is for the design and permitting services for the replacement of this forcemain as described in the **B. Scope of Services** below. The improvements to the E-5 Wastewater Pump Station will be incorporated into the drawing set for the Town's D-8 Stormwater Pump Station Rehabilitation and will be bid as one project.

Mock•Roos will provide services as outlined in **B. Scope of Services** below.

B. Scope of Services:

1. Attend an onsite meeting with the Town to review record drawings and discuss the routing of the existing forcemain that will be replaced. Coordinate with Town staff to identify the existing pump model and coordinate with the pump manufacturer to select a new base elbow for the pump station. The discharge pipe will be replaced from the base elbow through the valve vault to approximately 5' beyond the valve vault.
2. Prepare typical plans, specifications, and other required deliverables for project components based on industry practice for such facilities to advance the Project design through 90-percent (for review/comment) and 100-percent complete documents (for preapproved contractors). Review and coordination with Town staff shall be performed to confirm the proposed improvements are in accordance with the Town's Operation and Maintenance (O&M) goals.

C. Additional Services:

1. Any services not included in the Scope of Services will be considered Additional Services. Based on the current scope of services the following items have not been included:

- Evaluation of the existing service area and the operation of the existing pump station is not included
 - Landscaping modification (fiscus removal and replacement) are to be completed by the Town under the D-8 project and are not included
 - ARCOM review is not anticipated and not included
2. Town to coordinate and obtain easements for existing pump station components and proposed improvements.
 3. Bid Services have been removed as the Town intends to have this project bid with the Town's D-8 Stormwater Pump Station Project.
 4. Any design changes, schedule changes, drawing changes, or other project changes requested by Client will be considered Additional Services.
 5. Additional Services can be provided upon Mock•Roos receiving signed authorization from Client.

D. Assumptions:

1. It is assumed that the Town will facilitate access to the structural and electrical elements to be reviewed.
2. It is assumed that the plans to be provided will be for the purposes of maintaining the existing structural elements. The scope in this task does not include a load analysis, structural analysis, or certification that the structure meets any current design codes.

E. Fees and Rates:

1. Mock•Roos will complete these services on an hourly basis at Mock•Roos' hourly rates, plus reimbursable expenses.
2. The total fee to provide the Scope of Services is anticipated to be \$14,960.00.
3. Mock•Roos will not provide services in excess of the anticipated fee without signed authorization from Client.
4. Mock•Roos can provide Additional Services at the Mock•Roos rates in effect at that time, plus 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

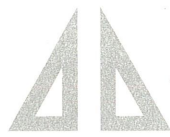
Date: February 4, 2022

**Town of Palm Beach
E-5 Pump Station Rehabilitation
Forcemain Replacement Design
(PA# B9031.00)**

03-08-22

Task Description	Labor Categories					Total
	Project Director	Senior Project Manager	Senior Engineer	Project Engineer II	Senior Administrative Assistant	
Labor Hourly Billing Rate	\$195.00	\$175.00	\$170.00	\$125.00	\$70.00	
Design and Bid Phase						
1 Kick-off Meeting and Site Visit	2	4	8		2	\$ 2,590
2 90-Percent Completion	2	4	20	40	2	\$ 9,630
3 Permitting and 100- Percent		8		8	2	\$ 2,540
Subtotal	\$ 780	\$ 2,800	\$ 4,760	\$ 6,000	\$ 420	\$ 14,760
					Expenses	\$ 200
						\$14,960

TCM Backup



MOCK•ROOS

CONSULTING ENGINEERS

February 3, 2022

Mr. Dean Mealy
Purchasing Manager
P.O. Box 2029
Palm Beach, FL 33480-2029

Ref. No. B9035.00
Subject: D-8 Stormwater Pump Station Rehabilitation

Dear Dean:

We are submitting the attached revised *Proposal to Provide Professional Engineering Services for the D-8 Stormwater Pump Station Rehabilitation Project*. Please review the attached proposal and return one signed copy 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 \$8,898.00.

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.

Garry G. Gruber, P.E.
Senior Vice President

GGG:tsm

Copies: Bookkeeping

Proposal to Provide Professional Engineering Services for the D-8 Stormwater Pump Station Rehabilitation Project

Services to be provided by: Mock•Roos

Services provided to (Town): Town of Palm Beach

Proposal Date: February 3, 2022

Proposal Terms

A. Project Understanding:

The Town is planning to move forward with the necessary improvements to its D-8 Stormwater Pump Station identified in the Town's December 2015 Stormwater Pump Station Assessment Report. In addition to the recommendations in the report, the Town has requested that Mock•Roos design landscape improvements around the pump station, modify the duty pump access hatch based on existing conduit routing in the adjacent slab, reduce the scope based on staff level approval (reduced ARCOM), and perform upgrades to the exiting electrical system as outlined in **B. Scope of Services** below.

Mock•Roos will provide services as outlined in **B. Scope of Services** below.

B. Scope of Services:

1. Attend an onsite project kick-off meeting with the Town and design team.
2. Provide the Services of a Landscaping Subconsultant to assist with perform the following scope of services:
 - a. Prepare landscape bid documents in compliance with the Town of Palm Beach Code.
 - i. Planting plans will delineate plant material, plant quantities, plant schedules, specifications, and project-specific planting details as required.
 - ii. Opinion of Probable Construction Cost.
 - b. Submit plans and specifications for review at the 100% completion stage, meet with the Town to review their comments, and accommodate one round of reasonable requests for revisions by the Town after each review.
3. Provide the Services of a Structural Engineering Subconsultant to assist with performing the following scope of services for plan revisions due to conflicts with existing conduits:
 - a. Visit the site to review possible expansion of the existing wetwell top slab duty pump access opening due to existing conduit routes within the concrete floor.
 - b. Update our structural design to accommodate the dimensional changes of the wetwell top slab duty pump access opening
 - c. Revise the following plan sheets for the wetwell top slab duty pump access opening.
 - i. Sheet S1-2 Wetwell Bay Demolition Plan El. 3.5'
 - ii. Sheet S1-3 Wetwell Bay Plan El. 3.5'
 - iii. Sheet S1-4 Wetwell Bay Floor Plan

- iv. Sheet S1-5 Wetwell Bay Plan El. 17.1'
 - v. Sheet S3-1 Wetwell Bay Demolition Sections
 - vi. Sheet S3-2 Wetwell Bay Sections
 - vii. Sheet S5-1 Structural Details 1
 - d. Update the opinion of probable construction cost.
 - e. Submit updated plans and specifications for review at 100% completion stage, meet with the Town to review their comments, and accommodate one (1) round of reasonable requests for revisions by the Town after each review
4. Provide the services of a Structural Engineering Subconsultant to assist with performing the following scope of services associated with the reduced ARCOM scope of work.
- a. The original scope of services included ARCOM Assistance for the project which included the items listed below. It is understood that the project will not require ARCOM approval and will only require a staff level approval. It is understood that the completion of building elevations will still be required for the staff level approval process. The other items listed below are not required.
 - i. Providing floor plans and elevations to Mock•Roos for the application package.
 - ii. Attendance at the ARCOM review meeting and application preparation.
 - iii. Complete two rounds of revisions to the plans as a result of the review process.
5. Provide the Services of an Electrical Engineering Subconsultant to assist with perform the following scope of services:
- a. Provide Electrical Engineering Design to replace the existing 600A 3 phase metered service to D-8 pump station with a 1600A service to allow for the full ampacity to run all the pump loads without tripping the main disconnect. Service entrance rated ATS. This would meet the requirements of shutting down the pump station service from outside without a new more expensive 1600Amp outdoor rated switchgear cabinet.
 - b. Coordinate with FPL to reuse existing transformer and allow to reuse existing 1600A underground parallel service 600Kcmil feeder.
 - c. Reuse existing portion of conduit and parallel cables to keep costs down. Provide 3M waterproof splices and extend parallel wires with new 600Kcmil feeder as required.
 - d. Electrical service design for controller or pump station for irrigation if needed.
6. Reduce the scope of services for the Architectural Subconsultant since it is understood that the project will not require ARCOM approval and will only require a staff level approval.

C. Additional Services:

1. Any services not included in the Scope of Services will be considered Additional Services. Based on the current scope of services the following items have not been included:
- no survey is anticipated to be required
 - easement research and acquisition will not be required
 - no evaluation of the existing drainage basin or the operation of the existing drainage system is anticipated to be required
 - potable water connection for generator cooling

- design revisions to accommodate raising improvements to two (2) feet above the 100-yr flood elevation for grant coordination.
2. Town to coordinate and obtain easements for existing pump station and proposed improvements.
 3. Any design changes, schedule changes, drawing changes, or other project changes requested by Client will be considered Additional Services.
 4. Additional Services can be provided upon Mock•Roos receiving signed authorization from Client.

D. Assumptions:

1. It is assumed that the plans to be provided will be for the purposes of maintaining the existing structural elements. The scope in this task does not include a load analysis, structural analysis, or certification that the structure meets any current design codes.
2. Town to coordinate with residents and project stake holders, on increased generator noise associated with an air-cooled radiator system.
3. It is anticipated that the project will require staff level approval and not a formal ARCOM approval.

E. Fees and Rates:

1. Mock•Roos will complete these services on an hourly basis at Mock•Roos' hourly rates, plus reimbursable expenses.
2. The total fee to provide the Scope of Services is anticipated to be \$8,890.00.
3. Mock•Roos will not provide services in excess of the anticipated fee without signed authorization from Client.
4. Mock•Roos can provide Additional Services at the Mock•Roos rates in effect at that time, plus 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: February 3, 2022

RESOLUTION NO. 150-2019

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING PURCHASE ORDERS FOR ENGINEERING
DESIGN SERVICES TO KIMLEY-HORN AND ASSOCIATES
FOR DRAINAGE PUMP STATION D-12, AND WASTEWATER
PUMP STATIONS A-6 AND E-6 AND TO MOCK-ROOS AND
ASSOCIATES FOR DRAINAGE PUMP STATION D-8 AND
WASTE WATER PUMP STATION E-5, IN THE AMOUNT OF
\$404,177, AND A PROJECT BUDGET OF \$425,000**

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 150-2019 approving Purchase Orders for Engineering Design Services to Kimley-Horn and Associates for Drainage Pump Station D-12 and Waste Water Pump Stations A-6 and E-6, and to Mock-Roos and Associates for Drainage Pump Station D-8 and Wastewater Pump Station E-5 in the Amount of \$404,177, and a Project Budget of \$425,000.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 10th day of December, 2019.

Gail L. Coniglio, Mayor

ATTEST:

Kathleen Dominguez, CMC, Town Clerk

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 10, 2019

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve Five (5) Purchase Orders for Engineering Design Services of the A-6, E-6, and E-5 Wastewater Pump Station Improvements and D-8 and D-12 Drainage Pump Stations in the Amount of \$404,177 and a Project Budget of \$425,000, **Resolution No. 150-2019**

DATE: 25 November 2019

STAFF RECOMMENDATION

Town staff recommends that Town Council approve the a Resolution to Approve Five (5) Purchase Orders for Engineering Design Services of the A-6, E-6, and E-5 Wastewater Pump Station Improvements and D-8 and D-12 Drainage Pump Stations.

The resolution will approve a purchase order to Mock, Roos & Associates, Inc. (MR), for engineering design and bid phase services in the amount of \$135,773 for the D-8 Pump Station Improvements and establishing an engineering design and bid phase services budget of \$140,000, including contingency; a purchase order to Kimley-Horn and Associates, Inc. (KHA), for engineering design and bid phase services in the amount of \$92,000 for the D-12 Pump Station Improvements and establishing an engineering design and bid phase services budget of \$96,000, including contingency; a purchase order to KHA, for engineering design and bid phase services in the amount of \$104,000 for the A-6 Wastewater Pump Station Improvements and establishing an engineering design and bid phase services budget of \$112,000, including contingency; a purchase order to KHA, for engineering design and bid phase services in the amount of \$47,600 for the E-6 Wastewater Pump Station Improvements and establishing an engineering design and bid phase services budget of \$50,000, including contingency; and a purchase order to MR, for engineering design and bid phase services in the amount of \$24,804 for the E-5 Wastewater Pump Station Improvements and establishing an engineering design and bid phase services budget of \$27,000, including contingency.

GENERAL INFORMATION

As part of the Accelerated Capital Improvement Program-Phase II, a condition assessment was performed by Mock-Roos and Associates, Inc. in 2016 on all the Town's sanitary sewer stations and drainage stations. Town staff have been using these assessments to budget the necessary maintenance to both sanitary and drainage stations. The FY 2020 Approved Capital Improvements Budget included these five (5) stations. The table below demonstrates the

budgeted amounts, the proposal amounts and the recommended contract amounts with contingency:

Station	Location	Budgeted Design Cost	Proposed Design Cost	Cost w/Contingency	Consultant
D-8	Country Club Road	\$105,000	135,773	\$140,000	Mock-Roos
D-12	Everglade Avenue	\$100,000	\$92,000	\$96,000	Kimley
A-6	Royal Palm Way/Intracoastal	\$115,000	\$104,000	\$112,000	Kimley
E-6	Tangier Avenue	\$30,000	\$47,600	\$50,000	Kimley
E-5	Country Club Drive	\$33,000	\$24,804	\$27,000	Mock-Roos
Total		\$383,000	\$404,177	\$425,000	

The recommended amounts exceed the budgeted design cost. The actual budgeted funds for these stations includes construction cost for the E-5 station. This construction will not occur until FY 2021. Therefore, the FY2020 budget has enough funds to perform this work. Staff has reviewed the proposals in comparison to the condition assessments. The conditions assessments are 4 years old and do not include all of the maintenance issues that are requiring repairs. Staff is using the Professional Services Consulting contracts to perform this work. The work has been distributed to MR and KHA based on each firms capabilities and experience with each of the above referenced stations.

FUNDING/FISCAL IMPACT

Funding for the Design and Bid Phase Engineering Services of this project is contained within the FY 2020 Pay As You Go Capital Improvement Plan.

PUBLIC WORKS REVIEW

This item has been reviewed by the Public Works and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Paul Brazil, Public Works Director
Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Consent - Other

Agenda Title

Accept Donation of \$100,000 for Purchase of Equipment for the Police Department

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▣ **Memorandum Dated January 28, 2022, from Nicholas Caristo, Chief of Police**
- ▣ **Administrative Procedure 1-08-8**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Accept Donation of \$100,000 from Kenneth C. Griffin for Purchase of Vehicles for the Police Department

Date: January 28, 2022

STAFF RECOMMENDATION

Staff recommends the Town Council accept a donation from Kenneth C. Griffin in the amount of \$100,000 to purchase vehicles for the Police Department as deemed appropriate and necessary by the Chief of Police and the Town Manager in accordance with the Town's Purchasing Procedures.

GENERAL INFORMATION

The Palm Beach Police Department continues to benefit from the generosity of the residents and businesses of the Town of Palm Beach. The Department has recently received intentions of a donation of \$100,000 from resident Kenneth C. Griffin. The donor indicated that the funds should be utilized as deemed appropriate and necessary by the Chief of Police and the Town Manager, for vehicles, for the Police Department.

Per Town Administration Policy No. 1-08-08 (Attachment A), any donation with a value over \$25,000, which is not included in the Town's budget, must be approved by Town Council. A gift agreement, which has been approved by the Town Attorney, will be executed by the donor and Town Manager if the Town Council approves the donation acceptance.

FUNDING/FISCAL IMPACT

The donation will be forward to the Finance Department for deposit in the Police Department's donation account. Vehicles and related equipment purchased using donated funds will be obtained in accordance with established Purchasing Procedures.

NC:wmr

Attachment

cc: Jane Le Clainche, Director of Finance
Dean Mealy, Purchasing Manager
John C. Randolph, Town Attorney



TOWN OF PALM BEACH

Administrative Procedures

TOWN DONATIONS PROCEDURES

Procedure No.:.....1-08-8

Effective Date:..... September 25, 2008

Revision to Procedure No.:..... 1-08-5

APPROVED: 
Peter B. Elwell, Town Manager

OBJECTIVE: To formally establish clear procedures for implementation of the donations policy adopted by the Town Council at the January 8, 2008 Town Council meeting.

RESPONSIBILITY: Department directors and/or the Town Manager shall be responsible for the implementation of this procedure. The Finance Director shall be responsible for ensuring completion of those actions required of the Finance Department. Town Council is responsible for approving certain donations as described below.

DEFINITIONS:

Donation:	May refer to either money or items. (Donations of food are exempted from this policy.)
Town budget:	Refers to the Town Council adopted budget, the Equipment Replacement Program, or the approved five-year Capital Improvement Program
Department director:	May also refer to his or her designee
Town Manager:	May also refer to his or her designee

POLICY: Donations with a value over \$25,000, which are not included in the Town budget or the Council-approved Capital Improvement Program (CIP) or Equipment Replacement Fund (ERF), must be individually approved by Town Council. All other donations require administrative approval under the following guidelines:

- Donations of any value, which are of or for items included in the Town budget, are subject to the approval of the department director or Town Manager, as appropriate.

- Donations of money are accepted so long as items bought with the donated money follow the same guidelines as those of a donated item.
- Donations of items with a value of \$25,000 or less, which are not included in the Town budget, may be approved by the department director if there will be no future maintenance or replacement cost, but are subject to the approval of the Town Manager if there could or would be future maintenance or replacement cost.

The department director or Town Manager may seek Town Council approval of any donation which they determine should be subject to Town Council review.

PROCEDURE:

- Donations of cash or gift cards will not be accepted, with the exception of gift certificates or cards donated to the Recreation Department for the use as program prizes. Said certificates or cards will be subject to appropriate cash handling and tracking procedures to insure accountability.
- Departments must follow the Town's formal written purchasing procedures when using donation funding to buy an item.
- If the Town receives a donation for an item in the ERF that is not scheduled for purchase until a future date, the department shall use the donation when the next available purchase for such item occurs in the ERF. Acceleration of such purchases is allowed only upon the advance written approval of the Town Manager.
- All donations shall be reported to the Finance Department for processing and recording.
- The Finance Department will administer a central database, which shall record the date of every donation, name and address of donor, purpose of the donation and the amount of the donation. Departments should submit such information to the Finance Department the same business day the donation is received.

CONSIDERATIONS:

When determining whether to accept a donation, the department director and/or Town Manager should consider whether the public, professional or community benefit is clear. The Town should also

avoid any impression that a private entity might receive a favor, naming rights, or any other quid pro quo consideration from the Town or a Town official in exchange for the donation.

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

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 4th on Flagler Event

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 18, 2022, from Kirk Blouin, Town Manager**
- ▣ **Letter Dated February 15, 2022 from Cinde Martin, City of West Palm Beach**
- ▣ **Sponsorship Benefits**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

From: Kirk W. Blouin, Town Manager

Re: Request for the City of West Palm Beach

Date: February 18, 2022

GENERAL INFORMATION

The City of West Palm Beach is requesting the Town serve as an official sponsor of their 4th on Flagler July 4th Celebration. The attached letter dated February 15, 2022, from Cinde Martin, Marketing Consultant for the City of West Palm Beach, identifies benefits of sponsorship.

The Town has previously sponsored this event, including last year at \$12,000. This year's celebration will be an in-person celebration with the fireworks also being televised live on WPBF 25 News.

FUNDING/FISCAL IMPACT

If Town sponsorship of the 4th on Flagler event is approved by the Town Council, the \$12,000 cost for this sponsorship will be expended from the FY2022 General Fund Contingency Account.

Attachments

KB:js

cc: Jane LeClainche, Director of Finance



"The Capital City of the Palm Beaches"

February 15, 2022

Mr. Kirk Blouin
Town of Palm Beach
Correspondence via e-mail

Dear Mr. Blouin,

I hope you and your team are well. The City of West Palm Beach is very appreciative of the Town of Palm Beach's historical support for 4th on Flagler over the years. Thank you again.

Last year's event was very successful, even with shortened hours and less high-touch activities. And, with WPBF 25 News airing Project CommUNITY Fireworks from Home 30-minute live broadcast, literally hundreds of thousands of Palm Beach County's residents were able to enjoy the fireworks and our local celebration.

We are excited for an in-person celebration again this year and a special TV Program airing the fireworks live on WPBF 25 News again that evening.

We are respectfully requesting the Town of Palm Beach serve as a sponsor again 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 and we are confident this year will be no different.

I've attached an outline of the benefits you will continue to receive as a 4th on Flagler partner. Please contact me if you have questions or require more information. We look forward to working with you on the City of West Palm Beach's 4th of July celebration!

Sincerely,
VIA EMAIL
Cinde A. Martin
Marketing Consultant

"An Equal Opportunity Employer"



OFFICIAL SPONSORSHIP
Town of Palm Beach

MONDAY, JULY 4, 2022

Attendance approximately 120,000+

Join the City of West Palm Beach for South Florida's largest and best Fourth of July Celebration. This year's celebration will mark 4th on Flagler's 35th year! We are so proud that 4th on Flagler has become the largest, free community celebration in Palm Beach County. This year, as always, we invite the Town of Palm Beach and its residents to join us in providing this community service for all residents.

The celebration is heavily promoted on television – we are again working with WPBF-TV 25 again and we welcome our radio partners, Hubbard Radio which includes 97.9 WRMF, New Country 103.1, SUNNY 107.9, PARTY 96.3, News Talk 850 WFTL, Fox Sports 640 South Florida and X 102.3 with The Palm Beach Post supplying our print ads. With two stages, a kids area, a family picnic area, delicious food and drink, and of course the grand star – the fireworks – this event is slated for good ole' Americana fun!

Benefits include:

- Right to a Corporate Display Areas; one (1) 10x10 tent on Flagler Drive
- Media Recognition
 - Corporate Inclusion in select print ads to run in The Palm Beach Post
 - Corporate Inclusion in select radio ads to run on Hubbard Radio West Palm Beach
- Website Inclusion
- Collateral Inclusion on 4th on Flagler Collateral
- Prominent Signage at Event; Inclusion on all Sponsor Boards
- VIP Ticket Package for Event
 - 1 VIP Parking Pass
 - 14 Tickets to the VIP Hospitality Area
- Right to pre and post event promotions (with City's prior approval)
- First right of refusal

PACKAGE VALUE - \$ 20+K ANNUALLY

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Consent - Other

Agenda Title

Accept Donation of \$46,800 from Everglades Island Residents for Purchase of Security Cameras

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▣ **Memorandum Dated February 14, 2022 from Nicholas Caristo, Chief of Police**
- ▣ **Administrative Procedure 1-08-8**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Accept Donation of \$46,800 from Everglades Island Residents
For Purchase of Security Cameras

Date: February 14, 2022

STAFF RECOMMENDATION

Staff recommends the Town Council accept a donation from Everglades Island residents in the amount of \$46,800 for the Police Department to purchase security cameras in the area of Everglades Island as deemed appropriate and necessary by the Chief of Police and the Town Manager in accordance with the Town's Purchasing Procedures.

GENERAL INFORMATION

The Palm Beach Police Department continues to benefit from the generosity of the residents and businesses of the Town of Palm Beach. The Department has recently received a commitment for a donation of \$46,800 from Everglades Island residents. The donors request that the funds be utilized as deemed appropriate and necessary by the Chief of Police and the Town Manager, for security cameras in the area of Everglades Island, for the Police Department.

Per Town Administrative Procedure No. 1-08-08 (Attachment A), any donation with a value over \$25,000, which is not included in the Town's budget, must be approved by Town Council.

FUNDING/FISCAL IMPACT

The donation will be forwarded to the Finance Department for deposit in the Police Department's donation account. Security cameras and related equipment purchased using donated funds will be obtained in accordance with established Purchasing Procedures.

NC:wmr

Attachment

cc: Jane Le Clainche, Director of Finance
Dean Mealy, Purchasing Manager
John C. Randolph, Town Attorney



TOWN OF PALM BEACH

Administrative Procedures

TOWN DONATIONS PROCEDURES

Procedure No.:.....1-08-8

Effective Date:..... September 25, 2008

Revision to Procedure No.:..... 1-08-5

APPROVED: 
Peter B. Elwell, Town Manager

OBJECTIVE: To formally establish clear procedures for implementation of the donations policy adopted by the Town Council at the January 8, 2008 Town Council meeting.

RESPONSIBILITY: Department directors and/or the Town Manager shall be responsible for the implementation of this procedure. The Finance Director shall be responsible for ensuring completion of those actions required of the Finance Department. Town Council is responsible for approving certain donations as described below.

DEFINITIONS:

Donation:	May refer to either money or items. (Donations of food are exempted from this policy.)
Town budget:	Refers to the Town Council adopted budget, the Equipment Replacement Program, or the approved five-year Capital Improvement Program
Department director:	May also refer to his or her designee
Town Manager:	May also refer to his or her designee

POLICY: Donations with a value over \$25,000, which are not included in the Town budget or the Council-approved Capital Improvement Program (CIP) or Equipment Replacement Fund (ERF), must be individually approved by Town Council. All other donations require administrative approval under the following guidelines:

- Donations of any value, which are of or for items included in the Town budget, are subject to the approval of the department director or Town Manager, as appropriate.

- Donations of money are accepted so long as items bought with the donated money follow the same guidelines as those of a donated item.
- Donations of items with a value of \$25,000 or less, which are not included in the Town budget, may be approved by the department director if there will be no future maintenance or replacement cost, but are subject to the approval of the Town Manager if there could or would be future maintenance or replacement cost.

The department director or Town Manager may seek Town Council approval of any donation which they determine should be subject to Town Council review.

PROCEDURE:

- Donations of cash or gift cards will not be accepted, with the exception of gift certificates or cards donated to the Recreation Department for the use as program prizes. Said certificates or cards will be subject to appropriate cash handling and tracking procedures to insure accountability.
- Departments must follow the Town's formal written purchasing procedures when using donation funding to buy an item.
- If the Town receives a donation for an item in the ERF that is not scheduled for purchase until a future date, the department shall use the donation when the next available purchase for such item occurs in the ERF. Acceleration of such purchases is allowed only upon the advance written approval of the Town Manager.
- All donations shall be reported to the Finance Department for processing and recording.
- The Finance Department will administer a central database, which shall record the date of every donation, name and address of donor, purpose of the donation and the amount of the donation. Departments should submit such information to the Finance Department the same business day the donation is received.

CONSIDERATIONS:

When determining whether to accept a donation, the department director and/or Town Manager should consider whether the public, professional or community benefit is clear. The Town should also

avoid any impression that a private entity might receive a favor, naming rights, or any other quid pro quo consideration from the Town or a Town official in exchange for the donation.

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Consent - Other

Agenda Title

209 Phipps Plaza Right-of-Way Permit for Scaffolding During Season

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated February 16, 2022, from H. Paul Brazil, P.E.,
Director of Public Works**
- ▣ **Letter from SKA**
- ▣ **Exhibit**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: 209 Phipps Plaza Right-of-Way Permit for Scaffolding During Season

DATE: February 16, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council authorize staff to issue a Right-of-Way Permit for 209 Phipps Plaza and allow the contractor to erect scaffolding within the rights-of-way over the sidewalk on Seaview Avenue. Staff also requests the authority to review and issue a Right-of-Way Permit during the period of December 1, 2022 to May 1, 2023, if deemed appropriate.

GENERAL INFORMATION

In accordance with Town Code of Ordinances, Chapter 106, Section 160-4, Rights-of-way Manual adopted, the Director of Public Works shall establish and maintain a manual pertaining to construction standards and Town policy concerning work within road rights-of-way and easements. The manual was authorized by Ordinance Number 10-94, adopted by the Town Council on July 12, 1994.

Within the Manual under 2.24 Construction Hours; “Except for emergency work, work is prohibited in the road rights-of-way from December 1st through April 30th unless operation will not negatively affect area residences and businesses, and is of short duration, and will not block major roadways of the Town”.

Attached, is a letter from the applicant dated February 15, 2022 requesting the approval for the scaffolding, along with an exhibit depicting the location of the scaffolding.

The site activities propose to erect scaffolding for a duration of three (3) months starting if approved March 9, 2022, to facilitate the installation of windows, repair of stucco, and painting of the existing building. The scaffolding will be covered with approved netting material to conceal the construction and prevent debris and/or overspray from leaving the work area. The scaffolding is proposed over the sidewalk on Seaview Avenue for the length of the project. Only during the installation and removal of the scaffolding, one (1) day each, would there be a disruption to the sidewalk and existing parking specifically in front of the site on Seaview Avenue. For the remainder of the duration that the scaffolding is in place, the sidewalk and parking along Seaview Avenue adjacent to the site will remain available.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the Town.

Attachments

cc: Eric B. Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Craig Hauschild, P.E., Civil Engineer



ARCHITECT + PLANNER

Re:
209 Phipps Plaza
Palm Beach, Florida 33480
Date:
February 15, 2022

SKA Architect+Planner – MEMO
Scaffolding Request to Town Council
For Review at
Town Council Meeting: March 8, 2022

For the renovation of 209 Phipps Plaza, we are requesting an approval for a scaffolding request for the installation of windows, repair of stucco, and painting of the existing building.

Please see attached herein a set of plan documenting location and details of the scaffolding set up as well a proposed schedule for its use in accordance with the requirements from Town of Palm Beach Public Works.

If there are any questions, please do not hesitate to reach out. Thank you for your time and consideration.

Sincerely,

A handwritten signature in red ink that reads 'Daniel Clavijo'.

Daniel Clavijo

SITE CALCULATIONS- RC Zoning District		
REQUIREMENTS	REQUIRED	EXISTING
LOT AREA	10,000 S.F.	7,640 S.F.
LOT WIDTH	90 FT	97.66' NORTH / 73.49' SOUTH
LOT DEPTH	100 FT	86.40' WEST / 30.33', 3.40' W, 48.67' EAST
FRONT YARD SETBACK	25.0'	1.0'
SIDE YARD SETBACK	10.0'	19.8' EAST / 0.66' WEST
REAR YARD SETBACK	15.0'	3.1'
BUILDING HEIGHT	23.5'	22.5' SECOND
LOT COVERAGE	30% MAX.	48.19% (3,756 S.F.)

SCHEDULE

- MARCH 9TH INSTALLATION
- UP FOR ~3 MONTHS
- INSTALLATION OF WINDOWS
- HYDRO BLASTING OLD STUCCO
- APPLYING NEW STUCCO
- PAINTING



CONSULTANT:

PROPOSED RESIDENCE FOR:
209 PHIPPS PLAZA
PALM BEACH, FLORIDA 33480

A.A. 0001345
A.R. #10.161

REVISIONS:

SHEET NUMBER:
SP-2
ISSUE DATE: 12-09-21
JOB #: COA-027-202

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Consent - Other

Agenda Title

100 Four Arts Plaza Right-of-Way Permit for Scaffolding During Season

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated February 17, 2022, from H. Paul Brazil, P.E.,
Director of Public Works**
- ▣ **Conklin & Lewis Letter & Exhibit**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: 100 Four Arts Plaza Right-of-Way Permit for Scaffolding During Season

DATE: February 17, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council authorize staff to issue a Right-of-Way Permit for 100 Four Arts Plaza and allow the contractor to erect scaffolding within the rights-of-way over the sidewalk on Four Arts Plaza for a duration of two (2) weeks from March 14, 2022 to March 28, 2022.

GENERAL INFORMATION

In accordance with Town Code of Ordinances, Chapter 106, Section 160-4, Rights-of-Way Manual adopted, the Director of Public Works shall establish and maintain a manual pertaining to construction standards and Town policy concerning work within road rights-of-way and easements. The manual was authorized by Ordinance Number 10-94, adopted by the Town Council on July 12, 1994.

Within the Manual under 2.24 Construction Hours; “Except for emergency work, work is prohibited in the road rights-of-way from December 1st through April 30th unless operation will not negatively affect area residences and businesses, and is of short duration, and will not block major roadways of the Town”.

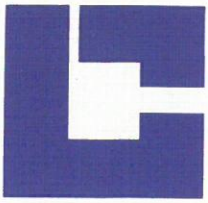
Attached, is a letter from the applicant dated February 17, 2022 requesting the approval for the scaffolding along with an exhibit depicting the location of the scaffolding. The site activities propose to erect scaffolding for a duration of two (2) weeks to facilitate structural repairs to the canopy at the entrance to the Rovensky Building. The scaffolding will be covered with approved material to protect pedestrians. Only during the installation and removal of the scaffolding, would the sidewalk be closed. For the remainder of the duration that the scaffolding is in place, pedestrian traffic would be unimpeded.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the Town.

Attachments

cc: Eric B. Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Craig Hauschild, P.E., Civil Engineer



**CONKLING & LEWIS
CONSTRUCTION, INC.**

GENERAL CONTRACTORS
CONSTRUCTION MANAGERS

February 17, 2022

Patricia Strayer, PE
Town Engineer
Public Works Department
951 Okeechobee Road
West Palm Beach, FL 33401

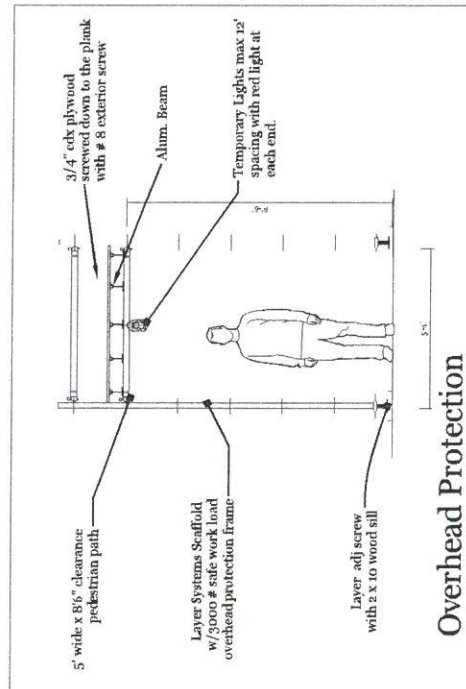
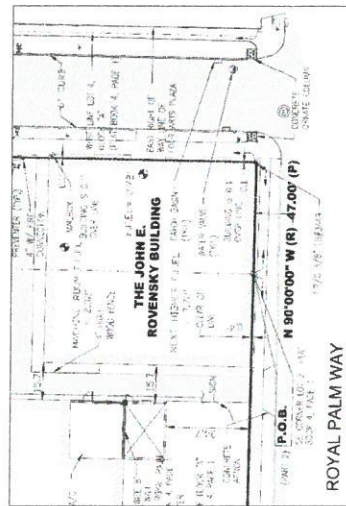
RE: The Society of the Four Arts
100 Four Arts Plaza

Mrs. Strayer,

We are asking for Town Council permission to work in the right-away space where the entrance canopy to the Rovensky Building is located at 100 Four Arts Plaza. We are in the process of wrapping up a Re-roofing project on this building when we ran into a structural repair that was unforeseen on the canopy entrance needed to be done. We have all materials in hand to take care of the wood rot replacement and finish the project. We will install pedestrian overhead protection underneath the canopy and complete the work from above therefore the sidewalk is only closed while the protection is being setup or taken down. We are asking for two weeks to finish the work on the canopy but will try to get it done sooner if possible. Please find attached an overhead protection plan that we will implement.

Thank you for the help in the matter as always.

Kenneth G. Lewis, PM
Conkling & Lewis Construction



Overhead Protection

Parking Lot

Overhang

Entrance

OVERHEAD PROTECTION

Four Arts Plaza

The John E. Rovensky Building

Royal Palm Way

General Notes:

1. All construction and materials shall conform to the 2020 Florida Building Code and OSHA standards.
2. Install per Manufacturers specifications and recommendations.
3. All scaffolding shown in this drawing are for illustrative purposes only.

HAYNES
Scaffolding & Supply, Inc.
475

1210 Ortega Road, West Palm Beach, Florida 33405 / 561-833-8689

2/17/2022

Four Arts
Conklin & Lewis
Overhead Protection

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Consent - Other

Agenda Title

Acceptance of Information Technology Donations

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum from Kirk Blouin, Town Manager, Dated February 22, 2022-Accept donation on Flagler**
- ▣ **Administrative Procedure 1-08-08 Town Donations-Attachment A**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

From: Kirk W. Blouin, Town Manager

Re: Accept Information Technology donations from Kenneth A. Horowitz Family Foundation

Date: February 22, 2022

GENERAL INFORMATION

The Town received intention of donations from the Kenneth A. Horowitz Family Foundation in the form of a Starlink satellite and a monetary donation of \$50,000 to start a Technology Fund under the discretion and direction provided by the Town Manager.

The Foundation's donation of the Starlink highspeed network satellite system will enhance the Town's computer and network systems by providing connection redundancy, additional failover and disaster recovery capabilities, and expanded data bandwidth for daily operations. StarLink is satellite based highspeed internet technology developed by Elon Musk and SpaceX using consumer friendly hardware with a network of ground transceivers and low earth orbit satellites to transmit data from point to point. Currently, there are approximately 2,000 StarLink satellites in low earth orbit with a goal of more than 42,000 satellites in orbit to complete the StarLink satellite grid. The technology was originally developed to provide highspeed internet access to remote and underserved areas of the globe, but the realization of cost and implementation advantages, StarLink is rapidly expanding its uses in modern industrial areas as well. The system costs \$2,500 for the purchase of the satellite dish and router, and monthly subscription charge of \$500 that donor will provide payment for.

Per Town Administration Policy No. 1-08-08 (Attachment A), any donation with a value over \$25,000, which is not included in the Town's budget, must be approved by Town Council. A gift agreement, which has been approved by the Town Attorney, will be executed by the donor and Town Manager if the Town Council approves the donation acceptance.

FUNDING/FISCAL IMPACT

The monetary donation will be forwarded to the Finance Department for deposit.

The Information Technology Department will coordinate receipt of the Starlink satellite.

Attachments

KB:js

cc: Jane LeClainche, Director of Finance
Andy Jadoo, Director of Information Technology



TOWN OF PALM BEACH

Administrative Procedures

TOWN DONATIONS PROCEDURES

Procedure No.:.....1-08-8

Effective Date:..... September 25, 2008

Revision to Procedure No.:..... 1-08-5

APPROVED: *Peter B. Elwell*
Peter B. Elwell, Town Manager

OBJECTIVE: To formally establish clear procedures for implementation of the donations policy adopted by the Town Council at the January 8, 2008 Town Council meeting.

RESPONSIBILITY: Department directors and/or the Town Manager shall be responsible for the implementation of this procedure. The Finance Director shall be responsible for ensuring completion of those actions required of the Finance Department. Town Council is responsible for approving certain donations as described below.

DEFINITIONS:

Donation:	May refer to either money or items. (Donations of food are exempted from this policy.)
Town budget:	Refers to the Town Council adopted budget, the Equipment Replacement Program, or the approved five-year Capital Improvement Program
Department director:	May also refer to his or her designee
Town Manager:	May also refer to his or her designee

POLICY: Donations with a value over \$25,000, which are not included in the Town budget or the Council-approved Capital Improvement Program (CIP) or Equipment Replacement Fund (ERF), must be individually approved by Town Council. All other donations require administrative approval under the following guidelines:

- Donations of any value, which are of or for items included in the Town budget, are subject to the approval of the department director or Town Manager, as appropriate.

- Donations of money are accepted so long as items bought with the donated money follow the same guidelines as those of a donated item.
- Donations of items with a value of \$25,000 or less, which are not included in the Town budget, may be approved by the department director if there will be no future maintenance or replacement cost, but are subject to the approval of the Town Manager if there could or would be future maintenance or replacement cost.

The department director or Town Manager may seek Town Council approval of any donation which they determine should be subject to Town Council review.

PROCEDURE:

- Donations of cash or gift cards will not be accepted, with the exception of gift certificates or cards donated to the Recreation Department for the use as program prizes. Said certificates or cards will be subject to appropriate cash handling and tracking procedures to insure accountability.
- Departments must follow the Town's formal written purchasing procedures when using donation funding to buy an item.
- If the Town receives a donation for an item in the ERF that is not scheduled for purchase until a future date, the department shall use the donation when the next available purchase for such item occurs in the ERF. Acceleration of such purchases is allowed only upon the advance written approval of the Town Manager.
- All donations shall be reported to the Finance Department for processing and recording.
- The Finance Department will administer a central database, which shall record the date of every donation, name and address of donor, purpose of the donation and the amount of the donation. Departments should submit such information to the Finance Department the same business day the donation is received.

CONSIDERATIONS:

When determining whether to accept a donation, the department director and/or Town Manager should consider whether the public, professional or community benefit is clear. The Town should also

avoid any impression that a private entity might receive a favor, naming rights, or any other quid pro quo consideration from the Town or a Town official in exchange for the donation.

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Board/Commission Annual Report

Agenda Title

Annual Report of the Landmarks Preservation Commission

Presenter

Rene Silvin, Chair

ATTACHMENTS:

- ▣ **Memorandum Dated February 25, 2022 from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **Landmarks Preservation Commission 2021 Annual Report**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 9, 2022

To: Mayor and Town Council

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

Re: Annual Report - Landmarks Preservation Commission

Date: February 25, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council hear the presentation of the Annual Report for 2021 by Richard Rene Silvin, the departing Chairman of the Landmarks Preservation Commission (LPC).

GENERAL INFORMATION

Attached is a summary of the activities of the Landmarks Preservation Commission for the past year. Richard Rene Silvin, the departing Chairman of the Landmarks Preservation Commission, is prepared to address the Town Council with additional comments regarding the Commission's activities, and to answer any questions.

Attachment

KC

cc: Richard Rene Silvin, Chairman, Landmarks Preservation Commission
Members, Landmark Preservation Commission

Landmarks Preservation Commission (LPC) – Annual Report 2021

The Commission held twelve (12) regularly scheduled meetings in 2021, and had an average attendance rate of 94%, with a total of 6 absences for the year (2 excused and 4 unexcused).

The Commission reviewed sixty-three (63) Certificates of Appropriateness (C.O.A.) and twelve (12) Historically Significant Buildings (HSB).

Twenty-eight (28) new properties were placed “under consideration” for Landmarking by the Commission during 2021:

PROPERTY ADDRESS	CONSIDERATION
2155 Ibis Isle Road	3/17/2021
4 South Lake Trail	5/19/2021
425 Seabreeze Avenue	5/19/2021
303 Arabian Rd.	5/19/2021
215 Mediterranean Rd.	5/19/2021
1510 N. Ocean Blvd.	5/19/2021
107 Dolphin Rd.	5/19/2021
205 Jamaica Lane	5/19/2021
711 N. County Rd.	5/19/2021
345 Polmer Park.	5/19/2021
357 Crescent Dr.	5/19/2021
205 Nightingale Trail	5/19/2021
205 Jamaica Lane	5/19/2021
711 North County Road	5/19/2021
345 Polmer Park	5/19/2021
357 Crescent Drive	5/19/2021
246 Atlantic Ave	5/19/2021
266 Atlantic Ave	5/19/2021
144 Everglade Ave	5/19/2021
287 Pendleton Ave	5/19/2021
109 Seabreeze Ave	5/19/2021
755 South County Road	5/19/2021
4 Via Vizcaya	5/19/2021
200 Algoma Road	5/19/2021
250 Algoma Road	5/19/2021
12 Lagomar Road	5/19/2021
1568 South Ocean Blvd	5/19/2021
2505 South Ocean Blvd	6/16/2021

The Commission was able to conduct eight (8) new designation hearings prior to the end of the year. Recommended for Landmarking and ratified by the Town Council:

PROPERTY ADDRESS	DESIGNATION
127 Root Trail	2/10/2021
100 El Bravo Way	2/10/2021
223 Colonial Lane	4/14/2021
4 South Lake Trail	12/15/2021
425 Seabreeze Ave	12/15/2021
137 Kings Road	12/15/2021
300 Clarke Ave	12/15/2021
256 Orange Grove	12/15/2021

On behalf of the Commission, staff (with Preservation Consultants Murphy Stillings) designated twenty-three (23) Historically Significant Buildings.

Four (4) tax abatement projects were reviewed by the Commission during the year. These tax abatement projects were ratified by the Town Council and forwarded to Palm Beach County and to the Tax Appraiser's office for implementation: 1 South County Rd, 244 Nightingale Trail, 303 Maddock Way and 473 North County Rd.

On behalf of the Commission, staff (in consultation with the LPC Chairman) conducted 181 reviews of minor projects and revisions to approved projects, and approved 107 of those applications.

Finally, the LPC worked closely with the Town Council and with staff on the following issues:

- 1) The continuing implementation and expansion of the Historically Significant Building program, which resulted in the preservation of 23 homes over the last year; and
- 2) The continuing review of possible landmark incentives, especially involving possible zoning code relief.
- 3) Modifications to the PZB organization, with the creation and recruitment for a Planner I, Planner II and Planner III. These organizational changes will allow for better processing of incoming land use applications, the preparation of staff memorandum for each project, the preparation of development orders, and better notice and transparency of new projects to the residents.

Commissioners remain enthusiastic and engaged in their volunteer service to the Town, and look forward to the continued preservation of our heritage.

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Committee Reports

Agenda Title

Report of the Ordinances, Rules and Standards Committee Meeting Held on Thursday, February 3, 2022

Julie Araskog, Chair

1. Discussion Regarding Measures to Mitigate Impacts of Truck Traffic

Jay Boodheshwar, Deputy Town Manager

Presenter

ATTACHMENTS:

- ❑ **February 3, 2022, ORS Committee Meeting Report**
- ❑ **Memorandum Dated February 28, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ❑ **Truck Regulation Study**
- ❑ **Truck Route Limitations**



TOWN OF PALM BEACH

Town Clerk's Office

REPORT OF THE ORDINANCES, RULES AND STANDARDS COMMITTEE MEETING HELD ON FEBRUARY 3, 2022

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules and Standards Committee meeting of February 3, 2022, was called to order at 2:00 PM virtually via Zoom. On roll call, all committee members were found to be present.

II. PLEDGE OF ALLEGIANCE

Chair Araskog led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion was made by Member Cooney and seconded by Chair Araskog to approve the agenda. On roll call, the Motion passed unanimously.

IV. COMMUNICATIONS FROM CITIZENS

V. REGULAR AGENDA

A. Old Business

1. Further Review of Chapter 42 of the Town Code, Article V – Noise
Jay Boodheshwar, Deputy Town Manager

In response to Chair Araskog, Town Attorney Randolph stated the memo regarding this item addressed the law but not what was unlawful regarding the Code. He suggested having himself or someone from his office review the Code and indicate what needs to be changed. He also stated that upon direction from the Committee he could prepare the revisions for the next meeting. Chair Araskog agreed with deferring this matter to the next meeting.

Jay Boodheshwar, Deputy Town Manager, stated that Town Council had given direction to continue studying the Noise issue. He commented regarding the changes made to the Code to improve the quality of life in Town by creating restrictions related to construction and landscape related noise. He stated that Ordinance No. 29-2021 was adopted at the January 11, 2022 council meeting

and pointed out the gas powered blowers on small properties is currently in effect but beginning on May 1, all other property would be subject to the same prohibition. He mentioned that Council Member Lindsay stated that she observes violations regarding the leaf blowers. Mr. Boodheshwar stated that golf courses expressed their concerns regarding the gas-powered leaf blower ban and the effect it would have on maintenance.

Chair Araskog stated that she also witnessed violations regarding the gas powered leaf blowers and suggested a plan be developed to educate landscapers and construction workers about the new regulations.

Ben Alma, Support Services Manager, agreed there was some confusion when the rules were changed. There were some language barriers causing a breakdown of communication. He explained that pamphlets were now available in English and Spanish with plans to add Haitian Creole at a later date. Additionally, he said that Code Enforcement Officers worked extended hours on Saturdays in order to educate the contractors. Chair Araskog stated that the educational pamphlet should also be sent to homeowners.

Motion was made by Chair Araskog and seconded by Member Cooney to defer this discussion until the next meeting or until when the Town Attorney has been able to advise us regarding revisions to Chapter 42 of the Town Code. On roll call the Motion passed unanimously.

Public Comment

John David Corey, 426 Australian Avenue thanked the Committee for handling this issue and referred to a one-page publication on the Town's website which had landscaping and construction hours.

2. Review of Draft Ordinance to Limit Vegetation Height Adjacent to Neighboring Structures

Wayne Bergman, Director of Planning, Zoning and Building

Wayne Bergman, Director of Planning, Zoning and Building gave an overview of this item. He mentioned that it was brought about by a resident who had iguanas on the roof of his home. After reviewing Chapter 88 of the Town Code, Sections 88-16 deals with exterior property areas and 88-23 deals with rodent and pest control, rodent harborage and rodent infestation. These sections do not provide the protection the Committee is requesting but could easily be modified to incorporate prohibitions on plantings and plant heights that provide for rodent or pest access onto adjacent buildings. He suggested adding "Plants and plant heights that provide for rodents, iguanas or pests access onto neighboring buildings shall be prohibited" or similar language. This would be a simple Ordinance change. Stephen and Martha Greenwald are also in agreement with this change.

The Committee agreed with the suggested change.

Public Comment

Steven Jeffrey Greenwald, 128 Seaspray Avenue, expressed his support regarding the change and suggested a minor revision and thanked the Committee for handling this matter.

It was the consensus of the Committee to make the revision to the appropriate Section of the Town Code.

3. Update on Actions to Improve Truck Traffic Logistics *Jay Boodheshwar, Deputy Town Manager*

Jay Boodheshwar, Deputy Town Manager, gave a summary of actions being taken to handle truck traffic in Town. He mentioned the Truck Study; Ordinance No. 28-2021 which expanded the three-strike rule to include construction sites and requires property owners and contractors to implement, install and maintain a truck logistics and staging plan; and Resolution No. 01-2022 which updated the Public Works Right-of-Way manual. He stated that the Ordinance was an enforcement tool to hold contractors accountable if they are not following the truck logistics plan. He outlined the application process and stated that after an application is made the contractor is provided a copy along with the list of streets to be avoided. He mentioned that trucks should travel along the north/south arterial roads and only access east/west roads to get to their project site. The submitted logistics plan is reconciled with the street map and the list of narrow streets. Failure to adhere can result in a violation of the three-strike rule which will lead to a stop work order.

Responding to Member Cooney, Wayne Bergman, Director of Planning, Zoning and Building stated that the truck logistics plan is required for submittals to ARCOM, Landmarks and Town Council for development projects and will be modified before it becomes final. During the building permit stage, it is thoroughly scrutinized and reviewed by the PW Engineer. There are now several tools, including the Ordinance, which can be used to ascertain that contractors are following the rules. Director Bergman mentioned a stop work order that was issued that day and will be placed before the Town Council at its next meeting. Member Cooney pointed out certain issues regarding the street map with the truck routes. Discussion ensued regarding street limitations and truck sizes. Ben Alma, PD Support Services Manager, explained the process regarding property damage. He stated that a Police Officer will create a report so the property owner may contact the company or commence legal proceedings against them. Member Cooney pointed out certain streets that did not seem to have limitations, and was advised that the mapping was done based on the width of the paved street.

Public Comments

Susan Gary, 229 Onondaga Avenue, thanked the Committee for handling this issue and referred to the truck study that was done by Kimley-Horn & Assoc. in 2020. She stated that the study had made some good recommendations and suggested the Committee look at all trucks not just construction trucks.

Molly Noonan, 1469 North Lake Way, spoke regarding damage to her hedges and sprinkler system by large vehicles. She shared some photos of the damage with the Committee.

After further discussion, it was decided that this matter will be brought before the Town Council for further direction.

B. New Business

1. None

VI. ANY OTHER MATTERS

There were none.

VII. ADJOURNMENT

Motion was made by Member Cooney and seconded by Chair Araskog to adjourn the Ordinances, Rules and Standards Committee meeting at 3:25 PM. On roll call the Motion passed unanimously.

APPROVED:

Julie Araskog, Chair

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Date

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Discussion Regarding Measures to Mitigate Impacts of Truck Traffic

Date: February 28, 2022

STAFF RECOMMENDATION

Staff recommends the Mayor and Town Council review the information provided below and provide feedback/direction to staff.

GENERAL INFORMATION

At the November 8, 2021, ORS meeting, Town Engineer, Patricia Strayer, provided a brief overview regarding the results of the Truck Traffic Study completed by Kimley-Horn & Associates in October 2020. After this meeting staff met to develop plans for enhancing the permitting process and provide informational resources to mitigate the negative impacts of truck traffic on narrow town roads. The following are actions we have taken to “move the needle” in addressing truck traffic challenges.

Building permit applicants are currently required to submit a “Construction Staging and Truck Logistics Plan for all major projects to demonstrate how parking will be managed and how the site will be set up and maintained. Said plan also requires a plan indicating the proposed route for truck traffic to best ingress and egress the property, including the bridges and roads to be used. The plan will include the size of larger vehicles, the estimated number of trucks, and a rough schedule for deliveries, foundation work, concrete pours, landscaping installation, etc. To educate permittees about roads they should avoid in developing their truck logistics plan for travel to/from project sites the attached map and list of streets to avoid is provided upon application.

The recently adopted Ordinance No. 28-2021, now requires property owners and their contractors to implement, install, and maintain several things, including a truck logistics and staging plan. Resolution No. 01-2022 was also approved by Town Council, updating the Public Works Right of Way Manual and its Three Strike program to include the additional requirement outlined in Ordinance No. 28-2021, inclusive of truck logistics and staging. Permittees are now required to sign an affidavit attesting that they have received copies of Ordinance No. 28-2021 and Resolution No. 01-2022, which collectively create the Three Strike” Construction Parking and Construction Site Management Program. See attached.

We believe the above actions will aid in the mitigation of adverse impacts of truck travel on narrower town roads, and the “teeth” of the Three Strike rule will be a motivating factor for compliance with the submitted truck logistics plans.

At the February 8, 2022, Town Council meeting, discussion ensued regarding truck traffic and the study that was completed, resulting in Council’s request to add a discussion item on the March 8, 2022, meeting agenda. In preparation for the Council discussion, staff recently met to discuss to pros and cons of some of the regulation options included in the Truck Study report (see attached), as well as some ideas not in the study we could implement to further mitigate the impacts of truck traffic. In addition to installing signs banning “through truck traffic” on the narrowest streets of the Town, staff recommends identifying the problem areas of the Town where turf/landscaping damage is caused by trucks and other vehicles as potential locations for new curbs and expanded road surface areas to widen turning radii. Staff also suggests creating a “turf restoration fund” to quickly address damage to property adjacent to roads.

Attachments

cc: Carolyn Stone, Assistant Town Manager
Department Directors

TRUCK REGULATION STUDY

TOWN OF PALM BEACH, TRUCK STUDY PALM BEACH, FL

PREPARED FOR:
TOWN OF PALM BEACH

Kimley»Horn

March 2020
Revised May 2020
Kimley-Horn Project #044063244
CA 00000696
Kimley-Horn and Associates, Inc.
1920 Wekiva Way
West Palm Beach, Florida 33411
561/845-0665 TEL

TRUCK REGULATION STUDY

TOWN OF PALM BEACH, TRUCK STUDY PALM BEACH, FL

Prepared by:
Kimley-Horn and Associates, Inc.
West Palm Beach, Florida



March 2020
Revised May 2020
Revised November 10, 2020
Kimley-Horn Project #044063244
CA 00000696
Kimley-Horn and Associates, Inc.
1920 Wekiva Way
West Palm Beach, Florida 33411
561/845-0665 TEL

Adam B. Kerr, P.E.
Florida Registration Number 64773

CASE STUDY REVIEW

An exhaustive review of municipalities within Florida which have implemented truck restrictions was performed. Reviews of resolutions and ordinances in many municipalities was performed, including but not limited to:

- Sanibel
- Jupiter Island
- Miami Beach
- Fort Lauderdale
- Longboat Key
- Sarasota
- Fernandina Beach
- Delray Beach
- Boca Raton

In general, it was determined that many municipalities have developed plans and implemented enforcement of truck *parking* and *loading*, but very few have implemented restriction plans for the movement of trucks through neighborhoods and on specific streets. In some areas, truck routes have been developed to direct trucks around certain areas, but no actual restriction is established. Only three municipalities were determined to have truck regulation plans that weren't specifically limited to parking or loading. A summary of a these examples is included.

City of Tampa

The City of Tampa has established truck routes throughout the central part of the City. Truck routes were approved by Ordinance in 2011 and updated in 2016. The purpose of the truck route study was, similar to the intent of the Town, to balance the needs of commerce and truckers with the desire to be sensitive to certain land uses and neighborhoods.

Truck routes were established in the City. Any truck driver that is determined to be in violation of using designated truck routes (i.e. by using a local neighborhood street) is subject to a civil violation, similar to a parking ticket, if the driver cannot provide evidence of need for travelling off of designated truck routes.

Per Tampa's Code of Ordinances:

All regulated trucks within the city shall be operated only over and along the designated truck routes established in subsection (a) above.

Enforcement is also established in the Code:

...[T]he driver of a regulated truck may travel over and along a street not designated as a truck route only as necessary whereto perform its business its destination lies on or within in a manner that minimizes the distance traveled over and along the non-truck route street, or as necessary to perform its business, in a manner that minimizes the distance traveled over and along the non-truck route street.

An advantage of this type of restriction plan is that government resources are not burdened by pre-approving certain types of trucks, or types of trucks for certain events; a truck driver must simply convince an officer that they are required to circulate on local streets to perform their duties. A disadvantage of this system is that there is little incentive for trucking companies to change their routing or types of trucks to accommodate the nature of the street network, and little can be done to prevent damage to private property if officers allow large trucks to continue to operate. Once a truck enters a neighborhood with narrow streets, it may have to physically damage private property to turn and exit the neighborhood.

City of Jacksonville

The City of Jacksonville recently adopted a truck routing ordinance in 2019. Much like Tampa, the City adopted a map identifying truck routes, does not specifically prohibit trucks from any roadway, and establishes the ability to ticket truck drivers not using designated routes. Deliveries are still allowed on local streets.

City streets are designated as Blue (preferred truck route), Gray (non-regulated) and Red (restricted for trucks except deliveries). Jacksonville's Code regulates trucks on red routes:

The driver of a regulated truck may travel on a Restricted Road (Red) for the primary purpose of delivery and pickup. The driver of the regulated truck must return to the Preferred (Blue) or non-regulated (Gray) truck route network by the shortest possible distance after completion of the delivery and/or pickup.

If the driver is observed on the Red route by an officer, the following Code applies:

Any person driving or in charge or control of any regulated truck operating on a Restricted Road (Red) shall be prepared to present for the inspection to the Jacksonville Sheriff's Office ("JSO") officers, the truck's log book, weight slips, delivery slips, or other written records of the regulated truck's origin and destination to justify the operation on the Restricted Road (Red).

Like Tampa's truck routing system, the decision to enforce truck routing falls to police enforcement, and only once a truck has travelled on restricted road.

City staff indicated that they would not sign each individual street or neighborhood discouraging trucks but would assess the situations on individual bases based on resident complaints.

St. Augustine

The City of St. Augustine has a truck restriction plan in place in their downtown historic district. This plan expressly prohibits trucks on certain roadways. Unlike Tampa and Jacksonville, certain streets are expressly prohibited for use by trucks, without exception for local deliveries; all trucks can be cited. Any truck needing to travel the prohibited streets must get a permit to do so. The City's Code specifically states:

It shall be unlawful for any person to operate any motor vehicle having a greater length than twenty-four (24) feet or greater width than eight (8) feet or greater height than eight (8) feet upon any of the following designated narrow streets or portions thereof of the city without a permit from the chief of police as hereinafter provided; provided that this section shall not be applicable to any authorized public service vehicle, nor shall the same be applicable to any franchised sight-seeing motor vehicles.

St. Augustine's restriction was based on physical constraints of the City's narrow streets, with limited turning ability for larger vehicles, whereas most other truck restriction plans were developed to reduce cut-through trips, or trips within residential areas. Much like St. Augustine, the Town has narrow streets in the residential areas with limited ability for larger vehicles to turn. Based on observation, the trucking industry has adapted to the restriction, since no vehicles larger than a delivery van were observed in the area. Furthermore, this area serves a large tourist population, with many restaurants and retail shops; therefore, deliveries occur in this area on a consistent basis.

The City of St. Augustine allows the Chief of Police to issue permits as necessary to allow larger trucks in the restriction area:

The chief of police is hereby authorized to issue special permits, in writing, under the provisions of F.S. § 316.550 and shall charge therefor such fees as shall have been set by the city manager pursuant to the provisions of section 2-74 and as shall be consistent with the provisions of F.S. § 316.550.



Figure 1: Narrow Street with Truck Restriction in St. Augustine



Figure 2: Example of Truck Restriction Sign in St. Augustine



Figure 3: Truck Restriction Informational Sign

RECOMMENDATIONS

Based on our review of truck volumes, the ability of trucks to maneuver local streets, observed damage to private property, and a review of Florida municipalities with similar street networks, it is recommended to restrict trucks on certain Town streets. This recommendation is intended to mitigate damage to private property, eliminate congestion due to the inability of certain trucks to maneuver certain streets, and provide a mechanism for permit and enforcement of truck traffic in certain areas of Town. The data collected confirms that trucks are circulating within residential areas of Town, as noted by high numbers of trucks north of Royal Poinciana Way in comparison with expected volumes for a residential area. Truck volume percentages in the residential areas of the north end are higher than in the commercial parts of Town. Review of the specific turning movement counts indicates that many of the trucks in the north end are arriving via the north bridge.

Florida Statute provides guidance on establishing restriction of trucks on local roads. Per FS 316.008:

(1) The provisions of this chapter shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from:

(n) Prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic.

Description of the Recommended Restriction

Figure 16 illustrates the recommended physical boundaries of the truck restriction. It is recommended to implement broad area-wide restrictions rather than street-by-street restrictions; if only certain streets in a part of Town are restricted, trucks would use the non-restricted streets in larger numbers. In residential areas such as the north end, certain residents would see an increase in trucks on their street if their street was the non-restricted street. Area-wide restrictions also require less signage and are easier to understand by truckers. Without an area-wide restriction, individual streets would have to be signed restricting trucks, leading to sign clutter. It should be noted that the following roads will have NO Town-imposed restrictions:

- Royal Poinciana Way west of North County Road
- County Road between Royal Poinciana Way and South Ocean Boulevard

Permitting of Exceptions

In certain cases, there may be a need for restricted vehicles to utilize the restricted streets. An example of this would be the need for a construction crane to access a private residence on a residential street. Another example could be a small combination truck that is needed to access a commercial property to deliver items that are too large for smaller delivery trucks. The Town should establish a permitting process to allow for special circumstances. As part of the process, the applicant should provide:

- Explanation/Narrative of the request
- Explanation of why smaller trucks cannot be used. The applicant must demonstrate that smaller, more frequent trucks cannot be used due to the nature of the delivery or equipment, or that more frequent trips will negatively impact the neighborhood.
- A routing plan that demonstrates that the truck movements will not impact private property.
- A plan for restoration of private property in case of damage.

The Town could then issue a permit listing types and numbers of vehicles allowed, allowable times and days of operations, and expiration (if any). The applicant will be required to pay for staff burden costs, any citations for operating outside of the conditions of the permit and restoration of private property.

Codification

Based on a review of other municipalities in Florida, the truck restrictions should be placed in the Town's Code of Ordinances by means of Resolution. The Code should include the following elements:

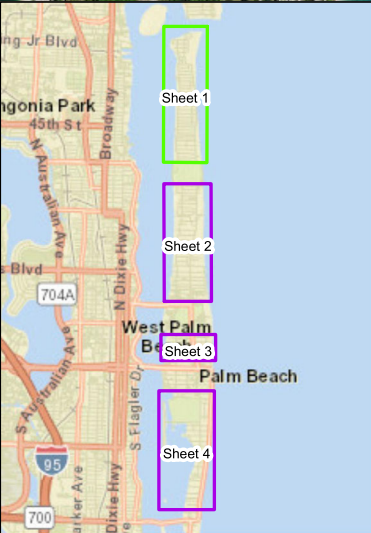
- Definition of the restriction, including types of trucks (defined by length) that are restricted.
- A map of the restricted area.
- Any exclusions to the restriction; possible exclusions to the restriction include emergency vehicles and municipal services vehicles.
- Mechanism for citation
- Permitting process for exceptions

The Code update will be subject to the Town's process for amending the Code of Ordinances.

Education

The Town should develop an educational campaign to educate stakeholders, including residents, business, and trucking companies, of proposed restrictions. The goal should be to reach the widest range of potential drivers. It should be noted that the input from stakeholders is imperative to determining if restrictions should be enacted, and what scope the ultimate restrictions should encompass.

The Town should publicly notice proposed restrictions in visible locations to drivers throughout Town prior to implementation. Although it is recognized that not every truck driver entering the Town will know in advance of new restrictions, every effort should be made to educate the highest number of drivers as possible. Nonetheless, a grace period between adoption of a Code and initial citations should be considered.



Truck Route Limitations

Public Works GIS

Sheet No.
1 of 4

Date

1/19/2022



Map Location:
Country Club Rd to Sunset Ave

Map Description:
This map shows truck route limitations on East-West roads in The Town of Palm Beach.
03-08-22 TCM Backup



Truck Route Limitations

Public Works GIS

Sheet No.
2 of 4

Date
7/15/2022



Map Location:
Pendleton Ave to Seaview Ave

Map Description:
This map shows truck route limitations on East-West roads in The Town of Palm Beach.
03-08-22 TCM Backup

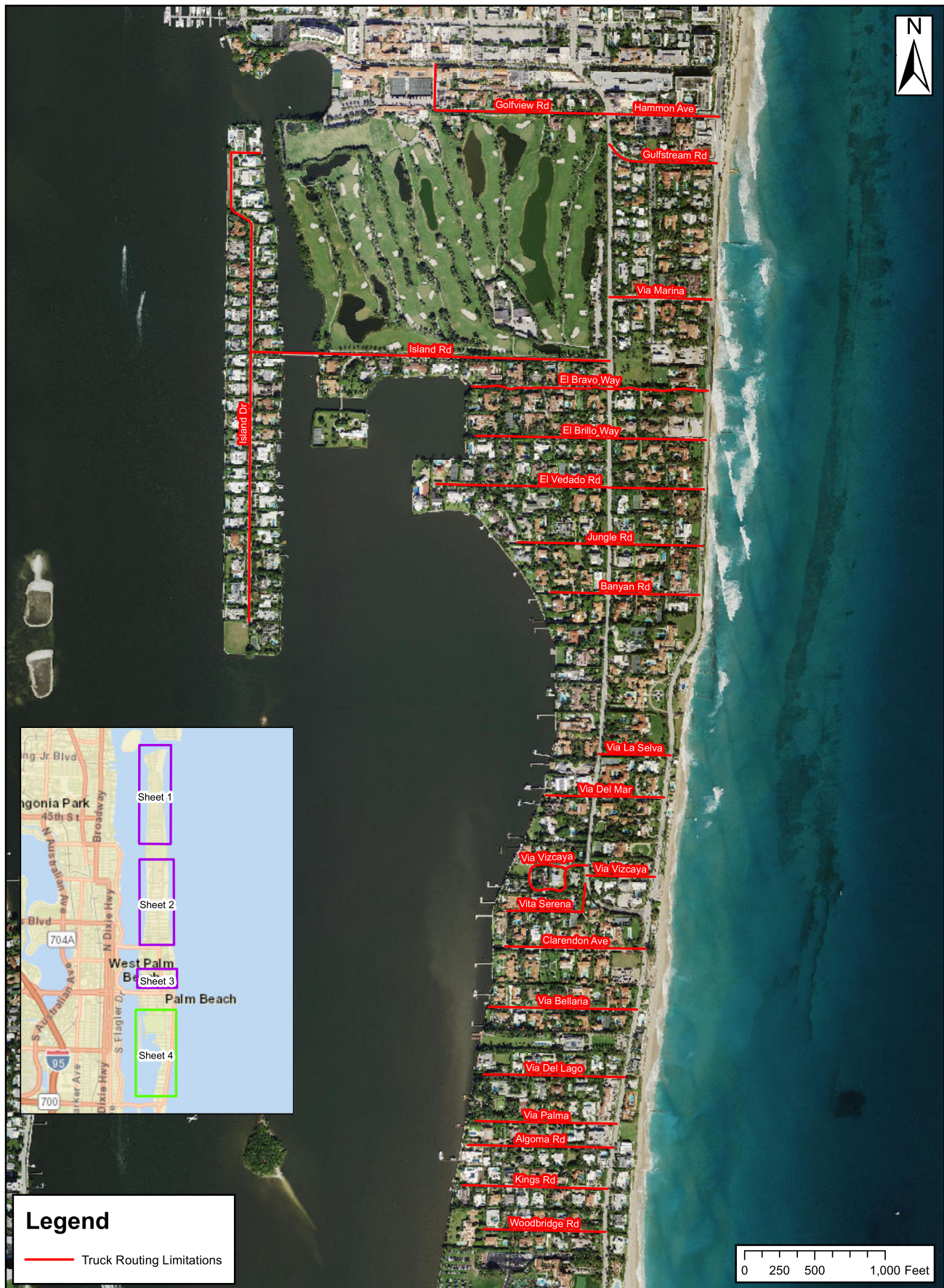


Truck Route Limitations

Public Works GIS

Sheet No.
3 of 4

Date 2/15/2022 505



Map Location:
Hammon Ave to Woodbridge Rd

Map Description:
This map shows truck route limitations on East-West roads in The Town of Palm Beach.
03-08-22 TCM Backup



Truck Route Limitations

Public Works GIS

Sheet No.
4 of 4

Date 1/19/2022 506

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Proposed Addition of Stairs on the South Side of Memorial Fountain

TIME CERTAIN: 11:00 AM

Time Certain

11:00 AM

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ❑ **Memorandum Dated February 24, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ❑ **Letter Dated January 27, 2022, from Bill Bone**
- ❑ **Conceptual Rendering of Proposed Addition of Stairs and ADA Lift**
- ❑ **Letter Dated February 17, 2022, from Steven Semes, Professor and Acting Director of Graduate Studies in Historic Preservation, School of Architecture of the University of Notre Dame**
- ❑ **Excerpts from LPC Meeting Minutes**
- ❑ **Excerpts from TC Meeting Minutes**
- ❑ **Support Letters**

TOWN OF PALM BEACH

Information for Special Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Update on Proposed Addition of Stairs on the South Side of Memorial Fountain

Date: February 24, 2022

STAFF RECOMMENDATION

Staff recommends Town Council review the information below and attached, and provide direction, relative to the proposed addition of stairs and the inclusion of ADA access on the south side of the Mizner Memorial Fountain in Memorial Park.

GENERAL INFORMATION

At the May 11, 2021, Town Council meeting, staff provided a report on the history of previous approvals by LPC and Town Council for the proposed addition of stairs to the south side of Memorial Fountain. At this meeting, staff also presented a letter dated April 16, 2021, from Dr. Timothy Parson, Director of Historical Resources and Preservation for the State of Florida, which confirmed that the State did not object to the addition of the proposed stairs.

After a lengthy discussion at the May 11 meeting, Council decided to table its decision to move forward with the project until a later date. Council also requested staff research ADA accommodation that may be required if the stairs are added and return to Council when ready to present its findings.

At the July 13, 2021, staff presented its findings on the ADA question. Wayne Bergman, Director of Planning, Zoning and Building, reported at the time that he is of the opinion that the Town would need to provide ADA accommodations to the Fountain if new stairs are added to its south side. He suggests in his memo that a platform lift is the least impactful solution for the site. Council agreed with Mr. Bergman's opinion and staff conveyed this information to the Centennial Commission, which requested time to work with their architect to address the ADA issue.

As indicated in the attached communication from the Centennial Commission Chairman, Bill Bone, the design of the proposed stairs has been updated to further minimize its impact on the original fountain, while including a lift to meet the ADA requirement. Since the design for the new stairs and lift are conceptual, specifications on the exact lift to be used are not available but staff has been advised that it will comply guidelines for adapting historic structures and will fully

comply with the regulations for making the addition accessible to the handicapped. The final decision on the specific lift is not definite primarily because there are just too many lifts to choose from. The architect has confirmed that although the proposed design is in the conceptual phase, safety for users of the lift is paramount in the final selection of the equipment. The concept allows for any number of standard lifts that are ready, available, and fully compliant with government mandated safety requirements. See the attached letter and renderings of the conceptual designs. The Centennial Commission will present the updated design at the February 8, 2022, Council meeting and seek approval to proceed.

If Council approves moving forward with the proposed project, the following will need to occur in the months ahead.

1. Landmarks Preservation Commission approval. (LPC must grant a new COA approval, as COA #045-2018 expired on November 13, 2019.)
2. State review and approval of the updated design, inclusive of the ADA accommodation they requested, will be sought after LPC approval.
3. Town Council must grant an extension of Z-18-00144, Site Plan with Special Exception, which expired on November 13, 2021.
4. If Council agrees with moving forward with a new COA approval and extension of Z-18-00144, a biddable set of plans will need to be prepared by the architect so the Town could secure proposals for the work.

FUNDING/FISCAL IMPACT

The Centennial Commission previously committed to funding the design and construction of the new stairs, including the addition of the proposed ADA lift.

Attachments

cc: Paul Brazil, Director of Public Works
Wayne Bergman, Director of Planning, Zoning and Building
Centennial Commission



PALM BEACH CENTENNIAL COMMISSION, INC.

January 27, 2022

The Honorable Mayor Danielle Moore
& Town Council
c/o Office of the Town Manager
Town of Palm Beach
360 South County Road, 2nd Floor
Palm Beach, FL 33480

Re: Town Square Stair Addition

Honorable Mayor and Town Council:

Palm Beach Centennial Commission, Inc. (PBCC) supports the construction of stairs on the back (south) side of Memorial Fountain to improve the aesthetic appearance of the new Town Square Park and connect it with Memorial Park which is located on the front (north) side of the Fountain.

We have championed this idea as the final stage of a legacy project to honor the Town's Centennial that started over 10 years ago. The idea of joining the new and old parks has been popular with many residents for a long time.

Several years ago, a majority of the Town Council voted to support the addition of stairs conditioned on receiving approval from the Florida State Historic Preservation Office (SHPO). The State was among the entities that contributed to the cost of renovating Memorial Fountain and the terms of that grant gave the State the right to object to alterations to the Fountain for 10 years.

After considering the previous design of stairs that attached directly to the rear wall of the Fountain and descended into the Town Square, SHPO expressed no objection to the proposed stairs, but correctly reminded the Town to review the applicability of the Americans with Disabilities Act (ADA) when moving forward on this project. The Town reviewed the issue and recommended that the stairs be redesigned with a platform lift to comply with ADA requirements.

Accordingly, PBCC approached internationally known, classical architect, Richard Sammons, to design a new set of stairs with ADA access. Renderings that show his new design are attached.

The new design offers the following features:

1. The stairs include a readily available, self-operating, standard platform lift that fully complies with the requirements of the ADA.
2. The stairs are designed in full compliance with The U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR Part 68, 1995).
3. The stairs are attached to the Fountain by way of a platform that separates the new addition from the Fountain and requires the removal of only 4 feet of the existing retaining wall (as compared to 12 feet in the previous design). That small section of the wall can be easily stored in the pump room house should it ever need to be replaced.
4. The stairs are designed with classical proportions utilizing double stairs and a "vanity wall" that hides the lift.
5. The stairs are shorter in length than the previous single stair plan. The result is increased "green space" compared to the previous design (of course, it is important to note that the Town Square Park did not exist when the Fountain was originally designed so virtually every bit of space on the south side of the Fountain provides additional "green space" for the Town).

Our zeal for this stair addition is based solely on a desire to make the Town Square Centennial Legacy Project as beautiful as possible. We have studied and lived with the current condition of this area for 10 years. We believe it is incongruous to separate a significant public monument (The Fountain) from a newly created park (Town Square) simply because it was designed many decades ago under different conditions that no longer exist, no matter how revered the original designer.

We believe a set of Stairs on the back side of the Fountain enhances the entire area by unifying the new and old parks without detracting from the original design. In fact, the new stairs are invisible when standing in front of the Fountain, so the original look and view of the Fountain and Memorial Park are perfectly preserved. In accordance with historic guidelines this is the best way to adapt to the new conditions.

Clearly, these stairs are more attractive than the existing plain pump room door which they are designed to replace. The previous "function" of the Fountain was to hide the unsightly garage doors of the Fire Station. Therefore, the Fountain "form" contained an elevated platform and a back side wall that was never intended to be seen by the public.

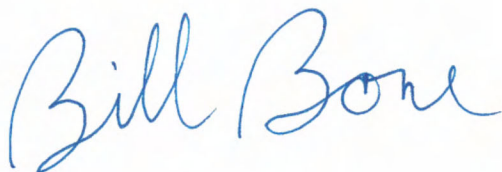
Preserving something that was never intended to be seen in lieu of creating something beautiful that will exist in perpetuity respects both the noble goal that beauty is an essential component of any design and the commonsense rule that form should follow function.

The Honorable Mayor Moore & Town Council
January 27, 2022
Page 3

If the Stair Project is completed as we propose, and if the Town permits the placement of historic markers and plaques as previously described when we donated the funds to help renovate the Town Square, PBCC will reimburse the Town for all the costs to construct the new stairs.

For these reasons, we urge the Town Council to vote in favor of adding stairs to the back (south) side of the Fountain.

Kindest regards,



BILL BONE
President,
Palm Beach Centennial Commission, Inc.

cc: Mr. Kirk Blouin, Town Manager
Mr. Jay Boodheshwar, Deputy Town Manager



PROPOSED MEMORIAL FOUNTAIN ADDITION



FAIRFAX & SAMMONS
— NEW YORK PALM BEACH —

PROPOSED MEMORIAL FOUNTAIN ADDITION

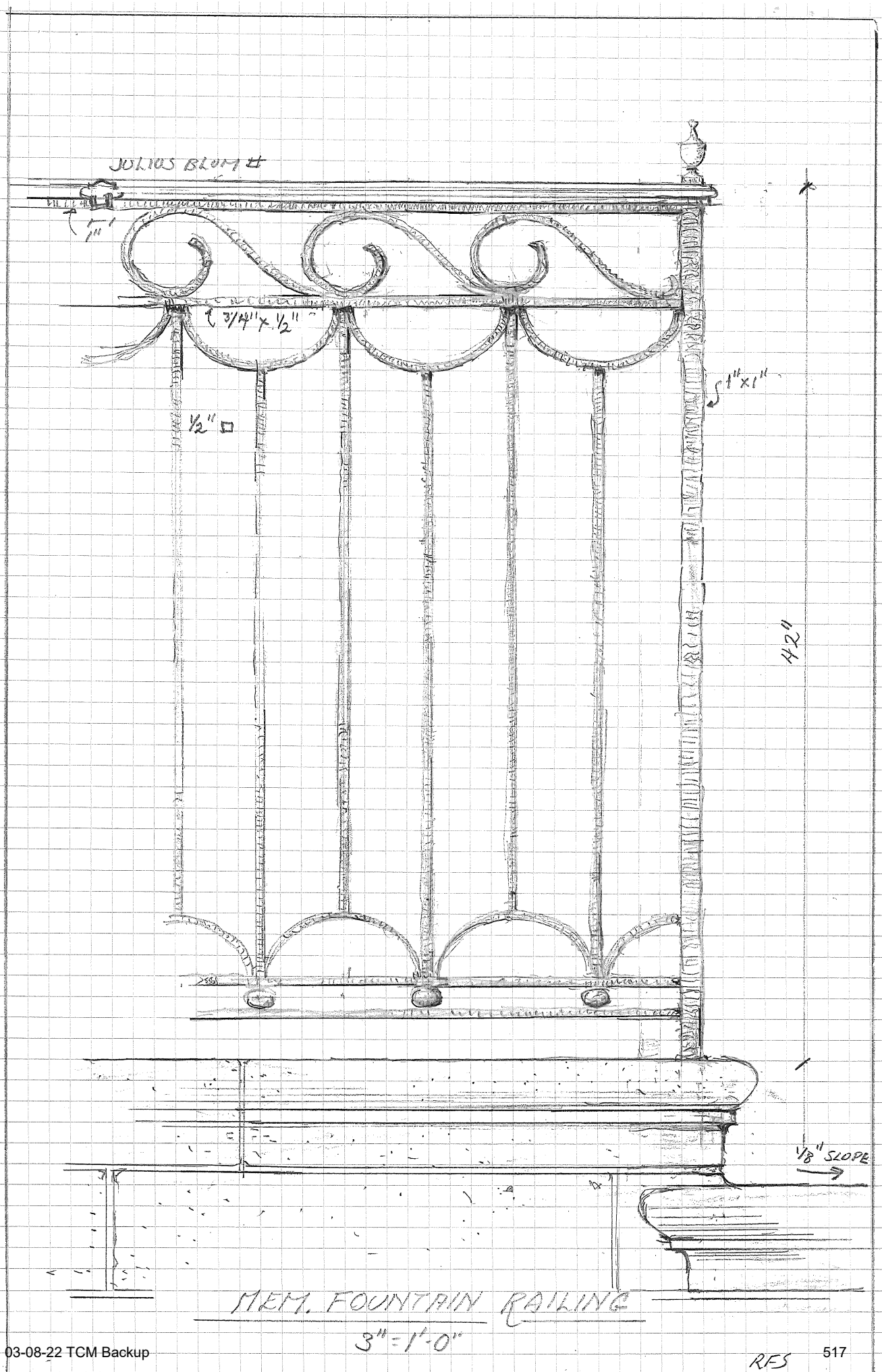


FAIRFAX & SAMMONS
NEW YORK PALM BEACH

PROPOSED MEMORIAL FOUNTAIN ADDITION



FAIRFAX & SAMMONS
NEW YORK PALM BEACH





UNIVERSITY OF NOTRE DAME

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17 February 2022

Palm Beach Town Council

City Hall

Palm Beach, Florida

Dear Sir/Madam:

As a Florida native and admirer of the town of Palm Beach since childhood, I am writing in support of the proposed addition to the Memorial Fountain in Palm Beach designed by Fairfax & Sammons Architects, P.C. As designed in 1929, the original fountain terrace is an excellent example of civic art—a synthesis of architecture, sculpture, and landscape design—that was originally intended both as an embellishment to the public space in front of Palm Beach's City Hall and the solution to the practical problem of screening an unsightly area in front of the fire station opposite. The fountain's designer, Addison Mizner, a master of architecture, decoration, and scenography, gave the fountain a raised platform to solve the practical problem while providing a beautiful foreground to City Hall.

Today, the context has dramatically changed, creating another set of aesthetic and practical needs that the current proposal addresses. The addition of a staircase on the "back" side of the fountain terrace will allow the insertion of an elevator to allow access in conformance with the Americans with Disabilities Act while also providing an appropriate backdrop to what is now Town Square, a landscaped public park rather than a utilitarian service yard for the fire station. It accomplishes these objectives without in any way impacting the originally intended appearance of the fountain as viewed from the City Hall side.

This proposal is an exemplary instance of sensitive and contextual design of new elements added to a historic site. The purpose of most historic preservation regulation and National Register designation is not to prevent change altogether, but to manage change so that it does not diminish the historic or artistic significance of the site. In this case, previous changes approved by local authorities create an inharmonious condition that the new proposal seeks to correct—the conspicuous exposure of a blank wall that was originally not intended to be seen but is now the unfortunate visual focus of the new Town Square.

The proposal conforms to the Secretary of the Interior's Standards for Rehabilitation, a document specifically written to permit alterations or additions to historic structures in response to changes in use or surrounding context. In this case, both use and context of the site have changed since the fountain was designed. The proposal conforms to the requirement that changes or additions to historic properties be limited to areas that do not impact the historically significant public view and that new construction or alterations be reversible so that the new work could be removed and the original configuration restored in

the future. Since the proposal neither affects the primary historic view of the site nor permanently alters original features, there is no risk that the site's historic significance will be compromised.

Finally, the Standards call for any new work to be both "differentiated" from the old and "compatible" with it. The current proposal skillfully strikes this delicate balance. The new stair is clearly different from the original one in both configuration and material but, at the same time, is compatible in scale, style, and feeling. An inscription on the new stair would show the date of the addition.

We should remember that many of our most valued monuments and historic sites were the result of successive changes over extended periods of time. This is especially true in urban settings where growth and change are the natural consequence of the life of the city. The Memorial Fountain in Palm Beach, too, shows a record of positive change over time since its first construction. The aim of historic preservation should be not so much to interrupt this process as to ensure that it reinforces the historic character and beauty of the city. The proposal to accommodate the Memorial Fountain's new, more formal setting should be greeted as an appropriate embellishment to the Palm Beach's public realm and an example of sensitive historic preservation practice. For all these reasons, I urge approval of this worthy proposal.

Please let me know if I can provide any further information.

Best wishes,



Steven W. Semes, Professor and Acting Director of Graduate Studies in Historic Preservation

Steven W. Semes, a native of Miami, Florida, is Professor of Architecture and Acting Director of Graduate Studies in Historic Preservation at the School of Architecture of the University of Notre Dame. In addition to many articles in both scholarly and general publications, he is the author of *The Future of the Past: A Conservation Ethic for Architecture, Urbanism, and Historic Preservation* (W. W. Norton & Co., 2009). The book was listed by the National Park Service as "Recommended Reading" in *Preservation Briefs 14: New Exterior Additions to Historic Buildings: Preservation Concerns*, revised 2010, and included in "The Essential Preservation Reading List," by the National Trust for Historic Preservation, 2012. After three decades of architectural practice, Semes joined the Notre Dame faculty in 2005 and since 2007 has divided his time between campus and the School's Rome Studies Program, which he directed 2008-2011. He was founding Director of the graduate program in historic preservation at Notre Dame and is currently preparing *New Building in Old Cities: Selected Writings of Gustavo Giovannoni on Architectural and Urban Conservation* to be published later this year by the Getty Conservation Institute.

Mr. Silvin thought the changes were subtle and elegant. He asked about the restoration of the surrounds. Mr. Portuondo responded and stated he intended to replace them.

Mr. Cooney was in favor of many of the elements proposed. He was not in favor of the proposed tiling in the arches on the main home but thought the tile was acceptable on the addition. He questioned the color scheme of the tile proposed and asked to see a tile sample.

Ms. Stillings reminded the Commission that the project was a tax abatement project. She stated that all of the proposed changes should meet the Secretary of Interior Standards. She believed that the majority of the changes met the standards with the exception of the addition of the tile in the gothic arches on the main house. Ms. Stillings added that the tile proposed for the addition was acceptable.

Ms. Albarran questioned the addition of the proposed tile on the main house but was in favor of the rest of the proposals. Mr. Portuondo responded.

Ms. Patterson agreed with her Commissioners and requested to see a tile sample if the Commission approved the proposal.

Motion made by Ms. Albarran and seconded by Ms. Coleman to approve the project as presented with the caveat that the tile work is not added to the arches on the main house, only to the addition. Motion carried unanimously.

Ms. Ziska inquired if they would need to return with a tile sample.

Motion amended by Ms. Albarran and seconded by Ms. Patterson to approve the project as presented, with the exception of the tile work in the arches, which is deferred for one month to the November 16, 2018 meeting. Motion carried unanimously.

5. [Application for Certificate of Appropriateness #044-2018](#)

Address: 240 Jungle Rd.

Owner/Applicant: Jungle Road LLC, C/O Gina D. Silvestri

Professional: LeBerge & Ménard, Inc.

Project Description: Reconfigure interior rooms, ground floor and second floor addition, new accessory building, new trellis at pool area.

Please note: This item was deferred at the approval of the agenda, Item V.

IX. [OTHER BUSINESS](#)

1. [Informal Review - Application for Certificate of Appropriateness #045-2018](#)

***LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL
EXCEPTION WITH SITE PLAN REVIEW***

Address: 360 S. County Rd.

Owner/Applicant: Palm Beach Centennial Commission, Inc. on behalf of the Town of Palm Beach

Professional: Brian Vertesch/SMI Landscape Architecture

Project Description: Proposed addition of steps to south blank wall of existing Mizner Memorial Fountain. Addition of steps will require a 12' wide x 27" tall section of wall at the rear (south) side of the upper terrace to be removed in order to extend the terrace onto the proposed steps. The steps and wall repair will match the existing cast stone wall facade. One landscape down light is proposed to be added to an existing Tabebuia tree where 2 landscape down lights currently exist. Addition of 21 parking spaces and travel lane adjustments within the Town Hall Square Historic District and associated infrastructure adjustments. The parking on west side of S.R. A1A as well as add parking along the Memorial Fountain area will be adjusted. The parking modifications require travel lane modifications including: The dedicated right turn lane on northbound S.R. A 1A to eastbound Brazilian will be eliminated: however the ability to make a right turn at this intersection will be preserved. A traffic study is contained in the record file for this application that provides justification for removal of the dedicated right turn lane. The length of the lane shift on the northbound and southbound just south of Brazilian Avenue will be extended. However, the deflection angle of the lane shift will remain the same as the existing conditions in both cases. This will reduce the aggressiveness of the maneuver by lengthening the distance between the jogs in lanes. Signage to control traffic and parking will be implemented in accordance with FOOT and Town of Palm Beach Public Works requirements.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW INFORMATION: A special exception with site plan review request to modify Town Hall public open space as identified below. Applicable Zoning sections - Section 134-1109, Section 134-229, Section 134-327, Section 134-329. 1. Construction of stairs onto the south side of the Memorial Park Fountain area as geographically described on the plans and specifications submitted with this application. 2. Repair of any existing landscaping disturbed by the construction process.

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

Bill Bone, 322 Pendleton Lane, provided an overview of the renovation of Town Hall Square and Memorial Fountain and discussed the new modifications proposed for the fountain area.

Jorge Sanchez, SMI Landscape Architecture, presented the modifications proposed for the landscape and hardscape.

Mr. Silvin asked Mr. Bone to speak about the financing of the project. Mr. Bone responded. Mr. Silvin stated that he was in favor of the proposed stairs. He expressed concern for the proposed parking and inquired about the accessibility of the fountain. Mr. Sanchez responded and explained the design.

Mr. Coleman stated she thought the steps would enhance the beauty of the fountain. She thought the proposed parking would encourage use of the fountain as well as providing additional parking for the merchants in the Town.

Mr. Gannon was happy to see the proposal for the stairs and expressed his support.

Ms. Patterson agreed with Mr. Gannon and added that she in favor of the proposed parking as well.

Ms. Albarran was in support of the proposed stairs as well as the extra parking spaces.

Ms. Coleman thought the material in the existing planters around the fountain needed to be increased. Mr. Sanchez responded.

Ms. Metzger was in favor of the project and thought the proposal would increase the use of the park.

Mr. Segraves was in favor of the proposed stairs but was undecided on the parking spaces. He suggested adding a green island in between the spaces to soften the impact of the spaces.

Mr. Cooney expressed concern about the proposed stairs and parking spaces and stated he was not in favor of the proposal.

Mr. Cooney asked if there were any public comments on the project.

Jeff Smith, 241 Sanford Avenue, expressed concern about the proposed parking spaces.

John Eubanks, attorney representing some residences on Brazilian Avenue, provided his arguments in opposition to the proposed parking spaces.

Alexander Ives, 237 Jamaica Lane, expressed concern for the proposed parking spaces and fountain steps.

Patty Sans, President of the South County Road Business Association, spoke in favor of the proposed steps and parking spaces.

Ms. Murphy stated she was in favor of the proposed steps but did not support the additional parking. She reminded the Commission that the State would have the final approval in whether the Town would need to return the grant money they received if the project was approved. Mr. Cooney provided further explanation on the grant monies received for the restoration.

Mr. Bone further discussed the grant money received.

Ms. Coleman suggested restricting the parking spaces if they were approved.

Mr. Gannon stated he was undecided on the proposed parking spaces but was in favor of the proposed steps.

A discussion ensued among the Commissioners about the proposed parking spaces.

Mr. Sanchez pointed out to the Commission that the proposed parking spaces were not included in the zoning requests. Mr. Cooney responded.

Motion made by Mr. Gannon and seconded by Ms. Coleman that implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject landmarked property. Motion carried 5-2, with Messrs. Cooney and Segraves opposed.

Please note: A short break was taken at 11:17 a.m. The meeting resumed at 11:30 a.m.

2. [Informal Review - Application for Certificate of Appropriateness #046-2018](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO SITE PLAN REVIEW WITH VARIANCE(S)

Address: 212 Seaspray Ave.

Owner/Applicant: 212 Seaspray LLC, C/O Guy Rabideau, Manager

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Selective demolition, renovation and reconstruction to existing 4,200 sq. ft. home. Home will consist of four bedrooms, four and one half bathrooms, kitchen, family room, living room, dining room, laundry room, loggia and balcony; new pool and patios; new porte cochère or awning on west front; garden patio on North side; new windows and doors throughout.

Landscape and hardscape to be included.

SITE PLAN REVIEW WITH VARIANCE(S) INFORMATION: Site Plan Review to allow the redevelopment of a landmarked house on a non-conforming lot which is 50 feet in width in lieu of the 100-foot depth required in the R-B Zoning District. Because the house is being redeveloped in excess of 50% of its current value, the following variance is being requested: 1) Section 50-114: Request to develop the property in excess of 50% of its current value, including the raising of the rear (south side) of the house, such that the entire house will have an elevation of 5.9 N.A.V.D. in lieu of the minimum 7.0 N.A.V.D. required by Code. In addition, the following variances are requested in connection with the redevelopment: 2) Section 134-893(7)b): Request to raise the rear (south side) of a landmarked house with a west second story side yard setback of 3.0 feet in lieu of the 15-foot minimum required. 3) Section 134-893(9)b): Request to raise the rear (south side) of a landmarked house with a second story rear yard setback of 4.7 feet in lieu of the 15-foot minimum required. 4) Section 134-893(13): Request to raise the rear (south side) of a landmarked house, thereby increasing the cubic content ratio from 6.89 to 7.11 in lieu of the 4.39 maximum allowed. 5) Section 134-893(7)b): Request to add an awning to the house with an east side yard setback of 0.0 feet in lieu of the 12.5-foot minimum required.

or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.

10. [Application for Certificate of Appropriateness #041-2018](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) - Done 9/21/18

Address: 241 Seaview Avenue

Owner/Applicant: Palm Beach Day Academy, Inc.

Professional: Nievera Williams Design

Project Description: Addition of paved parking lot, landscape improvements and drainage improvements.

A motion carried at the October meeting to defer the project for one month to the November 16, 2018 meeting at the request of the attorney.

Please note: This item was deferred at the approval of the agenda, Item V.

Please note: A short break was taken at 11:21 a.m. The meeting resumed at 11:27 a.m.

11. [Application for Certificate of Appropriateness #045-2018](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW - Done 10/17/18

Address: 360 S. County Rd.

Owner/Applicant: Palm Beach Centennial Commission, Inc. on behalf of the Town of Palm Beach

Professional: Brian Vertesch/SMI Landscape Architecture

Project Description: Proposed addition of steps to south blank wall of existing Mizner Memorial Fountain. Addition of steps will require a 12' wide x 27" tall section of wall at the rear (south) side of the upper terrace to be removed in order to extend the terrace onto the proposed steps. The steps and wall repair will match the existing cast stone wall facade. One landscape down light is proposed to be added to an existing Tabebuia tree where 2 landscape down lights currently exist. Addition of 21 parking spaces and travel lane adjustments within the Town Hall Square Historic District and associated infrastructure adjustments. The parking on west side of S.R. A1A as well as add parking along the Memorial Fountain area will be adjusted. The parking modifications require travel lane modifications including: The dedicated right turn lane on northbound S.R. A 1A to eastbound Brazilian will be eliminated; however the ability to make a right turn at this intersection will be preserved. A traffic study is contained in the record file for this application that provides justification for removal of the dedicated right turn lane. The length of the lane shift on the northbound and southbound just south of Brazilian Avenue will be extended. However, the deflection angle of the lane shift will remain the same as the existing conditions in both cases. This will reduce the aggressiveness of the maneuver by lengthening the distance between the jogs in lanes. Signage to

control traffic and parking will be implemented in accordance with FOOT and Town of Palm Beach Public Works requirements.

A motion carried at the October meeting that implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject landmarked property.

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

Mr. Vertesch stated that the previously proposed parking would not be included in the application. He showed the Commission a rendering of the fountain with the addition of the stairs.

Mr. Cooney stated he was not in favor of the proposed stairs and explained the reasons he could not support the project.

Mr. Segraves thought the stairs were a nice addition with the location of the park.

Ms. Hufty thought the addition of the stairs made the whole fountain work as a unit.

Addison Linck, 251 Esplanade Way, expressed his opposition to the proposed stairs and suggested beautifying the park in lieu of the stairs addition. He presented pictures of historic designs by Addison Mizner.

Mr. Silvin supported the design of the stairs.

Anita Seltzer, 44 Cocoanut Row, inquired about new tables and chairs for the park. She expressed her opposition to the proposed stairs.

Bill Metzger, 277 Esplanade Way and Director of the Palm Beach Centennial Commission, passed on regrets from Bill Bone for his absence. He added that he was thankful for the approval that the project received from the Town Council.

Ms. Hufty expressed her dismay for the tables and chairs that currently exist in the park. Mr. Sanchez responded.

Ms. Coleman suggested using color in the plantings around the fountain.

Mr. Silvin expressed frustration for the four basins around the fountain that never work. Mr. Sanchez responded.

Ms. Murphy stated that the newly proposed stairs were not as prominent as the ones proposed years ago. Ms. Murphy stated that the State would ultimately make a decision on the stairs.

Motion made by Mr. Silvin and seconded by Mr. Gannon to approve the project as presented with the understanding that the parking spaces are not part of the application, the acknowledgement that the Town Council approved the project and that special attention is given to the maintenance of the fountain as well as the furniture in the park. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried 6-1, with Mr. Cooney opposed.

A second motion made by Ms. Albarran and seconded by Mr. Silvin to request a follow up presentation from the Public Works department at the December 19, 2018 Landmarks meeting on the status of the four failing fountain basins. Motion carried unanimously.

X. OTHER BUSINESS

1. [Informal Review - Application for Certificate of Appropriateness #048-2018](#)
LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW
Address: 1100 S. Ocean Blvd.
Owner/Applicant: Harvey E. Oyer, III on behalf of Mar-a-Lago Club, Inc.
Professional: Rich Gonzalez/REG Architects, Inc.
Project Description: The Applicant seeks approval to add an accessory dock. It is to be located at the northwest corner of the site and projects 25 feet from the existing seawall into the Lake Worth Lagoon. The proposed dock will not be visible from the historic home, does not violate the preservation easement granted to the National Trust for Historic Preservation, and is generally located where the property's prior historic dock was previously located.

A motion carried at the October meeting to defer the project for one month to the November 16, 2018 meeting.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW INFORMATION: 1. The Applicant seeks approval of a Special Exception with Site Plan Review to add an accessory dock to the property in the approximate location of the prior historic dock. The dock is to be located at the northwest corner of the site and projects 25 feet from the existing seawall into the Lake Worth Lagoon.

Please note: This item was deferred at the approval of the agenda, Item V.

Attorney Klein provided details of the project.

Zoning Administrator Castro provided Staff comments.

Director Martin provided additional comments.

Landmarks Preservation Commission Chairman Cooney spoke about floodplain variances and asked council to remain supportive.

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

Architect Seagraves provided additional information.

Motion was made by Council Member Crampton, and seconded by Council Member Lindsay, that Site Plan Review Z-18-00143 be approved, based upon the finding that the approval of the site plan will not adversely affect the public interest and that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329, items 1 through 11 with the caveat that the owner will provide a utility easement, satisfactory to the Town of Palm Beach, prior to building permit issuance. On roll call, the motion carried unanimously.

Motion was made by Council Member Crampton, and seconded by Council Member Lindsay, that Variance No. Z-18-00143 be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met. On roll call, the motion carried unanimously.

c. Z-18-00144 SPECIAL EXCEPTION WITH SITE PLAN REVIEW Zoning District: C-TS Town-Serving commercial The application of Palm Beach Centennial Commission, Inc. on behalf of the Town of Palm Beach, Applicant, relative to property located at 360 S COUNTY RD, MEMORIAL FOUNTAIN, legal description on file, is described below. A special exception with site plan review request to modify Town Hall public open space as identified below. Applicable Zoning sections - Section 134-1109, Section 134-229, Section 134-327, Section 134-329. 1. Construction of stairs onto the south side of the Memorial Park Fountain area as geographically described on the plans and specifications submitted with this application. 2. Repair of any existing landscaping disturbed by the construction process. [Applicant's Representative: John C. Randolph, 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 5-2.]

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

Ex-parte communications were declared by Council Members Crampton and Lindsay, Mayor Coniglio, Council President Moore and President Pro Tem Zeidman.

Zoning Administrator Castro provided Staff comments.

Addison Link, 251 Esplanade Way, spoke in opposition of the Memorial Fountain stair construction.

Rob Link, 251 Esplanade Way, played a telephone message from a State Historic Preservation Officer, Tim Parsons, and provided information from 2014 letter from former State Historic Preservation Officer.

Director Brazil clarified status of State grant money.

Attorney Eubanks, requested that if Special Exception with Site Plan Review is approved to be sure to clarify that it does not include parking.

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

Rene Silvin, Australian Avenue, spoke in favor of the stair construction.

Ted Cooney, Landmarks Preservation Chairman, provided historical information on the grant from the State.

Director Martin reported on restricted covenant on grants for fountain / stairs.

Thomas Bradford, 44 Chestnut Trail, Tequesta, asked when the discussion would take place for parking around Memorial Fountain.

Ann Pepper, 333 Seaspray Avenue, does not want to risk losing the grant.

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

Anita Seltzer, Cocoanut Row, spoke in opposition of the Memorial Fountain stairs.

Clerk's Note: Council Member Araskog arrived at 11:15 a.m. She was not present for entire presentation and did not vote on the item.

Attorney Bone, provided additional details, and requested that the special exception be granted so that the process of constructing the stairs may begin.

Architect Vertesh provided details on Memorial Fountain stair addition.

Motion was made by President Pro Tem Zeidman, and seconded by Council Member Crampton that Special Exception Z-18-00144 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 subject to approval by the State and that parking is not part of the approval. On roll call, the motion carried 3-1 with Council President Moore dissenting.

Motion was made by President Pro Tem Zeidman, and seconded by Council Member Crampton that Site Plan Review Z-18-00144 be approved, based upon the finding that the approval of the site plan will not adversely affect the public interest and that the Council

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

The Town Council recessed at 12:05 p.m. and reconvened at 12:10 p.m.

d. Z-18-00145 SITE PLAN REVIEW WITH VARIANCE(S) Zoning District: C-TS Town-Serving Commercial The application of Bradley Park Owner, LLC, Applicant, relative to property located at 280 SUNSET AVE SUITE: SITE, legal description on file, is described below. The property owner is requesting Site Plan Review with Variances, including a variance to modify an existing, nonconforming Landmarked hotel. The renovations include relocating the hotel entrance and lobby east into the space currently occupied by C'est Si Bon Gourmet Grocery, adding a swimming pool and pool deck in the north courtyard area, renovation of all rooms, improvement of the parking lot by replacing asphalt with pavers, construction of a pergola connecting the new entrance to the street, and the modification of an existing rooftop utility structure by adding roof tiles and decorative elements. The new hotel lobby will include 18 accessory bar or dining seats based on the principle of equivalency from the former C'est Si Bon Gourmet Grocery retail space. The existing restaurant, Trevini, is not being changed at this time, and the number of hotel rooms will remain at 32. In addition to the modification of the variance for hotel use in the C-TS district, which is required by 134-387, other variances are requested, including: 1. A variance from Chapter 50, Flood Damage Prevention, requesting relief from the requirement to raise the finish floor elevation of the hotel to 7.0 NAVD. 2. A variance from Chapter 134, Article IV, Nonconformities, to allow the height of the nonconforming hotel to be increased by 4.25' to accommodate a new decorative roof element. 3. A variance from Chapter 134, Sec. 1113(11)b., that requires a minimum of 25% landscaped open space. The existing landscaped open space is 15.26% and proposed is 14.70%, for a reduction of 0.56%. 4. A variance from Chapter 134, Sec. 1113(11)c., that requires a minimum of 35% landscaped open space in the front yard. The existing front yard landscaped open space is 9.32% and proposed is 6.63%, for a reduction of 2.69%. 5. A variance from Chapter 134, Sec. 1113(5)b. that requires a minimum front yard setback for unattached accessory structures, to allow a front setback of 1.75' in lieu of the 5' minimum required for a pergola connecting the new front lobby entrance to the public sidewalk on Sunset Avenue. [Applicant's Representative: James M. Crowley Esq] [Landmarks Preservation Commission Recommendation: Implementation of the proposed site plan review with variances will not cause negative architectural impact to the subject landmarked property. Carried 6-1. The proposed development will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. Carried 7-0.]

Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve Resolution No. 049-2021. On roll call, the Motion passed unanimously.

4. Update and Request for Direction Regarding the Proposed Addition of Stairs on South Side of Memorial Fountain
[Jay Boodheshwar, Deputy Town Manager]

Jay Boodheshwar, Deputy Town Manager, gave a historical overview of the Memorial Fountain stair request process. He then showed a video (narrated by Jorge Sanchez, Landscape Architect) of the various aspects of the fountain.

Deputy Town Manager Boodheshwar explained the steps necessary to proceed with this project. He advised that next summer would be the soonest this project could be done. He asked for direction from Council.

Council President Zeidman called for public comment.

Addison Link, 251 Esplanade Way, expressed his disapproval for the addition of stairs to the Memorial Fountain, but to keep the fountain original, and asked that the Council not approve this request.

Robert Link, 251 Esplanade Way, expressed his disapproval for the addition of the stairs to the Memorial Fountain, and submitted items for the record.

Bill Bone, 322 Pendleton Lane, expressed his support for the addition of the stairs to the Memorial Fountain.

Anita Seltzer, 44 Cocoanut Row, expressed her disapproval for the addition of the stairs to the Memorial Fountain and asked the Town Council to vote against it.

Bill Metzger, 277 Esplanade Way, expressed his support for the addition of the stairs to the Memorial Fountain.

Jane Day, 728 Grenada Drive, Boca Raton, was the preservation consultant to the Landmarks Preservation Commission for 21 years. She gave a history of the grant received for the project.

Council Member Araskog felt the town had pushed the state too far on the grant. She read from a letter from Mr. Parsons. She did not feel Council could make the changes and was concerned about safety hazards with the stairs. She expressed shock because a previous motion stated staff would

be involved in a conference call or a meeting but she had learned many other people actually participated. She was not in favor of doing this now.

Council Member Cooney spoke in support of the restoration project, which had been taken to a new level, except for the stairs. He wanted that part of the fountain to remain in its original state.

Council President Pro Tem Lindsay stated she saw both sides of this issue. She expressed concern regarding the ADA reference in Mr. Parson's letter. She asked staff if they knew whether there would be additional requirements to meet the ADA standard if stairs were added. She agreed with Mr. Cooney and Council Member Araskog.

Council Member Crampton commented no one was wrong and different people had difference opinions. He felt connectivity was important and felt the stairs were appropriate in a Town Square. He felt safety could be worked out by staff, and favored addition of the stairs.

Mayor Moore thought also it was a matter of opinion and was glad she did not have to vote.

Bill Bone commented with regard to ADA requirements, he felt the Town's legal department should weigh in. He also felt there was no ADA requirement. He suggested just voting to move forward so there could be more discussion, and this had previously been approved.

Mr. Link spoke on behalf of his neighbor, Minnie Pulitzer, who thought her mother would be shocked at adding stairs.

Mayor Moore felt the previous approval was only to let the conference call proceed, not the project.

Council President Zeidman commented they had been waiting to see if the grant money was taken away, indicated this was the idea behind the call with Mr. Parsons. Council President stated she liked the fact that adding the stairs would add balance to the fountain. She reminded the Council that stairs were not added in the original design because the town's fire station was located directly behind the Fountain. The original architecture was meant to hide what lay to the south, not to incorporate it. She asked Council to decide whether to vote today or to defer for more public involvement.

Council Member Cooney had expressed his feelings on the matter.

Council Member Araskog wanted to table until the grants were settled, or forever.

Council Member Crampton respected everyone's decision and would go along with whatever was decided. He felt it could go back to Landmarks for discussion.

Council President Pro Tem Lindsay asked staff about ADA requirements. Director Brazil responded the ADA requirement had been met years ago. Council President Zeidman read from Mr. Parson's letter that the new stairs could only be reviewed by the Town. Council President Pro Tem Lindsay was in favor of taking this back to Landmark Preservation Commission, which gave an opportunity for more people to weigh in.

Council President Zeidman asked Town Attorney Randolph to provide legal counsel to find out more about ADA requirements.

Council Member Araskog commented no one had raised safety issues.

Deputy Town Manager Boodheshwar noted two similar plans had been approved by Landmarks. He commented it would have to go back to Landmarks for COA.

Motion was made by Council Member Araskog and seconded by Council Member Cooney to defer this item to the October, 2021 Council meeting for more public involvement and further information on the ADA/safety requirements, and staff can decide when they should bring back the special exception so that it does not expire. On roll call, the Motion passed unanimously.

C. New Business

1. Proposed Changes to Town Caucus and Qualifying Date
[Queenester Nieves, CMC, Town Clerk]

Town Clerk Nieves requested the Town Council consider revising the caucus and qualifying date to the first Tuesday in December from the first Tuesday in January, based on the Supervisor of Elections' request for municipalities to change their qualifying dates. Staff was seeking direction to make appropriate updates to the Town Charter.

Council Member Araskog commented it could cost the Town \$40,000 to finance their own election, so their hands were tied.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to approve the change to the first Tuesday and Wednesday of December for the Town Caucus and Qualifying Date. On roll call, the Motion passed unanimously.

President Zeidman commented all boards were on Zoom now, and a decision would be made in September how to continue.

5. Update on ADA Access Associated with the Proposed Addition of Stairs on the South Side of Memorial Fountain
Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar recalled this was last discussed in May, resulting in delaying any decision on the merits of this project until the October Town Council meeting, and a request from Council to staff to explore ADA requirements. Director Bergman wrote a memo, which was in Council's backup, providing the opinion that the Town would need to provide some sort of platform lift which would be the least impactful to the site. He reported a conversation with the Centennial Commission and they made a commitment to fund the additional cost to the project. He reminded Council of additional actions needed if they decided to move forward after weighing the merits of the project in October, including review by Landmarks and updated renderings and drawings for LPC to consider, full approval process and site plan approval.

Director of Planning, Zoning and Building Wayne Bergman reported he looked at all possible exemptions from the ADA requirement or from the accessibility requirement for the proposed Mizner stairs and could not find one. The only opportunity to receive any type of relief would be from the State, and it was a State agency that told him we probably need accessibility for this project.

Council President Zeidman asked if Mr. Bergman had contacted the State after the May meeting for further clarification about the ADA requirements. Mr. Bergman stated he had not, but there were numerous references in the accessibility code and the Florida Building Code that said you would need to comply, and to be even safer, he had done a peer review with three other Building Officials in Palm Beach County. Two had responded and both said absolutely comply.

Council Member Crampton stated he was prepared to make a motion which would be to defer the question of the new design of the stair lift installation and send it back to the Landmarks Preservation Commission for a full review and decision on the proposed design.

Council Member Araskog opposed making a motion because in May the decision had been to consider at the Council meeting in October whether to move forward or not. Today was just to be an update from Director Bergman.

Council Member Crampton agreed.

President Zeidman also agreed and stated if Council decided to move forward in October, then it would go to Landmarks.

Town Attorney Randolph stated no motion was needed for it to go to Landmarks. If Council decided to move forward, it would automatically go to Landmarks.

Discussion ensued. Council Member Crampton withdrew his motion.

Public Comment:

Bill Bone, 322 Pendleton Lane, speaking as a resident and as the Chairman of the not-for-profit known as the Palm Beach Centennial Commission, thought the motion was right. He reported he had consulted with experts and learned that disabled access could be designed in an attractive, subtle way, completely harmonious with the new stairs. He felt waiting until October to see what it would look like was a mistake and asked Council to authorize staff to work with architects engaged by the Centennial Commission without cost to the Town, and submit a new stair design to the Landmarks Preservation Commission that met ADA requirements. In his opinion, it was wrong to wait until October because those opposed to the stair lift would take the position the ADA requirements would make it look ugly. He indicated the Centennial Commission was committed to a beautiful stair design that everyone could be proud of.

Council President Zeidman thought there were two ways of looking at this—one was from the owner's point of view (the Town), and the other was his point that Landmarks was the arbiter of taste for a landmarked property.

Addison Link, 251 Esplanade Way, suggested the Centennial Commission should beautify the park they had created before they thought about altering Addison Mizner's memorial fountain. He commented looking at original postcards of what was behind the fountain, there were beautiful luscious colorful flowers. Mr. Link stated he had read Wayne Bergman's memo on the importance of complying with ADA. He reported his father had an informal phone call on July 9 with Alyssa Lutein, Deputy Chief of Historic Preservation for the State, working with Dr Timothy Parson. Mr. Link relayed her comments regarding the stair lift. She preferred a ramp that did not require maintenance or an attendant. Mr. Link reported she noted that the fountain was a historic landmark so you did not need to add a new staircase or a ramp. She had suggested that if access was truly the main issue, a Z-shaped ramp up the rear of the fountain could work in lieu of a grand staircase. If the Town chose to add a new staircase to the fountain, she wouldn't want to be the one to write a letter asking for a waiver of non-compliance with the ADA. She recalled several issues of the fountain renovation that her department argued against, and also mentioned the 10-

year restrictive covenant which prevented significant alterations to the historic landmark site.

Anita Seltzer, Coconut Row commented three things came out of the May meeting. President Zeidman had instructed Attorney Randolph to provide legal counsel. The Town was budgeting thousands of dollars to educate residents about the landmarking program, and this approval would take place in a parallel universe if Council abdicated their own stewardship. She mentioned three town-owned fountains were shamefully neglected, including the one in Phipps Plaza. She asked why the Town was risking scorn and loss of credibility in the preservation community and commented there were enough expenditures without shouldering an ongoing liability with vanity stairs requiring an ADA lift. She felt this was the writing on the wall; however, suggested in October it would be wise for Council to thank the Centennial Commission for their service and terminate the delegation.

Bill Metzger, 277 Esplanade Way, an officer of the Centennial Commission, thanked the Council for continuing to consider this completion of their grand idea for the park. He was in favor of the stairs and respected everyone's opinion. He was seeking a sense of fairness. He reported attending the Zoom meeting where Alyssa Lutein commented they understood the new idea, but asked them to look at the ADA issues, which caused him to do some research and learn about ideas and new technology. His position was to do this right, and be fair to everyone's opportunity to discuss it. It seemed fair to him if it was going to be discussed in October that they have drawings of what was going to be discussed. If it was not attractive to people it would not work, and his request was to find a way of doing the renderings and to have something to discuss.

Mayor Moore commented her concern was with the timeline set out last month. Her understanding was Council's intent was not to have a full discussion on the stairs until more residents were available. She thought Council should wait for more resident participation. She thought today was to be a brief update and the full discussion would be in October.

Council President Zeidman agreed today was to be an update.

Council Member Cooney thanked staff for the update.

Council Member Araskog thanked the speakers for coming and clarified the timeline was not for her, it was to allow more public participation about aesthetics, maintenance costs, accidents, safety and things like that. At the last meeting they had promised to wait until October for any decision. She thanked Director Bergman and the Centennial Committee.

Council President Pro Tem Lindsay now recalled the conversation from last month, which she did not remember when she discussed this with the Centennial Committee representatives. ADA issues often affected architecture, and too often had an aesthetic effect. It was correct that Council made the decision to discuss this in October.

Council Member Crampton stated he had no problem discussing this in October, but the question was, would that be before or after a Landmarks review.

Council Member Araskog responded, before, was what everyone was saying.

Council Member Crampton stated after would be better.

Council President Zeidman commented it might appear to the public that Council had jumped the gun, since they promised to wait until October to discuss and make a decision.

Council Member Crampton commented then it would be the same process with Landmarks as if it had been sent to them before the October meeting with a full presentation and a decision on the merits. In his opinion Landmarks was the normal place for that to happen, but normally as an owner you went to Landmarks to ask for a Certificate of Appropriateness.

Town Attorney Randolph asked, and why would you go to Landmarks before you had made a determination as to whether you want to ask for a Certificate of Appropriateness.

Council Member Crampton stated he was just trying to think about the best way to review this.

Mayor Moore, speaking to her colleagues, commented they were going to have to decide if they wanted stairs. If not, this was dead. If so, it would proceed through the proper channels.

Council Member Crampton responded in order to make that decision Council would need to see the same kind of things Landmarks would see.

Mayor Moore believed it should be taken step by step, with the first step in October when Council made a decision whether to move forward with stairs. If the decision was to move forward you then got renderings. You did not spend time and energy before a decision was made.

Council President Pro Tem Lindsay commented the reason Town Attorney Randolph said the process would include first coming to the Town Council because we are the owner. Once the owner makes a decision then this issue will go to the Landmarks Commission. be to come here with the photos was

the Town had to pay to go to Landmarks, so Council would want to see the project first.

Council Member Araskog commented everyone had spoken, and what she heard from at least two other colleagues was to keep their promise and wait until October. She thought Council Member Crampton had a great idea and maybe they would come with all the drawings, then Council might be more comfortable to send it to Landmarks.

Council President Zeidman commented she would like to see drawings, but the first thing was to decide if Council wanted stairs.

Deputy Town Manager Boodheshwar summarized that the issue of ADA changed the design, so for Council to make an informed decision as owners, they needed to look at something, so he suggested to the Town Attorney there were precedents either way where Council had decided on what they wanted and a design was sent to ARCOM and Landmarks. Or they previously deferred to ARCOM and Landmarks with a conceptual idea asking them to make it look good, as an informal way to help with Council consideration to help make the October decision. He thought making a decision today one way or the other in the absence of any new information would not be good.

Council President Zeidman reminded the Council that the item is on the agenda as a follow up, an update, and that no decision was to be made today. She stated if there were drawings they should be included for review at the October meeting. Council Member Crampton clarified there could be a full presentation in October. All agreed.

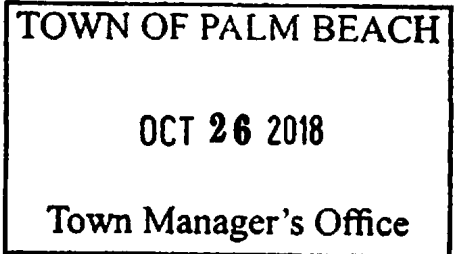
C. New Business

1. Discussion and Consideration of Creating a Building Safety Inspection Program

Wayne Bergman, Director of Planning, Zoning & Building

Director Bergman reported on a news article updated at 2:01 p.m. that afternoon that spoke about today's County meeting and another released about 4 p.m. Palm Beach County Commission was interested in moving forward with a building recertification program, but were going to take their time and study it. Nothing was decided today other than the fact they were committed to a program like this and they wanted to send a letter to all their commercial and high-rise and mid-rise buildings to put the people on notice. He discussed the programs in place in Miami and Dade County. If the County created a program that the Town of Palm Beach followed, the timing might be more like 25 years for reinspection. Another thing for the Town to decide was the threshold building that would trigger this program. In Miami and Dade County it included square footage as well as height. He had

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October 23, 2018

Mayor Gail L. Coniglio
Members of The Town Council
The Landmarks Preservation Commission
360 South County Road
Palm Beach

Dear Mayor and Town Council Members:

I received a letter dated October 15, 2018 by John Eubanks to the Landmarks Preservation Commission. I concur in his remarks, including the quotes of my prior testimony to the Town Council in October of 2014.

As a Fellow AIA architect who has been a member of both ARCOM and Landmarks for many years, I strongly support the addition of the steps on the south side of the Mizner fountain. They are tastefully designed and will serve to activate the south side of Memorial Park. I just as strongly oppose the placement of parallel parking around the park. The issues are aesthetics and safety. In my professional opinion as an architect for over 50 years, parked cars will visually serve to wall off the fountain and park. This is why in all my travels I have never seen such parking around a monument or park.

I also have several safety concerns. Parallel parking will require a car to completely stop and back up in a through lane of traffic in which cars are traveling 25 miles an hour or more, thereby blocking traffic and creating a potential accident. The proposed lane shift will only place cars even closer together and make the matter worse. There is also the issue of children or other passengers exiting the passenger side of a car into fast moving traffic. As I have said before, after parking at the town hall years ago I had my door taken off by a car whose driver was not paying attention. It could have been much worse if I had been getting out of the car.

As a result, I would urge the Town Council to separate the issue of the fountain steps and the parallel parking into two votes. Vote yes to the steps and vote no to the parallel parking. Thank you.

A handwritten signature in black ink, appearing to read "Nikita Zukov".

John C. Randolph
Attorney
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Fax: (561) 650-5300
jrandolph@jonesfoster.com

November 5, 2014

Mr. Peter B. Elwell
Town Manager
Town of Palm Beach
Post Office Box 2029
Palm Beach, Florida 33480

Re: Town of Palm Beach
Memorial Fountain Park
Our File No. 13156.8

Dear Peter:

I am writing to suggest that the Mayor and Town Council give further consideration in regard to the Council's decision to move forward with the construction of the stairs at Memorial Park. I have been advised that despite efforts at seeking cooperation and compromise in regard to this issue, it is apparent that a final decision by the Council to move forward with the construction of the stairs will be challenged in court based upon the provisions of Section 1.03 of the Town Charter which prohibits the placement of above ground structures which diminish open green space absent approval by vote of the Town electors in a referendum election.

As stated by some Council members at the last meeting where this issue was considered, the Council should not make policy decisions otherwise deemed to be to the benefit of the Town in reaction to threats of litigation. I agree. I do believe, however, that the Council should give due consideration to the short and long term results of their decisions, if challenged in court, even if deemed appropriate.

In this case, in the event the Town Council decides to move forward with the construction of the stairs after the matter has been fully vetted by the Landmarks Preservation Commission and in the event a Certificate of Appropriateness is ultimately granted, it is apparent that the construction will be delayed as a result of this issue being tied up in lengthy court proceedings. Alternatively, if the Council chooses not to delay the project despite a court action, absent a mandatory injunction prohibiting construction, then the Town faces the prospect of having to remove the stairs in the event it is unsuccessful in its defense of the lawsuit.

Mr. Peter B. Elwell
November 5, 2014
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It was stated at the last Council meeting that I had indicated the Town has a good case in the event this matter is brought to litigation. Presumably that statement was made on the basis of my analysis of this matter in my letter of October 7, 2014, a copy of which I have attached. Indeed, I did state that the Town has a strong argument that, since the Park has been expanded, the construction of the stairs does not result in a net loss of green space and is, therefore, not in contravention of the wording or intent of the ordinance. It was not my intent in that statement to predict the prospects of the Town's success in the event of a lawsuit. It was, rather, my intent to advise the Mayor and Town Council that there are legitimate arguments to be made on both sides of this issue, thus leaving the ultimate determination to a court of law in the event of a challenge.

Although it is a policy decision of the Council as to how it wishes to proceed, I am suggesting that the Council give further serious consideration to this matter based upon the almost certain prospect of litigation, the potential for delay resulting therefrom, and the prospect that the Town could be unsuccessful in the litigation despite a vigorous defense.

In the event the Town Council were to consider putting this issue to a referendum, there is time to do so on the February ballot. The referendum question could be framed in a Resolution to be considered and adopted by the Council at its meeting in December. That would allow the requisite time for advertising as required by law and for the language to be included on the ballot which is transmitted to the Supervisor of Elections' office in January.

Alternatively, the Town could stay on its present course, delay or abandon the construction of the stairs, or seek a declaratory judgment from the Court as to whether the Town is entitled to proceed as contemplated, although such an action would, in itself, necessarily involve a lengthy delay and expense to the Town, just as would the defense of a challenge by a plaintiff to the decision of the Council to move forward without a referendum.

I appreciate your providing a copy of this memorandum to the Mayor and Town Council for their consideration at their November 13, 2014 meeting. In further reference to this matter, please provide to the Mayor and Town Council a copy of Bill Cooley's letter to you and me dated October 23, 2014.

Mr. Peter B. Elwell
November 5, 2014
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Thank you.

Sincerely,

JONES, FOSTER, JOHNSTON & STUBBS, P.A.

A handwritten signature in black ink, appearing to read "John C. Randolph", written in a cursive style.

John C. Randolph
JCR/ssm
Enclosures

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John C. Randolph

Attorney

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Fax: (561) 650-5300

jrandolph@jonesfoster.com

October 7, 2014

Mr. Peter B. Elwell
Town Manager
Town of Palm Beach
Post Office Box 2029
Palm Beach, Florida 33480

Re: Town of Palm Beach
Memorial Fountain Park – Green Space Amendment
Our File No. 13156.8

Dear Peter:

Questions have been raised in regard to the ability of the Town to place additional structures in Memorial Fountain Park in light of the language set forth in Section 1.03 of the Town Charter (the Green Space Amendment) which provides that any disposition of certain Town owned open green spaces or any improvement of same by way of placing structures thereon, shall require approval by a vote of the Town's electors in a referendum collection called and held as provided by law. Memorial Park is listed as one of the properties to which this provision shall apply. The Charter provision defines improvement to include the construction of above ground structures which diminish open green space but shall not preclude the construction of structures deemed necessary by the Town for public recreational purposes on those properties described therein on which public recreational structures existed as of 12:01 a.m., February 9, 2000.

I have reviewed Town Council minutes pertaining to the exception just stated. The relevant portion of these minutes which sheds light on the legislative history of this matter is included in the minutes of May 8, 1984 attached hereto. Those minutes reflect action of the Ordinance Rules and Standards Committee held on April 30, 1984. At that meeting, when the amendment to the Charter Ordinance No. 4-84 was being discussed, Mr. Bradford said that there was a master site plan or provision to build several recreational facilities at Seaview Park at a later date and wanted to know that if Seaview Park was included in the ordinance, would this not negate the Town from providing these facilities in the future. I indicated that it would and, therefore, advised that a provision was definitely needed to differentiate this property. I amended the

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October 7, 2014
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ordinance for consideration of the Council at the May 8 Town Council meeting. A copy of Ordinance 4-84 is attached.

At the May 8th Council meeting, Town Manager Frost advised that he felt future councils would be unduly hampered with the Alternate Ordinance as the list does contain both active and passive recreational areas. The passive recreational areas could live with the alternate but the active recreational areas, such as Phipps Ocean Park and Seaview Park and Par III Golf Course would be hampered. I responded that I had attempted to address this probability in the definition of improvements in the Alternate Ordinance and I read the definition which is the definition which exists in the Charter today. Mr. Frost felt this definition would eliminate his concern. Further discussion ensued. Mr. Matthews felt the Alternate does require a crystal ball on the Council's part as there may be concerns that will need tending to that Council is not aware of at this point in time. He thought the purpose is to preclude the Town divesting itself of any of its own open space greenery. Mr. Burn thought more leeway was given to the Council under the alternate version since both of the ordinances presented prevent the Council giving away any green space, but the alternate does allow the Council to use the existing green space for a small addition onto the Golf Club structure or some additional construction at Seaview Park, etc. After further discussion, it was moved that Ordinance No. 4-84 be approved on first reading, which motion passed

It appears to me, on the basis of the legislative history that the exception relating to additions on recreational property was only intended to deal with spaces contemplated for the addition of recreational structures such as Phipps Ocean Park, Seaview Park and the Par III Golf Course and that the exception would not apply to other passive green spaces such as Memorial Fountain Park.

The other question which remains in regard to this issue is whether or not the addition of the stairs at Memorial Fountain Park would in fact reduce open green space in contravention of Section 1.03 of the Charter. If Memorial Fountain Park remained as it was originally defined in the Ordinance, clearly the addition of the stairs would reduce open green space. However, additional green space has been added to Memorial Fountain Park since the adoption of the Ordinance and, therefore, the park has been expanded. The question, then, is whether or not the addition of the stairs actually reduces open green space since, even with the addition of the stairs, the green space included within Memorial Fountain Park is today greater than as originally contemplated in the Charter.

I believe the first issue raised in this memorandum is quite clear, i.e., that Memorial Fountain Park was not intended to be included in the exception which provides that this section shall not preclude the construction of structures deemed necessary by the Town

Mr. Peter B. Elwell
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for public recreational purposes on those properties described herein on which public recreational structures existed as of 12:01 a.m. February 9, 2000. The answer to the second question is, however, subject to interpretation. Therefore, in the event the Town were to choose to go forward with construction of above ground structures in the park without holding a referendum and in the event that the Town's actions were challenged, it would be up to a court to determine whether or not the addition of the stairs or other structures indeed reduces green space in contravention of the Charter. Some might argue that even though the park has been expanded, the construction of the stairs still reduces the green space of the park as originally described in the legal description referenced in the Charter. On the other hand, there is a strong argument that since the park has been expanded, the construction of the stairs does not result in a net loss of green space and is, therefore, not in contravention of the wording or intent of the ordinance.

Please do not hesitate to contact me if I can provide any further information in regard to this matter.

Sincerely,

JONES, FOSTER, JOHNSTON & STUBBS, P.A.



John C. Randolph
JCR/ssm
Enclosures

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MINUTES OF THE TOWN COUNCIL MEETING HELD ON MAY 8, 1984

The President of the Town Council, Paul Ilyinsky, called the monthly meeting of the Town Council to order at 9:30 AM on Tuesday, May 8, 1984 in the Town Council Chambers.

Pledge of allegiance was recited.

Invocation was given by Monsignor Magner with a moment of silence to pay tribute to those citizens who have passed away since the last Town Council meeting.

On roll call, the following were found to be present: Mayor Marix, President Ilyinsky, President Pro Tem Burn, Councilmen Cummings and Matthews and Councilwoman Douthit. Also in attendance were: Town Manager Frost, Town Attorney Randolph and Town Clerk Peters, and for portions of the meeting, Assistant Town Manager Doney, Town Engineer McCarthy, Fire/Rescue Chief Elmore, Building Official Moore and Deputy Building Official Zimmerman.

Item 3 - Approval of Minutes of April 10, 1984 Mr. Burn asked for changes on two pages, page 13, the word "not" should be inserted in the second last paragraph, which should now read: "Mr. Burn agreed that the traffic could not be used for a reason for the moratorium." Also on page 37, "Motion carried unanimously on roll call." should be inserted at the end of the third paragraph and with those amendments, he moved the minutes be approved. Seconded by Mr. Matthews. On roll call, the motion carried unanimously for approval.

Item 4 - Approval of Agenda for this date. Mr. Ilyinsky explained the Item 15 will become 8 (b) as Mr. Cudahy has to leave the meeting. Mr. Burn asked for elimination of Item 8 (a) as it has been overtaken by the latest Public Works Committee Report. Mr. Frost indicated the Council either has to accept, reject or modify any sealed bids that come to the Town, based on the Bid Statutes. Mr. Cummings asked for two additional items to be added to the Agenda, one being the matter of the Federated Funds and the second being the matter of the North Fire Station Consultant's Negotiation Act. Mr. Matthews stated these can be discussed at the end of the meeting when any Council member may bring up for discussion anything he wishes to. Mr. Burn moved the agenda be approved with the suggested modifications. Seconded by Mr. Cummings. On roll call, the motion carried unanimously.

Item 5 - Mayor's Comments: Mayor Marix indicated she had two items, one is the matter of investments and in view of the opinion handed down from Tallahassee as to the standing of the Federated Fund, she would like the Council to consider the immediate transfer of the funds into direct Treasury paper, keeping whatever is appropriate in insured bank accounts or in the State Fund. Realizing there may be better ways to handle these funds in the long run, she believed it was the Council's duty to withdraw these funds from the Federated Fund immediately.

The second matter is the reorganization of the Town Beautification Committee. Many years ago there was such a Committee in existence and she would like to see this Committee set up again with representatives from the Civic Association, the Garden Club, the Citizens' Association South of Sloan's Curve and the Preservation Society and the Palm Beach Chamber of Commerce, together with the appropriate members of the Town Administration.

Mr. Ilyinsky indicated they would be discussing these matters later in the meeting.

Mr. Matthews referred to the first matter by the Mayor and it was his understanding that counsel for the Federated Funds is in the process of talking to the Attorney General's Office regarding the opinion which was handed down as there has been some talk that there may have been some factor that the Attorney General's Office was not aware of and they feel this can be straightened out so he did not see any need to do anything until this is concluded.

Mrs. Douthit indicated she had a letter from the Attorney General which backed up the decision of the young lady which was received at the Court House October 3, 1983.

Mr. Frost explained Mr. Maloney of the Federated Fund, who is their counsel and who has had this problem in California and several other states is discussing this with the young lady in the Attorney General's Office.

Mr. Burn believed that despite the fact the money is in no danger that the investment is illegal and Council should take action to do something about it.

Mr. Randolph pointed out the Agenda was approved with a suggestion by Mr. Cummings that this be discussed at the end of the agenda.

6. COMMITTEE REPORTS.

ADMINISTRATIVE AND PERSONNEL COMMITTEE REPORT OF THEIR MEETING HELD ON APRIL 13, 1984. Mr. Matthews noted there should be discussion on the hiring of outside consultants for the hiring of a Town Manager and he felt it should be discussed. He has no recommendation since he and the other Committee member do not agree. Mrs. Douthit did not wish to deny Mr. Crouse's expertise but she felt strongly there needed to be a third independent source as the applications at best are sketchy.

MINUTES OF MAY 8, 1984

Mr. Matthews suggested that by virtue of using people who are familiar with Palm Beach more than an outside firm would be, he asked that a Search Committee be formulated from within the ranks of the Town population and if the Council likes this suggestion, he suggested that Mr. Fred Atkinson be the Chairman of such a Committee by virtue of his imminence in the personnel field having been with large corporate firms and being very familiar with personnel matters and also a resident of the Town.

Mrs. Douthit did not agree and wanted someone totally unalterably independent with no close connections to the Town in any way.

Mr. Randolph explained the Minutes can be received and filed and if there is further action which needs to be taken today with regards to this matter, this can be taken up as a separate matter.

Mr. Cummings suggested an impartial third party be employed to assist the Council in the selection process after the applicants have been reviewed by the Council. He suggested a meeting be held of the Council to make this selection from the applicants they have on hand presently.

Mr. Matthews felt the Town is an unique community and he hoped it continued to be and as such, it requires extra thought and consideration by the people who are conducting the search and to go out and get qualified people is simple, but to determine that little extra which makes the Town the special place that it is, really would be best served by community involvement.

Mr. Burn asked if Mr. Matthews meant these people to select the "Head-hunters"? Mr. Matthews stated what he proposed is the Committee of local people would do what the "Head-hunters" propose to do. The Head-hunters would not be selecting the Town Manager but would be refining it down to a small group from which the Council would make the choice. He felt there was always a problem of objectivity and what he wanted to achieve in the selection of a manager is the very best manager possible for the Town of Palm Beach and the selection should be totally objective.

Mr. Cummings moved that the Council approve the concept of having a qualified personnel man to aid and assist the Council in the final selection process of the applicant for the Town Manager's position. Mrs. Douthit seconded the motion. Mr. Matthews felt it sounded by the motion that they did not think Mr. Crouse was qualified. Mr. Cummings did not mean that as he thought Mr. Crouse was eminently qualified and he has been helpful in the organization of the applicants as they have come in and he has total confidence in him but he did not want Mr. Crouse to be the personnel man to do the final fine-tuning. On roll call, the motion carried with affirmative votes from Mrs. Douthit, Mr. Cummings and Mr. Burn and negative votes from Mr. Matthews and Mr. Ilyinsky. (3-2)

Mr. Randolph asked the President to now approve the minutes.

MINUTES OF THE ADMINISTRATIVE AND PERSONNEL COMMITTEE OF MEETING HELD APRIL 13, 1984.

The Administrative and Personnel Committee met on Friday, April 13, 1984 in the Town Hall Conference Room.

Present at the meeting were: Committee Chairman George G. Matthews, Committeewoman Nancy Douthit, Councilmen Burn and Cummings; Director of Personnel W. Crouse; Rise Jackson of the Palm Beach Civic Association; Michelle Armstrong of the Evening Times; Charles Holmes of the Palm Beach Post; Angel Hernandez of the Palm Beach Daily News, Town Residents William C. Howe, Etonella Christlieb, Mrs. E. Packley-Young and Adrian Winterfield and Mariana Haspil.

The Chairman called the meeting to order at 8:30 AM.

Mr. Matthews stated that he understood that some of the Council members had indicated they supported engaging outside consultants to hire and/or look for a Town Manager and wondered why a consultant was needed as he felt Mr. Crouse was qualified to do the screening of the applications.

Mr. Cummings said that although he had no doubt that Mr. Crouse could do the job, an impartial third opinion was desirable and appropriate.

Mrs. Douthit felt that since information given with the first applications might not be sufficient further investigation of the candidate would be necessary and felt Mr. Crouse should do this in conjunction with another person or outfit.

Mr. Burn said he saw nothing wrong with Mr. Crouse doing the first screening of the applications, but the difficulty was that the Council members would have to do the screening individually because of the Sunshine Law and that created many disadvantages.

Mr. Matthews said that the Town had always selected its own Town Managers in the past and he felt it was a good enough judge of what he wanted as a Town Manager and was competent to sort thru a series of applications to the point where he could determine specially after talking with the finalists, who would be a good manager for the Town. However, since the quorum apparently did not feel the same way, and if they had decided to hire a third party, there was not much sense in arguing further.

Mr. Burn said that since the deadline for applications to be postmarked was the 30th of April, and this report would not go before the Council until their meeting in May, then in the interest of serving all points of view, each Councilman should meet with Mr. Crouse, give their criteria and look thru the applications. By doing this, they might find that it may not be necessary to hire a third party after all.

TOWN CONSULTANTS. Mr. Cummings asked whether Ed Ehinger was retained as a consultant for the Town on an annual basis or just during the Zoning season. Mr. Matthews believed it was only through the

Adm. &
Personnel
Committee

Administra-
tive &
Personnel
Committee

MINUTES OF MAY 8, 1984

Zoning season to study zoning matters on an interim basis. Mr. Cummings noted that the Town also had Alely and Associates as Zoning Consultants and wondered if they were needed again. In addition, he wondered how many consultants the Town had, how much money was paid out to them and what kind of work they were doing for the Town. Mr. Matthews said he would be able to get the latter information from the Town Manager's Office and from the office of the Finance Director.

After further discussion, the COMMITTEE RECOMMENDS that Adley and Associates not be utilized for the coming Zoning Season unless there is a special problem that cannot be dealt with by in-house help and providing the Zoning Commission did not have any particular matter which they felt had to be dealt with by them.

signed GEORGE G. MATTHEWS, CHAIRMAN AND NANCY DOUTHIT, COMMITTEEWOMAN

Mr. Burn moved the Minutes of the Administrative and Personnel Committee Report be accepted. Mr. Matthews wondered if they were Minutes or a Report? Mr. Burn amended his motion that the Report be accepted. Seconded by Mr. Matthews.

Mayor Marix asked if the matter of the selection of the firm would have to be made by the entire Council? After some discussion, a motion was made by Mr. Burn that a Special Meeting of the Council be held on Tuesday, May 15, 1984 at 9 AM. Mr. Matthews asked that this meeting be for a single issue only and that would be the selection of the head-hunter, to which Mr. Burn agreed. Mr. Cummings then seconded the motion. On roll call, the motion carried unanimously.

ORDINANCE, RULES & STANDARDS COMMITTEE REPORT OF THEIR MEETING HELD ON APRIL 30, 1984. Mr. Burn moved the Committee Report be approved. Seconded by Mr. Cummings.

MEETING REPORT OF ORDINANCES, RULES AND STANDARDS COMMITTEE HELD ON APRIL 30, 1984

The Ordinances, Rules & Standards Committee met on Monday, April 30, 1984 at 9 AM in the Conference Room of Town Hall.

Present at the meeting were: Chairwoman Nancy Douthit; Committeeman Alan Cummings, Mayor Marix (for the first part of the meeting); Town Attorney John Randolph; Chief J. Trizzese, Police Department, Tom Bradford, Administrative Assistant; Rise Jackson of the Palm Beach Civic Association; Earl E. T. Smith; Polly Earl; Angel Hernandez of the Palm Beach Daily News; R. Carroll Peacock, Architect; Robert Eigelberger; Adrian Winterfield and Mariana Haspil.

The meeting was called to order at 9 AM.

1. Long Range Financial Planning Committee. Mrs. Douthit said that names of people who might serve on this Committee had been handed in to Mr. Frost, and it was suggested that the Council President select the committee members from that list of names. Mrs. Douthit suggested that the Mayor's name be added to the list as Mayor Marix had worked hard for a long time to promote this Committee.

Mr. Randolph said that he had suggested that rather than have names of candidates pass back and forth between individual Council members, that each Councilman give the Town Manager his or her list, the ORS Committee could, however, decide who to appoint or whether to leave the decision to the Council President.

Mr. Cummings suggested having a workshop at the end of the May 8 Council meeting, to discuss the formation of this Committee in more depth.

Mr. Randolph suggested that the people on the list be contacted prior to the Council meeting to advise them of the Sunshine Law regulations and possible financial disclosure requirements. He also said that the Statutes do call for an advisory body to comply with the financial disclosure statements but it does not indicate that a person sitting on a financial committee, which is only advisory, needs to comply so he will check this out further and give the Council a final opinion by the May 8th Council meeting.

After discussion the COMMITTEE RECOMMENDS that the Long Range Financial Planning Committee be composed of five members and two alternate members. The final decision as to membership to be made at the May 8, 1984 Town Council meeting. In the meantime, the Town Manager is requested to send to the Council a list of the names of the people that have been suggested.

2. NORTH FIRE STATION ARCHITECTURAL CONTRACT. Mrs. Douthit said that under the old Council, Mr. Peacock had signed a contract to build a new North Fire Station, however, Mr. Eigelberger had donated plans, drawn by another architect, to preserve the old fire station. The Committee now wanted to discuss what could be done with Mr. Peacock's contract.

Mr. Peacock said he had entered into a Consultant's Competitive Negotiating Act contract with the Town and he had been working on this job for the past two years. He had been asked to draw three different sets of plans and had been paid only for the first set.

Mr. Cummings asked Mr. Randolph if they would have to go thru the Consultant's Competitive Negotiating Act again even though the plans for the rehabilitation of the Old Fire Station had been donated.

Mr. Randolph said that there was a distinction, but there were two phases, one was the cost of the plans, and the other the cost of supervising the construction. He said he will research this further and give a legal written opinion in time for the next Council meeting.

ORS

MINUTES OF MAY 8, 1984

Mrs. Douthit said that the Town owed Mr. Peacock monies for work accomplished, and she asked him if he would be willing to settle or agree to dissolve the contract upon receipt of monies owed to him? Mr. Peacock said he would even though he was not happy with the way things had evolved.

3. Amendment to Charter Ordinance No. 4-84. Mr. Randolph distributed a draft of Ord. No. 4-84 in which certain green town owned properties are listed. He stated that the first draft had been an open ended ordinance but the Committee had felt a list of Town owned green space was more appropriate.

Mr. Cummings said legal descriptions should be included. Mr. Winterfield said that the Charter was the constitution of the Town and its purpose was to establish general principles.

Mr. Randolph agreed it was a good point and normally in a Charter specific properties would not be mentioned, but if the Committee felt this was a better approach, it was not legally precluded from doing it this way.

Mrs. Jackson asked if the wording "all Town owned open green space to remain open green space in perpetuity" could be included in the Ordinance.

Mr. Bradford said that there was a master site plan or provision to build several recreational facilities at Seaview Park at a later date and wanted to know if Seaview Park was included in the Ordinance would this not negate the Town from providing these facilities in the future?

Mr. Randolph said it would and therefore a provision was definitely needed to differentiate this property.

After further discussion the Committee decided to go back to the original format of the Ord. and asked that an appendix be included stating that legal descriptions for properties listed in said appendix were on file in the Town Clerk's Office. Also it should say that there may be additional Town owned green spaces to be covered under this Ordinance. The Committee asked Mr. Randolph to have the amended ordinance ready for the May 8 Council meeting so that it can be discussed further.

4. Bicycle Riding on Sidewalks in commercial areas. Chief Terlizzese said that in Jan. 1984 at a meeting of this Committee, it was recommended that an Ord be adopted to deal with this problem.

Mrs. Douthit asked if bicycle racks could be placed in different parts of Town so that bikes could be parked. She also asked if bicycle rental shops were required to have bikes equipped with bells, and if ot, could this be made a requirement in Town. Chief Terlizzese said that it is required by law, and if riding after dark, they have to have a headlight.

Mr. Randolph said he will make minor amendments to the Ordinance incorporating some of the suggestions discussed. In Section 1, he will add the words: "unless such sidewalk is specifically designed as a bike path" and have it ready for the May 8 Council meeting.

After further discussion, the COMMITTEE RECOMMENDS that the Ordinance be adopted by the Council.

5. Parking stickers Mrs. Douthit said all the parking programs in effect now, benefit only those residents that live within the designated areas. She said she has received many letters from the elderly and handicapped people complaining about the parking problems in the Town. Mrs. Douthit also said that there are no blue invalid parking spaces along the beach.

Chief Terlizzese referred to a memorandum he wrote to the Town Manager on Feb. 7, 1984 regarding handicapped parking. The Chief said that after reviewing the State Statutes, he found that there is a specific formula set forth for the provision of handicapped parking spaces and handicapped parking stickers, and if the Town is to comply with the provisions of the Statute, it must provide 21 handicapped parking spaces in nine different locations throughout the Town. The Chief added that anyone with a handicap or physical impairment can apply for a permit from the Tax Assessor's Office by providing proof of disability from a competent physician.

After further discussion, the COMMITTEE RECOMMENDS that this matter be brought to the attention of the Council at its meeting of May 8, in order to seek further direction on the subject.

6. Refurbishing of Council Chambers. Mrs. Douthit said that since the money budgeted by the Old Council to refurbish the Council Chambers was too much, it was decided by the new Council to reduce this sum. However, it has now been found that the new amounts allocated are not enough because some of the items have to be replaced. The following items cannot be repaired or refurbished: (1) the blinds. (2) the pews are termite ridden and they either have to be treated or replaced. It is not worth fumigating these pews because of extensive damage and because the building itself has termites. Mrs. Douthit suggested getting either refurbished or new theatre seats and this will cost approximately \$10,000 (\$5,000 had been allocated to get cushions for the pews). (3) the floor has to be sanded and refinished. This work has to be done after working hours because of the dust and noise that this works will produce. This work will cost an additional \$1500.

Mr. Cummings said that for the edification of the Council a memorandum be prepared by the Town Manager's office, informing them of the difficulties being encountered.

THE COMMITTEE RECOMMENDS that the extra expenditures be authorized even though they are exceeding the monies originally allocated due to circumstances beyond their control.

There being no further business, the meeting adjourned at 11:05 AM.

signed Nancy Douthit, Chairwoman and Alan Cummings, Committeeman

TOWN COUNCIL MINUTES OF MAY 8, 1984

The motion to approve the report carried unanimously.

8 (b) (Item 15) Palm Beach International Airport (PBIA) "Draft"
Environmental Impact Statement by FAA regarding Proposed Elimination of Fanning Comments by William
Cudahy, Member of Citizens' Committee on Airport Noise.

Mr. Cudahy handed out some material to the Mayor and Council, indicating that he was appointed to this Committee by County Commissioner Wilkin and is not representing the Town of Palm Beach and he pointed out when the County Commission created this particular Committee, they required one member of the Economic Council of Palm Beach County, three members recommended by the FAA, the Airline's Pilots and the Air Transport Association; two members from the Palm Beach County Municipal League and five members were appointed by the County Commission.

Mr. Cudahy indicated the Citizen's Committee has a Technical Coordinating Committee which Bob Doney sits on and it has a policy Committee on which the Town is represented by Mr. Ilyinsky and an Operations Sub-Committee of which he was Chairman but it has been disbanded since it has completed its job. The Technical Coordinating Committee is a Land Use Committee which is not exactly what the problem is.

He referred to the packet and asked the Mayor and Council to turn to Alternative 1, which would be no action - fanning would continue. He then referred to another page which showed the proposed action and this page showed the fanning eliminated with four black lines, one bent a little bit to avoid Century Village.

He related some background on this, the runway use program has been completed by the Citizen's Committee and in the seventies, they invited the FAA to this area when this problem developed and Robert Martin, Chief of Air Traffic Control of Washington, D. C., and Dr. Powers, the Chief of the Environmental Control for the FAA addressed the Town Council and the fanning was adopted at that time as being a fair way to have aircraft depart from Palm Beach International Airport. In 1976, the Informal Runway Use Program was amended and the key language was: "The amendment continued the departure fanning, but required alternating use of Runway 3113, (the north/west south/east runway) and Runway 9L 27R and the FAA saw fit to tell the Town that the use of both runways was feasible and proper and fair.

He suggested the Town Manager be authorized to represent the Council and address this problem to the FAA immediately and we have until the 31st of May to comment on the 80 page draft of the Environmental Impact Statement which is highly technical. Mr. Frost should advise the FAA that it has reviewed the various alternatives in the FAA's Draft Environmental Impact Statement (EIS) on the elimination of fanning procedures and tell them the Town Council of the Town of Palm Beach is opposed to the various alternatives which would eliminate fanning. Then, going further, the Town Council authorize its manager to inquire of the FAA why it has abandoned the Runway Use Program adopted in 1976 which provides for alternative departures off both the runways, runway east/west and north-west south-east. On the data submitted, it shows: Action: Personnel in the Tower be guided by the following - departures will be assigned random runways as suitable for wind and traffic conditions. Mr. Cudahy felt the runways should be alternated and perhaps if they were made aware of the fact that the Town has no representation on the Citizens Committee and is one of the municipalities most impacted by the noise, they must have procedures to deal directly with the communities most impacted. Otherwise, the County will continue on their present course and it will be in concrete.

Mr. Ilyinsky thanked Mr. Cudahy for his help and for this information and indicated he always has felt most citizens are very happy to have an airport situated where PBIA is, and he is perfectly willing to share the sounds with the whole island.

Mr. Ilyinsky asked for authorization to empower the Town Manager to act on the Council's behalf on proceeding with the FAA on the correct way it should proceed? Mr. Burn thought Council should first decide which way is the correct way to proceed.

Mr. Ilyinsky indicated he was in favor of fanning and the Runway Use Plan which was supposed to be instituted in 1976 but was never actually instituted. He thought all runways were perfectly suitable except in very stormy conditions. Mr. Matthews did not agree and felt the wind was even more important when one was flying a helicopter.

Mr. Matthews felt the essential thing is the wind may favor some of the other runways but they will be using the one which is most favored, although the pilot may always have the discretion of which runway he wants to use, although that rarely happens.

Mr. Matthews recalled a previous Council had decided to go with the fanning procedure so it would be up to this Council as to whether or not they want to change the procedure or reiterate the fanning.

Mr. Frost informed the Council if they would like him to address the FAA, he would like to say more than "continue" but "start"; as fanning is a joke as they are not abiding by it now, so if he is to talk to them, two things should be brought out:

1. Fanning is what the Town Council would like to see them do; and
2. Impose it as the 1976 Order says.

Mr. Burn wanted to know if it was to be total fanning or only limited? Mr. Frost explained the fanning procedure was instituted in 1976 at the behest of this Council when the FAA people were here as previously stated by Mr. Cudahy, but the pilots are not paying any attention to this.

Mr. Burn felt there was fanning done to some extent as they do get over the water very rapidly and asked what was going to be suggested? Mr. Frost suggested that the 1976 FAA Order should be followed and if he enforced it from the FAA, it would be a good idea to have it enforced.

Palm
Beach
Int'l
Airport

TOWN COUNCIL MINUTES OF MAY 8, 1984

Mr. Matthews moved the Town Manager be instructed to advise the FAA of:

1. The Town's support of the 1976 Plan on Fanning;
2. The FAA be advised that this Plan to the best of our knowledge has not been followed in the past;
3. They are urged to start following this Order or start it;
4. The Town is indeed in favor of the fanning proposal.

Motion seconded by Mr. Cummings. Motion carried unanimously on roll call.

Item No. 7 - Applications for Charitable Solicitation: (a) Palm Beach Paramedic Association, No. 143-84.

Mr. Matthews moved for approval. Seconded by Mr. Burn. On roll call, the motion carried unanimously.

Item 8 - Sealed Bid Awards:

- (a) Sealed Bid No. 9-83/84 - South Woods Road Drainage Improvements.

Mr. Matthews moved that all bids be rejected. Seconded by Mr. Cummings. On roll call, the motion carried unanimously.

Mr. Ilyinsky explained this is because the project has changed and the entire thing must now be rebid.

Item 9 - Possible Purchase of Aerial Platform.

Mr. Frost indicated a confirmation of the Town Manager's and Fire Rescue Chief's actions needs to be had for putting in a bid on a used aerial platform presently owned by the City of Littleton, Colorado. He has covered this in a memorandum to the Mayor and Council on 4-24-84.

Mr. Frost indicated there would be a saving of approximately \$100,000 as this would generally cost \$350,000 to \$400,000 and would take eighteen months to be delivered after it was ordered, so there are two benefits to this, one being a lower price and secondly, it would be on hand within six to eight weeks instead of waiting eighteen months.

Mr. Cummings pointed out that when this opportunity came up, Chief Elmore was sent to Littleton to inspect the equipment, along with the mechanic and they both were favorably impressed and therefore, they were encouraged to bid on this equipment.

Mayor Marix asked if this was the same aerial platform which was included in part in this year's budget? Mr. Frost indicated it was.

Mr. Frost explained half of the proposed price had been put in this fiscal year's budget and the other half would be budgeted next year for a total of \$400,000.00.

Mayor Marix asked why the City of Littleton was getting rid of this equipment? Mr. Ilyinsky explained they have restructured their operations.

Mr. Matthews moved that the Town Manager's action be confirmed in bidding on the aerial platform piece of equipment. Seconded by Mr. Cummings. On roll call, the motion carried unanimously.

Item No. 10 - Garden Club of Palm Beach by Mrs. Lyn Cudahy - Resolution. Mrs. Cudahy addressed the Mayor and Council on behalf of the Garden Club of Palm Beach thanking them for this opportunity to present a Resolution of the Executive Committee adopted at their meeting held April 5, 1984 commending George R. Frost, Town Manager who is retiring and who has rendered extra-ordinary valuable service to the Town in helping maintain the Town as a place of beauty and tranquility and by virtue of his professional capacity and high integrity has won the friendship and profound respect of the members of the Garden Club. He is highly regarded by the members and has achieved a most enviable reputation and stature in his field for his outstanding ability.

Mr. Frost accepted a copy of the Resolution and there was much applause.

Item 11 - Authorization for the Town to advise the City of West Palm Beach that the State Bond Loan is proper financing method for Energy Conservation Improvements. - Regional Sewage Treatment Plant.

Mr. Doney explained a memorandum dated 4-23-84 has been sent to the Mayor and Council on this matter which gives background information on this subject. In summary, there is an ongoing program at the Regional Sewage Treatment Plant which is a two phase improvement program, one being energy improvements which will reduce operating costs and the second is expansion or increased capacity at the Plant.

Mr. Doney recalled a former Council has granted authorization for the Town to participate in the energy improvements which will result in cost savings to the Town for treatment and disposal of sanitary sewage. The Town has advised the City of West Palm Beach who is the lead agency on the operation of the Plant that the Town does not need additional capacity. This decision is based on the Town Engineer's

Char.
Solicitation

Sealed
Bids

Garden
Club
Resolution
on George
Frost

Regional
Sewage
Treatment
Plant

TOWN COUNCIL MINUTES OF MAY 8, 1984

estimates of the growth and existing usage at the Plant.

Mr. Doney indicated what is needed today is confirmation and approval that the State Bond Loan program is the best method of financing for the energy improvements and as stated by Mr. Simmons in his letter to the Town of Palm Beach, there are advantages for the five participating entities by pooling and utilizing their resources under the State Bond Loan program.

Mr. Matthews wanted to know what the advantages were to the Town specifically? Mr. Doney responded there would be increased cost savings in future years by the implementation of the Energy improvements and the design of the energy improvements are being done by the consulting engineering firm of Post, Buckley, Shoe & Jernigan.

Mr. Matthews asked if the Town would participate in this, would this freeze our costs as far as the cost of treatment is concerned? Mr. Doney replied it would not freeze the cost of treatment. He noted there were no other options actually as ocean outfalls are no longer allowed and this would allow the Town to enjoy long-term reduced operating and maintenance costs at the Regional Sewage Treatment Plant. It would be a projected cost savings by reducing operating costs.

Mr. Burn asked if there were any plans to ask for increased allocations? Mr. Doney responded negatively.

Mr. Matthews moved the authorization be given. Seconded by Mr. Burn. On roll call, the motion carried unanimously.

E-2
Emergency
Repairs

Item 12 - Confirmation of Emergency Repairs to E-2 Sanitary Sewage Ejector Station. Mr. Burn explained the emergency repairs to this station were definitely needed and he moved the repairs be confirmed. Seconded by Mr. Matthews. On roll call, the motion carried unanimously.

Sanitary
Sewer
Rehab
Program

Item 13 - Authorization for Continuation of Sanitary Sewer Rehabilitation Program. Mr. Burn indicated this is authorization for continuation of the sanitary sewage rehabilitation program which was partially completed this year as there were some extra funds available and work has already been started on this and he thinks it should be approved.

Mr. Matthews moved for approval. Seconded by Mrs. Douthit. On roll call, the motion carried unanimously.

Warrant
List

Item 13A Approval of Warrant List and Fund Expenditure Report for the month of April, 1984. Motion was made by Mr. Matthews, seconded by Mr. Cummings to approve the Warrant List and Fund Expenditure Report for April. On roll call, the motion carried unanimously.

Lease of
Flagler
space

Item 14 - Authorization for Town Manager to Execute a Renewal Lease Agreement for Office Space at 45 Cocoanut Row, with Flagler System. Mr. Frost explained these offices are rented from the Flagler System and the lease expires this Fall. Mr. Matthews moved that authorization be given to the Town Manager to execute the renewal lease agreement for office space at 45 Cocoanut Row.

Mrs. Douthit asked for how long a period of time this would be leased? Mr. Frost suggested it be for a two year period with an option to renew past that in the event the floor space in the Town Hall does not become available.

Motion was seconded by Mr. Cummings. On roll call, the motion carried unanimously.

Item 15 - see Item 6

Muriel
Barnett

Item 16 - Muriel Barnett - discussion - Fraud and Equal Protection Under the Law - Palm Beach Law. Mrs. Barnett was not in the audience to discuss this item.

LPC Appts

Item 17 - Landmarks Preservation Commission - Appointment of Members. Mr. Frost stated he has sent a memorandum to the Mayor and Council on May 1, 1984 and Robert T. Eigelberger's name has been submitted for consideration as a regular member of the Commission with term to expire February, 1987 and Sally Gingras, Architect should be considered as an alternate member of the Commission. Mr. Matthews moved that Mrs. Gingras be appointed as an alternate member of the Landmarks Preservation Commission and Mr. Eigelberger be appointed as a regular member. Seconded by Mrs. Douthit. On roll call, the motion carried unanimously.

O'Hara's
Var 68-83
extension

Item 18 - Susan J. O'Hara - O'Hara's Palm Beach Ltd. - Request for six month extension of building permits relative to Variance No 68-83, which was conditionally approved by Council on October 11, 1983. Mr. Frazier Wellmeir addressed the Council indicating he and his wife are general partners in the ownership of O'Hara's and requested a six month extension as they have been many delays which are not of their making. Mr. Matthews moved the six month extension be granted. Seconded by Mr. Cummings. On roll call, the motion carried unanimously.

Sp Ex 3-81
Palm
Beach
Hampton

Item 19 - Modification of Town-imposed conditions of approval on following:

(a) Special Exception No. 3-81 - Palm Beach Hampton, 3100 S. Ocean Blvd., by Marvin Szatmary, request for elimination of water holding tank.

(b) Special Exception No. 4-81 - Enclave Condominium Project, 3170 S. Ocean Blvd., by S. Lyon Sachs, President, Nasa Construction Co., request for elimination of water holding tank.

Mr. Ilyinsky indicated these are both requests for elimination of water holding tank.

TOWN COUNCIL MINUTES OF MAY 8, 1984

Mr. Moore gave a background on these requests which were tanks required by the Council in late 1981 when one of the major concerns of the Town was water supplies to the South end of the Town. In order for the applicants to receive Site Plan Review, they agreed to install these tanks which would be separate holding tanks that would hold water on site in the event there was a fire and there would not be enough water pressure. In 1979, the Building Code, which these buildings were permitted under, also required an additional tank, however, it is no longer a requirement of the Building Code and the Fire Department Chief has given his blessing to the removal of the tanks on both properties with the installation of a second line running down the west side of the right-of-way which was not in place at the time there was a moratorium and the pressure problem is no longer a problem.

Mr. Frost recalled fire fighting capabilities was one of the reasons these storage tanks were put in and another reason was due to the fact there was a severe water shortage in the late seventies and these water tanks were very welcome to the people in those buildings since they were filled at night and emptied during the daytime.

Mr. Lyon Sachs was asked why he wished to remove the tanks and he explained this is on the fire supply side only and it will be 10,000 gallons of stagnant water just sitting there which will be a nuisance to the condominium association and would be a potential source of contamination. For practical purposes, if there was a fire, the amount that is stored in the tank would not be enough to fight a fire.

Mr. Matthews did not think fire fighting capabilities would be hampered whether the water is or isn't stagnant, but he would be willing to go along with the removal of the tanks with the proviso that if there is a water shortage the Condominium Association will not hold the Council responsible.

Mr. Moore explained what Mr. Sachs and Mr. Szatmary are asking for is the removal of the tanks on the fire line side only, which is a separate line coming into the building and has nothing to do with the domestic potable water.

Mr. Moore again indicated there were no objections from the Fire Chief or the Fire Marshall due to the fact there has been another line installed and in an emergency water can be secured from the pool or the intercoastal waterway.

Mr. Matthews moved the water holding tanks for both the Palm Beach Hampton and the Enclave be allowed to be removed. Seconded by Mr. Cummings. On roll call, the motion carried unanimously.

Item 20 - Variance No. 10-84 with Site Plan Review (Postponed from 4-10-84) John F. Tracey, 230 Park Avenue - permission to construct multi-family apartment building - three units - with variances regarding lot area, lot depth, density, setbacks. R-C District. Attorney Herbert Golden representing John Tracey addressed the Council. Park Avenue is a series of 50' platted lots and there are a number of single family dwellings on these lots and there are a substantial number of duplex dwellings on 50' lots and next to the area in question, there is an annex which consisted of 70 residential units which have been reduced to 29 residential units. Mr. Tracey would like to build the minimum on the lots, which would be one dwelling unit per lot.

Var 10-84
Tracey

Mr. Golden felt his client had the right to sell off these lots to three individual owners who would all then have the right to build three single family dwellings.

He felt the best use of the three lots together would be to combine a triplex, with the layout as suggested.

Mr. Burn asked for staff comments. Mr. Moore indicated his department felt the best usage of the land would be for hotel usage rather than residential as he felt the property was part of the hotel.

Mr. Ilyinsky asked if there was an Unity of Title on this property? Mr. Moore explained there was not, however, the attorney is willing to have a Unity of Use agreement which he felt would do the same as the Unity of Title because of the different styles of ownership.

Mr. Moore indicated it is the staff's contention that the property is hotel property, even though it is in the R-C zone, and it should be put to some hotel usage, even if it would be green area and a shuffleboard court which it once had.

Mr. Frost noted there is no hardship except the lot depth and until and unless two out of the three properties are sold and built upon, there would be no compulsion on the Town Council to accept the minimum that should be done to this property. He informed the Council that whether this variance or the next item is approved by the Council, it is strongly recommended that this property is required to put money into escrow for the storm drainage.

Mr. Golden asked to address the installation of a parking lot to which the Town Council President agreed.

Item 21 - Special Exception No. 5-84 with variances - John F. Tracey, 230 Park Avenue - permission to construct 27 supplemental parking spaces, four of which are covered by fabric awnings structure for residences of Palm Beach Hotel, providing 23' maneuvering aisle in lieu of 25'; 9' wide parking spaces in lieu of 10'; front setback of 7' instead of 25'. RC District. Attorney Golden felt the best use for this parcel of land would be to keep it for parking since there is a 200 room hotel which has no parking space whatsoever. The proposed parking would meet all the Code requirements. There is more landscaping than the Code requires. They would limit this area entirely to hotel guests and they would be willing to have the approval conditioned upon such a use.

Spec Ex 5-84
Tracey

TOWN COUNCIL MINUTES OF MAY 8, 1984

They would be putting in new landscaping with an eight foot high hedge. This will help solve a substantial parking problem and will have no density. This property is not owned by the hotel and he felt this client had a right to use his property. He would be willing to provide a document that they would guarantee the use of this property would be only for the hotel. He can't make the Association buy it but they will guarantee it will only be used for the hotel.

Mr. Cummings asked who owned the property directly across the street from the hotel? Mr. Gelden responded it was owned personally by John Tracey. Mr. Cummings asked if the guests of the hotel used that parking lot? Mr. Gelden stated they don't have any right since they do not own the property but Mr. Tracey does have some arrangements with some of them to park their cars there. Mr. Cummings asked where do all the cars park presently? Mr. Gelden indicated they park on the street or in neighboring parking lots, such as Publix.

Mr. Moore commented if the Council agrees to this use as a parking lot, he would recommend the Council agree to a Unity of Use, acceptable to Mr. Randolph. He also recommended that the parking lot be redesigned to accommodate additional green space in the front yard.

Mr. Burn recalled at a previous meeting there was some discussion about having the parking space size conform to the Code, or ten feet. Mr. Moore indicated this has been done, accommodating 24 cars and the lot has two entrances.

Mr. Frost recalled that one of the previous owners of the hotel about ten years ago donated some property for open green space and asked if the applicant would consider that? Mr. Gelden responded negatively.

John
Tracey

Mr. Rob Maas addressed the Council indicating he thought Mr. Frost's suggestion was an excellent one. He was also glad to hear Mr. Moore's suggestion about the green space as if this is not done, it would be an asphalt expanse across the street from two single family residences on a street which is entirely residential with approximately half of the homes on that street being single-family. There are several large trees on the property which would also offer very effective screening and he hoped they would remain on the property and not be removed. More importantly, he felt the Council should address the question of standards as before the Council is an application for Special Exception which does require a number of variances. Before the Council does take action, he noted there are certain requirements set forth in the Town Zoning Code which must be met and he does not believe they have been addressed as yet that the proposed use complies with the Code, for example, the requirement that the use be compatible with adjoining development and the intended purpose of the District in which it is to be located.

Mr. Maas noted another requirement is that the Use will not cause substantial injury to the value of other properties in the neighborhood. Another requirement is that the Use will not result in substantial economic, noise, or odor impacts generally in the District. This is a parking lot which will be operated in conjunction with a hotel so it would be in operation at all hours, so these items should be addressed.

Other items which must be addressed with connection with the variances is that the variance granted will be a minimum variance making possible a reasonable use of the land; secondly, that it will be in harmony with the general intent and purpose of this Ordinance and it will not be injurious or otherwise detrimental to the public welfare and finally, that the applicant can show a hardship.

Mr. Maas thought it was essential the 25' of green space be preserved to protect the neighborhood properties.

He realized the Town Council is considering this application in an attempt to alleviate some of the traffic and parking problems which now exist, but they on Park Avenue do not feel they have that problem with respect to the properties on their street as most of them do have off-street parking and there is generally adequate on-street parking to accommodate most of the traffic there, but the problem does exist on Sunrise Avenue which was created through renovation of the hotel without providing any parking spaces in the commercial district in which the hotel is located.

Mr. Matthews asked Mr. Maas what he envisioned as a proper use for this property? Mr. Maas thought there were two uses which he would find acceptable and the first is that use originally proposed to the Building Department and that is it would be used as open space pertinent to the hotel. The second use is that of a reasonable residential building, not one that would be built up to the property line, but a reasonable building and one that was compatible with the other residences of the street.

Mr. Burn asked if Mr. Maas would have any objection to Mr. Tracy selling off these lots and three dwellings built on the lots? Mr. Maas felt the properties were much too small to have three individual homes built on them, and he would go along with a duplex or a reasonable triplex, but all of the proposals seen to date are not reasonable when viewed in terms of the number of variances which would be required.

In order to construct what has been proposed, a substantial excavation of the property would have to be done, and in the past homes on this street have all experienced significant vibration damage anytime excavation has been done in the area, Mr. Maas explained.

Mr. Frank Noska, III of 223 Park Avenue addressed the Council indicating when he moved into the house he now occupies, the property in question was being used as a recreational area for the Hotel. They have all taken interest in what the use of this property would be and have always been led to believe it would be used in conjunction with the Hotel. Park Avenue is a one-way street, with parking on the south side of the street which leaves only one lane of traffic. If the parking lot is approved, he believed there would have to be valet service from the front door of the hotel to bring the cars around to Park Avenue and then to retrieve the cars again, which would create traffic problems.

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He also thought some security would have to be provided which would either be in the way of people or lights and the people on that street do not want this illumination on their street. They do believe Park Avenue is a residential area and they want to retain it as such. He is opposed to both of the applications submitted to the Council and would like to see this property used as a single family or a duplex.

Attorney Randolph was asked to give his opinion on the use of this property and he advised the Council they are faced with a property owner trying to reasonably use his property and the people on Park Avenue are contending the owner has a reasonable use as this property was tied in with the Palm Beach Hotel and its appropriate use should continue to be as part of the Palm Beach Hotel. Historically speaking, this property was purchased by Mr. Tracy at the same time he acquired the Palm Beach Hotel property but he contends he did not purchase it for use in conjunction with the Hotel and just because it was purchased simultaneously he did not intend to use it with the Hotel property. He subsequently sold off the Palm Beach Hotel.

The Code states a property cannot be made more non-conforming by selling off a portion of it, however, as he understands it, when the it was granted for the Palm Beach Hotel, this lot was not described as part of the Permit. This would indicate that this lot did not have to be used in conjunction with the Palm Beach Hotel.

Mr. Randolph felt the Council is faced has the following options:

- (1) Allow the three unit dwelling to be built on the property;
- (2) Consider the parking request.

John
Tracey

If neither of the above is what the Council wants to do, the applicant's attorney has indicated they may sell off the lots to three individual owners. If this does happen, the Council would be faced with those applications for variance as the lots could not be built on according to the Code.

Mr. Randolph disagreed with Mr. Gelden on his ability to sell those properties and make them three non-conforming lots and allow three individual property owners to come in and built units on them.

Mr. Matthews thought the issue before the Council was Variance 10-84 and he moved this Variance 10-84 be denied. Seconded by Mr. Burn. On roll call, the motion carried for denial with Mr. Ilyinsky voting against the motion.

Mayor Marix asked if he would want to now design something different, would the applicant have to wait six months to come back before the Council? Mr. Matthews felt he would have to wait the six month period and that was his intention.

Mrs. Douthit stated she knew the rooms at the Palm Beach Hotel are condominium type ownership and there has been discussion here today that if the parking lot were installed, there would be a lot of going and coming in and out of the parking lot and she wondered if an arrangement could be made that the spaces on this lot would be used by only the condo dwellers and the usage would then be no more busier than the home owners would be.

Mr. Maas still wanted to have addressed the major concern of the home-owners on the street and that is the lot would be adequately landscaped and sight-screened.

Mrs. Douthit noted the property is now a sea of naked earth. Mr. Maas noted this may be so, but it is screened by some eighteen feet of hedging and three large trees.

If this plan is accepted, Mr. Maas stated, he would like to know if there was an irrigation system to be installed as required by the Code?

Mr. Moore asked to address Mrs. Douthit's concern as when this was originally proposed, he had asked the applicant's attorney to ensure that this parking lot would be for the residential uses of the hotel only and not encompass any commercial use, so the need for valet service would be precluded. Additionally, one other consideration is that the parking lot would reduce the non-conformity by providing some parking spaces on the property and taking some off of the street.

Mr. Burn asked if in the staff's discussion on this parking lot, was specific assignment to individuals discussed? Mr. Moore responded they only discussed the condominium owners use.

Mr. Gelden recalled they had discussed this with the Building Department and this will only be used by condominium users and not by the commercial uses. They have no objection to going higher with the landscaping.

Mr. Burn asked how much greater would the setback be? Mr. Moore stated it would be an additional ten feet which would give them additional planting and they have called for a redesign of the lot in order to provide for this additional planting. Mr. Gelden indicated he would be willing to do so. Mr. Moore stated this would mean eliminating six to eight parking spaces and they are trying to address all of the problems and reach some sort of a compromise to keep everyone happy. Mayor Marix asked if this hotel would change ownership style and it was not a condominium hotel, what would happen to those spaces? Mr. Gelden did not think this was probable and suggested a condition could be that the parking spaces be only used in connection with the residential uses of the building.

Mr. Burn suggested this matter be continued until the next meeting as he would like to see the redesign plans encompassing all of the concerns of the Building Department.

Mr. Cummings thought perhaps a conditional approval could be granted as this matter has been before the Council for several months now. He moved that conditional approval be granted for Special

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Exception 5-84 with Variances, subject to having the new plan approved by the Building Department.

Mr. Maas noted there were a number of residents of Park Avenue in the audience, Mr. & Mrs. Ray Hager, Mr. & Mrs. Sam Hoffman, Mr. and Mrs. Dale Fenfrock, Mr. Ray Boone and other neighbors and he hoped the Council would not set a dangerous precedent on handling this matter without taking into consideration what the Code actually requires.

Mr. Matthews seconded the motion for discussion purposes.

Mr. Randolph cautioned the Council on granting conditional approval when the matter is still not determined and recommended this be postponed. Mr. Matthews then withdrew his second of the motion after which Mr. Cummings withdrew his motion.

Mayor Marix suggested they get in touch with the Preservation Foundation and see if something could be worked out.

Mr. Burn moved that this matter be continued until the next meeting with the understanding there will be a redrawn proposal incorporating the Building Department's comments. Seconded by Mr. Matthews.

Mr. Frost asked if the Administrative comments could be heard to which the Council agreed. Public Works Department and the Town Engineer state the storm drainage matter needs to be addressed if this is going to be parking lot, instead of the long term usage as a recreational area. Mr. Frost thought the Town had been somewhat taken on this issue as he has heard said today the applicant should be allowed to make a parking lot for the residential use of the property and the only reason it looks like a sea of naked earth, the Town did allow Mr. Tracy to use this lot as a staging area and a parking lot during construction.

Mr. Frost indicated if this is allowed to be used as a parking lot, it should have Code landscaping in its entirety and Code setbacks and there should be an agreement this will not become a commercial parking lot since it is located in a residential zone and would destroy the zoning in that area. If the condo dwellers are going to use it, it should be part of their condo ownership. He suggested the only way to resolve the neighborhood problem is to make the property accessible only from the commercial property to the south.

Mr. Matthews asked if these could be incorporated as part of the motion, to which Mr. Burn agreed.

On roll call, the motion carried unanimously.

Five minute break taken.

Meeting called back to order.

Item 22 - Special Exception No. 9-84 - William B. Pace, 218-220 Phipps Plaza - permission to utilize drive off of Seaview Avenue to enter parking area (provide two spaces) permit construction of two supplemental off-street parking spaces to the rear of residence. R-C District. Mr. Pace addressed the Council indicating there is a ten feet easement off of Seaview and he is asking for permission to install two parking spaces in this area. He is presently working on plans to reduce the density of this building from four units to two. Mr. Ilyinsky asked why he did not take advantage of the Permit Parking which the Phipps Plaza owners enjoy? Mr. Pace responded he felt it would be more beneficial to his property to have private parking off the street and it would also be a benefit to the Town to have these cars off the street.

Mrs. Douthit and Mr. Burn noted there was a letter of objection in the file from Mr. Belford Shoumate. Mr. Pace indicated Mr. Shoumate is concerned with cars coming in and out late at night as he lives next door, but Mr. Pace felt once the hedges are installed, he did not believe there would be any problem. There is a gazebo in the rear of the property and he could stop the parking before it got to that area.

Mr. Frost gave the Administrative comments: Mr. Frost stated when he and Mr. Ilyinsky went to observe the property, they noted there was 20 to 25 spaces available in Phipps Plaza and he asked Mr. Pace why he would need to have this variance when there seems to be adequate parking at the front of the premises.

Mayor Marix commented they would have to carry their groceries by wading through several inches of water, when it is raining.

Mr. Pace explained he is not eligible for a Permit now as he is not presently residing on the premises but his engineer and his contractor who have been doing work on the property have not been able to find a parking place there during the day.

Mr. Cummings moved the application for Special Exception No. 9-84 be denied. Seconded by Mr. Matthews. On roll call, the motion carried with two negative votes from Mrs. Douthit and Mr. Burn.

Item 23 - Special Exception No. 10-84 with Variances - Oasis III of Palm Beach, Inc., by Asconio Grandinetti, President (Sally Benson, Attorney) 3120 S. Ocean Blvd., request modification of approved Sp. Ex. No 15-80 (with Variance and Site Plan) to allow construction of a Guard House at entrance and Tennis Court along A-1-A, providing 8' frontyard setback instead of 25' and 6' and 20' frontyard setbacks (for Tennis Court) instead of 25' required. RD-1 District. Ms. Benson, attorney, representing Oasis III addressed the Council asking for permission to have a setback variance for a tennis court and for a guard house. She exhibited plans which showed the lay-out of the project. They wish to build the tennis court on the west side of A-1-A and to put a guard house behind the tennis court area as one enters the premises on the east side of A-1-A. They do not have the room to

Sp Ex
9-84
Pace

Sp Ex
10-84
Oasis III

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provide the necessary setbacks and they are asking for 17' for the guardhouse. She has spoken to the Building Department with regards to the Staff comments and they have asked for large plantings in the planter which they have no problem in doing, which will help conceal the gate house. The reason the gate house was not originally a part of the plan is because there is a security program already installed which is a closed tv circuit system, but the owners and prospective owners have asked for additional security.

Mr. Matthews asked what the present occupancy of this property was at the moment? Ms. Benson indicated only a few apartments are occupied. Mr. Matthews noted this was a developer's plan. Ms. Benson responded this was so, but it was at the urging of prospective purchasers.

Mr. Matthews felt this was a hardship brought on by the developer himself as he could have arranged for this guard house to be a part of the original plan. He could see no hardship.

Mrs. Douthit asked about the southeast corner of the tennis court which seemed to be located in the right-of-way of A-1-A? Mr. Cummings asked how many units were in the buildings? Ms. Benson responded there were three buildings with 24 units in each building. Mr. Cummings thought with the planning which has gone into the project as it seems to be a well-thought-out development, but he can see no hardship for either the request of the tennis court or the guard house, other than a financial hardship and economic hardships are not considered as hardships under the Code.

Mr. Cummings moved that the application numbered Spec. Exc. #10-84 with variance be denied. Seconded by Mr. Matthews.

Ms. Benson asked for permission to complete her presentation which Mr. Ilyinsky granted. She stated they have angled the tennis court for two reasons as the property has an unusual shape; and secondly, the way the sun rises and sets, this angle is a safer way to construct the court so there is no hazard of balls flying out onto the highway. The tennis court is about 26' away from the bicycle path there and 57' from the center of A-1-A and the guard house is 58' from the center of A-1-A.

Ms. Benson addressed the hardship issue feeling there was no other place the tennis court could be constructed on the property.

Ms. Benson indicated she needed a variance of 5' on one end and she could move it further west two feet on the other end and would need a variance then for 17' on the other end. She pointed out there were variances granted to other developers to build tennis courts so she felt a precedent had been set. She stated they have tried to get approval from the owners of the properties in the immediate area who have tennis courts presently to have their tenants use those tennis courts, but permission was not given.

Mr. Matthews thought their argument on not having any space on the east side in which to put this tennis court was not a valid one, as had the developer in the initial instance, not built to such high density, and possibly left off one building, there would have been plenty of space for the recreational area, so there is no hardship.

Mr. Frost gave the Administrative comments: Building has no objection providing the tennis court is 100% sight-screened and two large trees screen the north west and south west corners of the guard house. The Town Manager objects to the setback variances and to the site west of the Bike Path. If the Path could be moved and pedestrians and cyclists have a clear view of the Lake, then he would not object.

Mr. Burn asked what the density was on the property? Mr. Moore disagreed with Attorney Benson's figure on the density mentioned earlier as he felt it was 45 units on the property. Mr. Burn asked what that worked out to per acre? Mr. Moore responded about 11 to 12 units per acre.

On roll call, the motion carried for denial with Mr. Ilyinsky voting against the motion.

Item 24 - Special Exception No. 11-83 with Site Plan Review - First American Bank and Trust, 218 Sunrise Avenue by Wesley Cawley, Vice-President - permission to construction a two story office building. C-TS District. Mr. Cummings indicated he does serve as a Management Director of the First American Bank and Trust Co., for which he is nominally compensated for each meeting he attends and in addition, he is a nominal stockholder. Attorney Randolph felt a legal conflict does exist and he may abstain from voting, however if he does wish to cast his vote, he may do so and file a Conflict of Interest form with the Clerk. Mr. Cummings indicated he would be abstaining from voting.

Spec Ex
11-83
1st Am
Bank &
Trust

Mr. Marvin Szatmary, architect with the Lawrence Group addressed the Council representing the applicant. The property is on Sunrise Avenue and he exhibited a drawing which depicted the property as well as the surrounding properties. On Sunrise Avenue, there were a number of existing buildings which varied in height up to four stories. Immediately surrounding the property is the Palm Beach Hotel, which is four stories; St. Edward's Church which is equivalent in height to a four story building; Paramount Theatre at three stories and under construction behind the property is O'Hara's which will be two stories and an existing commercial office building which is also two stories. In looking at the property, they tried to meet the Code requirements and also define the correct project for this site and after carefully studying it, chose to go the route of Special Exception under Section 5.48 of the Code, which permits additional height in return for reduced lot coverage and increased landscaped open space.

The existing First American Bank is housed in a commercial office building along County Road.

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Right now, existing on the property is an existing commercial building where they propose to put the new building. The existing commercial building is part of what is known as The Mews property which originally consisted of 4000 square feet of commercial space and approximately 14 dwelling units and basically covered the whole site. As part of his submission, he did include a survey what was on that property originally. Presently all that does exist is 3000 square feet which was a portion of the building. In addition on the property there are three drive-in tellers presently. They propose to build a two story office building and eliminate one of the drive-in tellers. The lot coverage will be reduced from 85% down to 42½% and the landscaped open space will be increased to 25%. A minimum setback of 15' will be provided off the front yard and access will be allowed to the commercial space off the first floor. Office ingress will be off of Sunrise Ave. Parking is provided through the use of a sub-basement with an entrance and exist ramp at the west end of the property. Parking is also provided on-grade for use by the Bank and some of the commercial space and this will be behind the existing commercial building and will be screened.

They have attempted to tie the property together with the existing First American Bank by providing similar architecture and there will be approximately ten feet of landscaping between the sidewalk and the building itself. Presently there is none as the sidewalk comes right against the existing building.

The traffic proposed to be generated by this project has been reviewed and their traffic expert has indicated the additional traffic will not cause a hardship on Sunrise Avenue.

Mr. Llyinsky asked if there was built a one story building, how much green space would there be left? Mr. Szatmary responded there is approximately 15,000 square feet being developed on this property which does comply with the Code and the reason they are making this proposal is because they feel it is a benefit to themselves and to the Town to provide a better looking project as they believed a two story building with more than 25% open landscaping will be a better looking project. There will be no variances involved and the amount of commercial space they are proposing is about the same as presently exists, with the addition of the second floor office which accounts for about 10,000 square feet. He exhibited a plan showing the one-story building which they only prepared to ensure they would be providing the best looking plan. If they went to one story, green space now existing would have to be eliminated. This would provide a little bit over 12,000 square feet of office and commercial space with 15% open landscaping and the lot coverage would be approximately 70%. Parking would be provided on the roof of the structure.

Mr. Matthews felt he would rather see single story structures remain there as it is in his opinion the proposed two story is too much building on too little land. He thought the building would be doubled over what is now existing and the traffic impact would be substantial and density would be higher than it is now.

Mr. Frost asked what the setback would be for the two story version? Mr. Szatmary indicated it would be 15'. Mr. Frost asked if it were possible to move the building back and provide more landscaping in the front rather than in other areas where it really cannot be seen from the street? Mr. Szatmary responded it is possible, but he had what he considered a good reason for not doing that. To push the building further back, makes it more difficult to use the building as a commercial use as people walking down the street would not be able to walk onto the property fairly easily as they would if it did not have the larger setback.

Mr. Frost asked what the elevation was in the sub-basement to which Mr. Szatmary responded it was minus five feet. Mr. Frost asked what they contemplated doing to prohibit flooding? Mr. Szatmary indicated they would be providing pumps to pump out any water.

Mr. Burn asked how far the building could be moved back? Mr. Szatmary responded potentially it could be moved back an additional ten feet, which would be a problem with regards to the drive-in tellers and the fact they would have to provide beaming which would make the basement even lower. Mr. Burn thought it could be moved back three or four feet without any problem to which Mr. Szatmary agreed. Mr. Moore thought there would be no problem moving the building back five feet to which Mr. Szatmary agreed.

Mr. Frost gave the Administrative Comments: Building Official has noted three conditions: Prohibit the expansion of bank facilities into this new office building unless the Town Council does approve. Unity of Title should be provided between this property and the property surrounding it because of the joint use of parking. New structure since it is in a C-TS zone be limited to Permitted Uses with no more than 2000 square feet. Mr. Szatmary indicated he had no problem with those conditions.

Mr. Moore additionally noted there would be a reduction in the drive-in teller lanes and the parking would now become conforming.

Mr. Burn moved the Special Exception No. 11-84 be approved with the conditions as stated. Mr. Frost indicated the conditions would be the items he read into the record and to move the building back 15' to provide additional landscaping. Seconded by Mrs. Douthit. On roll call, the motion carried with an abstention from Mr. Cummings.

Item 25. Variance No. 16-84 - 401 Worth Avenue Association, Inc., 401 Worth Avenue, by Clarence D. Bell, President; permission to expand non-conforming structure by installing fabric awning from second floor balcony, projecting 3'6" into and over public sidewalk at front door entrance, with lateral dimension of 21'3". R-C District Mr. Bell addressed the Council indicating there was a need to provide shelter for their residents and guests and visitors at the front entrance. They do have a telephone system but if it is raining, there is no cover and they must stand there to wait for a response. Also, there is a problem with maintenance of the telephone system since it is not sheltered from the elements. An awning has been designed to provide the shelter and should be aesthetically acceptable. This does extend over the sidewalk within two feet of the curb which requires the variance. They can modify the awning and limit it to their own property.

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Mr. Frost gave the Administrative comments: The Town Manager's Office objects to the private construction over public property of the awning and recalled that each time anything like this has been proposed in a residential zone in the past, they have been denied. There are no awnings over public sidewalks in this Town.

Mr. Frost stated he sympathizes with their problem but this building must have ten variances as there is just too much building there for the property. This would be a new precedent set if granted as no where in this Town has a property owner been granted the right to use public property for a residential use.

Mrs. Douthit moved that the Council say "yes" to this Special Exception 16-84 provided the awning is cut back to stay on their own property. Seconded by Mr. Cummings. On roll call, the motion carried unanimously for approval.

Item 26. Variance No. 17-84 - Royal Poinciana Plaza, (Sidney Spiegel), by William C. Mitchell, Vice-President; permission to install business identification sign on north face of Slat House Office Building. C-PC District. Jim Broderick from Prudential-Bache Office in Palm Beach addressed the Council for a variance on their sign identification. Presently, they are tenants in the Plaza and wish to move their quarters to the Slat House and wish to put their sign on the north wall.

Var 17-84
Royal
Poinciana
Plaza

Mr. Frost gave the Administrative comments: No objections except from the Town Manager's Office who doesn't really object but in the past there has been cases of a "creeping violation" and that is the first tenant in a building would get approval for a sign and then come other tenants who wish to add their signs and eventually, we have to say "no".

Mayor Marix asked if they were ever told they could have signs? Mr. Moore responded he has no reason to believe that the owner of this project would not be aware of the sign ordinances of this Town.

Mr. Cummings asked if the sign proposed is in accordance with the Code? Mr. Moore stated it was and it will be on the north side which would face the Plaza although it can be seen by southbound traffic on Coconut Row.

Mr. Matthews felt the directory of the building in the lobby of the building would identify all the offices in the building, therefore, he moved that the Variance be denied. Seconded by Mr. Cummings.

On roll call, the motion carried unanimously for denial.

Item 27 - VARIANCE No. 28-84 - Reva Goode, 125 E. Inlet Dr., by Architect Delfin Menendez; permission to construct a swimming pool and 28 deck providing 7'6" setback at north rear side and 20' setback at east corner side. R-B District.

Var 28-84
Reva Goode

Mr. Menendez addressed the Council indicating this house was built 20 years ago and complied with the Code at that time. His client's doctor has requested she have a pool and they need a variance in order to install the pool.

Mr. Frost gave the Administrative comments: Building Department objects due to no hardship shown and the pool can be relocated or reduced in width so as to reduce or eliminate the variance. The Town Manager's Office agrees and feels they are trying to put too big of a pool in too small of a side and rear yard.

Mr. Moore thought this could be relocated and redesigned and not need a variance.

Mrs. Peters commented a letter of objection was received from an immediate neighbor, Michael and Ann Small of 156 E. Inlet Drive.

Mr. Matthews moved the application be denied. Seconded by Mr. Cummings. On roll call, the motion carried unanimously for denial.

Item 28 - Variance No. 19-84 - Virginia Boyce Lind, 231 Chilean Ave., permission to build new or extend concrete masonry garden walls to 8' high within rear and sideyard setbacks, in lieu of 6'. R-C District.

Var 19-84
Virginia
Boyce
Lind

Mr. Lee Muller, the son of the applicant and also serving his Mother in an architectural capacity addressed the Council. He requested permission to build a perimeter wall two feet higher than what is currently allowed for the purpose of achieving increased security and to to give her a higher degree of visual or auditory privacy.

Mr. Muller felt a six foot high wall, which is allowed by the Code, will not accomplish the reasonable goal or objective to basically provide the security and privacy needed. Security is a growing concern of all who live in this Town and there have been some incidences in the past with respect to his Mother's property where there have been intruders due to the fact they did not have adequate enclosures and he felt the six foot wall would not provide the security they would like to have.

Mr. Muller commented there are basically multi-family dwellings all around them does put a hardship on them as they are surrounded by quite a few people.

He is aware that some of his neighbors are not happy with this request and he doesn't mean to cause hardship to them, but is merely trying to achieve goals which will provide them with increased security.

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Mr. Cummings asked how long ago the addition was put on the house as there is an eight foot fence around that. Mr. Muller responded that work was commenced in July of last year and completed in November.

Mr. Cummings commented that all around this property there is a variety of different wall heights. Mr. Muller informed the Council the perimeter walls are pre-existing, dating back to the original construction of the house which was some 50 years ago. The wall heights do vary going from a maximum height of 5' down to 3'. Mr. Cummings asked if they wished to make all of the walls around the property eight feet high? Mr. Muller responded he would like the height of the existing wall to be 8'.

Mr. Matthews informed the Council that one of the main restrictions on height of walls is to allow the free circulation of light, air, and not only for the applicant's property but to the neighboring properties also, however, he felt a person should feel secure in his home, but he felt there was another way of doing such a thing and if suitably screened would allow the passage of light and air and would not be an eye-sore if done correctly and that would be the use of chain link fencing appropriately painted green and planted out.

Mayor Marix thought the chain link fence would help with the sight-screening, however, it will not help with the noise factor.

Mrs. Peters indicated two letters were received, one of no objection from Margaret Hathaway and Donald Smith of 232 Chilean; and a letter from Attorney Kevin Boyles representing Helen Pettie, objecting

Mr. Frost stated the Building Department is the only Department which has an objection and this is due to no hardship shown.

Attorney Boyles addressed the Council indicating he represents Mrs. Pettie who lives next door to the west. Between the two properties there is a wall ranging from six feet in the back of the property to five feet in the middle of the property and subsequently to the front of the property three feet. They are asking for a variance to raise the wall to eight feet. There are two things which will not occur and that is there shall be no injury to the adjoining property and no detriment to the public welfare and thirdly, there must be a hardship.

Mr. Boyles felt his client's property would be the most affected by an eight foot wall being erected as it will alter the amount of light coming onto the property. He exhibited photographs. He felt if the wall was established at eight feet, it would cut off all air circulations, ocean breezes, etc. coming from the east onto the Pettie's property. It would also create an aesthetic problem for the Petties in leasing out the remaining two units on their property.

Attorney Boyles thought the variance would cause injury to his client's property and the hardship has been brought on by the Linds adding on to their property.

Mr. Matthews moved the application be denied. Seconded by Mr. Cummings.

Mr. John Pierce owner of the property at 229 Chilean on the east side of the applicant's property addressed the Council. He has submitted pictures showing the wall from his side. He wondered if they had submitted their security problems to the Town police? They have planted a ficus hedge which he is sure will grow quite swiftly. He informed the Council the applicants do have a lot of guests who love to sunbathe with skimpy bathing suits and that is perhaps the reason they need the higher wall, so he felt their request was unreasonable.

On roll call, the motion failed with a 3-2 vote with negative votes cast by Burn, Douthit and Ilyinsky.

A motion to approve the Variance was made by Mr. Burn, seconded by Mrs. Douthit and this motion passed with Mr. Matthews and Mr. Cummings voting against it.

Meeting adjourned for lunch.

Meeting called back to order at 2:15 PM by the President of the Council.

Item No. 29 - Variance No. 20-84 - Melbourne House, 227 Australian Ave., by William J. Hyland, Attorney, permission to install folding shutter weather enclosure on perimeter of northern exposed walkways of floors 1 thru 5. RC District. Attorney Raymond Royce addressed the Council on behalf of the Melbourne House requesting permission to install folding shutters on the north side which would provide protection in severe weather conditions. He stated this building was built about 13 years ago and has five floors of apartments with five apartments on each floor. The north side of the building consists of two elevator shafts and two stairwell shafts and a long walkway of approximately 200' across the back, on every floor. This walkway is the way to get to all of the apartments. The walkway is approximately 6' wide with an iron railing and it is open to the north. This is a walkway and not a balcony which serves anyone apartment. During rainy weather, the rain and wind comes onto this walkway and makes it very slippery. A carpet was put down to attempt to remedy the situation and in some ways, it does help, but since the sun doesn't hit that side of the building frequently, if at all, the carpet tends to hold the water and is wet and spongy, mildews and discolors and creates a slippery situation. They would like to install a shutter on each of these five floors along the outside of the walkway which would be closed only in inclement weather to keep the weather from getting to the walkway. This shutter would be opened up in good weather. He exhibited photographs taken from South County Road, from Brazilian Avenue and from Brazilian Avenue and Hibiscus, which show the building is barely visible.

Mr. Matthews asked if similar variances of this type have been granted? Mr. Moore stated this is the first of this kind to his knowledge.

Var 20-84
Melbourne
House

Mr. Moore explained there is a twofold problem here - one is the aesthetics of the variance in question but secondly and more importantly is the strict requirement of the building code. Mr. Moore asked the architect if when in designing the building, he did not take advantage of the provision of the open balcony building code which eliminates the two hour requirement for corridors to the existing stairs? Mr. Chilton recalled he complied with all rules and regulations. Mr. Moore agreed that an exemption is allowed but in this request for storm shutters, they would be in violation of the three foot spandrel requirement of similar materials such as concrete blocks and/or glass.

Mr. Matthews noted that for thirteen years they have put up with this weather problem, and recalled he was on the Council when this was originally granted but he doesn't recall a variance of this type ever being granted.

Mr. Moore pointed out that even if Council should grant this, he would not be able to issue a Building Permit and the applicant would have to appeal that decision to the Building Board of Appeals.

Mr. Matthews thought perhaps the applicant should think about this matter for a month and work out some ways to overcome this.

Attorney Royce knows the Council's concern in the past with shutters and the problem they have is that there is a provision in the Code which addresses enclosing rooms and he thought it was important to distinguish this application from that situation as Section 5.32 addresses a wide variety of problems associated with awnings and at the very end, there is a sentence which states: "Said prohibited enclosures as described herein shall not be installed or constructed on any existing balcony." Mr. Royce did not want to debate the problem of whether or not this is a balcony as they look at it as a walkway, but he definitely thought the intent originally of this part of the Code was to keep people from enclosing balconies and making additional rooms. There is no intent here to do that and the way the building is designed, it would not be possible for any of these apartment owners to take for themselves any portion of this walkway and thus expand their apartments.

Mr. Matthews felt there still was an insurmountable problem with regards to the violation of the Building Code as stated by Mr. Moore, and he felt they needed to do some talking with the Building Department.

Mr. Frost indicated the Fire Chief is here and they object to this application as it "hazards the occupants in the building".

Mr. Matthews felt this was a clear and present danger to the people who live in that apartment building and he saw no alternative but to make a motion to deny this.

Attorney Royce asked if he could have a postponement in order that he and his client can meet with Mr. Moore and try to work this out.

Mr. Matthews then moved to defer action on this Variance No. 20-84 until the next regular Town Council Meeting. Seconded by Mr. Cummings.

Mr. Cummings commented that if this type of shutter was approved, it would negate the Code so he thought that should be a consideration in the deliberations.

On roll call, the motion carried unanimously for deferral.

Item 30 - Variance No. 21-84 - Ms. Raymonde Paul, 601 N. County Rd., by Attorney L. Louis Mrachek; to allow future construction of a single-family residence on lot 142.57' wide instead of 150'. R-AA Dist. Attorney Mrachek addressed the Council for Ms. Paul requesting a variance of 7.4' from the 150 width requirement for single family lots in the R-AA District. She has attempted to solve the problem by taking a lower parcel (Parcel A) and increased its width from 110' to 142.6'. The lot is about 68,000 and in this District 50,000 is needed so there is an excess of 113% of the required lot coverage. Depth required in this District is 150' and they have 470', which is 313% of the required depth, so the lot is conforming except for the width, which is lacking 7.4'. Mr. Mrachek indicated these Lots, Parcel A and B have been treated as individual lots in the past. The driveway should be relocated.

Mr. Mrachek indicated he was before the Council about a year ago seeking a variance from 110' which was denied.

Mr. Matthews asked if there is a proposal to have a Unity of Title here? Mr. Moore explained they are trying to make another building lot.

Mr. Frost noted Mr. Mrachek has stated there is enough side yard setback on the south side of the existing structure, but he asked what the combination of the two sideyards would be? Mr. Mrachek thought it was about 33'. Mr. Frost noted Mr. Mrachek has tried to satisfy the street width of the lot by increasing it from 110' to 140, but in doing so, the combination of the side yard setbacks on the existing house is deficient.

Mr. Cummings asked if perhaps Mr. Mrachek could work out a dedication of some of the land to make this conforming. Mr. Moore pointed out there would probably have to be one non-conformity here.

Mayor Marix asked if it would help in any way if a jog was made in the property when one approaches the existing house to force more area between any possible buildings? In other words, instead of having a straight property line, when one gets near to the present structure, to cut the property line back a little, so there would be more setback?

Attorney Mrachek indicated he would have to consult with his client. Attorney Randolph wondered if the same thing could be accomplished by granting the variance with the stipulation that there be a larger setback on the proposed structure? Mr. Zimmerman noted 60' could already be provided

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without doing a thing and that would be the minimum requirement.

Mr. Burn stated since there already is a non-conformity and a second non-conforming lot which non-conforms by less than eight feet, he proposed the Variance No. 21-84 be approved with no stipulations. Seconded by Mr. Matthews. On roll call, the motion carried unanimously for approval.

34 J. Item 31 - Variance No. 22-84 - Philip J. Lack, 2505 S. Ocean Blvd., (Apt. 716 Palm Beach President Apts.) Permission to enclose 7' x 10' balcony by moving window wall to inside of 4' high concrete guard rail and to erect new window wall (non-conforming building). R-C District. Attorney Max Schorr addressed the Council for Mr. Lack who owns a corner apartment at the northwest corner on the seventh floor, which presently has a balcony running the entire length of the apartment on the west side with a jog at the north end of the balcony.

Mr. Frost indicated there was no objection from the Administration, and there were many other balconies enclosed in this building.

Mr. Burn moved the Variance No. 22-84 be approved. Seconded by Mr. Matthews. On roll call, the motion carried unanimously for approval.

34 J. Item 32 - Variance No. 23-84 - Michele F. Testa, Testa's Restaurant, 221 Royal Poinciana Way, by Attorney James R. Brindell, permission to construct addition to non-conforming building. C-TS District. Attorney Brindell addressed the Council for his client, Testa's Restaurant indicating this was a variance to provide handicapped restroom facilities as required by law. It is the minimum expansion to make these accommodations.

Mr. Frost gave the Administrative comments: No objection from all Departments and the Town Manager also does not object but the projection of these facilities onto the adjacent property brings up a question as to whether or not both properties are irrevocably in the same hands? Mr. Brindell stated he is not sure there are irrevocably in the same hands but they are in the same hands. Mr. Ilyinsky asked if there was an Unity of Title? Mr. Brindell stated there was not. Mr. Frost thought if there wasn't an Unity of Title, there should be some instrument or device to preclude a subsequent owner of the east lot from saying there is a building projection in front of his location as there will be a projection out of the principal restaurant onto the adjacent lot.

Mr. Testa was asked if he would be willing to execute an Unity of Title? Mr. Testa agreed. Mr. Matthews moved the Variance No. 23-84 be approved subject to the execution of an Unity of Title. Seconded by Mr. Cummings. On roll call, the motion carried unanimously for approval.

Item 33 - Authority to establish a Custody-Safekeeping Account for Erosion Control Project - Widener's Curve. Mr. Burn stated a line item account has already been created and this authority is to create an escrow account to hold the money that the landowners between Widener's and Sloan's Curves have given the Town in order to partially fund the erosion control project in that area. \$161,000 has been received so far. Mr. Matthews moved this authority be established. Seconded by Mr. Cummings. On roll call, the motion carried unanimously for approval.

4 Item 34 - Ordinance No. 4-84 - FIRST READING - Charter Amendment - Town-Owned Property. Earl E. T. Smith, speaking for the Preservation Foundation addressed the Council asking the Council to adopt this Ordinance which would call for a referendum at the next election to protect the green property and such other property designated by the Town Council from being sold. If, at some future date, the Town Council would like to sell some property so designated, this Ordinance could always be undone by having another referendum.

Attorney Randolph indicated he has prepared two Ordinances for consideration by the Council, the first Ordinance simply prohibits the sale and lease for an excess of five years of any properties listed therein. This only deals with the sale and lease of properties. At the last meeting of the Ordinance, Rules & Standards Committee, discussion was had as to whether or not there should be some prohibition to placing structures on the green area, which was not addressed in the first ordinance which came before the Council. He has prepared an alternate ordinance to encompass that provision.

Mr. Frost felt future Councils would be unduly hampered with the Alternate Ordinance as the list does contain both active and passive recreational areas. The passive recreational areas could live with the alternate but the active recreational areas, such as Phipps Ocean Park and Seaview Park and Par III Golf Course would be hampered.

Attorney Randolph responded he has attempted to address that probability in the definition of improvements in the Alternate Ordinance and he read the definition. Mr. Frost felt this definition would eliminate his concern.

Mr. Matthews felt the Alternate does require a crystal ball on the Council's part as there may be concerns that will need tending to that Council is not aware of at this point in time. He thought the purpose is to preclude the Town divesting itself of any of its open space greenery. Mr. Burn thought more leeway was given to the Council under the alternate version since both of the Ordinances presented prevent the Council giving away any green space, but the alternate does allow the Council to use the existing green space for a small addition onto the Golf Club structure or some additional construction at Seaview Park, etc.

Mayor Marix thought if the object of this Ordinance is to keep green space, then the Council would have to go to the people to obtain the permission which is the object of the whole thing, so she thought the Alternate would achieve what is wanted.

03-08-22 TCM Backup Mr. Burn moved the Alternate version of Ordinance No. 4-84 be adopted on first reading. Seconded by Mr. Douthit. Mr. Randolph read the Ordinance by title.

TOWN COUNCIL MINUTES OF MAY 8, 1984

Mr. Adrian Winterfield addressed the Council wondering if on the substantive it appears the Council is over-anxious to yield its responsibilities to the electorate. He thought an alternative method of handling the same problems might be to impose severe restrictions upon any transactions dealing with Town-owned property requiring super majorities and perhaps three readings and an additional safeguard could be allowing the voters to oppose any projected transaction by initiative, which the Zoning Ordinance refers to as "referendum", with a certain period of time being cited, after which if there had been no requests for referendum, then the transaction would become effective. If there was a challenge, then this would be held in suspense until the electorate addresses each transaction.

Mr. Winterfield stated if the Alternate Ordinance was adopted and the Charter was amended, it would still be necessary, notwithstanding the overwhelming public support for such a transaction to go through the electorate procedure.

Mr. Winterfield then addressed the procedural comment: He felt it would be much more effective to identify within the body of the referendum question those properties which are intended to be covered by the referendum, as the way it stands now, Section 3 of Ord. 4-84 (and he presumes Alternate 4-84 is the same) barely presents the question "shall the Charter be amended in accordance with 4-84".

Mayor Marix asked Attorney Randolph that since the voter would have the final say-so and it might be to do easier to do something good, what are his comments about these remarks just made? Mr. Randolph responded in regard to the substantive nature, it is a viable alternative with the advantage that it doesn't tie the hands of the Council in allowing them to go ahead with the transaction with the final say being with the voters. That would be the advantage of it but any contract that would be signed would be subject to a favorable referendum provision.

Mayor Marix asked Mr. Smith if he would be interested in such a way of handling this? Mr. Smith responded the whole point is giving the people a chance to decide and he didn't think anyone would be against it.

Mr. Burn did not think Mr. Winterfield was against it but he was simply suggesting an alternative method of accomplishing the same thing, and it still would be voted on but would be presented in a different form and the Town if it wanted to take an action in the future could do so assuming there would be no initiative to prevent it within a specified period of time, and there would be specific advantages to doing it that way. Mr. Burn felt since nothing can be done on this until November when it will be presented to the voters, he wished to withdraw his motion and suggested that the Town Attorney be asked to redraft the Ordinance along those lines.

Mr. Smith found it complicated to understand what Mr. Winterfield meant and he would like it spelled it out a bit more. Mr. Burn indicated the same properties would be listed and the Town could initiate an action with reference to anyone of these properties in the same manner it can now, except instead of going immediately to referendum, it could be acted upon unless there were objections from the townspeople by virtue of an initiative within a specified period of time. That period of time could be 30, 60 or 90 days, whatever number of days the Council wants and if there were an initiative to estop the Town from doing what it wanted to do, it would then go to referendum. If there were non forthcoming, by default, the Town Council would be allowed to proceed.

Mr. Smith asked the attorney if this wouldn't have to go to referendum initially? Mr. Randolph responded it would have to but subsequent to that, the alternate suggested by Mr. Winterfield that the Town not be compelled to go to referendum in order to sell one of these properties, but that the Town could not sell one of these properties in the event the electorate successfully voted in favor of an initiative to preclude the Council from going ahead with the sale.

Mr. Burn thought the other method was simpler as if we adopted what was proposed, we would have to go referendum in the event the Council wants to sell any property on that list. Mr. Matthews thought basically we were saying, "Dear Townspeople -- if we don't hear from you within ninety days, we will proceed with our plans to sell whatever."

Mayor Marix thought if everyone would be in accord with the selling of a certain piece of land, this would give the Council the opportunity to sell without going to referendum.

Mr. Smith thought this would defeat the very purpose of what he was trying to obtain. For example, the Tanglers piece of property, thirty years ago Mr. Weissman gave that piece of property to the Town and it has been maintained in beautiful shape and as he understands what has been proposed, if this property was put up for sale and no one objected, he could buy it. Mayor Marix commented the Town couldn't sell it until it had been publicized for a period of time, perhaps six months, and then if anyone objected, it would have to go to referendum.

Mr. Randolph explained the initial way would place the burden upon the Council and the alternative way suggested by Mr. Winterfield would place the burden on the electorate.

Mr. Smith thought it boiled down to being given veto power and he didn't think giving veto power to a piece of property was the way to protect this Town. The whole idea was to protect what the Town now owns and not to have this veto power and he felt it was a weak way out.

Mr. Matthews thought the point was well taken as if the idea was to encumber future Councils from disposing of these stated pieces of property, perhaps it should be incumbent upon the Council to go through the hoops of selling the program to the people but the onus would be put on the Council of telling the people why it would be such a great thing. He had a feeling no-one would ever be able to do that.

TOWN COUNCIL MINUTES OF MAY 8, 1984

Mr. Burn thought in any case the decision would be left up to the people since the referendum leaves it up to the people and he thought everyone on the Council was as interested as Mr. Smith and the Preservation Foundation is in saving the green property of the Town, but the question is what is the most workable and feasible way of going about it and he felt Mr. Winterfield's suggestion had merit.

Mr. Smith informed the Council there is nothing to stop him in getting ten per cent of the voters to sign a petition and taking this right to the people now and they can vote on it.

Mr. Ilyinsky stepped down from the Chair with Mr. Burn assuming the Chair and he moved that Alternate 4-84 as read by the Town Attorney be adopted on first reading. Seconded by Mr. Matthews. On roll call, the motion carried with a negative vote from Mr. Burn.

Mr. Winterfield noted this was the first reading and there is nothing to prevent any proposed charter amendment to be initiated by the voters of the Town, nor to prevent both the substance of the Ordinance passed and another ordinance submitted as alternatives being adopted at the next meeting.

Mr. Matthews suggested in the time between now and the second reading, this matter be looked at again by the Ordinance, Rules & Standards Committee again to allow input and come back to the Council with a recommendation. Mr. Burn was in favor of that and called for a motion. Mr. Matthews moved that further consideration be tabled until the next meeting of the Council and during the interim, the Ordinance, Rules and Standards Committee have a continued view. Seconded by Mr. Ilyinsky. On roll call, the motion carried unanimously.

Mr. Ilyinsky then assumed the Chair.

Mr. Winterfield continued by stating that if the Council should decide to adopt the Ordinance which would place the onus on the public it would not be necessary to restrict the scope of the amendment to enumerated properties as it would apply to all Town owned properties.

ORD 5-84

Item 35 - Ordinance No. 5-84 - SECOND READING - Prohibition of Fishing from Town-owned Docks. Attorney Randolph read the Ordinance by title. Mr. Matthews moved the Ordinance on second and final reading. Seconded by Mr. Burn. On roll call, the motion carried unanimously for adoption.

Ord 6-84

Item 36 - Ordinance No. 6-84 - FIRST READING - Prohibition of Bicycles on Sidewalks in Commercial Districts. Mr. Randolph read the Ordinance by title. Mr. Matthews moved for approval of Ord. No. 6-84 on first reading but urged and not part of the motion that in the posting of the regulations that the signing of this could be done as discreetly as possible as this Town has always been very careful about signs.

Mr. Burn suggested the regulations be posted in bicycle shops. Seconded by Mr. Cummings. On roll call, the motion carried unanimously for approval.

Town
Beautifi-
cation

Item 37 - TOWN BEAUTIFICATION. Mr. Ilyinsky indicated all have received a copy of a letter from Mrs. Earl E. T. Smith showing concern that a lot of interested parties were becoming unrelated in terms of total cooperation among themselves and were telling Mr. Ugi what kind of plants to plant and the way to plant them and he thought for those type of recommendations not to come through the Town Manager to Mr. Hadley to Mr. Ugi will cause great confusion.

Mayor Marix commented she had made a suggestion earlier in the day to reorganize the Town Beautification Committee which should include people in the Civic Association and the Garden Club.

Mr. Matthews thought the Town looks better than any he has seen anywhere and he thought the reason is because of the interest by the citizens and input from The Garden Club and as all know, his opinion has always been "If it ain't broke, don't fix it!" and he is therefore hesitant to change that, so he would be reticent to establish another Committee when things look so well the way they are.

Mrs. Earl E. T. Smith addressed the Council indicating the reason the question came up about resurrecting the Beautification Committee because most of the people have agreed that Palm Beach does look sensational. However, when the question did come about the planting beds on Royal Palm Way and Royal Poinciana Way that she learned there was extreme dissatisfaction with the way they looked. She felt Mr. Ugi was to be commended as he has done an excellent job but whatever people's preference is, be it begonias, impatiens or geraniums in whatever color, but it is something that should be decided on as a whole as she felt the Town should be beautified from the Inlet to the Lake Worth Bridge and if Mr. Ugi is growing plants for Royal Palm Way, he should be growing them for south of Sloan's Curve also. A lot can be done on the west side of A-1-A in the south end and a lot can be done to the Marjorie Merriweather Post Causeway at Southern Blvd. where no-one has talked about having any planting beds.

Mr. Matthews felt this was all well and good but he had a problem with that as to have people from outside of the Town directing Town employees causes all sorts of problems, so it would seem to him that the Garden Club has done a fantastic job in the past and he was not aware there was so much dissatisfaction. Mrs. Smith stated so was she and her Club. Mr. Matthews did not feel the Town should be put in the middle with regards to what color or what should be planted but simply should get advisory input from the Garden Club or whomever wants to give it.

Mayor Marix commented this is exactly why this has come up as when people do give their own opinion, it does make it difficult from Mr. Ugi and his people to keep them happy and the idea of resurrecting the Beautification Committee would be that members of the organizations would have a platform to sit down together with Mr. Ugi and give their input or funding if they wish.

TOWN COUNCIL MINUTES OF MAY 8, 1984

Mr. Burn stated he was approached by the Civic Association as Chairman of the Public Works Committee and as a result of their efforts, a line item was established for beautification and he was happy to hear Mrs. Smith's comments about the south end as he felt there was some work that needed to be done there. Palm Beach is indeed beautiful and has lovely plantings except on A-1-A coming from the south and there it doesn't look bad on the east side of the road but doesn't look very good on the west side of the road. He would be in favor of coordinating the efforts of all interested groups in beautification and he sees no objection in re-establishing the Beautification Committee and endorses the idea heartily.

Mr. Ilyinsky thought they would have to work through the Manager's Office. Mr. Frost recalled the Beautification Committee was made up of three people and the kind of work they did was field work

as once a month they toured the Town and the Manager, being one member of the Committee, would take the suggestions back to the Superintendent of Public Works who would weigh them and inform the Manager if he could do the work with the monies he had on hand or needed more monies to do it with.

Mr. Frost explained this Committee did not include members from the Chamber of Commerce but involved the President of the Garden Club, the President of the Council and the Town Manager.

Mr. Matthews suggested that Mr. Burn meet with these people and as a Committee of one report back to the Council at next month's meeting.

Mr. Burn agreed.

Item 38 - NORTH FIRE STATION. Mr. Cummings felt a further clarification is needed on this matter as he thought there was a financial obligation to be met with the architects hired, Peacock and Lewis and the attorney has looked into this matter and written a memo to the Town Manager and he asked for the attorney's opinion as to whether or not they had to go through the Competitive Consultant's Negotiation Act? Mr. Randolph responded he has researched this and he felt the Council should go through the Consultant's Competitive Negotiation Act.

Mrs. Douthit asked if this would cost the Town any money? Mr. Randolph stated it is simply a matter of sending out invitations to various architects to respond to certain criteria and follow the same procedure that was done when the new fire station was being considered.

Mayor Marix informed the Council in this case the plans have been donated so what we are being competitive about is the supervision of the plans that have been donated? She felt we were not at this point looking for an architect to tell us how to renovate the North Fire Station as those plans have been donated to us. Mr. Randolph did not think the Council would find an architect who was willing to supervise plans that were not his own, nor would he think the architect was willing to have anyone else supervise construction under his plans.

Mr. Matthews thought Council had to go back to the competitive negotiations, and one of the reasons is that we never asked Peacock and Lewis to come up with renovation plans.

Mayor Marix could not see why the plans donated could not be accepted and Council worry about the supervision at a later time.

Mr. Frost explained to the Council the plans donated are not a set of working drawings. The drawings to renovate the North Fire Station is about four or five months of work including consultations with the Fire Chief. The drawings on hand are a sketch of an idea which needs to be converted into "working drawings". Mayor Marix knows that the Fire Chief has discussed the plans at great length with regards to his point of view and the general lay-out.

Polly Earl of the Preservation Foundation addressed the Council thought what should happen is to define what has been approved at the last meeting which she understood were not working drawings but some very definite acceptance in principle of solutions to the problems with the Fire Station. Mr. Ilyinsky informed her that the Council must go through the competitive drawing. Ms. Earl understood this but thought that an architect could work from the principles already agreed upon, such as solving the structure problem by taking out the two beams and spanning that and if those things are defined, everyone will be bidding on the same thing and there won't be a situation where everyone will be re-designing the Fire Station.

Mr. Randolph explained this is the type of information that would be put in the invitation to bid. With Mr. Steel's permission, a copy of the rendering may be attached to the invitation. Mayor Marix asked if it was possible that if the architect wished to donate the rest of the plans to the Town, we could accept them? Mr. Randolph responded if the architect wishes to state they are a gift and he doesn't care what happens to them after that, it would be possible but he didn't think there was an architect who would be willing to do that.

Mr. Ilyinsky indicated this matter will be turned back to the Public Safety Committee and this can be thrashed out. Mr. Cummings agreed.

Mr. Matthews did not think there was any thrashing out to be done as all needs to be done is with the invitations to bid, a copy of the rendering be sent stating we wish the building to look like that. Mr. Matthews moved that the Town Manager be authorized to send out the invitations to bid under the Competitive Negotiations Act.

Mr. Moore explained to the Council that being familiar with what the charges are for architects and fees for engineering, we are probably talking about a fee of somewhere between \$20,000 and \$30,000 and he thought the proposal put forth about using the conceptual plan, if it was donated, we could put it out as part of the invitation to bid and he thought that was the obvious solution to move this project forward.

North
Fire
Station

TOWN COUNCIL MINUTES OF MAY 8, 1984

Mr. Ilyinsky asked the Town Manager to see that the invitations to bid are sent out. Mr. Frost noted they were talking about "bidding". Mr. Matthews corrected him indicating what he was doing was submitting under the Competitive Negotiations Act, it out just as it was done in the initial instance, except in this instance we will have a picture enclosed that says this is what we are interested in and actually we are soliciting and not bidding.

Prosperi

Item 39 - PROSPERI SUIT. Mrs. Douthit asked about the status of this suit? Mr. Randolph responded this has been continued with the representation made to the Court that we appear to be close to settlement and he has had discussions with Mr. Prosperi and his attorney and we are now working on a settlement proposal which will be submitted to the Council for their consideration.

Federated
Funds

Item 40 - FEDERATED FUND. Mr. Burn commented that inasmuch as we have received an opinion from the Attorney General that Federated Fund is not in accordance with State Law so he felt we should take immediate action to remove any Palm Beach monies from Federated Fund. The fact that the Federated Fund's attorney is negotiating with the State doesn't make any difference and if the attorney is able to persuade the State to change the law to allow municipal funds to be invested in Federated Fund, he would then recommend the monies be put back into the Fund, but since they are illegal now, he felt we should now take our monies out of the Federated Fund. To do that requires that we put it into the Municipal Fund that the State of Florida holds for municipalities and he recommended that we do that and further recommended the Town Manager be asked to look into the possibility of other methods of investing the funds of the Town other than keeping in the State of Florida Fund should they prove profitable, i.e., to investigate the possibility of putting the funds into Savings and Loan Associations or wherever in order that we achieve reasonable return.

Mr. Frost explained the forms from the Municipal Fund do require a Resolution and then we must wire the funds on a daily basis. Mr. Frost commented that previously he has been told to not be engaged in direct wire transfers as there was a problem with this some time back. Mr. Burn informed the Council the Town will not be engaged in direct wire transfers, the Bank will be doing that.

Mayor Marix thought the Town has no way to go but out of the Federated Fund. Mr. Cummings moved that effective immediately, all funds be removed from the Pittsburgh Federated Fund and we immediately notify the First National Bank in Palm Beach of this decision and they immediately come up with another suggested fund.

Mr. Burn asked where the funds should be held in the interim? Mr. Cummings thought the financial advisor should make some recommendations.

Mayor Marix knew there are some funds which are not needed now she believed the Town uses five banks in the area, so she thought there would be a possibility of some of the monies put into Treasury paper and the other funds divided up in whatever basis we normally divide up monies in the Bank until we do come up with the right solution. She would recommend the monies be divided up as she did not think it was appropriate to have a large amount of cash in any one bank. Mr. Frost explained the Town does not have cash in any one Bank.

Mr. Burn thought that Mr. Cummings' motion would put cash in banks and he doesn't want to do that and he doesn't want to lose any interest and he saw nothing wrong with after the monies are in the Florida Fund with negotiating with a number of Banks and Savings and Loan to determine if there is a better method of investing the monies.

Mr. Frost thought the money should be moved from Federated as soon as Mr. Randolph can develop the Resolution as the State will require that and the Finance Director will have to reduce the accounts down to four, which is the maximum the State will allow.

Mayor Marix asked what the time frame would be to prepare the Resolution? Mr. Randolph indicated that would probably be next week.

Mr. Burn moved that we proceed in that direction and do it as expeditiously as possible. Seconded by Mr. Cummings. On roll call, the motion carried unanimously.

Renovation
of Council
Chambers

Item 41 - RENOVATION OF COUNCIL CHAMBERS. Mrs. Douthit asked for an additional expenditure of \$6,900 to put carpeting on top of the rubber matting and theatre seats since all of the pews are full of termites. She informed the Council that \$5000 was allocated for cushions for the pews but she couldn't see spending that amount since the pews are full of termites. She will submit this to the Finance and Tax Committee.

Blackboard

Item 42 - BLACKBOARD DONATED BY ERIK GILBERTSON. Mr. Gilbertson addressed the Council indicating he felt there should be a Citizen's Advocate as many people do not want to bother Council people, especially if they didn't vote for them. He thought the Town management was not receptive to the needs of the very people they serve.

Mr. Ilyinsky pointed out to Mr. Gilbertson the Council members are always available to the people.

Mr. Gilbertson told the Council about a sidewalk assessment he had received around Christmas time and he thought that the bill of around \$900 was excessive because he knew he could have the work done for a lot less. He did come to meetings about it and talked to the Administrator in the Public Works Department and had the bill adjusted to about half of that amount.

Mr. Gilbertson then told about an assessment bill he received for the storm sewer. He also talked about Proposition One and the high taxes and he didn't think it was fair for the taxes to be increased when this would happen. He recalled campaign promises pledging to reduce taxes

TOWN COUNCIL MINUTES OF MAY 8, 1984 and MAY 15, 1984

Mr. Gilbertson talked about the dark uniforms the police have to wear. He also asked that there be parking provided across the street from Charlie's Crab Restaurant on the Oceanfront.

Mr. Gilbertson informed the Council that he was donating a blackboard for use in the Council Chambers.

There being no further business, the Town Council meeting was adjourned.
Respectfully submitted,

Grace T. Peters, Town Clerk

MINUTES OF SPECIAL TOWN COUNCIL MEETING HELD ON MAY 15, 1984

The Special meeting of the Town Council was held at St. Edward's Parish Hall, Palm Beach, FL.

The President called the meeting to order at 9 AM.

On roll call, the following were present: Mayor Marix, Council President Ilyinsky, President Pro Tem Burn and Councilwoman Nancy Douthit (Councilmen Matthews and Cummings were absent). Also present were Town Attorney Randolph, Town Manager Frost, Director of Finance/Treasurer Driscoll and Deputy Town Clerk Haspil.

Mrs. Douthit said that the Council had discussed the question of appointing an outside consultant to check references and qualifications of approximately 35 of the applications received for the Town Manager's position. Of four firms contacted which specialize in the field, the following were interviewed: Mr. Ropes of Ropes and Associates, Ft. Lauderdale. Mr. Lou Benson of Benson Associates, Ft. Lauderdale. Mr. Graham Watts, Ft. Lauderdale and Dr. J. Eassa of West Palm Beach. Mrs. Douthit said that she had interviewed these firms independently and she moved that Ropes and Associates be nominated. Seconded by Mr. Burn. On roll call, the motion carried unanimously.

Mr. Frost asked who was going to negotiate with Mr. Ropes for a fee?

Mr. Burn said that Mr. Ropes had indicated that his cost would be around \$5,000 basic fee with approximately an additional \$1,000 in expenditures and he felt this was a fair fee considering the amount of work involved.

Mr. Frost said that a letter of contract was the minimum required.

Mr. Randolph said that some sort of an agreement was needed and he said he would contact Mr Ropes and work something out that would be mutually agreeable.

Investment of the Town's Overnight Monies. Mr. Randolph said that Mr. Driscoll was present to answer any questions they might have on this subject and in addition he had prepared a Resolution which would authorize the investments into the State Pool. There were other matters that had to be considered with regard to ordinances presently in existence which now needed to be revised.

Mr. Driscoll said that he wanted to make the Council aware that some of the duties outlined in the Town Code in Chapter 2, specifically Sections 153, 154, 160 and 161 needed to be amended as they would now in conflict with the new mandate. Mr. Driscoll read into the record several of the above sections and the problems he will have performing his duties in the light of switching to the State Fund.

Mr. Driscoll said that Section 2-161 of the Code states that the Finance Director's duty is to ensure that the investments of the Town are in a "100% collateralized security acceptable to the Federal Reserve Bank at all times." He said he had talked to people in the Federal Reserve Bank in Atlanta and Miami and the only instrument that qualified as such is Direct Obligations of the Federal Government, specifically Treasury Bills, Treasury Notes and Treasury Bonds. The composition of the State Local Government Surplus Fund is almost 95% other than those instruments and this was in conflict with the Section of the Code which he mentioned. Also, the State only allows four separate accounts, and the Town currently has five operating funds, excluding the Retirement Fund, in addition to several trust accounts. Therefore, Mr. Driscoll was asking for direction from the Council regarding the questions he raised.

Mr. Burn said that what he was talking about was that there was a conflict between the Town Code and the State Law on investing on the fund and Mr. Driscoll was asking the Council for a Resolution to ignore the Code or for it to be amended. Mr. Burn said the Code should be amended to allow these investments.

Mr. Randolph said that one other thing needed to be decided and that was whether to merge two separate accounts or to put four major funds into one account and do something else with the other funds.

Mr. Burn said that whatever Code provisions were required in order to accomplish this should be made, and as far as placing four funds into one account in Tallahassee, it was not really a very different problem and it only created an accounting problem which was already there with regard to the Federated Fund, because the Federated Fund is holding pieces of money for various accounts, and the Finance Department simply had to keep that separated on an accounting basis.

Mr. Frost said that he had suggested that the proper way to enter the State Pool might be to accept the limit of four funds initially take the four biggest accounts that the Town has (The General Fund, the Capital Fund, the Golf Fund and the Marina Fund) and for Mr. Driscoll to work out the

Hiring
of
Consultant
to
Screen
Town
Manager
Position

Investment
of monies

ORDINANCE NO. 4-84

AN ORDINANCE OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF SAID TOWN A PROPOSED AMENDMENT TO THE TOWN CHARTER SAID AMENDMENT TO PROVIDE THAT THE SALE, LEASE OR IMPROVEMENT OF CERTAIN TOWN OWNED OPEN GREEN SPACES LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN CAN BE MADE ONLY AFTER THE APPROVAL BY A VOTE OF THE TOWN ELECTORS IN A REFERENDUM ELECTION CALLED AND HELD AS PROVIDED BY LAW, SAID REFERENDUM NOT TO BE HELD BETWEEN THE FIRST DAY OF APRIL AND THE FIFTEENTH DAY OF DECEMBER OF ANY YEAR; PROVIDING AN EFFECTIVE DATE SHOULD THE AMENDMENT TO THE CHARTER BE APPROVED AT SUCH REFERENDUM ELECTION; PROVIDING A SEVERABILITY CLAUSE; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SAID REFERENDUM ELECTION, AND FOR OTHER PURPOSES.

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

Section 1. There shall be submitted to the electors of the Town of Palm Beach, Palm Beach County, Florida (hereinafter referred to as "Town"), at a general election to be held within the Town on November 6, 1984, a proposed amendment to the existing Town Charter, said amendment to be an additional Section 1.03 to ARTICLE I. (Creation and Powers), of the existing Town Charter, which said amendment shall read as follows:

"Sec. 1.03 - Sale of Property; Referendum Required.

Any disposition of certain town owned open green spaces designated herein and located within the corporate limits of the Town of Palm Beach, any improvement of same by way of placing structures thereon, and any lease of said real property by the Town as lessor for a period exceeding five (5) years shall require approval by vote of the Town electors in a referendum election called and held as provided by law. No referendum election held for such purpose shall be between the first day of April and the fifteenth day of December of any year.

The properties to which this provision shall apply are referred to herein by their common names as:

1. Palmo Way Nursery
2. Boyd Park
3. Par 3 Golf Course
4. Lake Drive Park (near docks)
5. Bradley Park
6. Phipps Ocean Park
7. Park Avenue Park
8. Tangier Parks (3)
9. Memorial Park
10. Seaview Park

The full legal description of said properties is a matter of record with the Clerk of the Circuit Court of Palm Beach County and said legal descriptions are hereby incorporated into the terms of this ordinance.

The power to dispose of property shall embrace sale, exchange, lease, mortgage, pledge, or other encumbrance of real property; and also abandonment, or gift to charity of real property officially determined to be of no further use to the Town and of nominal sale value or no value.

Improvements shall include the construction of above ground structures which diminish open green space, but shall not include nor is this section intended to preclude the construction of public utility structures deemed necessary by the Town, underground utility structures including but not limited to water mains, sewer lines, storm water drainage and other utilities. Neither shall this section preclude the construction of structures deemed necessary by the Town for public recreational purposes on those properties described herein on which public recreational structures exist as of the date of adoption of this charter amendment.

Section 2. Should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 3. At the election provided for in Section 1 of this Ordinance, the question to be voted on by the electors shall be phrased substantially as follows, unless otherwise directed by the Town Council, to-wit:

SHALL THE TOWN OF PALM BEACH AMEND ITS CHARTER EFFECTIVE 12:01 A.M. ON THE 1ST DAY OF JANUARY, 1985, IN ACCORDANCE WITH THE AMENDMENT SET FORTH IN ORDINANCE 4-84, PASSED AND ADOPTED BY THE TOWN COUNCIL ON THE 12th DAY OF JUNE, 1984, TITLED:

ORDINANCE NO. 4-84

"AN ORDINANCE OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF SAID TOWN A PROPOSED AMENDMENT TO THE TOWN CHARTER SAID AMENDMENT TO PROVIDE THAT THE SALE, LEASE, OR IMPROVEMENT OF CERTAIN TOWN OWNED GREEN SPACES LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN CAN BE MADE ONLY AFTER THE APPROVAL BY A VOTE OF THE TOWN ELECTORS IN A REFERENDUM ELECTION CALLED

AND HELD AS PROVIDED BY LAW, SAID REFERENDUM NOT TO BE HELD BETWEEN THE FIRST DAY OF APRIL AND THE FIFTEENTH DAY OF DECEMBER OF ANY YEAR; PROVIDING AN EFFECTIVE DATE SHOULD THE AMENDMENT TO THE CHARTER BE APPROVED AT SUCH REFERENDUM ELECTION; PROVIDING A SEVERABILITY CLAUSE; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SAID REFERENDUM ELECTION, AND FOR OTHER PURPOSES."

WHICH SAID AMENDMENT ESTABLISHES A REQUIREMENT FOR THE APPROVAL BY VOTE OF THE TOWN ELECTORS IN A REFERENDUM ELECTION BEFORE THE SALE OR LEASE OF CERTAIN MUNICIPAL REAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN CAN BE MADE.

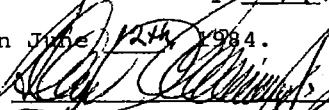
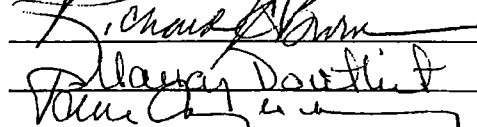
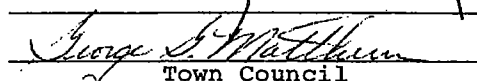
THE PROPERTIES TO WHICH THIS PROVISION SHALL APPLY ARE REFERRED TO HEREIN BY THEIR COMMON NAMES AS:

1. PALMO WAY NURSERY
2. BOYD PARK
3. PAR 3 GOLF COURSE
4. LAKE DRIVE PARK (NEAR DOCKS)
5. BRADLEY PARK
6. PHIPPS OCEAN PARK
7. PARK AVENUE PARK
8. TANGIER PARKS (3)
9. MEMORIAL PARK
10. SEAVIEW PARK

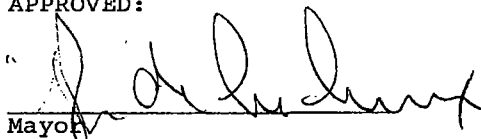
Section 4. The amendment set forth in Section 1 hereof shall become effective as of 12:01 A.M. on the 1st day of January, 1985, if, at the election above provided, the question to be voted upon, as hereinabove stated, receives an affirmative vote of a majority of the votes cast at said election.

Section 5. This Ordinance is enacted pursuant to the provisions of the "Municipal Home Rule Powers Act" (Section 166.031 Florida Statutes, 1977).

PASSED AND ADOPTED at first reading at a regular adjourned session of the Town Council on May 8th, 1984, and on second and final reading on June 12th, 1984.

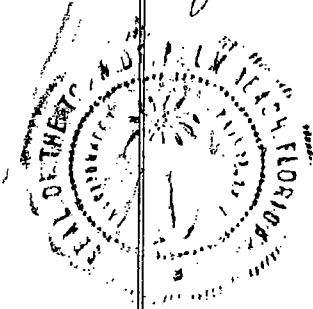

Richard Brown

Douglas D. Smith

George S. Matthews
Town Council

APPROVED:


Mayor

ATTEST:

Grace T. Peters
Town Clerk



Matias, Sally

From: Matias, Sally
Sent: Tuesday, October 07, 2014 5:23 PM
To: PEIwell@townofpalmbeach.com
Subject: Memorial Fountain Park
Attachments: 1KI9033-elwell memorial fountain park green space amendment.PDF

Follow Up Flag: Follow up
Flag Status: Flagged

Please see attached correspondence.

JONESFOSTER
JOHNSTON & STUBBS, P.A.

Sally Matias Secretary to John C. Randolph, H. Michael Easley, and Keith W. Rizzardi
Direct Dial: **561.650.0458** | Fax: **561.650.5300** | smatias@jonesfoster.com

Jones, Foster, Johnston & Stubbs, P.A.
Flagler Center Tower, 505 South Flagler Drive, Suite 1100, West Palm Beach, Florida 33401
561-659-3000 | www.jonesfoster.com

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Matias, Sally

From: William Cooley <cool3003@bellsouth.net>
Sent: Thursday, October 23, 2014 8:42 PM
To: Randolph, John C.; PEIwell@townofpalmbeach.com
Cc: 'Robert Wildrick'
Subject: FW: MEMORIAL PARK AND FOUNTAIN
Attachments: Scan1685.pdf

Peter and Skip,

Please look at the attached exhibits and you will note that the vacated right-of-way of Australian Avenue has been made a part of Town Hall parcel and not the Memorial Park parcel.

Memorial Park, as it was when the Charter amendment Section 1.03 was adopted in 1984, is depicted in Exhibit 1. There was some "turn around" area added later but the legal description describing Memorial Park was not changed.

The legal description for Memorial Park is on file with the Clerk of District Court in Palm Beach County. It shows that neither the additional "turn around" area or additional right-of-way is considered part of Memorial Park.

Exhibit 2 shows that the recent addition of right-of-way was added to the Town Hall parcel.

Exhibit 3 shows the Memorial Park parcel, including the addition of the turn-around area, but that addition did not change the definition and description of Memorial Park as set forth in 1.03 of the Town Charter.

Exhibit 4 is from a 1991 Brisson report on the Town Hall Historic District showing the South end of Memorial Park in a solid line, and the added turn-around area by a dotted line.

Exhibit 5 is the language of the Charter Amendment as adopted and as made a part of the Charter as Section 1.03.

I bring this to the attention of both of you as a "friend of the family". Not as a threat but just as a piece of friendly advice; please straighten this out before it goes much farther and we end up with a result that will not be good for the town.

If a lawsuit follows, which I am assured it will, and one on which I will not be the Plaintiff, it will further divide the town and it does not seem necessary.

Many of us believe that the "stairway" cannot be legally built without a referendum. The town may be able to argue that the "sidewalk" could be installed as it can be argued that it is not a "structure" and you would have a "public safety" argument. It doesn't matter if "turn-around" space was added to the park or not, as the legal description on file in the Clerk of Court's office defines the boundaries of the park within which no green space may be covered.

Skip, I would gently suggest that it is going to be up to you to tell the council that upon further investigation and review of the legal description, that the matter should be reconsidered and if they want a staircase (and sidewalk) it must go to referendum. You could still get it on the February ballot. My hope, however, is that the staircase is just dropped as it desecrates the fountain and adds hundreds of thousands of dollars in costs. And, this election, like the PUD-5, will further divide the town.

This should be done before the next council meeting, and before this matter comes to the Landmarks Commission and everybody choses sides and the fight starts again.

My suggestion would be to drop the staircase as it is an unnecessary addition and building it forces the removal and replacement of the fuel tank and necessitates tearing up the perfectly good apron of the fire house; and go ahead with the landscaping and flatwork/stone replacement.

I personally believe that closing that piece of Australian should not have been done as it only increases congestion and confusion at the Chilean turn-around at the South end of Town Hall.

Creating another park that nobody will use at the north end of Town Hall doesn't make a lot of sense either. I've never seen anybody in the park at Peruvian and South County Road, and the only people who use the park at Chilean and South County are occasional employees who take a smoke break.

Please take another look at this and head this off.

Best wishes,
Bill Cooley

CC: Council President Wildrick

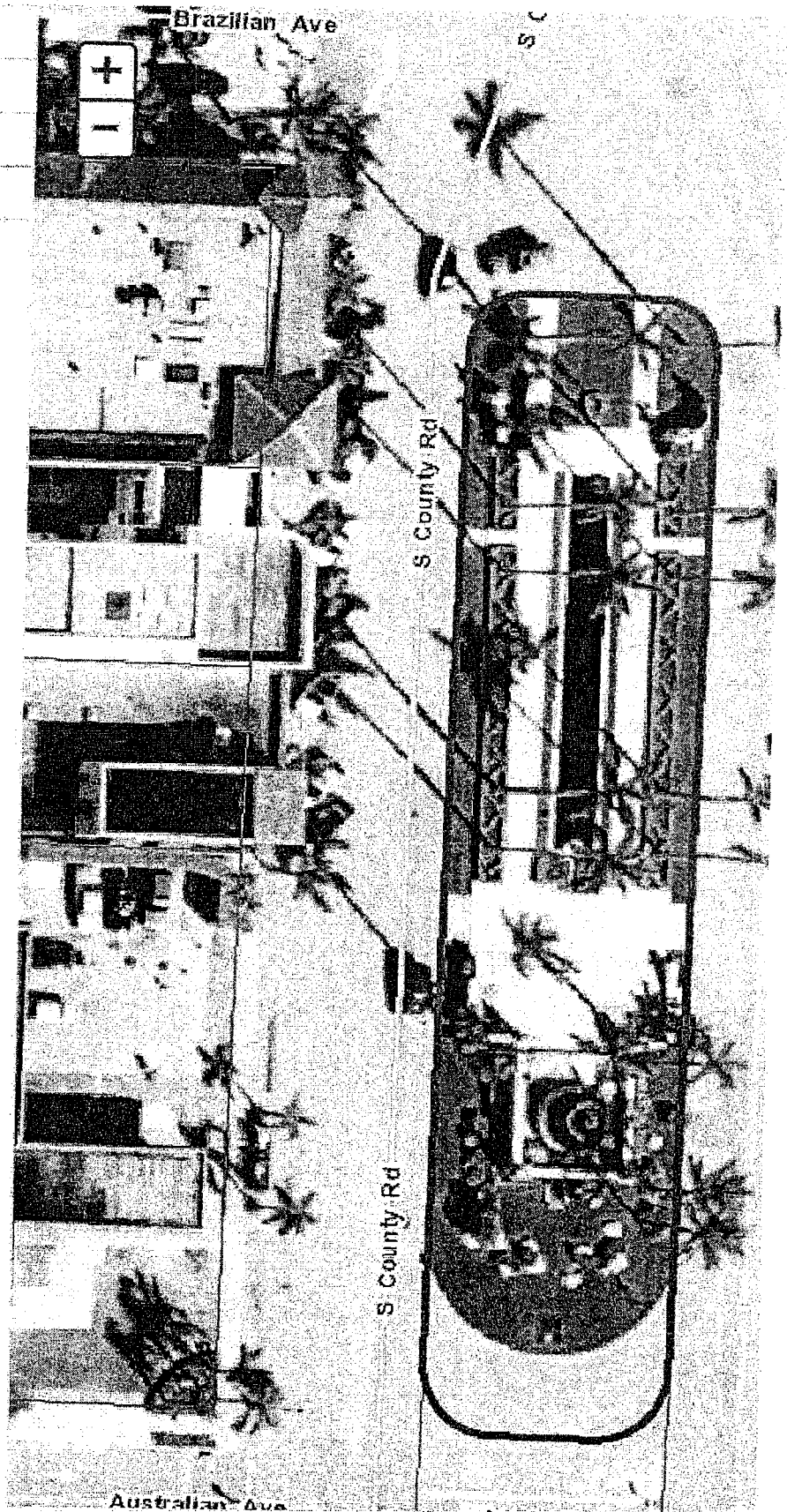
Exhibit 1

Search

Tools

Layers

Print



**Property Appr**

Gary R. Ni

Palm Bea

[Search](#)[Search Results Detail](#)[View Property Record](#)**Owners**

PALM BEACH TOWN OF

Property detail

Location 360 S COUNTY RD

Municipality PALM BEACH

Parcel No. 50434323050200030

Subdivision ROYAL PARK ADD TO P B
IN

Book

Page

Sale Date

PO BOX 2029

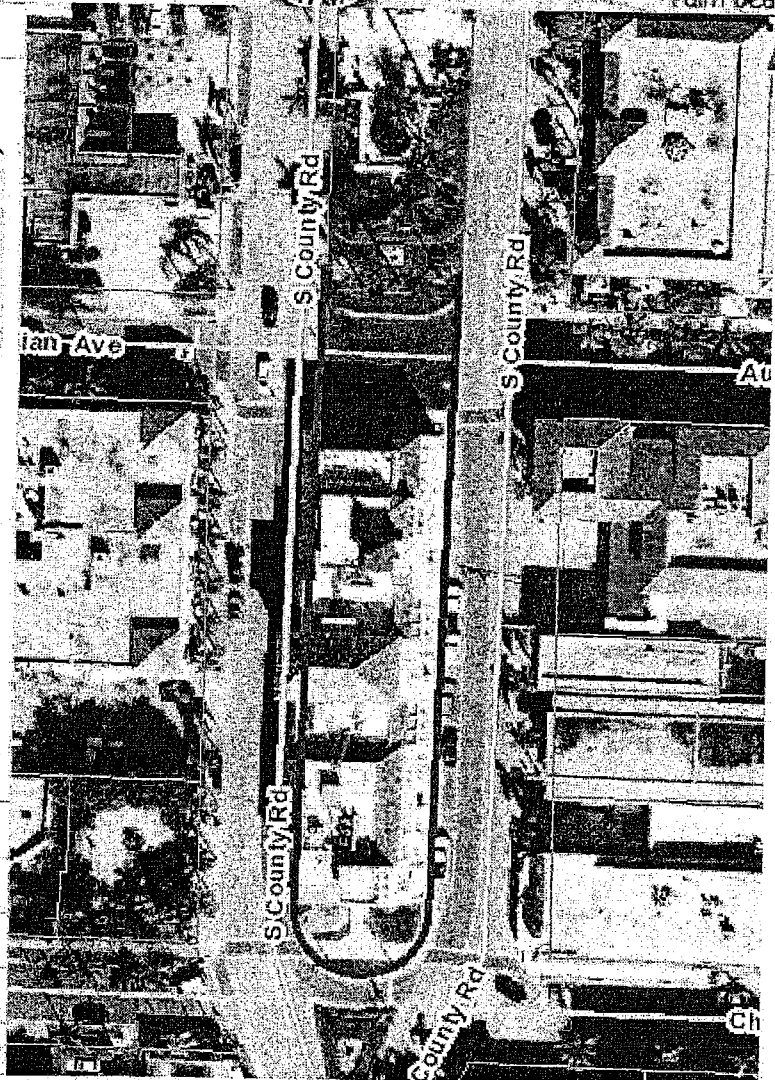
[Tools](#)[Layers](#)[Print](#)[Messages](#)[Instructional Videos](#)

Exhibit 3

Search

Search Results Detail

View Property Record

Owners

PALM BEACH TOWN OF

Property detail

Location	COUNTY RD
Municipality	PALM BEACH
Parcel No.	50434323050200040
Subdivision	ROYAL PARK ADD TO P B IN
Book	Page
Sale Date	
Mailing Address	PO BOX 2029 PALM BEACH FL 33480 2029

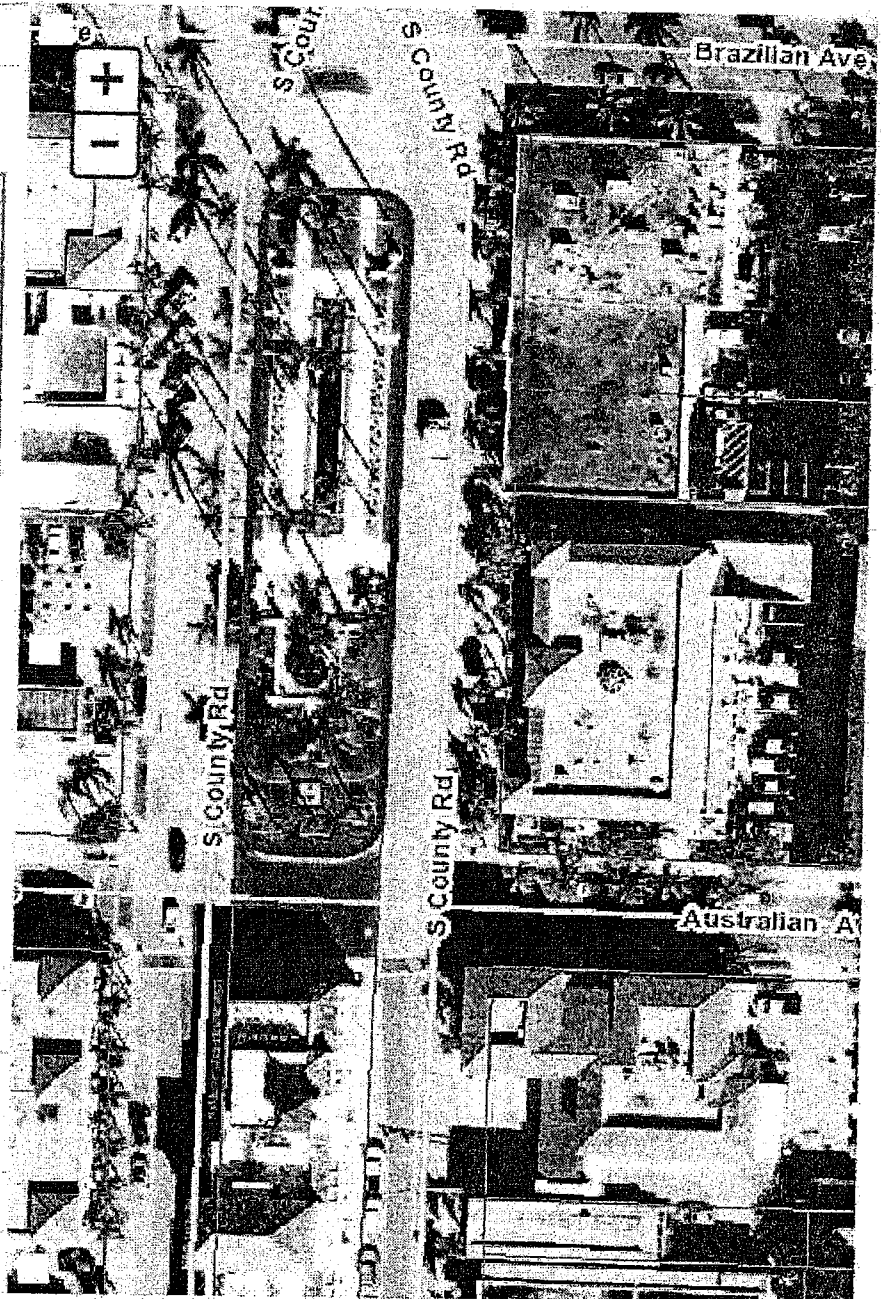
Tools

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Messages

Instructional Videos



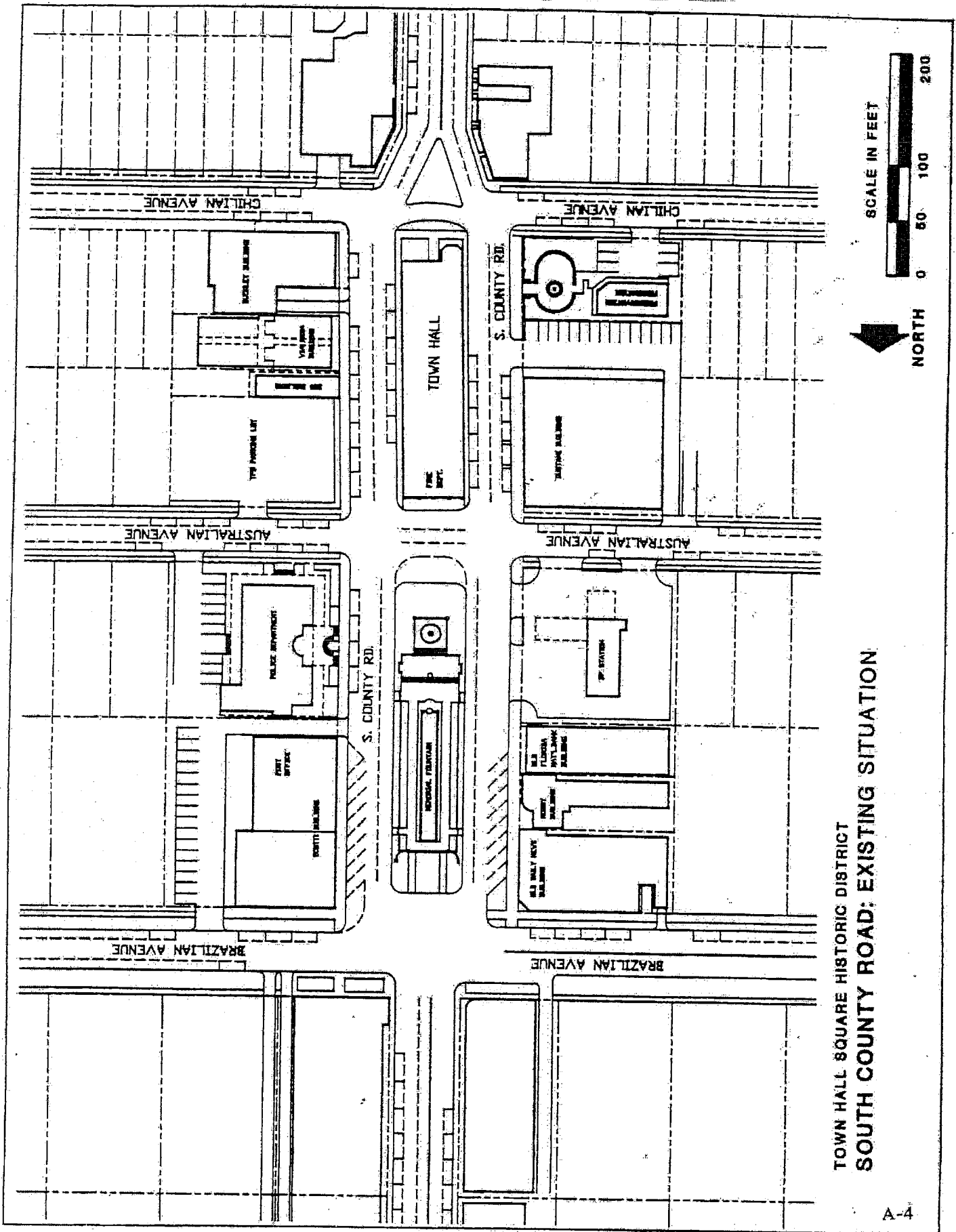


Exhibit 5**Sec. 1.03. Sale of Property; Referendum Required.**

Any disposition of certain town owned, open green spaces designated herein and located within the corporate limits of the Town of Palm Beach, any improvement of same by way of placing structures thereon, and any lease of said real property by the Town as lessor for a period exceeding five (5) years shall require approval by vote of the Town electors in a referendum election called and held as provided by law. No referendum election held for such purpose shall be between the first day of April and the fifteenth day of December of any year.

The properties to which this provision shall apply are referred to herein by their common names as:

1. Palmo Way Nursery
2. Boyd Park
3. Par 3 Golf Course
4. Lake Drive Park (near docks)
5. Bradley Park
6. Phipps Ocean Park
7. Park Avenue Park
8. Tangier Parks (3)
9. Memorial Park
10. Seaview Park

The full legal description of said properties are a matter of record with the Clerk of the Circuit Court of Palm Beach County and said legal descriptions are hereby incorporated into the terms of this Section 1.03.

The power to dispose of property shall embrace sale, exchange, lease, mortgage, pledge, or other encumbrance of real property; and also abandonment, or gift to charity of real property officially determined to be of no further use to the Town and of nominal sale value or no value.

Improvements shall include the construction of above ground structures which diminish open green space, but shall not include nor is this Section intended to preclude the construction of public utility structures deemed necessary by the Town, underground utility structures including but not limited to water mains, sewer lines, stormwater drainage and other utilities. Neither shall this Section preclude the construction of structures deemed necessary by the Town for public recreational purposes on those properties described herein on which public recreational structures existed as of 12:01 a.m., February 9, 2000.

In addition to the properties listed above, there is hereby included an additional property described below, to which all of the provisions of this Section shall apply except, however, the Town Council shall not be precluded by way of these Charter provisions from providing surface parking on said property described herein in the event the Town Council determines to locate parking on said property at any time in its discretion. The property to which this provision applies is described as: 2125 South Ocean Boulevard (Tract 1 and Tract 2, Lot 120, Palm Beach Estates).

(Ord. No. 4-84, § 1, 6-12-84; Ord. No. 18-87, § 1, 12-8-87; Ord. No. 18-99, § 1, 12-14-99)

John C. Randolph
Attorney
561-650-0458
Fax: 561-650-5300
jrandolph@jonesfoster.com

December 30, 2014

Jay Boodheshwar
Town of Palm Beach
Post Office Box 2029
Palm Beach, Florida 33480

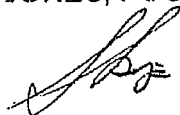
Re: Town of Palm Beach
Memorial Park – Restrictive Covenants

Dear Jay:

Enclosed please find the original Restrictive Covenants, relating to the restoration of Addison Mizner's Memorial Fountain, Grant Number SC517, which was recorded in the public records of Palm Beach County, Florida, on December 15, 2014, in Official Record Book 27220, Page 663.

Sincerely,

JONES, FOSTER, JOHNSTON & STUBBS, P.A.



John C. Randolph
JCR/ssm
Enclosure

p:\docs\13156\00008\ltr\1156487 docx

RECORD AND RETURN TO:

John C. Randolph, Esquire
Jones, Foster, Johnston & Stubbs, P.A.
Post Office Box 3475, WPB, FL, 33402-3475
WILL CALL #85



CFN 20140461699
OR BK 27220 PG 0663
RECORDED 12/15/2014 15:35:18
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0663 - 667; (5pgs)

PREPARED BY: Grant Gelhardt
Florida Department of State
Bureau of Historic Preservation
500 South Bronough Street
Tallahassee, FL 32399

1 of 2

RESTRICTIVE COVENANTS

Project Name: Restoration of Addison Mizner's Memorial Fountain
Grant Number: SC517

THESE COVENANTS are entered into this 8th day of December, 2014, by the Town of Palm Beach, hereinafter referred to as the Owner, and shall be effective for a period of ten years from the date of recordation by the Clerk of the Circuit Court of Palm Beach County, Florida

WHEREAS, the Owner is the fee simple titleholder of the Property located at Memorial Park, South County Road, Palm Beach, Palm Beach County, Florida, as described in Exhibit A, attached to and made a part hereof and

WHEREAS, the Owner is a grant recipient and is to receive State Historic Preservation Grant assistance funds administered by the State of Florida, Department of State, Division of Historical Resources, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, hereinafter referred to as the Department, in the amount of \$350,000, to be used for the preservation of the property of the Owner as described in Exhibit A, and

WHEREAS, said State funds have been or will be expended for the purpose of preserving the historic qualities of the property or contributing to the historic character of the district in which the property is located,

Now THEREFORE, as part of the consideration for the State grant, the Owner hereby make and declare the following restrictive covenants which shall run with the title to said Property and be binding on the Owner and its successors in interest, if any, for a period stated in the preamble above:

- 1 The Owner agree to maintain the property in accordance with good preservation practices and the Secretary of the Interior's Standards for Rehabilitation.
- 2 The Owner agree that no modifications will be made to the Property, other than routine repairs and maintenance, without advance review and approval of the plans and specifications by the Department's Bureau of Historic Preservation
- 3 The Owner agree that every effort will be made to design any modifications to the Property in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation.
- 4 The Owner agree that the Department, its agents and its designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether the conditions of the Grant Award Agreement and these covenants are being observed
- 5 The Owner agree that these restrictions shall encumber the property for a period of ten years from the date of recordation, and that if the restrictions are violated within the ten year period, the Department shall be entitled to liquidated damages pursuant to the following schedule:
 - a. If the violation occurs within the first five years of the effective date of these covenants, the Department shall be entitled to return of the entire grant amount.
 - b. If the violation occurs after the first five years, the Department shall be entitled to return of the entire grant amount, less 10% for each year past the first five. For instance, if the violation occurs after the sixth anniversary of the effective date of these covenants, but prior to the seventh anniversary, the Department shall be entitled to return of 80% of the original grant amount
- 6 The Owner agrees to file these covenants with the Clerk of the Circuit Court of Palm Beach County, Florida, and shall pay any and all expenses associated with their filing and recording
- 7 The Owner agree that the Department shall incur no tax liability as a result of these restrictive covenants.

IN WITNESS WHEREOF, the Owner has read these Restrictive Covenants and has hereto affixed their signature

WITNESSES:

Caryl Klee
Witness Signature

Caryl Klee
Witness Name Typed/Printed

Anne Bayles
Witness Signature

Anne Bayles
Witness Name Typed/Printed

Peter B. Elwell
OWNER
PETER B. ELWELL
TOWN MANAGER
360 South County Road
Owner's Address

Palm Beach, Florida 33480
City State Zip

The State of Florida
County of PALM BEACH

I certify that on this date before me, an officer duly authorized in the state and county named above to take acknowledgments, that PETER B. ELWELL personally
(Name)

appeared as TOWN MANAGER for TOWN OF PALM BEACH
(Officer) (Name of Corporation/Partnership)

known to me to be or who proved to my satisfaction that he/she is the person described in and who executed the foregoing instrument.

Type of Identification Produced _____

Executed and sealed by me at PALM BEACH Florida on 9th DECEMBER 200 2014

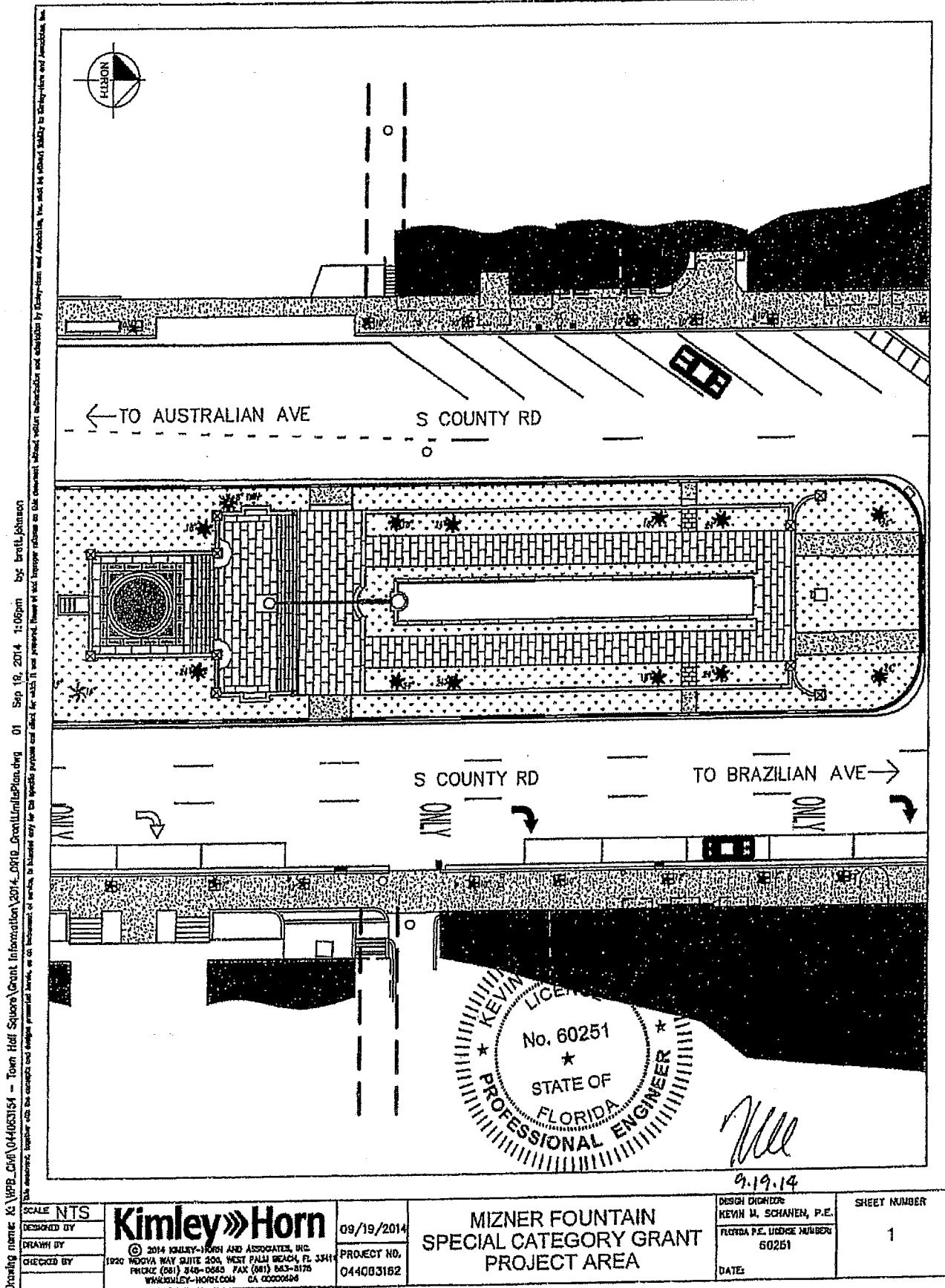
Patricia Gayle-Gordon
Notary Public in and for

The State of FLORIDA

My commission expires: _____



[SEAL]



**SKETCH & DESCRIPTION FOR:
TOWN HALL SQUARE FOUNTAIN**

LYING WITHIN THE RIGHT-OF-WAY OF SOUTH COUNTY ROAD
REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA (PLAT BOOK 4, PAGE 1, P.B.C.R.)
TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

A portion of land lying within the right-of-way of South County Road, also known as Poinciana Drive, as shown on the REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page 1 of the Public Records of Palm Beach County, Florida, described as follows:

COMMENCE at the northeast corner of Block "G", of said REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA; thence S01°07'12"W, along the east line of said Block "G", 224.03 feet; thence S89°01'38"E, 68.83 feet to the POINT OF BEGINNING; thence S89°01'38"E, 22.04 feet; thence S01°09'03"W, 22.02 feet; thence N89°01'38"W, 22.04 feet; thence N01°09'03"E, 22.02 feet to the POINT OF BEGINNING, the preceding four courses and distances being along the grout line of an existing fountain.

Said lands situate and being in Palm Beach County, Florida, containing 485 square feet, more or less.

SURVEYOR'S NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are assumed based on the east line of Block "G", REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, having a bearing of S01°07'12"W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: L.B. = Licensed Business; (P) = Per plat of record; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.S.M. = Professional Surveyor & Mapper; R/W = Right-of-Way.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 9/16/14



MARISHA M. KREITMAN, P.S.M.
Florida Registration No. 6555
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS



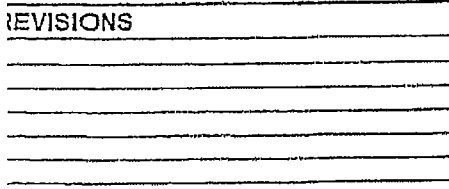
AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING

50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROM-SURVEY.com

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JOB #:	9660-1
SCALE:	1" = 50'
DATE:	09/18/2014
BY:	M.M.K.
CHECKED:	
F.B.	N/A
PG.	N/A
SHEET	1 OF 2

LYING WITHIN THE RIGHT-OF-WAY OF SOUTH COUNTY ROAD
REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA (PLAT BOOK 4, PAGE 1, P.B.C.R.)
TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA



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JOB #:	9660-1		
SCALE:	1" = 50'		
DATE:	09/16/2014		
BY:	M.M.K.		
CHECKED:			
F.B.	N/A	PG.	N/A
SHEET	2	OF	2

John C. Randolph, Esquire

Direct Dial: 561-650-0458

Direct Fax: 561-650-0435

E-Mail: jrandolph@jones-foster.com

Via Email

Kirk Blouin, Town Manager
Town of Palm Beach
345 South County Road
Palm Beach, Florida 33480-4443

Dear Kirk:

In regard to the issue of adding stairs in Memorial Fountain Park, which was raised at the last Town Council Meeting, I am providing, for your information and the information of the Mayor and Town Council, certain memoranda relating to this issue so that the Mayor and Town Council can be advised as to the historical context relating to the matter of the stairs. This information includes my letters of November 5 and October 7, 2014 addressed to Peter Elwell, William Cooley's email to me and to Peter dated October 24, 2014 and, finally, my letter to Jay Boodheshwar dated December 30, 2014 attaching the restrictive covenants relating to Addison Mizner's Memorial Fountain, Grant No: SC517.

In regard to these restrictive covenants it should be specifically noted that the Town has agreed that no modifications will be made to the property other than routine repairs and maintenance without advance review and approval of the plans and specifications by the Department's Bureau of Historic Preservation. These restrictions shall encumber the property for a period of ten years from the date of recordation of the restrictive covenants and if the restrictions are violated within the ten year period, the Department shall be entitled to liquidated damages. If the violation occurs within the first five years of the effective date of the covenants, the Department shall be entitled to the return of the entire grant amount.

I bring these documents to your attention and to the attention of the Mayor and Town Council in order that you and they can be fully informed in regard to this matter going forward.

July 19, 2018
Page 2

Please do not hesitate to contact me if you have any comments or questions.

Sincerely,

JONES, FOSTER, JOHNSTON & STUBBS, P.A.

A handwritten signature in blue ink, appearing to read "JCR", is positioned above the printed name.

John C. Randolph
JCR/of
Enclosures

cc: Jay Boodheshwar

P:\DOCS\13156\00008\LTR\1AR9599.DOC

MRS. JOHN R DONNELL
1690 SOUTH OCEAN BOULEVARD
PALM BEACH, FLORIDA 33480

November 13, 2018

Dear Town Council Members,

I have learned that the Town Council is planning on discussing/voting upon adding Parallel Parking along the north end of Memorial Park, and adding steps to the fountain. Both of these agenda items are not in line with what is best for the residents of Palm Beach, your constituents.

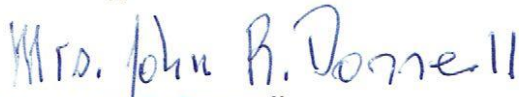
The traffic flow at the North End of Memorial Park is already confusing and dangerous. Vehicles cut others off every day to get into the proper lane they need, cars swerve around already to avoid opening car doors on parallel parked cars and pedestrians. Adding parking there is a recipe for disaster as well as a liability for the Town. Backups already occur there, but taking away one of the traffic lanes is going to exacerbate the problem. Those waiting for Valet parking for Café L'Europe will create backups every evening, people attempting to parallel park will create backups when those behind them don't realize that is what the car in front of them is planning. Memorial Park was recently updated and having a row of automobiles parked all along the Park boundaries takes away from the beauty and ambiance of the park. In addition, the costs for this project are taking away monies from other areas that the town could better utilize it. Taxes here are high enough without having the Town undertake unnecessary projects that residents do not want or need, such as this, stairs on the fountain at Memorial Park, a recreation center that will be serving more people that do not live on Palm Beach than those of us that do, and undergrounding utilities in a flood plain where replacement and repair will be needed long before the project is even paid for.

Additionally, the potential for accidents and injuries creates unnecessary liability for the Town. This is true in adding the parking spaces at the north end of the park as well as steps on the fountain. Homeless people have been seen in town more and more frequently and having steps in the park creates a danger to those traversing the steps as well as lawsuits from those that can easily fall on the steps or even from those who claim the steps are unfair because they are not accessible to all. Is this the path that the Town wants to take, potentially creating more lawsuits that taxpayers will have to cover the cost of. So much has been

changing in Palm Beach in recent years and many of it is not for the betterment of those that live here. Too much priority is put upon tour busses, and accommodating people who are not residents.

I would implore the Town Council to not undertake yet another unnecessary project. Our small town is changing every day, and not for the better. I vehemently object to parallel parking spaces to the north end of Memorial as well as adding steps to the fountain.

Sincerely,



Mrs. John R. Donnell

T. 561-655-2297 EMAIL: DONNELL1690@AOL.COM

F. 561-655-1082

From: [Anne Pepper](#)
To: [Kelly Churney](#)
Subject: Please forward to Landmarks Preservation Commission members
Date: Thursday, June 06, 2019 2:34:48 PM
Attachments: [image\[1\].png](#)
[image\[3\].png](#)
[image\[5\].png](#)
[image\[3\].png](#)

Dear Landmarks Commission,

In the dog days of summer when residents are not around, Bill Bone and possibly others, are once again, trying to destroy one of our most cherished landmarks, the Mizner Fountain At Memorial Park. I do not know if LPC is aware of this activity as I only learned of it yesterday. I am attaching the letters from the State Historic Preservation Officer stating yet again that the addition of these stairs is a fundamental change to a National Register Landmark that would adversely affect its status. These are replies to letters sent by our Town's Planning and Zoning Director at whose behest I do not know. May 2, 2019 is the first response to Josh Martin. There was a 2nd letter by Martin to which the State responded on May 21, 2019. I know LPC is not concerned with money, but I can assure you the residents are. We do not wish to have this monument desecrated or de-landmarked to satisfy someone's ego. Nor do we wish to repay \$700,000.

I beg every one of you to read these letters carefully, think about what the Fountain means to the Town and attend the June 11, 2019 Town Council meeting to defend our landmarked sites. If you are out of town, please write the Council.

Thank you for your time and efforts to keep Palm Beach beautiful and historic,

Anne Pepper
333 Seaspray Ave

May 2, 2019

Josh Martin, Director
Planning, Zoning, Building
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Dear Mr. Martin,

The Florida Division of Historical Resources (DHR) reviewed your April 8, 2019 submittal requesting a restrictive covenants review related to the addition of a grand staircase on the back side of the fountain within the historic 1929 Memorial Fountain Park designed by famed local architect Addison Mizner. This is not the first request for review of a grand staircase in this location, and it was denied previously (see letter dated April 3, 2014).

The restrictive covenants on this property result from two historic preservation grant awards from DHR, their execution being a requirement of each grant award. Grant SC517 in the amount of \$350,000 was awarded in state fiscal year 2014 to assist with restoration of the fountain within the park, and grant MP512 in the amount of \$350,000 was awarded in state fiscal year 2015 to assist with restoration of the plaza. Total grant funding for the two projects totaled \$700,000.

The covenants run for a 10-year period from the date of recording with the appropriate County Clerk's office. These covenants are transferrable should ownership of the property transfer to a new owner. The restrictive covenant for grant SC517 was recorded and stamped by the Palm Beach County Clerk's office on December 15, 2014 and will expire on December 14, 2024. The restrictive covenant for grant MP512 was recorded and stamped by the Palm Beach County Clerk's office on August 27, 2015, and will expire on August 26, 2025 (see enclosed copies). If the covenant is violated within the first five years it is in effect, the grantee is responsible

for repayment of the entire grant amount. Beyond five years, the amount owed for a violation of the covenants decreases by 20% each year until the covenant expires. Both covenants are within the first five years since recording.

Our review of the submitted materials finds that the proposed plan would constitute an "adverse effect" to this National Register listed property. Furthermore, the proposed plans are inconsistent with the Secretary of the Interior's Standards for Preservation. The stairs as proposed would require removal of historic fabric from

Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) • FLHeritage.com



Mr. Martin
Page 2

the park and create a false impression of the Mizner design. The main focal point of the park would be irreversibly altered. As such, if carried out the proposed plan would constitute a violation of the restrictive covenants.

We compliment the work accomplished thus far on Memorial Fountain Park, and we hope that you will choose to preserve the current layout without the grand staircase. Since we are still within the first five years of both covenants, if the Town of Palm Beach demolishes the original fabric of the park to build the stairs according to the plans submitted (or similar), DHR will pursue recapture of the \$700,000 in funds awarded per grants SC517 and MP512.

If you have questions or need clarification, please contact Alissa Lotane at Alissa.Lotane@dos.myflorida.com or 850.245.6345.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Parsons", with a large, stylized flourish at the end.

Timothy A. Parsons, Ph.D.
Director, Division of Historical Resources &
State Historic Preservation Officer

From: [Parsons, Timothy A.](#)
To: [Joshua Martin](#)
Cc: [Lotane, Alissa Slade](#); [Kirk Blouin](#); [Jay Boodheshwar](#); [Nina Toscano](#); [Liko, Sarah M.](#)
Subject: RE: Town Of Palm Beach Memorial Park Fountain Stairs Reconsideration
Date: Tuesday, May 21, 2019 9:57:20 AM

Good morning Mr. Martin,

Thank you for your letter. I am of course happy to have a meeting with you here in Tallahassee, but I want to be up-front about expectations. Our staff has reviewed this request multiple times, each time with an open mind. Ultimately, the same conclusion has been reached with my consideration of and concurrence with their assessment.

This is a matter where the Secretary of the Interior's standards intersect with two restrictive covenants. The proposed staircase is a fundamental architectural change to a National Register listed property, and would constitute an "adverse effect" under any review criteria, and based on the information that I've reviewed several times I do not believe that the plan is consistent with the standard that you cite in your letter. That said, if you'd like to discuss the plans with me in more detail we can either schedule a conference call or meet in person. I am always willing to take a fresh look at a proposal. Please coordinate with Dr. Sarah Liko on a potential meeting time in the next few weeks (Sarah is copied on this email).

Best,
Tim

Timothy A. Parsons, Ph.D.

Division Director | State Historic Preservation Officer

Division of Historical Resources | Florida Department of State

500 South Bronough Street | Tallahassee, Florida 32399

Office: 850.245.6306 | Mobile: 850.519.4373 | dos.myflorida.com/historical

From: [Cheryl Kleen](#) on behalf of [Town Council](#)
To: [Bobbie Lindsay](#); [Danielle Hickox Moore](#); [Gail Coniglio](#); [Julie Araskog](#); [Lew Crampton](#); [Margaret Zeidman](#)
Cc: [Jay Boodheshwar](#); [Kelly Churney](#); [Public Comment](#)
Subject: FW: Memorial Park stairs and Bradley House Hotel-
Date: Wednesday, November 14, 2018 5:24:46 PM

-----Original Message-----

From: Anne Pepper <annepepper@mac.com>
Sent: Wednesday, November 14, 2018 4:50 PM
To: Town Council <TCouncil@TownofPalmBeach.com>; Gail Coniglio <GConiglio@TownofPalmBeach.com>; John Lindgren <JLindgren@TownofPalmBeach.com>; Kirk Blouin <KBlouin@TownofPalmBeach.com>; Joshua Martin <jmartin@TownOfPalmBeach.com>
Subject: Memorial Park stairs and Bradley House Hotel-

Please forward to Landmarks Preservation Commission:

Dear Landmarks Commission,

Having attended today's Council meeting where the above Landmarks were discussed, I was remiss in not asking why the design of the park at the back of the fountain was so disparate and unrelated in design to the Memorial Fountain area? The iron railing and the pleached oaks look like Paris whereas the Fountain area is Mediterranean and speaks to its place in Palm Beach. It is curious that the park at the back was not designed in the first place to be more harmonious with the historic fountain area. It appears it was designed to be separate and in its separateness would require something to unify it. Is there another way..remove the railings, let the trees take a more natural form, add some colorful plantings? The railing enclosure functions also as a fence and keeps the areas apart and is uninviting.

The stairs at 12' wide with 2 sets of steps going down the side make a very large piece of construction. Could that be modified and made less monolithic? A less large construction which doesn't compete with the fountain might pass the State' preservation board more easily.

Bradley House renovation is great and will be a welcome sight for all.. Everything but the courtyard and the shape of the 15'x15' pool. Cutting the courtyard off from the neighborhood with a high hedge and wall destroys the courtyard feeling that we all love which is inviting and very Palm Beach. Wouldn't the pool look better in a shape that is more Mediterranean - like a quatrefoil or a longer thin, pool that, like the Memorial Fountain is related to the architecture of the building and the town?

Anne Pepper
333 Seaspray Ave

Comments made by A. Seltzer

Town Council Meeting- 11/14/18 re ~~COA #045-2018~~
Z-18-00144

What background information did you have to inform you as you casually agreed to again delegate to the Centennial Committee , a private entity , the ability to file an application on behalf of the Town for the construction of steps and added parking? You did this during the summer even though there's voluminous backup which put this issue to rest four years ago?

At last month's Landmarks meeting, Mr. Bone said the Civic Association, Garden Club and Preservation Foundation approved of the construction of the stairs and the parking because "they safely improve access" .

Mr. Bone also said "the Town is neutral". How can you possibly be neutral?

In 1929 Town Minutes, Mrs. McKintock, President of the Garden Club asked that the beautification of plots of ground be designated as gardens and not parks.

The 1929 Garden Club Plan specifically references traffic and safety issues around Town Hall and the Fountain area. "an element of traffic danger has been introduced. "

There are historical reasons why there has been no abutting parking.

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Much was made by Commission members in response to hearing that Mr. Sanchez and others were donating their time on this project.

Pro bono work is always laudable, but not for projects that shouldn't be implemented.

Were there documents that Landmarks Commissioners should have had in order to make a more informed decision, like Mr. Bendus' letter or the signed Covenant between the Town and the State?

What about the 2014 letter from Mizner scholar Caroline Seeborn - ~~Author, "Boca Rocco: How Addison Mizner invented Florida's Gold Coast," published by Clarkson Potter, New York, 2001.~~

who wrote "To trash this last and most elegant public garden designed by Florida's most important (and nationally treasured) architect is an American tragedy. I would imagine that most people who know and love Palm Beach would feel the same way. Please rethink this plan.

and another from Christina Orr-Cahall who wrote ["As a Mizner scholar and the former director of the Norton Museum"] "With this fountain and park, Palm Beach has essentially the only public Mizner monument. Altering it to the degree proposed will ruin the intent of Mizner's

pg.3

architecture. The steps to the back of the fountain, the removal of the magnificent palms, and the parking adjacent to the original park would drastically change the space. Please honor the heritage of the town and its architectural legacy by discarding the proposed design."

These weren't made available to the Commissioners last month. Nor to you.

Landmarks did not discuss specific Secretary of Interiors standards, how would they affect the plan and adherence to it.

Is the Town Square/ fountain on the National Historic Register and will the addition of stairs affect the listing?

Are the steps ADA compliant? ADA compliance was promised in the grant proposal. No one noticed that an existing handicap space was no longer indicated as such on the new parking diagram.

Mr. Bone told Landmarks- don't worry about the State.

Does Section 1.03 of the Town Charter specifically prohibit the addition of stairs as an improvement to the Park? Is a referendum by the voters required to cover any green space.

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If the Town intends to breach the Covenant it signed with the State, is this in the best interests of the Town's welfare, *if* ~~because~~ we may have to give back the \$350,000? And what about the second \$350,000 the Town received?

There was consensus in 2014 that the shamefully neglected fountain needed to be repaired.

But the Town, as applicant, didn't comply with the same facial and procedural requirements demanded of other applicants. In addition, the project was over - volumized into a massive Public Works project. It's all in the historic record. Last month, LPC approved the stairs and parking.

Now a new application has been filed behind the scene it's déjà vu all over again. I strongly urge you to reject this application.

p5

On Friday, May 16, 2014 3:07 PM, "CDelp@TownofPalmBeach.com"
<CDelp@TownofPalmBeach.com> wrote:

This email forwarding has been on hold until the new LPC was appointed. As such, I am forwarding it to you now.

Cindy M. Delp
Office Manager
Town of Palm Beach
Planning Zoning & Building Dept.
(561) 227-6408

----- Forwarded by Cindy Delp/PalmBeach on 05/16/2014 04:04 PM -----

From: John Lindgren/PalmBeach
To: Cindy Delp/PalmBeach@PalmBeach
Date: 04/09/2014 04:09 PM
Subject: Fw: Mizner Fountain

Cindy,
Please forward to the next LPC members.
John

John Lindgren, AICP
Planning Administrator
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480
phone: 561.227-6414
fax: 561.835-4638
e-mail: jlindgren@townofpalmbeach.com

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public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. If you have received this message in error, please notify us immediately by replying to this message, and please delete it from your computer. Thank you.

Please consider the environment before printing this e-mail.

----- Forwarded by John Lindgren/PalmBeach on 04/09/2014 04:09 PM -----

From: tina cahall <tinacahall@gmail.com>
To: JLindgren@TownofPalmBeach.com
Cc: Christina Cahall <tinacahall@gmail.com>
Date: 04/09/2014 02:35 PM
Subject: Mizner Fountain

Hi John,

As a Mizner scholar and the former director of the Norton Museum as well as a former longtime resident of Palm Beach, I am writing to ask that you reconsider your renovation of the Mizner Fountain in the center of town. I was the curator of the Mizner exhibition which was held at the Norton, the Four Arts and the Flagler Museum in the mid-1970s. It is the only time those three museums have done a collaborative exhibition which speaks to the importance of Mizner both historically and artistically to the community and nationally. Over the three decades I was in Palm Beach I saw the loss of many Mizner homes to the detriment of Palm Beach's unique place in history. With this fountain and park, Palm Beach has essentially the only public Mizner monument. Altering it to the degree proposed will ruin the intent of Mizner's architecture. The steps to the back of the fountain, the removal of the magnificent palms, and the parking adjacent to the original park would drastically change the space. Please honor the heritage of the town and its architectural legacy by discarding the proposed design. If need be, a modified version which allowed additional green space in the newly acquired space behind the fountain, accessed in a completely different manner that did not invade the fountain area, and parking adjacent to that new green space, might be considered as a compromise without integral damage to the fountain and park. Thank you for your consideration. If you should have any questions please don't hesitate to contact me. Gratefully, Christina Orr-Cahall

Forwarded message -----

From: **Caroline Seeborn** <carolinemem@gmail.com>
Date: Tue, Jan 28, 2014 at 11:18 AM
Subject: Mizner Memorial Park

Sec. 1.03. - Sale of Property; Referendum Required.

Any disposition of certain town owned, open green spaces designated herein and located within the corporate limits of the Town of Palm Beach, any improvement of same by way of placing structures thereon, and any lease of said real property by the Town as lessor for a period exceeding five (5) years shall require approval by vote of the Town electors in a referendum election called and held as provided by law. No referendum election held for such purpose shall be between the first day of April and the fifteenth day of December of any year.

The properties to which this provision shall apply are referred to herein by their common names as:

1. Palmo Way Nursery
2. Boyd Park
3. Par 3 Golf Course
4. Lake Drive Park (near docks)
5. Bradley Park
6. Phipps Ocean Park
7. Park Avenue Park
8. Tangier Parks (3)
9. Memorial Park
10. Seaview Park

The full legal description of said properties are a matter of record with the Clerk of the Circuit Court of Palm Beach County and said legal descriptions are hereby incorporated into the terms of this Section 1.03.

The power to dispose of property shall embrace sale, exchange, lease, mortgage, pledge, or other encumbrance of real property; and also abandonment, or gift to charity of real property officially determined to be of no further use to the Town and of nominal sale value or no value.

Improvements shall include the construction of above ground structures which diminish open green space, but shall not include nor is this Section intended to preclude the construction of public utility structures deemed necessary by the Town, underground utility structures including but not limited to water mains, sewer lines, storm water drainage and other utilities. Neither shall this Section preclude the construction of structures deemed necessary by the Town for public recreational purposes on those properties described herein on which public recreational structures existed as of 12:01 a.m., February 9, 2000.

TOWN HALL, APRIL, 6, 1929.

A Special Meeting of the Town Council was held ^{at} 11 A.M., Saturday, April, 6, 1929. All of the Councilmen and the Mayor being present, a formal call was waived and President Owens called the meeting to order. Councilmen present, James M. Owens Jr., Louis D'Esterre, Oscar G. Davies, William Fremd, H.C. Woodruff, Mayor Warburton and Town Manager L. Trevette Lockwood.

After discussing the improvements contemplated, on motion Woodruff-D'Esterre the Town Manager was directed to communicate with Mr. W. DeWitt Vosbury with regard to the sewer work. This motion was duly carried.

On motion Davies-Woodruff the plans for the repair of the Ocean Boulevard from first street south of Gus' Bath to the first street south of Vita Serena was ordered. The Mayor suggested that Mr. Vanderbilt be advised of plans of the Council.

On motion Davies-Fremd the meeting adjourned.

Attest:

Edith Walker
Town Clerk.

James M. Owens Jr.
President Council.

TOWN HALL, APRIL, 8, 1929.

A meeting was held in the Town Hall at 11 A.M. April, 8, 1929. The purpose of the meeting was to meet Mr. Frost, Town Planner.

President Owens called the meeting to order. Councilmen present, James M. Owens Jr., Louis D'Esterre, Oscar G. Davies, William Fremd, H.C. Woodruff, Mayor Warburton, Town Manager L. Trevette Lockwood, representatives of the Garden Club, Zoning Commission and Art Jury; All met to officially meet and welcome Mr. Frost, Town Planner.

Through the generosity of the Garden Club this opportunity was made possible, and is something that the Town Council and Zoning Commission have considered a great necessity in carrying out their proposed improvement plan in the Town.

All of these organizations pledged their hearty support and co-operation to Mr. Frost and desired that he call upon them at any time for assistance.

Mr. Addison Wisner, who drew the plans for the Memorial Fountain, stated that the plan was especially drawn for the location just north of the Town Hall, and if used any where else it would have to be re-drawn or revamped, which he would be glad to do or if the Council wished to have another architect do the plans he would meet with his approval. Mr. Owens, for the Town Council, expressed the appreciation of Mr. Wisner's work and was apposed to anyone else doing the work. He also thanked the Garden Club for their interest in the plans for beautifying the Town of Palm Beach, and especially in providing the Town with an expert Planner.

Mrs. McKintock, President of the Garden Club, asked that Mr. Frost be unhampered in his plans, in any way, and that the criticism be done when the plans are formally presented to the Town and also that the beautification of plots of ground be designated as gardens and not parks.

On motion Davies-Woodruff the meeting adjourned.

Attest:

Edith Walker
Town Clerk.

James M. Owens Jr.
President Council.

TOWN HALL, April, 8, 1929.

Special Call meeting of the Town Council was held in the Town Hall, Monday, April, 8, at 5 P.M.

All of the Councilmen and the Mayor being present the formality of a call was waived and the President Mr. James M. Owens Jr. called the meeting to order. Councilmen present, James M. Owens Jr., Louis D'Esterre, Oscar G. Davies, William Fremd, H.C. Woodruff, Mayor Warburton Town Manager L. Trevette Lockwood.

After discussing the action of the Council of Saturday, relative to ordering plans for the repair and protection of the Ocean Boulevard from Gus' Bath to Vita Serena, it appeared to the Council that Mr. Harold Vanderbilt, who represented a large number of property owners in that locality, had left town, recently with the impression that there was still some time in which to present a proposition to the Town Council, suggesting the abandonment of that portion of the Ocean Boulevard.

The Mayor and Town Council desired to be perfectly fair with Mr. Vanderbilt and on motion Davies-Woodruff the action relative to the Ocean Boulevard of Saturday, April, 6th. was rescinded.

Mr. Owens expressed himself as being opposed to closing the boulevard and favored work being commenced at once, and finished, if possible this summer. Mr. Davies was also in favor of repairing the boulevard this summer.

would be purposeful. Street name signs, attached to lighting standards at the «near corner» where possible, are desirable. Cast aluminum, with raised letters and painted, are lasting.

Lighting standards where there are trees should be designed with the light extending beyond the curb into the roadway. The modern practice of selecting the material most adapted to its intended use suggests steel or wrought iron. Modern standards built with flat steel plates, laminated as indicated on the plan of Royal Palm Way, are suggested gradually to replace cast iron and concrete.

PUBLIC BUILDINGS

THE TOWN HALL

BETWEEN Australian and Chilian Avenues the Town Hall is located upon a lot which divides the roadways of the County Road. Upon a similar plot in the block to the north a beautiful fountain has been erected. The effect of these improvements is a widening in the County Road for two blocks. In many ways the selection of the Town Hall site is unfortunate.

The principal criticism is that an element of traffic danger has been introduced. On the other hand, to purchase a new site and to build a new town hall would be costly.

The building is creditable and its situation is imposing. If therefore certain changes in the street arrangement can be brought about to increase traffic safety and to add to the beauty of the surroundings, such changes should be carefully considered.

The plan recommended provides for widening along both sides of the Town Hall Plaza and encouraging the construction of sidewalk arcades between Brazilian and Chilian Avenues. It is proposed to establish new lines not parallel to the existing, but to have the maximum width between buildings at Australian Avenue. From this

corner northward and southward the lines would converge slightly. The effect thus produced is somewhat informal and interesting, while the traffic difficulty is solved. Upon approaching the plaza, the facade of the arcaded buildings for an entire block would come into view.

The work may be done progressively. Unfortunately a building has recently been erected at the northeast corner of Australian Avenue and the County Road. But the balance of the plan easily may be carried out. The cost of this project is small as compared with the relocation of the Town Hall.

THE POST OFFICE

Along the County Road there is another opportunity for architectural interest. This is between Main Street and the proposed boulevard a short block south of it. At the intersection of the boulevard with the County Road a plaza is suggested. Framing the north end of this plaza two buildings, one on each side of the County Road, would have imposing settings.

Either of these would be satisfactory as a site for the Post Office. The one not so used may be improved with a Library and community center.

And they should be built of similar materials of about equal mass, and otherwise should be in architectural harmony.

This corner is a convenient place for a Post Office, no more



SIDEWALKS NEED GREATER CONSIDERATION

I'm a long-time resident and Chairman Cooney and others among you know I've been a full-throated supporter of the landmarking program, your Commission, the importance of adherence to your Ordinance and the rule of law. Taking a quote from a science fiction movie, I come to you in peace and with goodwill.

There's almost nothing new about what happens in Town - much can be found in prior minutes. This includes voluminous material for 2014 regarding the request for stairs and parking which the Council ultimately rejected.

You have the material I submitted to the Council including letters received by staff in 2014 from two eminent Mizner scholars and text from the important 1929 Garden Club Plan. None of this was given to you last month even though it could have affected your deliberation by bolstering comments made by Chairman Cooney and others.

Another issue- I don't know the National Historic Register status of the property. Would stairs change the status or impact approval?

What is the obligation to provide ADA access via these \$ 500,000 stairs?

I do know the Town has known that approval of the stairs could trigger a referendum under Sec. 1.03 of the Town Charter. This was confirmed by Town Attorney Randolph at the Council meeting, as reported in Thursday's Shiny Sheet.

Did you ever see the letter sent to the Mayor and Town Council on April 3, 2014 by Robert Bendus, Director, Division of Florida Historical Resources and State Historic Preservation Officer who wrote that the "stair case would have an adverse effect on the historic fabric of the park and create a false impression of the Mizner design" and his recommendation that the stairs be eliminated? He also recommended the elimination of corresponding parallel parking. These concerns were ultimately heeded in 2014 but have now fallen on deaf ears. The expert advice and warnings seem to have been shrouded from your view as if in a fog of amnesia. What has changed in four years other than the fact that there is a new Council and new Commissioners.

With regard to the Agreements the Town signed with the State, it seems problematic for the Town to approve the stairs contrary to the grant and then ask for the State's approval and ruling.

Under the guidelines of your Ordinance, you have authority and you have responsibility and what you do has indelible, far reaching consequences. Please, be mindful of this as you deliberate today.

Finally, I didn't have time at Wednesday's Council meeting to offer a remedy for my concerns about the absence of historic material being given to them and you, but since we have a new Planning Zoning and Building Director, this is an ideal time for there to be a full review of the intake and notice process. And, to take steps to assure that you're given important background information so you can make a better, informed decision, especially when that material is already accessible within historic records.

I hope you'll consider discussing this during your final comments at the end of the meeting.



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 3, 2014

Peter Elwell, Town Manager
Town of Palm Beach
P.O. Box 2029
Palm Beach, FL 33480

Subject: Mizner Fountain Proposed Restoration Work

Dear Mr. Elwell:

We have reviewed the November 20, 2012, report by Conservation Solutions outlining the issues and making recommendation for the restoration of the Mizner Fountain. We found that the recommendations outlined in the report are consistent with the intent of the proposed Historic Preservation Grant project and are consistent with the Secretary of the Interior's Rehabilitation Guidelines. We note that the conservation report you provided deals exclusively with the fountain and not with wall panels, benches or terrace floors. As long as the funds from the Historic Preservation Grant are used for the restoration of the fountain as outlined in the November 20, 2012, report, we see no problem with the proposed restoration work to the fountain.

The Division's preservation architects also reviewed the overall park development plan in light of a possible National Register Nomination. Our preservation architects and our National Register specialists concluded that in order to retain the historic integrity of the park and to allow it to be nominated to the National Register, the following changes to the current park design must be addressed:

Stair Plan Concerns

The proposed grand staircase would have an adverse effect on the historic fabric of the park and create a false impression of the Mizner design. The fountain terrace level was meant to be the raised terminus of this small park. Opening up the back wall of the fountain terrace wall would contradict the sight lines originally established by Mizner, creating a pass through design.

Recommend: Eliminate the proposed grand staircase from the plan. Provide access to both sides of the fountain plaza by way of proposed perimeter sidewalks. The perimeter sidewalks should extend no further than the plaza area between the first flight of the fountain steps and the reflecting pool.

Perimeter Parking and Sidewalk Concerns

The proposed plan would modify perimeter parking and sidewalks adjacent to the original Mizner design. Parked cars would block the views of the park to motorists and pedestrians.



Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) flheritage.com
Promoting Florida's History and Culture VivaFlorida.org



Mr. Peter Elwell, Town Manager
Town of Palm Beach
Mizner Fountain
Page 2 of 2

Recommend: Eliminate the perimeter sidewalk and corresponding parallel parking around the majority of the original Mizner design. Maintain a connecting access between the original Mizner design and the new design by extending the proposed perimeter sidewalk northward from City Hall to the small plaza area in front of the first series of fountain steps. Maintain proposed parallel parking at areas extending from City Hall down to the pedestrian plaza in front of the fountain steps of the historic Mizner Fountain. Provide an extended curb adjacent to the first level of the fountain steps to define the extent of the proposed parallel parking.

Palm Tree Removal Concerns

The replacement of the royal palm trees with coconut palms will have an adverse impact on the historic integrity of the park. In addition, please consider that coconut palms might become a liability due to falling coconuts.

Recommend: Replace large royal palm trees with smaller in-kind species and the same number and configuration of royal palm trees, to maintain the historical accuracy of Mizner's design.

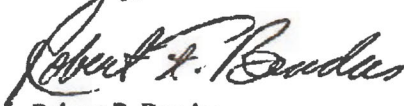
Kapok Tree Concerns

The root system for the large kapok trees will spread out and undermine the foundation of the fountain terrace system as well as any hardscape.

Recommend: Eliminate kapok trees to the east and west of the fountain. Leave the area east and west of the fountain to be a small entry plaza area accessible to the new steps and a perimeter sidewalk. Maintain a green strip at the base of the terminus wall (on the proposed new park side) to reflect the natural setting of the fountain terrace. We recommend using small oak trees for shade, as proposed in the new portion of the park.

Our staff is available to discuss any of these issues. If you have questions or would like to schedule a conference call, please contact Grant Gelhardt, Historic Preservation Grant Supervisor, at Grant.Gelhardt@DOS.MyFlorida.com or 850.245.6333. Thank you for your attention to this matter.

Sincerely,



Robert F. Bendus
Director, Division of Historical Resources
& State Historic Preservation Officer

ASL/hgg

pc: Gail Coniglio, Mayor, Town of Palm Beach
Robert Bendus, Director, Division of Historical Resources & State Historic Preservation Officer
Rick Gonzalez, AIA, REG Architects; and President, Florida Trust for Historic Preservation
Orator Woodward

John Lindgren

From: Anne Pepper <annepepper@mac.com>
Sent: Wednesday, November 14, 2018 4:50 PM
To: Town Council; Gail Coniglio; John Lindgren; Kirk Blouin; Joshua Martin
Subject: Memorial Park stairs and Bradley House Hotel-

Please forward to Landmarks Preservation Commission:

Dear Landmarks Commission,

Having attended today's Council meeting where the above Landmarks were discussed, I was remiss in not asking why the design of the park at the back of the fountain was so disparate and unrelated in design to the Memorial Fountain area? The iron railing and the pleached oaks look like Paris whereas the Fountain area is Mediterranean and speaks to its place in Palm Beach. It is curious that the park at the back was not designed in the first place to be more harmonious with the historic fountain area. It appears it was designed to be separate and in its separateness would require something to unify it. Is there another way..remove the railings, let the trees take a more natural form, add some colorful plantings? The railing enclosure functions also as a fence and keeps the areas apart and is uninviting.

The stairs at 12' wide with 2 sets of steps going down the side make a very large piece of construction. Could that be modified and made less monolithic? A less large construction which doesn't compete with the fountain might pass the State' preservation board more easily.

Bradley House renovation is great and will be a welcome sight for all.. Everything but the courtyard and the shape of the 15'x15' pool. Cutting the courtyard off from the neighborhood with a high hedge and wall destroys the courtyard feeling that we all love which is inviting and very Palm Beach. Wouldn't the pool look better in a shape that is more Mediterranean - like a quatrefoil or a longer thin, pool that, like the Memorial Fountain is related to the architecture of the building and the town?

Anne Pepper
333 Seaspray Ave

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-wide Undergrounding Project:

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

- a. Review of Project and Dashboard, Summary of Project Status
- b. Selection of Florida Power & Light Decorative Streetlights for Mid-Town Undergrounding Area.
- c. RESOLUTION NO. 039-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the Australian Avenue Watermain Replacement in the Amount of \$73,925.91 and Establishing a Project Budget of \$81,319.
- d. RESOLUTION NO. 040-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Burkhardt Construction Inc. for the Australian Avenue Watermain GMP in the Amount of \$2,113,852 and Establishing a Project Budget of \$2,325,231.

Presenter

ATTACHMENTS:

- ▣ **a. Review of Project and Dashboard, Summary of Project Status**
- ▣ **b. Memorandum dated February 15, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **c. Memorandum dated February 24, 2022, from Dean Mealy, Purchasing Manager**
- ▣ **c. Resolution No. 039-2022**
- ▣ **c. Kimley-Horn Proposal**

- ▢ **d. Memorandum dated February 24, 2022, from Dean Mealy, Purchasing Manager**
- ▢ **d. Resolution No. 040-2022**
- ▢ **d. GMP**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

TO: Mayor & Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Paul Brazil, Public Works Director

FROM: Patricia Strayer, Town Engineer

RE: Utility Undergrounding Project Status Report

DATE: February 23, 2022

I. COMMUNICATIONS:

A. Community Meetings:

Coffee with the Crew meetings have been re-initiated. The first meeting for Phases 4 and 5 North were held March 7th at 8:30am at Palmo Park. The meetings for Phases 4 and 5 South will occur March 14th at 8:30am at the Town Hall Park.

B. Significant Postal Mail or E-mail

A letter was sent to all property owners in Phase 7 South requesting meetings to discuss easement acquisition. Staff continues to have easement meetings with property owners.

II. PROGRESS SUMMARY:

Overall, Town-wide Construction Progress, ten (10) of fifteen (15) construction zones are either complete or in progress/funded for construction, inclusive of Phases 1N, 1S, 2N, 2S, 3N, 3S, 4N, 4S, 5N and 5S. Phase 6 North and South will be put out for bids by March.

A. Construction Progress:

Phase 1 North:

From the Inlet south to Onondaga Ave.

- Completed March 30, 2019

Phase 1 South:

From southern Town limits north to Sloan's Curve

- Completed April 3, 2020

Phase 2 North Construction:

From Esplanade Way to Ocean Terrace

- Completed October 29, 2020

Phase 2 South Construction:

From Sloan's' Curve to the intersection of S. Ocean Blvd & S. County Road

- Phase 2 South, the project is 86% complete. Presently working with FPL to begin conversions.

Phase 3 North Construction:

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

- Complete September 17, 2021

Phase 3 South:

From S. Ocean Blvd & S. County Road to the alleyway south of Worth Ave.

- Phase 3 South construction is 44% complete.

Phase 4 North:

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

- Construction for Phase 4 North is 75% complete.

Phase 4 South:

From Peruvian to Royal Palm Way

- Construction is 4% complete.

Phase 5 North:

From Country Club Road to Southland Road

- Design is 100% complete.
- 87 out of 87 (100%) easements are recorded or verbally approved.
- Notice to Proceed was issued September 27, 2021.
- Construction has begun.

Phase 5 South:

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

- Design is 99% complete.
- 80 of 83 (96%) easements are recorded or verbally approved.
- Notice to Proceed was issued September 27, 2021.
- Construction has begun.

Phase 6 North:

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

- Design is 85% complete and on schedule.
- 41 of 47 (87%) easements approved.

Phase 6 South:

Seaspray Ave. to the south of Royal Poinciana Way

- Design is 76% complete and on schedule.
- 72 of 94 (77%) easements approved.

Phase 7 North:

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

- Design is 38% complete and on schedule.
- 12 of 85 (14%) easements approved.

Phase 7 South:

Atlantic Ave. north to Via Los Incas & Sanford Ave.

- Design is 37% complete and on schedule.
- 5 of 62 (8%) easements approved.

Phase 8:

Royal Poinciana Way north to Everglade Ave.

- Design is 24% complete and on schedule.
- 2 of 87 (2%) easements approved.

III. FINANCIAL SUMMARY:

A. FEMA Grant Update:

- Quarterly submittals are in for approval.
- Requested an update on the status of the requested (and approved) grant modification but still have not received a response from FEMA/FDEM.

B. Project Budget Summary:

There are no significant changes since the last report. Updates include processing of vendor pay applications for design and work performed in active phases. The full Underground Utility Project Financial Report is provided within your backup package with the summary page attached.

cc: Jane LeClainche, Finance Director
Kevin Schanen, Kimley-Horn & Associates

Underground Utility Project Budget
Project Financial Summary
February 28, 2022

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,856,262	\$ 12,734,604	99.1%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,924,578	\$ 12,481,088	96.6%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 16,399,544	\$ 9,901,504	60.4%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 17,695,472	\$ 7,096,796	40.1%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 17,935,288	\$ 2,195,041	12.2%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,954,334	\$ 1,637,597	83.8%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ 1,619,090	\$ 515,053	31.8%
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ 1,391,803	\$ 451,932	32.5%
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 82,776,371	\$ 47,013,615	56.8%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 2,513,512	\$ 2,513,512	\$ 2,407,074	95.8%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 122,418,157	\$ 85,289,884	\$ 49,420,689	57.9%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 14,543,157	\$ 11,782,524	81.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 664,169	\$ 1,640,162	246.9%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 122,418,157	\$ 85,954,053	\$ 62,843,374	73.1%

Total Project Budget - Opinion of cost for construction	\$ 122,418,157
% Budgeted/Encumbered To Date Project Costs	69.67%
% Spent to Date - Project Costs	40.37%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 18,329,914	0.0%
Assessment Revenue	\$ 21,430,000	\$ 21,435,887	100.0%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ -	0.0%
Interest	\$ 1,567,009	\$ 3,110,228	198.5%
GO Bond Proceeds 2018	\$ 60,500,000	\$ 60,499,897	100.0%
GO Bond Proceeds 2021	\$ 9,198,896	\$ 9,198,896	100.0%
1 Cent Sales Tax	\$ 5,000,000	\$ 2,708,333	54.2%
FPL		\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ -	0.0%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (401) Fund Marina	\$ 2,600,000	\$ 1,083,333	41.7%
Transfer from (001) General Fund - PM Salary	\$ 751,000	\$ 915,053	121.8%
Total Project Revenues	\$ 113,153,646	\$ 121,373,430	107.3%

Underground Utility Project Budget
Phase 1 Project Costs
February 28, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Project Engineering					
Task 2.1 - Detailed Design North End	590,000		472,063	472,063	100.0%
Task 2.2 - Detailed Design South End	740,000		619,411	619,411	100.0%
Task 2.3 - Permitting Assistance			17,790	17,790	100.0%
Task 2.4 - Bid Phase Assistance			42,166	42,166	100.0%
Task 2.5 - Meetings - Design Phase			125,399	125,383	100.0%
Subtotal Design Phase	\$ 1,330,000	\$ 1,280,000	\$ 1,276,829	\$ 1,276,813	100.0%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,598,144	100.0%
Street Light Conversion			\$ 26,273	40,934	155.8%
Change Order for AT&T and Comcast Conduit			\$ 500,655	491,883	98.2%
Utility Design Costs			\$ 15,595	16,945	108.7%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	392,932	82.4%
Construction Engineering (KH)			\$ 207,771	205,818	99.1%
	\$ 4,210,000	\$ 4,930,000	\$ 4,844,935	\$ 4,766,377	98.4%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	4,450,977	100.0%
Change Order for AT&T and Comcast Conduit			\$ 125,147	125,147	100.0%
Street Light Conversion			\$ 68,115	68,115	100.0%
Utility Design Costs			\$ 33,013	44,958	136.2%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,317,824	95.9%
Construction Engineering (KH)			\$ 316,498	316,396	100.0%
	\$ 6,800,000	\$ 6,350,000	\$ 6,390,143	\$ 6,345,618	99.3%
Easement Recording Fees			\$ 740	740	100.0%
Legal Costs/Easement Acquisition - Jones Foster	\$ 280,000	\$ 350,000	\$ 301,359	\$ 306,723	101.8%
Legal Sketch and Description - Easements			34,000	33,215	97.7%
Easement Abandonment			\$ 8,256	5,120	62.0%
Legal Advertising				1,861	
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,856,262	\$ 12,734,604	99.1%

Underground Utility Project Budget
Phase 2 Project Costs
February 28, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 2 Design					
Kimley Horn					
Task 1.1 Phase 2 North Design	335,000		\$ 281,304	\$ 281,304	100.0%
Task 1.2 Phase 2 South Design	400,000		\$ 335,353	\$ 335,353	100.0%
Task 1.3 Permitting Assistance North and South			\$ 12,674	\$ 12,674	100.0%
Task 1.4 Bid Phase Assistance North and South			\$ 40,565	\$ 40,565	100.0%
Task 1.6 Meetings North and South			\$ 136,617	\$ 131,510	96.3%
Total Phase 2 Design	\$ 735,000	\$ 807,000	\$ 806,513	\$ 801,406	99.4%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 3,932,792	3,905,978	99.3%
Owner Purchased Supplies			\$ 83,073	205,809	247.7%
FPL Design Cost			\$ 11,759	65,822	559.8%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 423,898	85.4%
FPL - Additional Vista Switches				\$ 54,938	
Street Light Conversion			\$ 19,186	\$ 19,186	100.0%
Construction Engineering (KH)			\$ 248,121	\$ 246,227	99.2%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 4,831,238	\$ 4,963,409	102.7%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	88,167	251.9%
Burkhardt Construction			\$ 6,322,275	5,770,440	91.3%
Owner Supplied Materials			\$ 172,321	175,898	102.1%
FPL Design Cost			\$ 13,330	16,900	126.8%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 200,000	\$ 123,948	62.0%
Street Light Conversion			\$ 20,000	\$ 19,268	96.3%
Reimburse John Moran				\$ 39,240	
Construction Engineering (KH)	-		\$ 325,280	\$ 285,267	87.7%
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,098,206	\$ 6,528,709	92.0%
Easement Acquisition/Abandonment	200,000	219,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1.5 Easement Assistance North			\$ 64,936	\$ 64,935	100.0%
Task 1.5 Easement Assistance South			\$ 77,466	\$ 77,467	100.0%
<i>Surveys</i>					
Task 1.7 Legal Sketch North			\$ 14,020	\$ 14,020	100.0%
Task 1.7 Legal Sketch South			\$ 21,725	\$ 20,689	95.2%
Advertising				\$ 1,101	
Recording Costs			\$ 3,605	\$ 3,359	93.2%
Easement Abandonment			\$ 6,870	\$ 5,994	87.2%
Total Easement Acquisition Costs	200,000	219,000	\$ 188,622	\$ 187,564	99.4%
Total Phase 2 Costs	\$9,170,000	\$13,470,000	\$ 12,924,578	\$ 12,481,088	96.6%

Underground Utility Project Budget
Phase 3 Project Costs
February 28, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 3 Design					
Kimley Horn					
Task 1.1 Phase 3 North Design	\$ 325,000		\$ 280,189	\$ 280,189	100.0%
Task 1.2 Phase 3 South Design	\$ 535,000		\$ 486,333	\$ 486,323	100.0%
Task 1.3 Permitting Assistance			\$ 13,739	\$ 13,739	100.0%
Task 1.4 Bid Phase Assistance			\$ 36,834	\$ 36,834	100.0%
Task 1.5 Meetings			\$ 77,411	\$ 76,626	99.0%
Total Phase 3 Design	\$ 860,000	\$ 895,000	\$ 894,505	\$ 893,710	99.9%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000			
Preconstruction			\$ 24,580	\$ 24,580	100.0%
Construction - Burkhardt			\$ 4,100,697	\$ 4,100,697	100.0%
Owner supplied materials			\$ 2,797	\$ 2,797	100.0%
FPL Design Cost			\$ 12,850	\$ 1,350	10.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 3,128	\$ 3,128	100.0%
FPL Construction			\$ 87,101	\$ 87,101	100.0%
Street Light Conversion			\$ 4,249	\$ 7,012	165.0%
Utility Costs (Comcast & ATT)			\$ 409,387	\$ 409,387	100.0%
Construction Engineering (KH)			\$ 236,976	\$ 222,922	94.1%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 457,222	\$ 457,222	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			\$ 85,796	\$ 85,796	100.0%
Comcast Nightingale/LaPuerta - Townwide Portion			\$ 8,885	\$ 8,885	100.0%
AT&T Nightingale/LaPuerta Townwide Portion			\$ 30,555	\$ 30,555	100.0%
Billing for Arnold Fisher relocate transformer Deanna Davis and Cohlan			\$ (17,647)	(17,647)	100.0%
Total Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000	\$ 5,451,576	\$ 5,428,785	99.6%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction			\$ 33,400	33,400	100.0%
Construction			\$ 8,029,385	2,344,193	29.2%
Owner supplied Pipe			\$ 118,315	118,315	100.0%
FPL Construction			\$ 562,000	562,905	100.2%
FPL Design Cost			\$ 11,359	15,808	139.2%
FPL - 101 El Brillo			\$ 10,875	10,875	100.0%
J Box Installation			\$ 14,636	14,636	100.0%
ATT Design and Construction Cost			\$ 425,000	5,000	1.2%
Comcast Design and Construction Cost			\$ 195,128	3,128	1.6%
Construction Engineering (KH)			\$ 322,540	137,648	42.7%
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 9,722,638	\$ 3,245,908	33.4%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 271,663	99.4%
Easement Amendment			\$ 49,285	\$ 49,198	99.8%
<i>Surveys</i>					
Recording Costs				\$ 5,067	
Easement Abandonment			\$ 8,150	\$ 7,172	
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 330,825	\$ 333,102	100.7%
Total Phase 3 Costs	\$10,910,000	\$15,400,000	\$ 16,399,544	\$ 9,901,504	60.4%

Underground Utility Project Budget
Phase 4 Project Costs
February 28, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000		\$ 312,317	312,317	100.0%
Task 1.2 Phase 4 South Design	\$ 413,000		\$ 451,284	451,284	100.0%
Task 1.3 Permitting Assistance			\$ 14,468	14,468	100.0%
Task 1.4 Bid Phase Assistance			\$ 37,899	37,899	100.0%
Task 1.6 Meetings			\$ 77,911	77,383	99.3%
Total Phase 4 Design	\$ 815,000	\$ 894,000	\$ 893,879	893,351	99.9%
Construction Costs					
Phase 4 North Construction	4,605,000	6,275,000			
Preconstruction			\$ 22,270	22,270	100.0%
Construction Costs			\$ 5,061,056	3,490,147	69.0%
Owner Supplied Pipe and Vaults				148,998	
FPL BCE			\$ 91,543	91,543	100.0%
FPL Design Cost			\$ 12,757	12,850	100.7%
ATT Design Cost				5,000	
Comcast Design Cost			\$ 173,151	173,151	
Utility Costs (FPL, Comcast, AT&T)					
Street Light Conversion FPL				4,222	
Construction Engineering (KH)			\$ 324,309	156,649	48.3%
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 5,685,086	4,104,830	72.2%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction			\$ 34,800	34,800	100.0%
Construction			\$ 8,803,506	81,949	0.9%
Construction with Lake Drive Park			\$ 320,311	363,499	113.5%
Owner Supplied Pipes				2,170	
FPL Design Cost			\$ 13,160	1,350	10.3%
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Kimley Horn - Design services Hibiscus Ave			\$ 12,047	7,981	
Utility Costs (FPL, Comcast, AT&T)			\$ 1,148,441	1,148,441	100.0%
Construction Engineering (KH)			\$ 333,659	23,220	7.0%
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 10,665,924	1,671,537	15.7%
Easement Acquisition/Abandonment	\$ 240,000	\$ 411,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 280,270	280,254	100.0%
Easement Assistance (KH) -- Switches			\$ 67,747	67,231	99.2%
Easement Assistance (KH)			\$ 59,369	35,714	60.2%
<i>Surveys</i>					
Legal Sketch			\$ 38,230	38,092	99.6%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs				5,787	
Easement Abandonment					
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 450,583	427,078	94.8%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 17,695,472	7,096,796	40.1%

Underground Utility Project Budget
Phase 5 Project Costs
February 28, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	\$ 520,000		\$ 454,210	\$ 454,210	100.0%
Task 1.2 Phase 5 South Design	\$ 600,000		\$ 606,951	\$ 606,951	100.0%
Task 1.3 Permitting Assistance North/South			\$ 17,100	\$ 17,100	100.0%
Task 1.4 Bid Phase Assistance North/South			\$ 37,899	\$ 37,899	100.0%
Task 1.6 Meetings North/South			\$ 77,911	\$ 77,905	100.0%
Total Phase 5 Design	\$ 1,120,000	\$ 1,195,000	\$ 1,194,071	\$ 1,194,065	100.0%
Construction Costs					
Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000			
Preconstruction			\$ 59,100	59,100	100.0%
Construction			\$ 6,416,942		0.0%
Construction Manager			\$ 940,702		0.0%
Utility Costs (FPL, Comcast, AT&T)			\$ 67,157	67,157	100.0%
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 16,223	30,330	187.0%
Reimburse Caren and Gary Marder work performed			\$ 6,100	6,100	100.0%
Construction Engineering (KH)			\$ 334,157	34,436	10.3%
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 7,845,381	\$ 202,123	2.6%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction			\$ 59,100	59,100	100.0%
Construction			\$ 6,629,361		0.0%
Infrastructure from Phase 4 south bid			\$ 163,350		0.0%
Construction Manager			\$ 979,098		0.0%
Utility Costs (FPL, Comcast, AT&T)			\$ 365,720	365,720	100.0%
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 19,283	20,633	107.0%
Construction Engineering (KH)			\$ 334,159	14,442	4.3%
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 8,555,071	\$ 464,895	5.4%
Easement Acquisition/Abandonment	\$ 330,000	\$ 365,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 218,600	\$ 218,536	100.0%
Easement Assistance			\$ 81,086	\$ 77,963	96.1%
<i>Surveys</i>					
Legal Sketch			\$ 41,080	\$ 32,130	78.2%
Jones Foster - Legal					
Legal Ads				\$ 327	
Recording Costs				\$ 5,002	
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 340,766	\$ 333,958	98.0%
FEMA Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$ 14,090,000	\$ 11,694,645	\$ 17,935,288	\$ 2,195,041	12.2%

Underground Utility Project Budget
Phase 6 Project Costs
February 28, 2022

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	\$ 420,000		\$ 475,019	\$ 427,517	90.0%
Task 1.2 Phase 6 South Design	\$ 940,000		\$ 826,551	\$ 743,896	90.0%
Task 1.3 Permitting Assistance North/South			\$ 17,694		0.0%
Task 1.4 Bid Phase Assistance North/South			\$ 35,938	\$ 3,953	0.0%
Task 1.6 Meetings North			\$ 84,791	\$ 85,151	100.4%
Total Phase 6 Design	\$ 1,360,000	\$ 1,440,000	\$ 1,439,993	\$ 1,260,517	87.5%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000			
Preconstruction			\$ 24,270		
Construction					
Approved Change Orders					
FPL Design Cost			\$ 15,868	29,198	184.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ 40,138	\$ 29,198	72.7%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000			
Preconstruction			\$ 24,270		
Construction					
Approved Change Orders					
FPL Design Cost			\$ 29,924	29,924	100.0%
ATT Design Cost			\$ 10,000	10,000	100.0%
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ 64,194	\$ 39,924	62.2%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 286,543	81.5%
<i>Surveys</i>					
Legal Sketch			\$ 58,415	\$ 19,008	32.5%
Legal Ads				\$ 113	
Recording Costs				\$ 2,294	
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 410,009	\$ 307,958	75.1%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 1,954,334	\$ 1,637,597	83.8%

Underground Utility Project Budget
Phase 7 Project Costs
February 28, 2022

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 7 Design					
Kimley Horn					
Task 1.1 Phase 7 North Design	\$ 450,000		\$ 492,488	\$ 196,995	40.0%
Task 1.2 Phase 7 South Design	\$ 480,000		\$ 630,830	\$ 189,249	30.0%
Task 1.3 Bid Phase Assistance North and South			\$ 35,938		0.0%
Task 1.4 Meetings North and South			\$ 77,616	\$ 14,016	18.1%
Total Phase 7 Design	\$ 930,000	\$ 1,237,000	\$ 1,236,872	\$ 400,260	32.4%
Utility and Construction Costs					
Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 15,806	27,165	171.9%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000	\$ 15,806	\$ 27,165	171.9%
Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 19,953	19,953	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000	\$ 19,953	\$ 19,953	100.0%
Easement Acquisition/Abandonment	\$ 280,000	\$ 348,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 346,459	\$ 67,044	19.4%
Surveys					
Legal Sketch					
Legal Ads				\$ 113	
American Acquisition Group					
Temp Services					
Legal Advertising				\$ 113	
Recording Costs				\$ 406	
Total Easement Acquisition Costs	\$ 280,000	\$ 348,000	\$ 346,459	\$ 67,675	19.5%
Total Phase 7 Costs	\$ 11,730,000	\$ 15,910,000	\$ 1,619,090	\$ 515,053	31.8%

Underground Utility Project Budget
Phase 8 Project Costs
February 28, 2022

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 8 Design					
Kimley Horn					
Task 1.1 Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,029,017	\$ 308,705	30.0%
Task 1.2 Permitting Assistance			\$ 17,694		0.0%
Task 1.3 Bid Phase Assistance			\$ 14,430		0.0%
Task 1.4 Meetings			\$ 89,778	\$ 346	0.4%
Total Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,150,919	\$ 309,051	26.9%
Utility and Construction Costs					
Phase 8 Construction	\$ 10,990,000	\$ 13,107,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 13,160	13,160	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 8 North Construction	\$ 10,990,000	\$ 13,107,000	\$ 13,160	\$ 13,160	100.0%
Easement Acquisition/Abandonment	\$ 300,000	\$ 242,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 227,724	\$ 129,577	56.9%
Surveys					
Legal Sketch					
Legal Ads				\$ 56	
American Acquisition Group					
Temp Services					
Recording Costs				\$ 87	
Total Easement Acquisition Costs	\$ 300,000	\$ 242,000	\$ 227,724	\$ 129,721	57.0%
Total Phase 8 Costs	\$ 12,300,000	\$ 14,500,000	\$ 1,391,803	\$ 451,932	32.5%

Underground Utility Project Budget
Other Project Costs
February 28, 2022

Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	\$ 88,021	\$ 88,021	100.0%
Task 1.1a Data Collection for Future Communications	\$ 23,511	\$ 23,511	100.0%
Task 1.2 - Conceptual Design and Master Plan	\$ 161,756	\$ 161,756	100.0%
Task 1.3 - Project Sequencing and Phasing	\$ 31,244	\$ 31,244	100.0%
Task 1.4 - Assessment of Traffic Impacts	\$ 77,660	\$ 77,660	100.0%
Task 1.5 - Project Delivery Methods	\$ 17,448	\$ 17,448	100.0%
Task 1.6 - Master Plan Document	\$ 45,053	\$ 45,053	100.0%
Task 1.7 - Meetings Master Planning Phase	\$ 113,135	\$ 113,123	100.0%
Task 1.8 - Master Plan Second Half	\$ 40,067	\$ 40,067	100.0%
Subtotal Master Planning	\$ 597,895	\$ 597,883	100.0%
Comcast Preplanning - Master Plan	\$ 12,015	\$ 12,015	100.0%
Assessment Costs, Fees and Discounts	\$ 786,560	\$ 786,560	100.0%
Project Manager -Pay and benefits	\$ 559,547	\$ 541,329	96.7%
Temp Services - Easement Acquisition	\$ 150,000	\$ 97,309	64.9%
Other Miscellaneous Expenses		\$ 23,926	
General Easement Assistance	\$ 24,976	\$ 24,838	99.4%
Community Outreach	\$ 282,519	\$ 223,214	79.0%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 2,513,512	\$ 2,407,074	95.8%

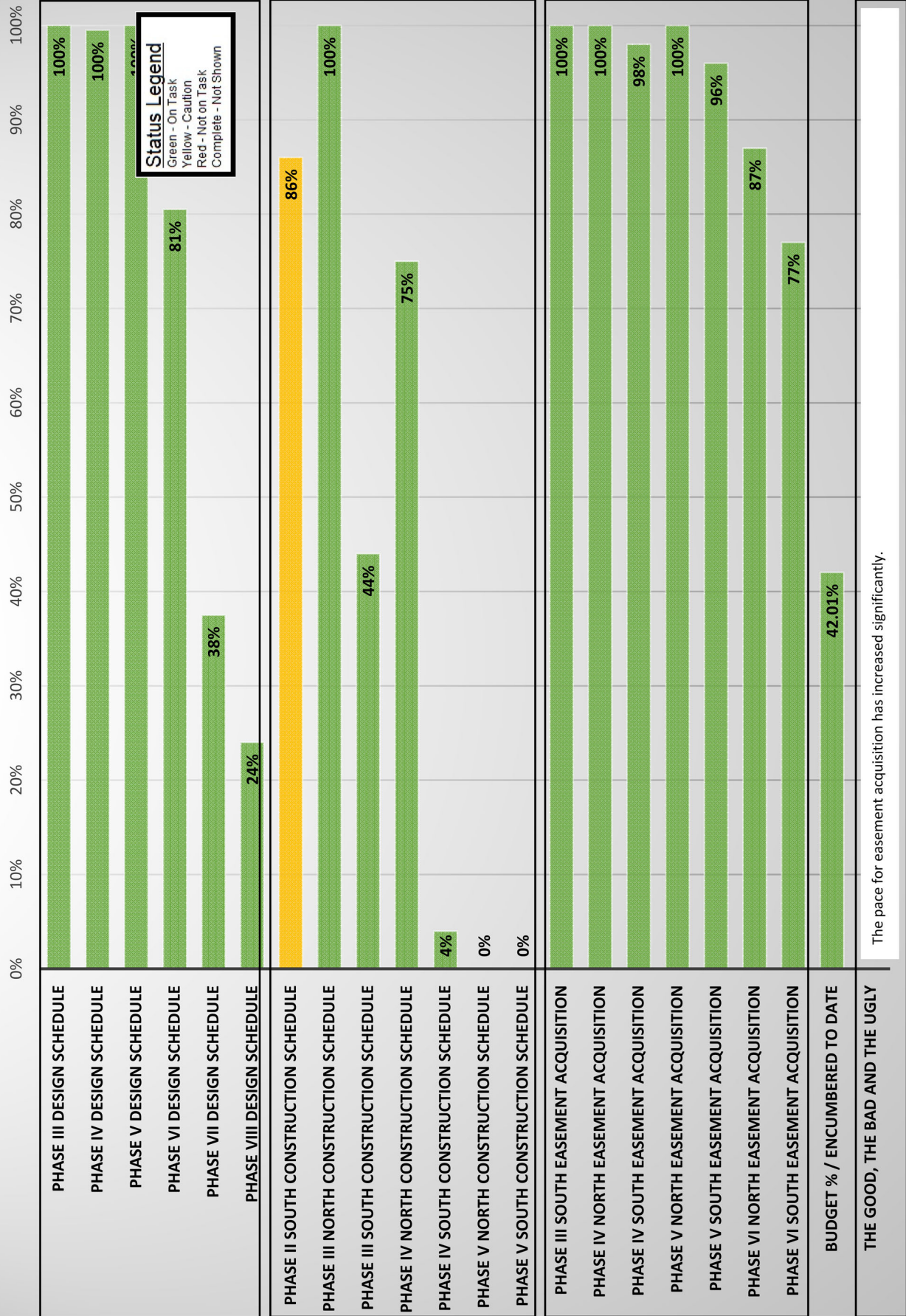
Debt Service and Related Debt Issuance Costs

	Budget	Actual	% Expended
Commercial Paper Issuance Cost	\$ 260,116	\$ 260,116	100.0%
Commercial Paper Interest	\$ 243,096	\$ 243,096	100.0%
Arbitrage Rebate Calculation	\$ 2,500	\$ 1,400	56.0%
Debt Service Fees	\$ 2,000	\$ 800	40.0%
GO Bond Closing Costs 2018	\$ 488,271	\$ 487,471	99.8%
GO Bond Closing Costs 2021	\$ 202,169	\$ 202,380	100.1%
GO Bond Debt Service	\$ 13,345,005	\$ 10,587,262	79.3%
Total Debt Service and Related Debt Issuance Costs	\$ 14,543,157	\$ 11,782,524	81.0%

Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	\$ 25,231	\$ 24,430	96.8%
Project Construction	\$ 351,081	\$ 346,124	98.6%
Project Construction Engineering	\$ 11,607	\$ 12,849	110.7%
Utility Cost (FPL, Comcast, AT&T)	\$ 134,333	\$ 127,531	94.9%
Project Meeting Attendance	\$ 3,334	\$ 2,914	87.4%
Total Lake Worth Section	\$ 525,586	\$ 513,847	97.8%
Ibis Way PGD Improvements	\$ 14,583	\$ 14,583	100.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		\$ 183,701	
Kosberg v TPB Legal and Other Costs		\$ 607,692	
PBT Real Estate v TPB		\$ 188,594	
Gardner, Bist Bowden, Bush (Shef Wright)		\$ 24,799	
Telecommunications Consultant	\$ 89,000	\$ 83,210	93.5%
Peter Brandt (Contract Negotiations)	\$ 35,000	\$ 23,735	67.8%
Total Related Costs Outside of the Budget	\$ 664,169	\$ 1,640,162	246.9%

Town of Palm Beach - Underground Utility Project Dashboard - February 2022



TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Selection of Florida Power & Light Decorative Streetlights for Mid-Town Undergrounding Area

DATE: February 15, 2022

STAFF RECOMMENDATION

Town staff requests Town Council select one (1) of the three (3) decorative streetlights for the replacement of the streetlights mounted on Florida Power & Light (FPL) poles that will be removed at the completion of the Undergrounding Project in Phases 4, 5, and 6 South.

GENERAL INFORMATION

Throughout the Town-wide Undergrounding Project, there are streetlights (cobra heads) mounted on FPL poles. Town Council approved replacing these streetlights with FPL decorative LED streetlights during each phase of construction. To date, new FPL streetlights have been installed in Phases 1 North and South, Phase 2 North and South, and Phase 3 North. Since the primary location of these streetlights have been in residential areas along the north-south corridors, a variation of the turtle approved lights have been utilized. Now that the undergrounding construction phases have progressed to the Mid-Town area, staff had three (3) demonstration streetlights installed in the median on Hibiscus Avenue just south of Peruvian Avenue.

At the February 8, 2022 Town Council meeting, staff was directed to send notices to the Civic Association, Garden Club, and the Preservation Foundation to solicit input on the three (3) demonstration streetlights. Staff also provided a notification to Town residents on the Town's website of the three (3) demonstration streetlights and provided an email address to receive comments on the preference for the replacement streetlights. The opportunity for resident input has been left open until the Town Council meeting. Staff will report on the responses received at that time.

Staff is requesting a selection be finalized at the March 8, 2022 Town Council meeting since the streetlights need to be removed to allow construction in this area for Phase 4 South.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the Town.

Attachment

cc. John C. Randolph, Town Attorney
Patricia Strayer, P.E., Town Engineer

TOWN OF PALM BEACH

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Approving a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the Australian Avenue Watermain Replacement Construction Phase Services in the Amount of \$73,925.91 and Establish a Project Budget of \$81,319.
Resolution No. 039-2022

DATE: February 24, 2022

STAFF RECOMMENDATION

Town staff recommends Town Council approve Resolution No. 039-2022, approving a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the Australian Avenue Watermain Replacement Construction Phase Services in the amount of \$73,925.91 and establish a project budget of \$81,319.

SUMMARY EXPLANATION/BACKGROUND

The design phase of the Australian Avenue Watermain replacement has been completed and the bid plans submitted to the Town. The Town has requested Kimley-Horn perform Construction Phase Engineering Services to support the Town during the construction of the watermain.

Kimley-Horn will perform the following services during construction. A more detailed description of each bulleted service can be noted in the full proposal attached.

- Pre-Construction Meeting attendance
- Visits to the site including field reports and photographs (approximately 9 hours per week, up to 26 weeks, performed concurrently with the Undergrounding Project site visits)
- Bi-weekly progress meeting attendance for the 6-month construction duration (up to 14 meetings)
- Clarifications and interpretations
- Recommendations with respect to defective work
- Shop drawing review
- Payment application and change order review
- Review of proposed substitutions
- Review of testing lab reports
- Substantial completion walk-through and punch list development

FISCAL IMPACT/FUNDING SOURCE

Funding will be from the Capital Improvement Fund.

USER DEPARTMENT CONCURRENCE

The Public Works Department is in full concurrence with this recommendation.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and, that there are no performance and compliance issues. The review included conducting market research.

TOWN ATTORNEY REVIEW

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

Attachment

cc: H. Paul Brazil, P.E., Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E. Senior Project Engineer
Mike Roach, P.E., Project Engineer

RESOLUTION NO. 039-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE AWARD OF A PURCHASE ORDER TO KIMLEY-HORN AND ASSOCIATES, INC. FOR CONSTRUCTION PHASE SERVICES FOR THE AUSTRALIAN AVENUE WATERMAIN REPLACEMENT IN THE AMOUNT OF \$73,925.91 AND ESTABLISHING A PROJECT BUDGET OF \$81,319

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 039 -2022, approving a purchase order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the Australian Watermain Replacement in the amount of \$73,925.91 and establishing a project budget of \$81,319.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of March 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle Gordon, Acting Town Clerk



February 9, 2022

Dean Mealy, II CPPO
Town of Palm Beach – Purchasing Division
951 Okeechobee Road, Suite 'D'
West Palm Beach, FL 33401

RE: *Australian Ave Watermain Replacement Construction Phase Services*

Dear Dean,

Kimley-Horn and Associates, Inc. (Kimley-Horn) is pleased to submit this proposal to the Town of Palm Beach ("TOWN") for providing engineering services related to the Australian Ave Watermain construction phase. Our project understanding, scope of services, schedule, and fee follow.

Project Understanding

The design phase of the Australian Ave Watermain replacement has been completed and the bid plans submitted to the Town. The Town's Construction Manager is developing the Guaranteed Maximum Price for the project. The Town has requested that Kimley-Horn perform construction phase engineering services to support the Town during the construction of the watermain.

It is understood that work is anticipated to begin in April 2022.

Based on this understanding, our detailed scope of services is provided below.

Scope of Services

Kimley-Horn will perform the following services during construction. A more detailed description of each of the bulleted services follows later in this proposal.

- Pre-Construction Meeting attendance
- Bi-weekly progress meeting attendance for the 6-month construction duration (up to 14 meetings)
- Visits to the site including field reports and photographs (approximately 9 hours per week, up to 26 weeks, performed concurrently with the undergrounding project site visits)
- Clarifications and interpretations
- Recommendations with respect to defective work
- Shop drawing review
- Payment application and change order review
- Review of proposed substitutions
- Review of testing lab reports
- Record drawing review
- Substantial completion walk-through and punch list development

- Final acceptance walk-through and preparation of applicable permit certification documents (up to four (4) Health Department Clearance Packages)

The following is a more detailed description of the services that will be performed.

Pre-Construction Conference. Kimley-Horn will attend a Pre-Construction Conference prior to commencement of Work at the Site.

Visits to Site and Observation of Construction. Kimley-Horn will make the limited number of visits as described above in order to observe the progress of the Work. Such visits and observations by Kimley-Horn are not intended to be exhaustive or to extend to every aspect of Contractor's work. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation. Based on information obtained during such visits, Kimley-Horn will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents. Kimley-Horn will submit field reports which will consist of general progress of the work, field photos, and identification and recommendations with respect to defective work.

Kimley-Horn shall not, during such visits or as a result of such observations, supervise, direct, or have control over Contractor's work, nor shall Kimley-Horn have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with applicable laws and regulations. Kimley-Horn neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

Recommendations with Respect to Defective Work. Kimley-Horn will recommend to the Town that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, Kimley-Horn believes that such work will not produce a completed Project that conforms generally to Contract Documents.

Clarifications and Interpretations. Kimley-Horn will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to the Town as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by the Town.

Change Orders. Kimley-Horn may recommend Change Orders to the Town and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.

Shop Drawings and Samples. Kimley-Horn will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

Inspections and Tests. Kimley-Horn may require additional special inspections or tests of Contractor's work as Kimley-Horn deems appropriate, and will receive and review certificates of inspections within Kimley-Horn's area of responsibility or of tests and approvals required by laws and regulations or the Contract Documents. Kimley-Horn's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Kimley-Horn shall be entitled to rely on the results of such tests and the facts being certified.

Disagreements between Town and Contractor. Kimley-Horn will, if requested by the Town, render written decision on all claims of the Town and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the progress of Contractor's work. In rendering such decisions, Kimley-Horn shall be fair and not show partiality to the Town or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.

Applications for Payment. Based on its observations and on review of applications for payment and accompanying supporting documentation, Kimley-Horn will determine the amounts that Kimley-Horn recommends Contractor be paid. Such recommendations will be based on Kimley-Horn's knowledge, information and belief, and will state whether in Kimley-Horn's opinion Contractor's work has progressed to the point indicated, subject to any qualifications stated in the recommendation. In the case of unit price work, Kimley-Horn's recommendations of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests. Kimley-Horn's recommendations will not be a representation that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work, or involved detailed inspections.

Substantial Completion. Kimley-Horn will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with the Town and Contractor, conduct a site visit to determine if the Work is substantially complete. Kimley-Horn will develop a punch list of items and assist with closeout of the punch list by reviewing and updating lists based on information or verification provided by the contractor, reviewing photographs, or visiting the site. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections of the Town, Kimley-Horn considers the Work substantially complete, Kimley-Horn will notify the Town and Contractor.

Final Notice of Acceptability of the Work. Kimley-Horn will conduct a final site visit with the Town to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that Kimley-Horn may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Kimley-Horn shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of Kimley-Horn's knowledge, information, and belief based on the extent of its services and based upon information provided to Kimley-Horn upon which it is entitled to rely. If the work is found to be in general accordance with the Contract Documents, Kimley-Horn will also prepare and submit applicable permit certifications for those permits that were issued for the project.

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope requested by the Town or extensions to the project schedule noted below, will be considered additional services and will be performed based on proposals approved prior to performance of the additional services.

Information and Services Provided by the Town

The following information and services shall be provided to Kimley-Horn by the Town:

- Access to the project areas

Schedule

Kimley-Horn will perform the scope of services above as expeditiously as practical to meet a mutually agreed upon schedule. It is anticipated that services will begin in April 2022. Construction is expected to be complete within a 6-month duration per the Construction Manager's proposed schedule. Fees for engineering services are based on these durations. Services performed beyond these durations will be considered additional services.

Fee and Billing

Kimley-Horn will perform the scope of services on an hourly basis in accordance with our contract with the Town. All permitting, application, and similar project fees will be paid directly by the Client. Fees will be invoiced monthly based upon the services performed.

Construction Phase Services	\$73,925.91
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Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in the Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc., which are incorporated by reference. As used in the Agreement, the term "CONSULTANT" shall refer to Kimley-Horn and Associates, Inc., and the term "TOWN" shall refer to The Town of Palm Beach.

If you concur in all the foregoing and wish to direct us to proceed with the services, please notify us by providing a purchase order for the scope and fee described above.

We appreciate the opportunity to provide these services to you. Please contact me at (561) 840-0820 or kevin.schanen@kimley-horn.com should you have any questions.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read 'KS' or 'K. Schanen', is positioned above the typed name.

By: Kevin Schanen, P.E.
Senior Vice President

TOWN OF PALM BEACH

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving a Change Order to Burkhardt Construction for the Australian Avenue Watermain GMP in the Amount of \$2,113,852 and Establish a Project Budget of \$2,325,231
Resolution No. 040-2022

DATE: February 24, 2022

STAFF RECOMMENDATION

Town staff recommends Town Council approve Resolution No. 040-2022, approving a change order to Burkhardt Construction for the Australian Avenue Watermain GMP in the amount of \$2,113.852 and establishing a project budget of \$2,325,231.

SUMMARY EXPLANATION/BACKGROUND

Staff recommends coordinating the replacement of this particular watermain injunction with the undergrounding construction in Phase 4 South to eliminate the need to come back at a later date to then tear up the road again. The watermain located within the Australian Avenue corridor is at least 50 years old and is in dire need of replacement.

It is beneficial to the Town to only dig the street once, thereby avoiding additional inconvenience to the residents.

PROCUREMENT OF GMP

Town Purchasing and Public Works met with Burkhardt Construction to review the GMP and recommend approval.

FISCAL IMPACT/FUNDING SOURCE

The project will be paid from the Capital Improvement Fund with the costs to be fully reimbursed by the Repair and Replace fund through CWPB.

USER DEPARTMENT CONCURRENCE

The Public Works Department is in full concurrence with this recommendation.

DUE DILIGENCE

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

TOWN ATTORNEY REVIEW

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

Attachment

cc: H. Paul Brazil, P.E., Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E. Senior Project Engineer
Mike Roach, P.E., Project Engineer

RESOLUTION NO. 040-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CHANGE ORDER TO BURKHARDT CONSTRUCTION INC. FOR THE AUSTRALIAN AVENUE WATERMAIN GMP IN THE AMOUNT OF \$2,113,852 AND ESTABLISHING A PROJECT BUDGET OF \$2,325,231

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 040-2021, approving a change order to Burkhardt Construction Inc. for the Australian Avenue Watermain GMP in the amount of \$2,113,852 and establishing a project budget of \$2,325,231.

Section 2. The Town Manager is hereby authorized to execute this contract and any deriving purchase orders on behalf of 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 8th day of March 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle Gordon, Acting Town Clerk

**Town of Palm Beach
Australian Avenue Watermain Replacement**

Guaranteed Maximum Price

From: **Burkhardt Construction, Inc.**
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
Public Works & Engineering Dept
951 Old Okeechobee Road
West Palm Beach, FL 33401
Tel: (561) 838-5440
Fax: (561) 835-4691

Engineer: **Kimley-Horn & Associates, Inc.**
Attn: Kaitlin Townsend, P.E.
1920 Wekiva Way, Suite 200
West Palm Beach, FL. 33411
Ph: (561) 845-0665
Fax: (561) 863-8175

Project: **Australian Avenue Watermain Replacement**

Plans: Based On IFC Plans/Specifications from Kimley Horn Dated
BCI Received 12-06-2021,"Issued For Construction"
Complete Plan Log Attached

Location: Town of Palm Beach

Proposal Date: 2/10/2022; Rev. 2/15/2022

Direct Construction Costs:	\$ 1,735,557.42
General Conditions	\$ 166,314.58
Project Management	\$ 70,980.00
Profit	\$ 141,000.00
Total Guaranteed Maximum Price	\$ 2,113,852.00

Town of Palm Beach

Australian Watermain Replacement
Direct Construction Costs 2/10/2022; Rev. 2/12/2022

Prepared by Burkhardt Construction, Inc.

LEGEND FOR ABBREVIATIONS			
EA - Each	SF - Square Foot		
E/D - Each Day	SY - Square Yard		
DAY - Daily	TCY - Truck Cubic Yard		
LS - Lump Sum	ALL - Allowance		
ROL - Rolls	NIC - Not in Contract		
LF - Lineal Foot			

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
WATERMAIN IMPROVEMENTS				\$1,735,557.42						
Maintenance Of Traffic Including Flagger	1	LS	\$40,000.00	\$ 40,000.00			JD	40000.00		40000
NPDES Set Up / Reporting / And Maintenance	1	LS	\$18,500.00	\$ 18,500.00			JD	18500.00		18500
Remove Abandoned Gas Main As Required; Coordinate With FPU (Sheet C3.04)	1	LS	\$7,500.00	\$ 7,500.00			JD	7500.00		7500
Remove / Store & Reinstall Ornamental Metal Fence As Required (Sheet C3.04)	1	LS	\$3,500.00	\$ 3,500.00			JD	3500.00		3500
Sawcut / Remove / And Replace Concrete "F" Curb	20	LF	\$50.00	\$ 1,000.00			JD	1000.00		1000
Sawcut / Remove / And Replace Tabby Concrete Walkway To Facilitate Watermain Installation	240	SF	\$70.00	\$ 16,800.00			JD	16800.00		16800
Sawcut / Remove / And Replace Tabby Concrete Crosswalk Header Curb To Facilitate Watermain Installation	120	LF	\$70.00	\$ 8,400.00			JD	8400.00		8400
Sawcut / Remove / And Replace Tabby Concrete Crosswalk To Facilitate Watermain Installation	350	SF	\$70.00	\$ 24,500.00			JD	24500.00		24500
Sawcut Existing Concrete Sidewalk	175	LF	\$2.00	\$ 350.00			JD	350.00		350
Remove & Replace Concrete Sidewalk	175	SF	\$11.00	\$ 1,925.00			JD	1925.00		1925
Sawcut / Remove / And Replace Existing Concrete Driveway	310	SF	\$13.00	\$ 4,030.00			JD	4030.00		4030
Remove & Replace Existing Sign & Post	1	EA	\$450.00	\$ 450.00			JD	450.00		450
Remove Existing Fire Hydrant	3	EA	\$1,500.00	\$ 4,500.00			JD	4,500.00		4500
Remove Existing Abandoned Water Meter (Sheet C3.02)	1	EA	\$750.00	\$ 750.00			JD	750.00		750
Grout Fill Existing 8" Watermain And Abandon In Place	3880	LF	\$12.00	\$ 44,160.00			JD	44,160.00		44160
Remove Existing 8" Waterline (Sheet 3.01)	165	LF	\$28.00	\$ 4,620.00			JD	4620.00		4620
Cut & Cap Existing 8" Watermain	2	EA	\$4,500.00	\$ 9,000.00			JD	9000.00		9000
Rem. Existing 8" Plug / Tie In Proposed 8" DIP Watermain To Existing 8" Valve	1	EA	\$4,500.00	\$ 4,500.00			JD	4,500.00		4500
Furnish & Install 8" Plug In Existing Valve; Restrain as Required	2	EA	\$3,100.00	\$ 6,200.00			JD	6200.00		6200
Furnish & Install 8" DIP Water Main	3280	LF	\$110.00	\$ 360,800.00			JD	360,800.00		360800
Furnish & Install 8" Gate Valve Including Valve Box, ID Marker, And Concrete Pad As Required	16	EA	\$3,000.00	\$ 48,000.00			JD	48000.00		48000
Furnish & Install 8" 45 Degree Bend	60	EA	\$1,000.00	\$ 60,000.00			JD	60000.00		60000
Furnish & Install 8" 22.5 Degree Bend	5	EA	\$990.00	\$ 4,950.00			JD	4950.00		4950
Furnish & Install 8" X 6" Anchor Tee	3	EA	\$1,100.00	\$ 3,300.00			JD	3300.00		3300
Furnish & Install 8" X 6" Tee	7	EA	\$1,090.00	\$ 7,630.00			JD	7630.00		7630
Furnish & Install 8" X 6" Reducer	3	EA	\$1,200.00	\$ 3,600.00			JD	3600.00		3600
Furnish & Install 8" Cross	1	EA	\$1,400.00	\$ 1,400.00			JD	1400.00		1400
Furnish & Install 8" Sleeve; Tie Into Existing 8" Watermain	2	EA	\$4,500.00	\$ 9,000.00			JD	9000.00		9000
Furnish & Install 8" Line Stop On 8" Existing Watermain Per COWPB Standard Detail On Sheet C4.03	1	EA	\$12,000.00	\$ 12,000.00			JD	12000.00		12000
Furnish & Install 8" X 4" Tee	2	EA	\$1,050.00	\$ 2,100.00			JD	2100.00		2100
Remove Existing Tapping Sleeve And Valve As Needed To Tie Into / Connect To Existing 8" Gate Valve	1	EA	\$500.00	\$ 500.00			JD	500.00		500
Tie In Proposed 8" Watermain To Existing 8" Valve	1	EA	\$4,500.00	\$ 4,500.00			JD	4500.00		4500
Remove Existing 8" Gate Valve	1	EA	\$1,000.00	\$ 1,000.00			JD	1000.00		1000
Support Existing Storm Drainage As Needed During Construction (Sheet C3.02)	1	LS	\$15,000.00	\$ 15,000.00			JD	15000.00		15000
Furnish & Install 6" Sleeve / Tie In Proposed Watermain To Existing 6" Watermain	5	EA	\$5,600.00	\$ 28,000.00			JD	28,000.00		28000
Remove Existing 6" Valve	1	EA	\$1,000.00	\$ 1,000.00			JD	1000.00		1000
Furnish & Install 6" DIP Water Main	75	LF	\$120.00	\$ 9,000.00			JD	9000.00		9000
Furnish & Install 6" Gate Valve Including Valve Box, ID Marker, And Concrete Pad As Required	12	EA	\$2,200.00	\$ 26,400.00			JD	26400.00		26400
Furnish & Install 6" 45 Degree Bend	23	EA	\$850.00	\$ 19,550.00			JD	19550.00		19550

Item Description	Quantity	U/M	Unit Price	Amount	Labor	Equipment	Material	Subcontractor	General/Rental	Subtotal
Furnish & Install 6" Line Stop On 6" Existing Watermain Per COWPB Standard Detail On Sheet C4.03	4 EA		\$8,000.00	\$ 32,000.00			JD	32000.00		32000
Cut & Cap Existing 6" Watermain	2 EA		\$2,500.00	\$ 5,000.00			JD	5000.00		5000
Furnish & Install 6" Private Fire Line Including Any Fittings; Remove Existing Watermain As Required	90 LF		\$120.00	\$ 10,800.00			JD	10800.00		10800
Tie In To Existing 6" Private Fire Line	2 EA		\$5,600.00	\$ 11,200.00			JD	11200.00		11200
Remove Existing 6" Insertion Valve	1 EA		\$3,000.00	\$ 3,000.00			JD	3000.00		3000
Furnish & Install 6" X 4" Reducer	2 EA		\$780.00	\$ 1,560.00			JD	1560.00		1560
Furnish & Install 4" Temp. Water Service Per COWPB Details / Connect to Existing Meter (Sheet C3.00)	125 LF		\$100.00	\$ 12,500.00			JD	12500.00		12500
Furnish & Install 45 Degree Bend	11 EA		\$770.00	\$ 8,470.00			JD	8470.00		8470
Furnish & Install 4" Gate Valve Including Valve Box, ID Marker, And Concrete Pad As Required	2 EA		\$2,100.00	\$ 4,200.00			JD	4200.00		4200
Furnish & Install 4" Sleeve	2 EA		\$1,000.00	\$ 2,000.00			JD	2000.00		2000
Furnish & Install 4" Water Service Complete Per COWPB Standard Details	25 LF		\$250.00	\$ 6,250.00			JD	6250.00		6250
Furnish & Install 4" Private Fire Line	70 LF		\$100.00	\$ 7,000.00			JD	7000.00		7000
Tie In Proposed 4" Private Fire Line To Existing Meter	1 EA		\$5,000.00	\$ 5,000.00			JD	5000.00		5000
Tie In Proposed Private Fire Line To Existing Private Fire Line	3 EA		\$5,000.00	\$ 15,000.00			JD	15000.00		15000
Furnish & Install 4" X 3" Reducer	1 EA		\$700.00	\$ 700.00			JD	700.00		700
Furnish & Install 3" Bypass To Meter Vault With Polyethylene Pipe & Necessary Fittings	35 LF		\$250.00	\$ 8,750.00			JD	8750.00		8750
Tie In To Existing 4" Fire Line (Sheet C3.04)	1 EA		\$5,000.00	\$ 5,000.00			JD	5000.00		5000
Furnish & Install Temp. 2" Water Service Per COWPB Details / Connect To Existing Meter (Sheet C3.03)	65 LF		\$50.00	\$ 3,250.00			JD	3250.00		3250
Furnish & Install 2" Water Service Lines Complete with Saddles & Curb Stop Per COWPB Standard Detail WS-1	1000 LF		\$30.00	\$ 30,000.00			JD	30000.00		30000
Connect Water Service Line To Existing Meter Including Necessary Fittings	40 EA		\$2,400.00	\$ 96,000.00			JD	96000.00		96000
Remove Existing Meter Box / Furnish & Install 2" Water Service Meter Box	25 EA		\$2,800.00	\$ 70,000.00			JD	70000.00		70000
Furnish & Install 2" Water Service Lines Complete Per COWPB Standard Detail WS-3 (Multi Service Bank)(Sheet C3.01)	3 EA		\$3,200.00	\$ 9,600.00			JD	9600.00		9600
Furnish & Install 1" Water Service Lines Complete Per COWPB Standard Detail WS-3 (Multi Service Bank)(Sheet C3.01)	12 EA		\$2,400.00	\$ 28,800.00			JD	28800.00		28800
Furnish & Install Fire Hydrant Assembly Complete Per COWPB Standard Detail P-8 on Sheet C4.02. Hydrant Painting To Be Included.	3 EA		\$4,000.00	\$ 12,000.00			JD	12000.00		12000
Watermain Sample Points & Bacteriological Testing	13 EA		\$1,500.00	\$ 19,500.00			JD	19500.00		19500
Pig Launch Option "B" Per COWPB Standard Detail P-6 On Sheet C4.02 As Required For Each Section	1 LS		\$12,000.00	\$ 12,000.00			JD	12000.00		12000
Restore Existing Landscaping / Including Irrigation Disturbed To Facilitate Watermain Installation	1 LS		\$30,000.00	\$ 30,000.00			JD	30000.00		30000
Permanent Restoration Of Roadway Trench Area Including Striping To Facilitate Watermain Installation	1 LS		\$260,500.00	\$ 260,500.00			JD	260500.00		260500
Video The Towns Existing Storm System Within The Project Limits Prior To And At The Conclusion of Work	1 LS		\$20,000.00	\$ 20,000.00			JD	20000.00		20000
Sanitary Sewer Service Lateral repair /or replacement	1 ALL		\$15,000.00	\$ 15,000.00			ALLOWANCE	15000.00		15000
Furnish & Install Meter (By Others)	BY OTHERS									
Partial Material Order by Burkhardt Construction, Inc.	1 LS		\$172,062.42	\$ 172,062.42			JD	172062.42		172062.42
				\$1,735,557.42	0	0	0	1735557.42	0	1735557.42

Australian Avenue Watermain Replacement Direct Construction Costs

** Due to long lead times for pipe and pipe materials the above materials have been ordered by Burkhardt Construction, Inc. This value was plugged into the bid form. It shall be the subcontractors responsibility to verify all quantities of materials necessary to provide a complete working system. This was not a complete order. Any additional materials needed was added to their units as necessary. At the appropriate time, the determined low bidder will be handed over the responsibility of the materials ordered and shall be responsible for accepting, offloading, installing and paying for these materials.

**Town of Palm Beach
Australian Avenue Watermain Replacement**

GENERAL CONDITIONS

From: **Burkhardt Construction, Inc.**
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: **Town Of Palm Beach**
Public Works & Engineering Dept
951 Old Okeechobee Road
West Palm Beach, FL 33401
Tel: (561) 838-5440
Fax: (561) 835-4691

Engineer: **Kimley-Horn & Associates, Inc.**
Attn: Kaitlin Townsend, P.E.
1920 Wekiva Way, Suite 200
West Palm Beach, FL 33411
Ph: (561) 845-0665
Fax: (561) 863-8175

Project: **Australian Avenue Watermain Replacement**

Plans: Based On IFC Plans / Specifications from Kimley Horn Dated BCI Received 12-06-2021, "Issued For Construction"

Complete Plan Log Attached

Location: Town of Palm Beach

Proposal Date: 2/10/2022

Item Description						Amount
BASED ON A 6 MONTH DURATION						
<i>MOBILIZATION (move-in, move-out)</i>						\$0.00
TRANSPORT	\$65.00 /	Hr	x	0		\$0.00
EQUIPMENT	\$35.00 /	Hr.	x	0		\$0.00



PROJECT FIELD OFFICE						\$11,650.00
OFFICE	\$4,500.00 /	mo.	x	0		\$0.00
YARD	\$0.00 /	mo.	x	0		\$0.00
EMPLOYEE PARKING FEES	\$500.00 /	mo.	x	0		\$0.00
WORK PLATFORM FOR YARD	\$200.00 /	mo.	x	0		\$0.00
TEMPORARY FENCING FOR YARD	\$500.00 /	mo.	x	0		\$0.00
CONSTRUCTION YARD LIGHTING	\$0.00 /	mo.	x	0		\$0.00
OFFICE FURNISHINGS	\$500.00 /	mo.	x	0		\$0.00
COMPUTERS	\$300.00 /	mo.	x	0		\$0.00
PROCORE SOFTWARE	\$500.00 /	mo.	x	6		\$3,000.00
SUBMITTAL SOFTWARE	\$500.00 /	ls	x	0		\$0.00
COPY MACHINE	\$350.00 /	mo.	x	0		\$0.00
FAX MACHINE	\$100.00 /	mo.	x	0		\$0.00
INTERNET SERVICE	\$150.00 /	mo.	x	0		\$0.00
CELLULAR TELEPHONE	\$500.00 /	mo.	x	0		\$0.00
TELEPHONE	\$150.00 /	mo.	x	0		\$0.00
FEDERAL EXPRESS MAILINGS	\$100.00 /	mo.	x	0		\$0.00
POSTAGE	\$50.00 /	mo.	x	0		\$0.00
PHOTOGRAPHS						
AERIAL PHOTOS	\$110.00 /	mo.	x	0		\$0.00
JOB PHOTOS	\$50.00 /	wk	x	0		\$0.00
PRE-CONSTRUCTION VIDEO	\$4,000.00 /	ls	x	1		\$4,000.00
PLAN REPRODUCTION COST/PRINTING	\$200.00 /	set	x	0		\$0.00
OFFICE SUPPLIES	\$50.00 /	mo.	x	0		\$0.00
FIRST AID SUPPLIES	\$50.00 /	mo.	x	0		\$0.00
WATER SERVICE	\$35.00 /	mo.	x	0		\$0.00
SANITARY SERVICE	\$50.00 /	mo.	x	0		\$0.00
ELECTRIC SERVICE	\$200.00 /	mo.	x	0		\$0.00
GARBAGE SERVICE	\$25.00 /	mo.	x	0		\$0.00
CONSTRUCTION WATER	\$500.00 /	mo.	x	6		\$3,000.00
JOHN DEERE GATOR (1)	\$500.00 /	mo.	x	0		\$0.00
ICE	\$275.00 /	mo.	x	6		\$1,650.00
BONDS						\$26,423.15
GENERAL BOND	\$2,113,852.00		x	1.25%		\$26,423.15
SUBCONTRACTORS BONDS						
PARTNERING INITIATIVES						\$2,500.00
NOTICES, LETTERS, INFORMATION MEETINGS						\$2,500.00
INSURANCE						\$39,661.15
GENERAL INSURANCE	\$2,087,428.85		x	1.90%		\$39,661.15
Commercial General Liability						
Comprehensive Automobile Liability						
Owner Indemnification						
Professional (Errors/Omissions) Liability						
Excess/Umbrella Liability						
ADD'L INSURED	\$100.00 /	ea.	x	0		\$0.00
ADDED INSURANCES						NOT INCLUDED
Railroad protective Liability Ins.						NOT INCLUDED
Builders Risk Insurance						NOT INCLUDED
Installation Floater						NOT INCLUDED
Flood Insurance						NOT INCLUDED
SUBCONTRACTORS' INSURANCE						INCLUDED IN THEIR DIRECT COSTS
SANITARY SERVICES						\$3,900.00
JOB TOILET (2 ea.)	\$650.00 /	mo.	x	6		\$3,900.00



<i>TESTING COSTS</i>				\$25,980.00	
	DENSITIES				
	PRESSURE				
	PROCTORS				
	BACTERIOLOGICAL			INCLUDED IN SUBCONTRACTORS PRICE	
	CONCRETE CYLINDERS				
	ENGINEERING & REPORTING				
	TV'ING OF INSTALLED LINES			NOT INCLUDED	
<i>FEES</i>				\$0.00	
	TOPB BUILDING DEPT. PERMIT FEES/REVISION FEES			NONE ANTICIPATED	
	PERMIT SUBMISSION AND EXPEDITING			BY OTHERS	
	FDOT GENERAL USE PERMITS			NIC	
	DEWATERING PERMITS			NO FEE PERMIT	
	RAILROAD PERMITS			NIC	
	PALM BEACH COUNTY PERMITS			NIC	
	CITY OF WEST PALM BEACH PERMITS			NIC	
<i>SURVEYING</i>				\$56,200.28	
	LAYOUT & ASBUILTS			\$51,200.00	
	ALLOWANCE FOR RESTAKING	\$5,000.28 /	LS	x	1
	& DRAFTING			\$5,000.28	
<i>SMALL HAND TOOLS/EQUIPMENT RENTAL</i>				\$0.00	
	ALLOWANCE (GENERAL)			\$0.00	
	HANDLING, STORAGE, UN-LOADING OF OWNER DIRECT PURCHASE MATERIALS			N/A	
GENERAL CONDITIONS TOTAL				\$166,314.58	

**Town of Palm Beach
Australian Avenue Watermain Replacement**

CONSTRUCTION PHASE MANAGEMENT FEE

From: Burkhardt Construction, Inc.
Attn: Marc Kleisley, Vice President
1400 Alabama Ave.
West Palm Beach, FL 33401
Ph: (561) 659-1400
Fax: (561) 659-1402

Owner: Town Of Palm Beach
Public Works & Engineering Dept
951 Old Okeechobee Road
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Tel: (561) 838-5440
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Engineer: Kimley-Horn & Associates, Inc.
Attn: Kaitlin Townsend, P.E.
1920 Wekiva Way, Suite 200
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Ph: (561) 845-0665
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Project: **Australian Avenue Watermain Replacement**

Plans: Based On IFC Plans/Specifications from Kimley Horn Dated BCI Received
12-06-2021, "Issued For Construction"
Complete Plan Log Attached

Location: Town of Palm Beach

Proposal Date: 2/10/2022

Item Description	Hrs./Week	Weeks	Rate/Hr.	Amount
Based on a 6 month duration Starting on May 2, 2022				
Project Principal	2	26	\$ 175.00	\$ 9,100.00
Senior Project Manager	0	26	\$ 150.00	\$ -
Project Manager	0	26	\$ 100.00	\$ -
Assistant Project Manager	20	26	\$ 75.00	\$ 39,000.00
Superintendent/Construction Field Manager	0	26	\$ 100.00	\$ -
Merchant/Resident Liaison	8	26	\$ 75.00	\$ 15,600.00
Project Accountant	2	26	\$ 90.00	\$ 4,680.00
Administrative Assistant	2	26	\$ 50.00	\$ 2,600.00
Field Office Clerk	0	26	\$ 50.00	\$ -
				\$ 70,980.00

Town of Palm Beach
Australian Avenue Watermain Replacement

Exceptions & Clarifications - 2/10/2022; Rev. 2/15/2022

GENERAL

- 1 Scope of work and quantities are based on Issued For Construction Set Plans received 12/06/2021 for the Australian Avenue Watermain Replacement Project . Complete plan log is included with this submittal.
- 2 G.M.P. pricing is based on a project start date of May 2, 2022. Project duration shall be 6 months from notice to proceed.
- 3 The GMP was compiled using unit prices received from pre-approved subcontractors and vendors and proposals from qualified vendors. Direct Construction costs are based on a project approval date of the March 2022 Town Council meeting. Any material price increases shall be passed through to the Owner with proper documentation and paid for with Contingency.
- 4 G.M.P. does not include a construction contingency. Burkhardt Construction, Inc. recommends that the Town carry a construction contingency.
- 5 G.M.P. does not include a cost for a master permit fee. The G.M.P. does not include permit fees for capital improvements, connection fees, impact fees, or any other regulatory agency fees that may be necessary (FDEP, FWC, Etc.)
- 6 It is understood that the Direct Construction Cost (Exhibit "A") is unit prices for the work shown in the plans and as modified by these exceptions and clarifications.
- 7 Project master schedule and schedule updates shall be a bar chart schedule acceptable to the Owner prepared by CMAR in house personnel.
- 8 Project Manual as described in the contract shall mean the closeout project manual which shall be updated periodically and presented to the Owner upon completion of the project. The information contained in this manual shall be as requested by the Owner.
- 9 G.M.P. cost estimate does not include additional insurance premiums for naming individual property owners as additional insureds.
- 10 G.M.P. includes all sales tax on materials.
- 11 Utility easements shall be obtained prior to work being performed in that area. If a construction easement has not been obtained it may impact the installation schedule, additional costs may be incurred. Reimbursement of costs may be requested and deemed appropriate, if and only if it is mutually agreed upon by the Town of Palm Beach and Burkhardt Construction. If these costs are deemed appropriate they will be paid from the Owner's contingency.
- 12 All Construction easements shall be executed and recorded and all permits shall be issued prior to notice to proceed. Plans have been through permitting and GMP does not reflect any special permitting requirements.



- 13 Burkhardt Construction, Inc. (BCI) is not liable for failure to perform such work or any damages that occur if such failure is as a result of Acts of God (including fire, flood, earthquake, storm, hurricane or other natural disaster). If BCI asserts Force Majeure as the reason for failure to perform such work or such damages occur as a result of any Act of God, then BCI must prove that they took reasonable steps to minimize delay or damages caused by unforeseeable events, that BCI substantially fulfilled all obligations, and that the owner was timely notified of the likelihood or actual occurrence of the event described as an Act of God (Force Majeure). Any construction related damages that took place as a result, shall be repaired or removed and replaced at the same contract unit prices and shall be paid out of the Owner's contingency.
- 14 Owner and Construction Manager (the "Parties") acknowledge and agree the GMP and Contract Time as defined in the Agreement do not include any cost impacts or schedule impacts (collectively "Impacts") associated with COVID-19, any other virus, disease, epidemic, or pandemic ("Epidemic"). The Parties agree if Construction Manager's work is delayed, suspended, disrupted, made more expensive, or otherwise adversely impacted, directly or indirectly, by an Epidemic, including, but not limited to the following impacts: (1) material or equipment supply chain disruptions; (2) illness and related costs; (3) unavailability of labor or increased labor costs, including, but not limited to any labor shortage or increased labor costs resulting from loss of labor productivity, strike, lockout or denial of labor by any union or collective bargaining unit, labor force reduction required by the CDC or OSHA guidelines, regulations, or governmental order; (4) government orders, shelter-in-place orders, closures, changes in the law, or other directives or restrictions that impact the work or the Project site; or (5) fulfillment of Construction Manager's contractual obligations regarding safety specific to COVID-19, any Epidemic, or both, then Construction Manager's shall be entitled to an equitable adjustment of the GMP and/or Contract Time for all such impacts. The Parties further agree, Construction Manager's will attempt to exercise due diligence with respect to the selection and management of material suppliers and supply chains in an effort to minimize the risk of disruption; however, Construction Manager does not warrant the performance of material suppliers, supply chains and supply chain management. Likewise, Construction Manager cannot foresee and is not carrying any necessary costs or contingencies for such Impacts and did not include any such Impacts in its GMP proposal for this Project.
- 15 In the event that the terms and provisions of all attached Exhibits conflict with or are omitted from the terms and provisions of this Contract, the terms and provisions of the attached Exhibits shall govern with respect to the performance of the work.
- 16 TOPB Building Permits; All permits shall be in hand prior to start of construction.

- 17 The following are part of the G.M.P. in order to facilitate the aggressive work schedule.
- a. From May 1, 2022 through November 30, 2022 Regularly scheduled crew work hours shall be from 8:00 AM to 6:00 PM Monday through Friday.
 - b. Night, weekend or holiday work beyond the regularly scheduled work hours stated in item a., which may be necessary due to emergency, delay or makeup time, shall be requested on a case by case basis and reviewed/approved by the Public Works Staff. If the Public Works Staff approves the request, the following Town code section shall not apply to the work performed in this GMP. Sec. 42-198(a) *Prohibited*. During the period of the year commencing on the Monday prior to Thanksgiving of each year and ending April 30, no person shall operate or cause to be operated the following machinery or equipment within the town (1)Dredges, whether used in making hydraulic fills, dry fills, piledriving or any other purpose.(2)Hammer-driven piledrivers, whether operated from water or land, or from motor truck or tractor, and whether stationary or moveable.(3)Gasoline, diesel and/or steam engines, operated in such a manner as to emit odors or noises offensive or disagreeable to the inhabitants of the town.(4)Dry sandblasting machines and jackhammers.(5)Any other class of machinery or appliance that in its operation would render the enjoyment of property within the town less agreeable than if such appliances or machinery were not operated.
 - c. The project will require free and unlimited jobsite access for workmen and deliveries during all authorized work hours.
 - d. The schedule makes no provision for delays caused by named storms.
 - e. The construction contract shall be authorized by the Town Council in the March 2022 Town Council meeting.
- 18 G.M.P. does not include costs for removal / remediation of asbestos cement pipe or any other hazardous materials.
- 19 G.M.P. does not include removal or replacement of any unsuitable subsoils. Demucking is specifically excluded.
- 20 GMP does not include any rock excavation
- 21 Prices are based on re-using excavated material for backfill. No unsuitable subsoil excavation, removal or replacement. Unsuitable soil, if encountered shall be removed, disposed of, replaced as directed by the Owner and billed to the Owner at the actual direct cost.
- 22 G.M.P. is based on the assumption that portions of roadways will be closed to vehicular traffic during some phases of construction. Closures shall be coordinated with the Town and in accordance with the Town's Maintenance of Traffic permit conditions.
- 23 G.M.P. cost estimate does not include any new street signage, posts or line striping other than what has been disturbed due to construction.
- 24 G.M.P. cost estimate does not include any costs to mill and pave. All areas will be restored with a permanent patch.
- 25 A Geotech bore report from TERRACON dated 6-6-2019 was provided as "Appendix C" but only one bore, "B-10" was within the project limits. No other subsurface soil investigations were performed by the CMAR during pre-construction services.

- 26 G.M.P. includes an allowance for any repairs / replacement of sanitary service laterals from the private residences to the Town's main that are not located.
- 27 G.M.P. does not include any repairs / replacement to private side gas, propane, or electric service lines to generators that are not located.
- 28 G.M.P. does not include any vibration monitoring or a pre/post construction survey by a geotechnical engineer on the existing buildings or structures in the project area. Should either of those tasks be required, the value will be taken from contingency.

WATER / SEWER / STORM DRAINAGE

- 1 G.M.P. does not include any cost for disposal/treatment of contaminated ground water if encountered during dewatering operations. It is assumed that clean groundwater generated by dewatering operations will be discharged into the existing storm drainage system.
- 2 G.M.P. cost estimate does not include City of West Palm Beach meter installation and hook-up fees.
- 3 G.M.P. cost estimate does not include any sanitary sewer work.

FRANCHISE UTILITIES

- 1 G.M.P. cost estimate does not include any design, engineering or installation fees which may be charged to the Owner by franchise utility companies. (electric, telephone, cable tv, gas)
- 2 G.M.P. cost estimate does not include any franchise utility work.

ELECTRICAL

- 1 N/A

LANDSCAPING

- 1 G.M.P. cost estimate does not include any landscape or irrigation maintenance.

ALTERNATES

- 1 None

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

RESOLUTION NO. 027-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-07 Valet Parking Services for the Town of Palm Beach to One Parking, Inc.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 25, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Resolution No. 027-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Jay Boodheshwar, Deputy Town Manager

RE: Resolution Approving the Award of RFP No. 2022-07, Valet Parking Services for the Town of Palm Beach to One Parking, Inc.
Resolution 027-2022

DATE: February 25, 2022

STAFF RECOMMENDATION

Staff recommends that Town Council deny Resolution No. 027-2022, awarding RFP No. 2022-07, Valet Parking Services for the Town of Palm Beach to One Parking, Inc. for the provision of valet services on Worth Avenue.

BACKGROUND INFORMATION

As presented at the February 8, 2022, Town Council meeting, One Parking, Inc.'s response to RFP No. 2022-07 received the highest ranking from the selection committee for the provision of valet services on Worth Avenue. One Parking, Inc.'s proposal to implement two valet stands on the 100 block of Worth Avenue was concerning to Town Council, as the primary demand for parking is on the 200 and 300 blocks of Worth Avenue. After a lengthy discussion, Resolution No. 027-2022 was deferred to the March 8, 2022, Town Council meeting and staff was directed to work with One Parking to determine the feasibility of providing valet services on the 200 block of Worth Avenue.

Shortly after the February Town Council meeting, staff met with One Parking to discuss Council's request and ascertain their feasibility of implementing valet services on the 200 block of Worth Avenue. While they are very interested in providing valet services on this block they simply could not secure nearby off-street parking to store valeted vehicles and regrettably will not be able to meet the desires of the Town. With that said, One Parking is still willing to work with the Town to design parking programs to meet the high demand for employee and construction/service parking in the Worth Avenue area. One Parking has inventory in the garages at 150 Worth Avenue as well as Neiman Marcus. Staff supports this effort and plans to facilitate discussions between One Parking and the Worth Avenue Association to communicate the new parking options that will be available to the many people currently on a waiting list for placard parking on Town streets.

Staff recommends Council support continued study by the Business and Administrative Committee for additional options to decrease congestion and parking demands on Worth Avenue, including but not limited to increasing the number of free short-term parking spaces, expanding paid parking, and valet services with other potential vendors.

Attachment

CC: Department Directors
Dean Mealy, CPPO Town Purchasing Manager
Parking Committee

RESOLUTION NO. 027-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF RFP NO. 2022-07 VALET
PARKNG SERVICES FOR THE TOWN OF PALM BEACH TO
ONE PARKING, INC.**

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, Palm Beach County, Florida hereby approves Resolution No. 027-2022, approving the award of RFP No. 2022-07, Valet Parking Services for the Town of Palm Beach to One Parking, Inc.

Section 2. The Town Manager or his designee is hereby authorized to execute annual purchase orders on behalf of the Town of Palm Beach for these services, at annual approved budget.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of March 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Regular Agenda - New Business

Agenda Title

Evaluation of Impacts to Right-of-Way Due to “Palm Beach Transportation Planning Agency Recommended Improvements for South Ocean Boulevard (A1A) Between Lake Avenue to Ibis Way to the Florida Department of Transportation”.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated February 22, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Technical Memo**
- ▣ **Presentation**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Evaluation of Impacts to Right-of-Way Due to “Palm Beach Transportation Planning Agency Recommended Improvements for South Ocean Boulevard (A1A) Between Lake Avenue to Ibis Way to the Florida Department of Transportation”.

DATE: February 22, 2022

STAFF RECOMMENDATION

Town staff recommends the project be limited to mill and resurface the present roadway at the existing dimensions and that the bike path be rebuilt.

GENERAL INFORMATION

In 2017, the Palm Beach Transportation Planning Agency (TPA) performed a study of opportunities to increase bicycle and pedestrian safety along the A1A corridor from Boca Raton to Jupiter. Where possible, this study recommended wider traffic lanes, the addition of bicycle lanes, and wider pedestrian paths. In 2022, the Florida Department of Transportation (FDOT) is planning to start the engineering design for the maintenance of the section of A1A between Lake Avenue (City of Lake Worth Beach) to Ibis Way (just south of Phipps Park) with anticipated construction of the improvements to start 2025. The TPA is requesting that the proposed bicycle and pedestrian improvements be implemented as part of the FDOT project. The proposed changes for this section of roadway are as follows:

- Widening of the traffic lanes from 11 feet to 12 feet
- Widening of the paved shoulder from 3 feet to 5 feet
- Increasing the Asphalt Path to 10 feet

Town staff and our engineering consultant, Chen Moore & Associates, Inc., reviewed the TPA’s recommendations. The current roadway profile is an 11 foot lane and 3 foot shoulder and the asphalt path on the west side of the road varies from 6 feet down to 4 feet. The grass median between the edge of the paved shoulder and the asphalt walking path varies in width with the narrowest being 7 feet. The majority of the roadway corridor is without curbing. TPA’s recommendation of expanding the travel lane from 11 to 12 feet and, in addition to expanding the paved shoulder to 5 feet, would mean adding 3 feet of additional asphalt to both sides of the road.

The resulting expansion would impact the following improvements within the right-of-way:

Landscaping on East Side:

- Hedge at 2500 South Ocean Blvd
- Seagrape at 2770 South Ocean Blvd
- Flower beds at 2780 South Ocean Blvd

Landscaping on West Side:

- Flower beds at 2760 South Ocean Blvd
- Minimally maintained shrubs, trees, and brush in under-developed sections

Items that would require specialty restoration or relocation:

- Paver driveway at 2300 South Ocean Blvd
- Paver driveway at 2660 South Ocean Blvd
- Paver driveway at 2760 South Ocean Blvd
- Lighted sign at 2773 South Ocean Blvd
- Lighted sign at 2860 South Ocean Blvd

General items that would require FDOT/FPL/WPB repair and retrofitting:

- Drainage inlets
- Electrical pullboxes
- Irrigation equipment
- Low voltage lighting equipment

Any private improvements located within the FDOT right-of-way belonging to the condos would have to be moved at the condo's expense. Another impact would mean the grass median between the roadway and the asphalt pathway would be reduced by 3 feet. The grass median would further be reduced by the expansion of the asphalt pathway to 10 feet. How much more the grass median would shrink would depend on which side the asphalt pathway is expanded. If the pathway is expanded equally on both sides of the pathway, the grass median in the middle could be reduced down to 2 feet in width. Although the impacts to the east side of A1A would be limited to approximately 3 feet the majority of the asphalt impacts would be on the west side because of the road widening and asphalt pathway widening. With the additional asphalt on the west side, residents should expect additional standing water after any rain events, as the drainage system is limited in the corridor.

The proposed project limits create a new bike lane for a limited distance which will not connect on the north side or south side to bike lane. Staff believes this is confusing to bikers and drivers. Staff does not see the benefit in expanding the driving lanes from 11 feet to 12 feet and making the driving pavement closer to the existing bike path. The primary resident concerns along this corridor is the condition of the bike path which is utilized for walking as much as it is for biking. Therefore, staff believes rebuilding the bike path is the most beneficial portion of this project.

FUNDING/FISCAL IMPACT

There are no funding impacts at this time.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

Attachments

cc: Jane Le Clainche, Finance Director
Eric B. Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
John C. Randolph, Town Attorney



Technical Memorandum

Review of Impacts from Proposed SR-A1A Widening

Date: February 24, 2022
CMA Proj No.: 431.029
Client: Town of Palm Beach - Department of Public Works

Project Background

In 2021, the Palm Beach Transportation Planning Agency (TPA) conducted a study of potential improvements to better accommodate bicycles and pedestrians along the SR-A1A corridor. To facilitate implementation of the identified improvements, the TPA looked for opportunities to pair the improvements with coincident Florida Department of Transportation (FDOT) roadway resurfacing projects. During this effort, the TPA identified fourteen (14) improvement projects between the City of Boca Raton and the City of Riviera Beach where pedestrian and bicycle improvements could be made alongside proposed FDOT roadway projects. One of the FDOT projects identified by the TPA is in the Town of Palm Beach, south of Sloans Curve.

As is shown in the table below, the FDOT Five Year Work Program describes project FM #4476631 as a resurfacing project for "A1A FROM SOUTH OF LAKE AVE TO N OF IBIS WAY". The identified schedule for the work is Design and Preliminary Engineering in 2022 and Construction in 2025. resurfacing project scheduled for engineering in 2022 and construction in 2025. No other projects are currently programmed immediately to the north or south of the project identified with the exception of a drainage maintenance improvement on SR-A1A at Sloans Curve in 2023 (FM# 4400092).

Office of Work Program and Budget

Updated: 1/12/2022 9:15 PM

Five Year Work Program

Selection Criteria
All in State
2022-2027 G1
Item Number:447663-1

[Display current records in a Report Style](#)
[Display current records in an Excel Document](#)

Project Summary						
Transportation System: INTRASTATE STATE HIGHWAYDistrict 04 - Palm Beach County						
Description: A1A FROM SOUTH OF LAKE AVE TO N OF IBIS WAY						
Type of Work: RESURFACING View Scheduled Activities						
Item Number: 447663-1 View Map of Item						
Length: 2.074						
Project Detail						
Fiscal Year:	2022	2023	2024	2025	2026	2027
Highways/Preliminary Engineering						(On-Going)
Amount:	\$951,478					
Highways/Construction						
Amount:				\$4,588,866		
Item Total:	\$951,478			\$4,588,866		

The majority of the existing SR-A1A corridor from Lake Avenue to Ibis Way consists of a 100-ft wide public right-of-way with a 28-ft wide paved roadway in the middle and a 6-ft wide pedestrian and bicycle path on the west side separated by a 7-ft grass swale. In December 2021, the TPA provided the Town with a proposed change to this typical section which would consist of the following changes:

- The following exhibit illustrates the differences between the existing and proposed roadway typical section.



Investigation of Potential Impacts

As part of the due diligence to determine the potential impacts of the proposed improvements, the Town procured the services of CMA to investigate the widening of the roadway and paved path on adjacent facilities owned by either the Town or private entities. Utilizing survey files from previous projects along the corridor, CMA prepared exhibits comparing the existing and proposed pavement limits. In addition, CMA performed field measurements during site visits to quantify the extent of the potential impacts. These investigations identified the following types of impacts:

- Landscaping (sodded swales, hedges, flower beds)
- Specialty driveways
- Specialty signage
- Privately-owned irrigation equipment
- Drainage infrastructure
- Utility infrastructure

A detailed description for each type of impact is included below:

Landscaping

The largest impact of the proposed improvements to landscaping is to the sodded swales. The removal of approximately 7-ft of sod on the west side of the corridor and 3-ft of sod on the east side of the corridor removes approximately 1.8 acres of grass along the roughly 1.5-mile project. Approximately 0.4 acres of the sod removed is along the Town's Par 3 Golf Course.

In addition to the removal of sod, there are hedges and shrubs that will be impacted by the proposed improvements. As shown below, at 2500 South Ocean Blvd, there is a sea grape hedge that is immediately adjacent to the roadway on the east side. This hedge is used by the condominium association to hide landscape debris that has been trimmed and is waiting for pickup by the Town's waste collection crews. The proposed improvements would require removal of the hedge and possible relocation farther back.



Hedge at 2500 South Ocean Blvd

At 2770 South Ocean Blvd there is a large sea grape that is approximately 6 feet from the edge of pavement. Although the tree may not necessarily need to be removed, it is expected to be impacted by the construction of the potential improvements considering the roots typically extend to the drip line of the canopy which is near the existing edge of pavement.



Seagrape at 2770 South Ocean Blvd

There are two locations where existing flower beds will be impacted by the proposed improvements. At 2760 and 2780 South Ocean Blvd there are flower beds that would require removal or relocation based on the proposed improvements.



Flower Bed at 2780 South Ocean Blvd



Flower Bed at 2780 South Ocean Blvd

There are several locations where hedges and plant material that is not highly maintained will be impacted in areas that are relatively under-developed. An example of this is on the west side of the roadway across from the condominiums at 2580 and 2600 South Ocean Blvd, where the existing vegetation is along the strip of land between the roadway and the shoreline of the Lake Worth Lagoon.



Hedge along the west side of SR-A1A

Specialty Driveways

The majority of the driveways along the proposed project corridor are asphalt and as such will not be significantly impacted by the proposed improvements. There are however four locations where specialty driveways are installed that will be impacted by the proposed widening of asphalt pavement. The types of driveways impacted are either stamped concrete or pavers. The specialty driveways that will be impacted are shown below:



Driveway at 2300 South Ocean Blvd



Driveway at 2660 South Ocean Blvd



Driveway at 2760 South Ocean Blvd

Specialty Signage

There are two locations where private condominium signage that has low voltage up-lighting will be impacted by the proposed widening of the path on the west side of the roadway. The signage at 2773 South Ocean Blvd is surrounded by a green island ficus hedge and would need to be completely relocated west based on the proposed alignment. The signage at 2860 South Ocean Blvd would need to be relocated to the west as well as the accompanying low-voltage lighting.



Lighted sign at 2773 South Ocean Blvd



Lighted sign at 2860 South Ocean Blvd

Privately Owned Irrigation Equipment

Because privately owned irrigation equipment is difficult to identify without subsurface exploration, it is difficult to identify directly in the field the locations of sprinkler heads, valves, and irrigation piping. However, considering the healthy condition of the sod and the regular maintenance activities observed, it is anticipated that there are existing irrigation systems that extend to the edge of the existing pavement at each of the condominium locations. All of these systems would have to be modified during construction to accommodate the new pavement limits.

Drainage Infrastructure

Since this portion of SR-A1A is a FDOT roadway, the drainage system is owned and operated by the State agency. It is assumed that the increase in pavement will also increase the runoff generated after rainfall events and as such may require the construction of additional drainage infrastructure. The existing system includes drainage catchbasins and inlets along the west side of the roadway that will need to be retrofit to accommodate the proposed improvements. Below are examples of FDOT drainage inlets that will need to be raised to match the new grades and retrofitted to provide a safe walking surface for pedestrians on the new path.



FDOT Catchbasin in front of 2860 South Ocean Blvd

Utility Infrastructure

There are several locations where existing electrical pullboxes, water meters, and other general utility appurtenances will require relocation or retrofit by the FDOT to accommodate the proposed improvements. The retrofits could include upgrading the box type from a fiberglass box to a concrete box to provide H-20 traffic loading. Other facilities may require complete relocation. The cost of these efforts is typically born by the utility as part of their permitting agreements with FDOT to be within the right-of-way. Below are examples of utility elements that will require retrofit or relocation. Notably, none of the new street lights will be impacted by the proposed widening.



Existing Communications Utility Panel



Existing Water Meter and Irrigation Valve Boxes



Existing Communication Pullbox



Existing Street Lighting Pole

SR-A1A Proposed Roadway Improvements

Florida Department of Transportation

Palm Beach Transportation Planning Agency

Discussion of Potential Impacts

March 2022



BACKGROUND

- In 2021, the Palm Beach Transportation Planning Authority (TPA) conducted a study of proposed FDOT improvements along SR-A1A
- TPA identified 14 projects between Boca Raton and Riviera Beach where pedestrian and bicycle improvements could be made.
- The FDOT resurfacing project FM #4476631 would allow for the utilization of State funding to improve the bicycle and pedestrian facilities between Lake Avenue and Ibis Way.
- FDOT funding also identified to mark the roadway shoulder as a bike lane between Woodbridge Road and South County Road



Palm Beach Transportation Planning Agency (TPA)

SR-A1A Pedestrian/Bicycle Improvements Analysis

Project	Roadway	From	To	Description	Type	Municipality(ies)	Notes
1001	SR-A1A	Camino Real	Beach Club Way	Reconstruct Boca Raton Inlet Bridge to include bicycle lanes and 10-foot shared use path	Reconstruction	City of Boca Raton	
1002	SR-A1A	Beach Club Way	401 SR-A1A	Widen west side path from 8 feet to 10 feet	Resurfacing +	City of Boca Raton	Within limits of FM # 447661-1
1003	SR-A1A	Palmetto Park Road	300 feet north of Palmetto Park Road	Widen west side path and smooth out the right-angle bend from decorative concrete to asphalt path on the west side	Resurfacing +	City of Boca Raton	Within limits of FM # 447661-1
1004	SR-A1A	2871 N Ocean Blvd (San Remo Club)	Spanish River Blvd	Widen west side path from 6-8 feet to 10 feet	Resurfacing +	City of Boca Raton	Within limits of FM # 447661-1
1005	SR-A1A	Boca Raton/Highland Beach City Limit	Linton Boulevard	Widen paved shoulder to 5 feet and mark as a bicycle lane	Resurfacing	City of Highland Beach/ City of Delray Beach	Within limits of FM # 444477-1
1006	SR-A1A	Boca Raton/Highland Beach City Limit	Linton Boulevard	Widen west side path from 6 feet to 10 feet	Resurfacing +	City of Highland Beach/ City of Delray Beach	Within limits of FM # 444477-1
1007	SR-A1A	Woolbright Road	Sea Lake Drive	Widen paved shoulder to 5 feet and mark as a bicycle lane; may require minor curb modifications in some areas	Resurfacing +	Town of Ocean Ridge	
1008	SR-A1A	Sea Lake Drive	Boynton Inlet Pier	Reconstruct Boynton Inlet Bridge to include bicycle lanes and 10-foot shared use path	Reconstruction	Town of Ocean Ridge/ Town of Manalapan	
1009	SR-A1A	Lake Avenue	Sloan's Curve	Widen paved shoulder to 5 feet and mark as a bicycle lane	Resurfacing	Town of Palm Beach	Within limits of FM # 447663-1
1010	SR-A1A	Lake Avenue	Sloan's Curve	Widen west side path from 6 feet to 10 feet	Resurfacing +	Town of Palm Beach	Within limits of FM # 447663-1
1011	SR-A1A	Woodbridge Road	S County Road	Mark shoulder as bicycle lane; may require minor widening in some areas	Resurfacing +	Town of Palm Beach	
1012	SR-A1A	US-1/Quadrille	N Olive Avenue	Trim curb extensions and restripe to provide marked bicycle lane	Resurfacing +	City of West Palm Beach	
1013	SR-A1A	US-1/Broadway	Lake Shore Drive	Resurface/restripe to include bicycle lanes; may require design variation for inside lane width	Resurfacing	City of Riviera Beach	
1014	SR-A1A	Lake Drive	N Ocean Avenue	Resurface/restripe to include separated bicycle lanes; would require restriping of underutilized EB parking lane (WB parking lane already signed as no parking zone)	Resurfacing	City of Riviera Beach	

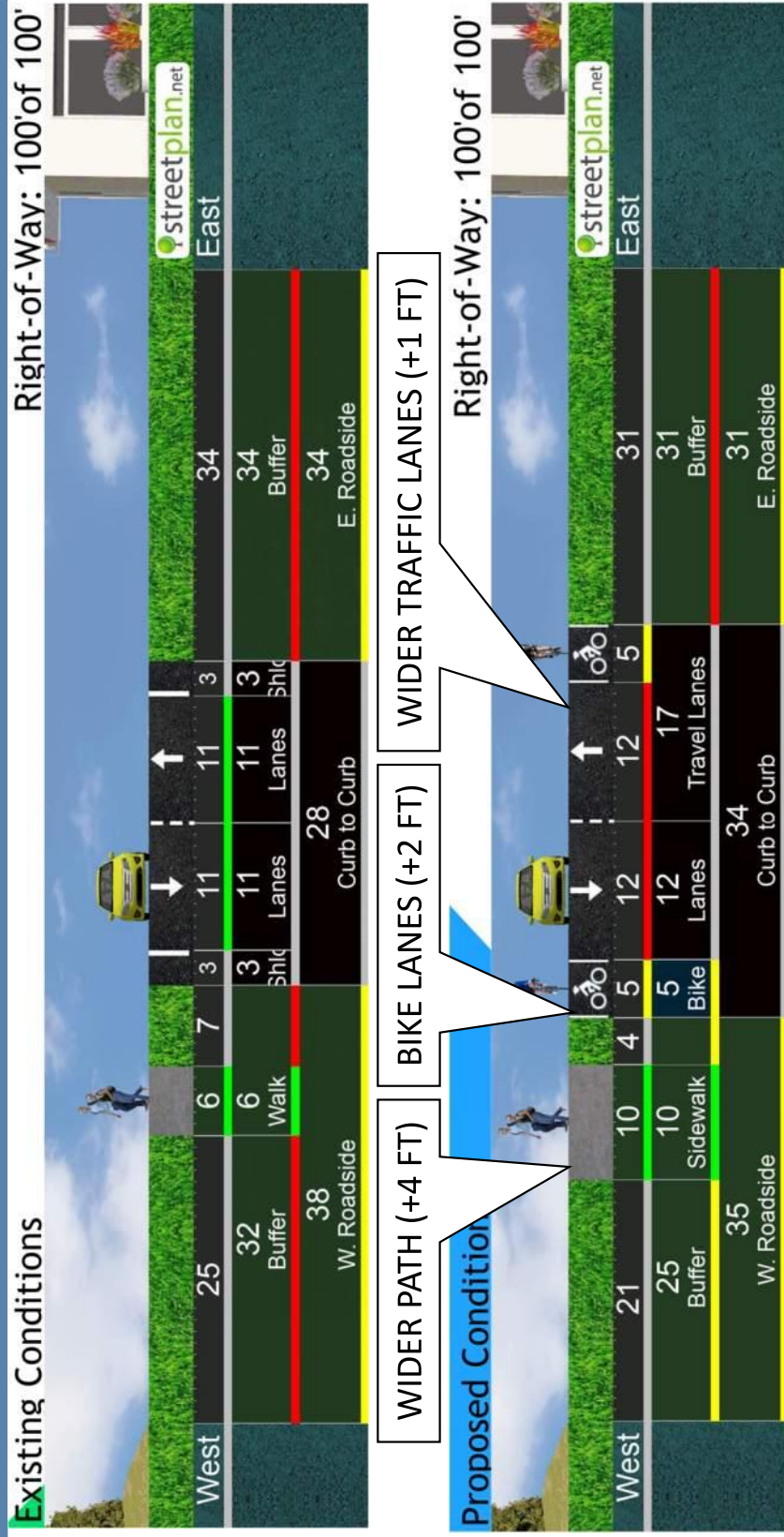
Type description notes:

Reconstruction = implementation would require significant roadway/bridge reconstruction

Resurfacing + = implementation scope would require additional scope and budget beyond a conventional resurfacing project

Resurfacing = implementation could be accomplished in a conventional resurfacing project

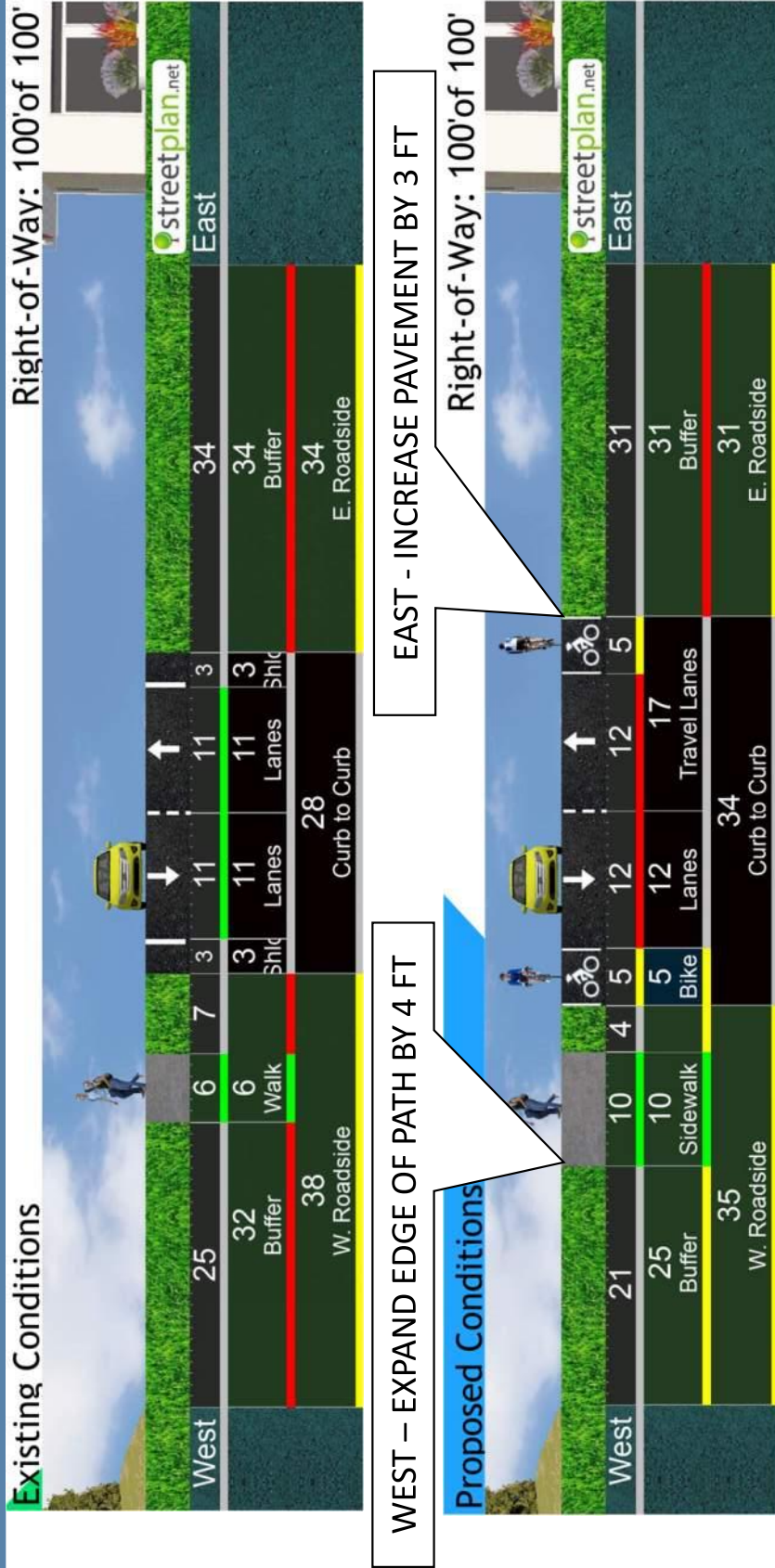
Proposed Improvements for Bicycles and Pedestrians



SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022



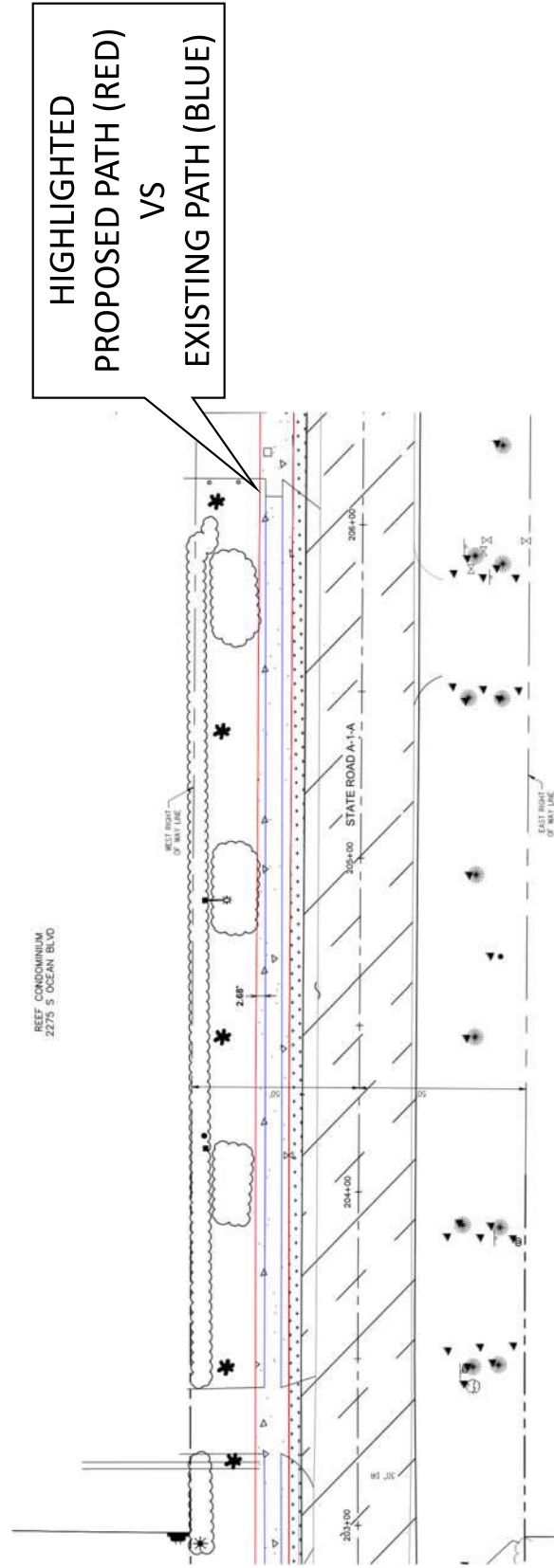
Proposed Improvements for Bicycles and Pedestrians



SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022

Analysis of Potential Impacts

- Prepared a CAD drawing of proposed pavement compared to existing features (Utility Undergrounding Survey)



SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022

Analysis of Potential Impacts

- Compared featured on CAD plan with field measurements

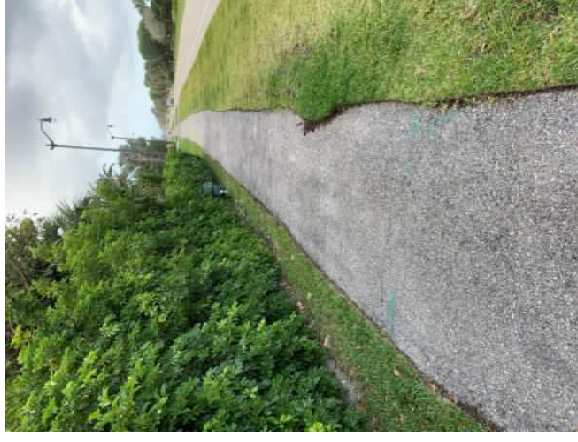


SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022

Potential Impacts – Landscaping

West Side of SR A1A:

- Flower beds at 2760 South Ocean Blvd
- Minimally maintained shrubs, trees, and brush in under-developed sections



SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022

Potential Impacts – Landscaping

East Side of SR A1A:

- Hedge at 2500 South Ocean Blvd
- Seagrape at 2770 South Ocean Blvd
- Flower beds at 2780 South Ocean Blvd



SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022

Potential Impacts – Specialty Driveways

Items that would require specialty restoration:

- Paver driveway at 2300 South Ocean Blvd
- Paver driveway at 2660 South Ocean Blvd
- Paver driveway at 2760 South Ocean Blvd



SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022

Potential Impacts – Specialty Signage

Items that would require specialty relocation:

- Lighted sign at 2773 South Ocean Blvd
- Lighted sign at 2860 South Ocean Blvd



SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022

Potential Impacts – Utilities, Drainage, Irrigation

General items that would require FDOT/FPL/WPB/Other retrofit:

- Drainage inlets
- Water meters
- Electrical pullboxes
- Communication panels
- Irrigation equipment
- Low voltage lighting equipment



None of the new *light poles* are affected



SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022

Findings of Additional Investigation

- The predominant impacts are to three types of features:
 - Low value landscaping that can be relocated or replaced by FDOT
 - Infrastructure owned by other utilities or entities that FDOT will accommodate through coordinated relocation or retrofit
 - Specialty improvements (pavers, minor lighting, minor signage, irrigation) that will require relocation as coordinated by FDOT

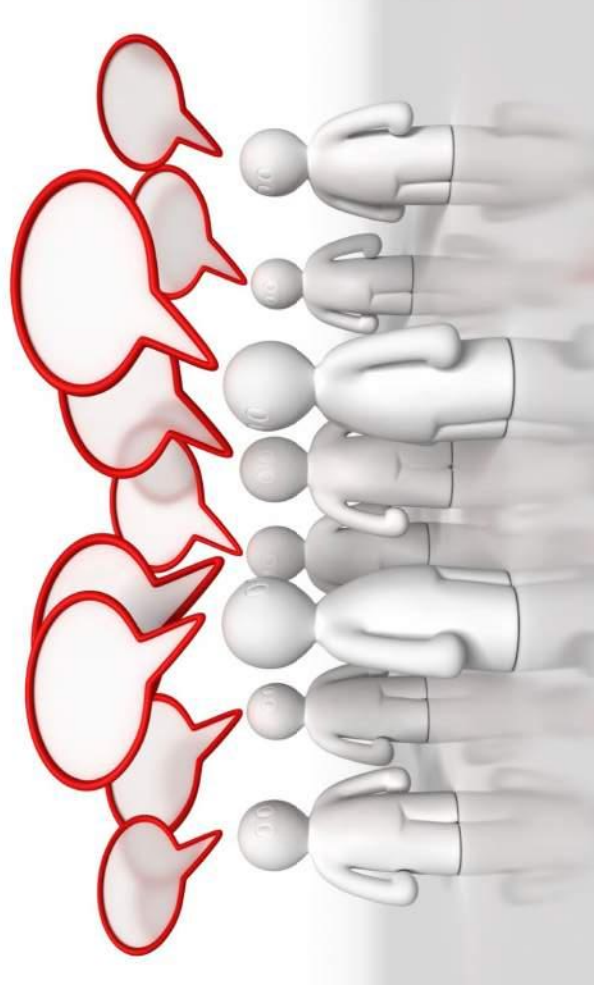


Additional Considerations

- The proposed improvements to the bicycle lanes and pedestrian path cannot be continued to the north of Ibis Way without more significant impacts on the west side of the right-of-way.
- The increase in pavement may necessitate additional drainage improvements by the FDOT (more inlets due to more runoff)



QUESTIONS



SR-A1A Proposed Bicycle / Pedestrian Improvements
March 2022

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Regular Agenda - New Business

Agenda Title

Review of a Stop Work Order Due to the Three Strike Rule at 755 N Lake Way

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated February 17, 2022 from Wayne Bergman, Director of Planning, Zoning and Building**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: 755 N. Lake Way – Third Strike & Stop Work Order

Date: February 17, 2022

FYI - This Memo is provided as Information Only to the Town Council

As you know, the Town has a “Three Strike Rule” for construction parking and construction site management. The regulations and process are found in the Town’s “Department of Public Works, Engineering Division, Standards Applicable to Public Rights-of-Way and Easements Within the Town of Palm Beach” (commonly called the Right-of Way-Manual), dated May 1994, as revised through January 12, 2022. Chapter XII, Miscellaneous Provisions, contains the details of the Three Strike rules. The regulations spell out the process in which contractors can secure parking permits, the fees for various violations, and the process that must occur once a contractor receives Three Strikes – three different sets of tickets for construction violations. The applicable pages of the Right of Way Manual are attached.

755 N. Lake Way just reached the level of Three Strikes for construction violations. The first ticket was written for vehicle parking violations on April 29, 2021 by Public Works. The second ticket was written for a vehicle parking violation on November 24, 2021 by Public Works. At that time, the Town issued a courtesy Warning Notice to the contractor, Albright Construction, advising them of the issue, and describing the actions that would be taken by the parties if there is a Third Strike. Copy of the courtesy letter is attached. A third ticket was written for vehicle parking violations on December 3, 2021, by Public Works. A Pending Stop Work Order Notice (attached) was sent to the contractor December 3, 2021. The ticket was appealed by the contractor and the Public Works Director on December 7, 2021, agreed with the contractor and waived the third ticket (strike). A fourth ticket (second third strike) was issued on January 25, 2022 for parking violations by Public Works. Another Pending Stop Work Order Notice (attached) was sent to the contractor January 27, 2022. The contractor again appealed the ticket. Copies of all tickets are attached.

The regulations allow the violator to appeal the ticket(s). In this case, since the last ticket was issued by Public Works, the appeal was filed to Paul Brazil, Public Works Director, by letter dated February 1, 2022. The appeal was filed in accordance with the time allowed under the code (filed within seven (7) days). The regulations required Mr. Brazil to hear / review the

appeal (if filed) and render a ruling. Mr. Brazil found in favor of the Town, and therefore upheld the third ticket (Third Strike). This decision occurred on February 10, 2022. The Planning, Zoning & Building Department issued a STOP WORK ORDER for the entire construction project on February 14, 2022.

It is worth noting that the first two violations resulted in no appeals filed with the Town and payment in full for the citations. Both third strikes (tickets #3 and #4), both appealed by the contractor, paid the required fines. However, the regulations require an extra \$250 for the second strike and \$500 for the third strike; therefore, the contractor owes the Town an additional \$750.

The Town Council's process for this matter is contained within the Public Works "Right of Way Manual", as follows:

"When the Town Council receives a written request to lift a stop work order 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; collect the "3 strike" fine, plus payment of any outstanding right-of-way fines and accumulated interest, as referenced herein below and to prohibit the issuance of any additional right-of way permits for the duration of the work in question.

The fine for a third (3rd) and each subsequent strike shall be \$500 plus payment of any outstanding right of-way fines and accumulated interest unless the Town Council chooses to invoke the use of a binding agreement memorializing a penalty structure to be paid to the Town for all future right-of-way violations in excess of three (3) to be paid in accordance with the terms and conditions of the binding agreement between the Town and the contractor and/or property owner. All fines and penalties shall be paid in full prior to issuance of a Certificate of Occupancy for the construction associated with the activity that generated the fines, penalties, and interest."

Attachments: Copies of all citations
Copy of the Courtesy Notice
Copy of the two Pending Stop Work Order Notices
Copy of the last Appeal
Copy of Paul Brazil's decision regarding the appeal

WRB

Cc: Paul Brazil, Director of Public Works
Police Chief Nick Caristo

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Regular Agenda - New Business

Agenda Title

Review of a Stop Work Order Due to the Three Strike Rule at 246 Seaspray Avenue

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- **Memorandum Dated February 16, 2022 from Wayne Bergman, Director of Planning, Zoning and Building**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: 246 Seaspray Ave. – Third Strike & Stop Work Order

Date: February 16, 2022

FYI - This Memo is provided as Information Only to the Town Council

As you know, the Town has a “Three Strike Rule” for construction parking and construction site management. The regulations and process are found in the Town’s “Department of Public Works, Engineering Division, Standards Applicable to Public Rights-of-Way and Easements Within the Town of Palm Beach” (commonly called the Right-of Way-Manual), dated May 1994, as revised through January 12, 2022. Chapter XII, Miscellaneous Provisions, contains the details of the Three Strike rules. The regulations spell out the process in which contractors can secure parking permits, the fees for various violations, and the process that must occur once a contractor receives Three Strikes – three different sets of tickets for construction violations. The applicable pages of the Right of Way Manual are attached.

246 Seaspray Ave. just reached the level of Three Strikes for construction violations. The first ticket was written for vehicle parking violations on August 17, 2021 by Public Works. The second ticket was written for a vehicle parking violations on December 13, 2021 by Public Works. At that time, the Town issued a courtesy Warning Notice to the contractor, Beacon Construction Group, advising them of the issue, and describing the actions that would be taken by the parties if there is a Third Strike. Copy of the courtesy letter is attached. The third ticket was written for noisy work before 9:00 am on February 10, 2022, by Code Enforcement, a division of the Police Department. Copies of all tickets are attached. The Pending Stop Work Order Notice (attached) was sent to the contractor February 11, 2022.

The regulations allow the violator to appeal the ticket(s). In this case, since the last ticket was issued by Code Enforcement, the appeal was filed to Police Chief Nick Caristo, by letter dated February 11, 2022. The appeal was filed in accordance with the time allowed under the code (filed within seven (7) days). The regulations required Chief Caristo to hear / review the appeal (if filed) and render a ruling. Chief Caristo found in favor of the Town, and therefore upheld the third ticket (Third Strike). This decision occurred on February 11, 2022. The Planning, Zoning & Building Department issued a STOP WORK ORDER for the entire construction project on February 12, 2022.

It is worth noting that the first two violations resulted in no appeals filed with the Town and payment in full for the citations. The third strike, although appealed by the contractor, did not include payment of the required fine. Based upon the violation, the contractor is required to pay the fine of \$250, and \$500 for the third strike, plus \$250 for the second strike. Total due the Town - \$1,000.

The Town Council's process for this matter is contained within the Public Works "Right of Way Manual", as follows:

"When the Town Council receives a written request to lift a stop work order 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; collect the "3 strike" fine, plus payment of any outstanding right-of-way fines and accumulated interest, as referenced herein below and to prohibit the issuance of any additional right-of way permits for the duration of the work in question.

The fine for a third (3rd) and each subsequent strike shall be \$500 plus payment of any outstanding right of-way fines and accumulated interest unless the Town Council chooses to invoke the use of a binding agreement memorializing a penalty structure to be paid to the Town for all future right-of-way violations in excess of three (3) to be paid in accordance with the terms and conditions of the binding agreement between the Town and the contractor and/or property owner. All fines and penalties shall be paid in full prior to issuance of a Certificate of Occupancy for the construction associated with the activity that generated the fines, penalties, and interest."

Attachments: Copies of the three citations
Copy of the Courtesy Notice
Copy of the Pending Stop Work Order Notice
Copy of the Appeal
Copy of Chief Caristo's decision regarding the appeal

WRB

Cc: Paul Brazil, Director of Public Works
Police Chief Nick Caristo

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Ordinances - Second Reading

Agenda Title

Proposed Ordinance to Amend Chapter 134 of the Town Code, Relative to Residential On-Street Parking Permits

ORDINANCE NO. 001-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134, Article X – On Street Parking Permits, at Sections 134-2292, 134-2296 (B) and 134-2296 (C); Relating to Issuance of Decals and Visitor/Service Permits; Changing the Effective Year from a Fiscal Year to a Calendar Year; Providing For Severability; Providing For Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

▣ **Ordinance No. 001-2022**

ORDINANCE NO. 001-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134, ARTICLE X – ON STREET PARKING PERMITS, AT SECTIONS 134-2292, 134-2296 (b) AND 134-2296 (c); RELATING TO ISSUANCE OF DECALS AND VISITOR/SERVICE PERMITS; CHANGING THE EFFECTIVE YEAR FROM A FISCAL YEAR TO A CALENDAR YEAR; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 134, Article X. – On-Street Parking Permits, at Section 134-2292, 134-2296 (b) and 134-2296 (c), to read as follows:

Sec. 134-2292. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Commuter vehicle means a motor vehicle parked in a residential area by a person who is not a resident of the designated residential area.

Controlled parking residential area means a contiguous or nearly contiguous area containing streets or parts thereof primarily abutted by property that has a specific residential zone designation on the official zoning map of the town and that is designated for restricted residential parking by the town manager or his designee, pursuant to criteria and procedures established in this division.

~~Fiscal year~~ Calendar year means the period beginning ~~October~~ January 1 and ending ~~September-30~~ December 31 of the same year.

Resident means a person who owns or leases real property within a residential area and who maintains either a voting residence or bona fide occupancy or both at that address.

Residential parking permit means a special permit issued under this division for the privilege of parking on a street designated as a controlled parking residential area.

Sec. 134-2296. Issuance of special parking permits upon application

(b) The application for a permit shall contain the name of such owner or operator of the motor

vehicle; residential address; and the motor vehicle's make, model and registration number. The motor vehicle's registration may, at the discretion of the finance department, be required to be presented at the time of making the application in order to verify the contents thereof. If the vehicle is registered at an address other than the local residence, the applicant shall provide other sufficient proof, acceptable to the finance department, showing residency within the controlled residential parking area. The permit shall be valid for a ~~fiscal~~ calendar year, as defined in section 134-2292, and shall be renewed for each successive ~~fiscal~~ calendar year. A fee, as determined by resolution of the town council shall be charged for the annual permit and shall be payable at the finance department. After the initial permit has been issued, any renewal shall be affixed to the vehicle no later than ~~October~~ January 15 of the applicable current year.

- (c) Visitor/service permits. In addition to the decals issued pursuant to section 134-2295(b) above, upon application by owner, owner may be issued visitor/service permits, which permits may be used by such owner for the sole purpose of providing parking on a temporary basis to service vehicles which are conducting work at such owner's premises or for visitors of such owner's residence. The permits shall be used only for the period of time during which business is to be conducted by the service vehicles or for the duration of stay of a visitor to the residence for which the permit is issued. No more than a total of eight permits, including decals and visitor/service permits, shall be issued for each property.

The application for a visitor/service permit or permits shall be filed by such owner. The permit or permits shall be valid for a ~~fiscal~~ calendar year as defined in section 134-2292 and may be renewed each successive ~~fiscal~~ calendar year. A fee, as determined by resolution of the town council shall be charged for each visitor/service permit and shall be payable at the finance department. These permits shall not be affixed to the vehicle, but shall be placed in a clearly visible place on the inside of the visitor's or service vehicle observable through the front windshield of the vehicle. The permits shall be valid only for the period of time during which the service vehicle is conducting work at the premises or for the period of time a visitor is at the premises.

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 thirty-one (31) days after its adoption, 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 8th day of February, 2022, and for second and final reading this 8th day of March, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Ordinances - First Reading

Agenda Title

Proposed Ordinance to Amend Section 42-199 of the Town Code to Include Additional Days When Construction and Landscaping Work is Prohibited

ORDINANCE NO. 004-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise, Section 42-199, Hours for Construction Work at Subsection (B) Limited, to Provide Additional Limitations on Dates and Hours of Construction and Landscaping Work; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 25, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Ordinance No. 004-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Proposed Ordinance to Amend Section 42-199 of the Town Code to Include Additional Days When Construction and Landscaping Work is Prohibited
Ordinance No. 004-2022

Date: February 25, 2022

STAFF RECOMMENDATION

Staff recommends that Town Council approve Ordinance No. 004-2022, amending Section 43-199 of the Town Code, to include additional days when construction and landscaping work is prohibited.

GENERAL INFORMATION

At the request of Town Council, staff presented several options to include additional days during the peak season when construction and landscaping work is prohibited. The attached ordinance is reflective of the feedback provided by Town Council at its February 8, 2022, meeting and is inclusive of the following amendments.

1. Prohibit landscaping on the day after Thanksgiving (construction already prohibited).
2. Prohibit construction and landscaping the day before Thanksgiving.
3. Prohibit construction and landscaping on weekday observation dates for holidays that fall on a weekend.

TOWN ATTORNEY REVIEW

Ordinance No. 004-2022 was prepared by the Town Attorney and has been approved for legal form and sufficiency.

Attachment

cc: Carolyn Stone, Assistant Town Manager
Department Directors

ORDINANCE NO. 004-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 42 OF THE TOWN CODE OF ORDINANCES AT ARTICLE V. NOISE, SECTION 42-199, HOURS FOR CONSTRUCTION WORK AT SUBSECTION (b) LIMITED, TO PROVIDE ADDITIONAL LIMITATIONS ON DATES AND HOURS OF CONSTRUCTION AND LANDSCAPING WORK; 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 AS FOLLOWS:

Section 1. Chapter 42 of the Town Code of Ordinances is hereby amended at Article V, Section 42-199 to read as follows:

Sec. 42-199. Hours for construction work.

(a) *Definitions.* The following words, terms and phrases when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Construction work means work of a physical nature requiring a permit in accordance with the provisions of this Code and/or violates the conditions of section 42-198 and/or violates the conditions of this section, and/or causes excessive noise as defined by section 42-228.

(b) *Limited.* Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturdays, Sundays, ~~and legal-observed Town~~ holidays, ~~and the days before and after Thanksgiving~~, when all construction ~~and lawn maintenance~~ work is prohibited. In no event shall heavy equipment or other outdoor construction-related and lawn maintenance noise be permitted before 9:00 a.m. Beginning on May 1 until the Monday preceding Thanksgiving, work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays, ~~and Town observed-and legal~~ holidays, ~~including the Friday immediately after Thanksgiving~~, when all construction ~~and lawn maintenance~~ work is restricted or prohibited. In no event shall heavy

equipment or other outdoor construction-related and lawn maintenance noise be permitted before 9:00 a.m. Construction work is permissible on Saturdays from May 1 through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature and limited to indoor activity, with the exception of quiet lawn maintenance work and tree trimming); material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restrictions due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending October 31, except Sundays and legal holidays, when all construction work is prohibited. Workers are prohibited from arriving at construction and lawn maintenance sites prior to 7:30 a.m. and are restricted from conducting any kind of site activity prior to 8:00 a.m. during the weekdays. Workers are prohibited from arriving at construction and lawn maintenance sites prior to 8:30 a.m. and are restricted from conducting any kind of site activity prior to 9:00 a.m. on Saturdays, when limited work is permitted from May 1 through the Monday preceding Thanksgiving.

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 part of the official Code of Ordinances of the Town of Palm Beach.

Section 5. Effective Date

This Ordinance immediately, after its passage and approval, as provided by law.

PASSED AND ADOPTE in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 8th day of March, 2022, second reading and final adoption on this 12th day of April, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Patricia Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: March 8, 2022

Section of Agenda

Ordinances - First Reading

Agenda Title

Proposed Ordinance to Amend Chapter 106, Article VII of the Town Code to Include Additional Restrictions Regarding Use of Public Properties for Private Special Events

ORDINANCE NO. 005-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 106 Streets, Sidewalks and Other Public Places at Article VII, Special Events on Public Property at Division 1-, Generally, Section 106-257, Titled Regulations Relating To Special Event; at Division 2-Permit, Section 106-281-Required; at Section 106-282-Application and at Section 106-283-Standards for Issuance in the Manner and Form Set Forth Below; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 25, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Ordinance No. 005-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Proposed Ordinance to Amend Chapter 106, Article VII of the Town Code to Include Additional Restrictions Regarding Use of Public Properties for Private Special Events
Ordinance No. 005-2022

Date: February 25, 2022

STAFF RECOMMENDATION

Staff recommends that Town Council approve Ordinance No. 005-2022, amending Chapter 106, Article VII of the Town Code, to include additional restrictions regarding the use of public properties for private special events.

GENERAL INFORMATION

At the February 8, 2022, Town Council meeting, staff presented several recommendations to enact additional restrictions for the use of public properties for private special events in order to minimize adverse impacts to these properties, adjacent neighborhoods, and preserve maximum opportunities for the public to utilize said spaces for passive enjoyment.

The attached ordinance includes amendments that would limit the number of events on public properties to one (1) per month instead of one (1) per day, give more timing preference to residents applying for special event permits, and prohibit the use of Phipps Plaza Park, Memorial Park and Lake Drive Park for private special events. None of these proposed changes would prohibit the normal drop-in/passive use of any public properties by residents and non-residents alike. If Council agrees with the amendments, staff will present a companion resolution at the April 12, 2022, Town Council meeting to modify current special event permit fees and damage deposits.

TOWN ATTORNEY REVIEW

Ordinance No. 005-2022 was prepared by the Town Attorney and has been approved for legal form and sufficiency.

Attachment

cc: Carolyn Stone, Assistant Town Manager
Department Directors

ORDINANCE NO. 005-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA AMENDING CHAPTER 106 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES AT ARTICLE VII, SPECIAL EVENTS ON PUBLIC PROPERTY AT DIVISION 1-, GENERALLY, SECTION 106-257, TITLED REGULATIONS RELATING TO SPECIAL EVENT; AT DIVISION 2-PERMIT, SECTION 106-281-REQUIRED; AT SECTION 106-282-APPLICATION AND AT SECTION 106-283-STANDARDS FOR ISSUANCE IN THE MANNER AND FORM SET FORTH BELOW; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

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

Section 1. Chapter 106 of the Town Code of Ordinances titled Streets, Sidewalks And Other Public Places, is hereby amended at Article VII, Special Events on Public Property, at Division 1, Generally, Section 106-257-Regulations Relating To Special Event; at Division 2, Permit, Section 106-281-Required at Section 106-282-Application and at Section 106-283 – Standard For Issuance, to read as follows:

ARTICLE VII. SPECIAL EVENTS ON PUBLIC PROPERTY
DIVISION 1. GENERALLY

Sec. 106-257. Regulations relating to special event.

The following regulations shall apply to all special events held within the town:

- (1) There shall be held at the location requested no more than one special event ~~on any given day~~ per month, without priority for any particular date, to be granted to the first person to submit a completed application designating that day. The town reserves the right to limit use of public spaces at any time to prevent overuse and/or adverse impacts to adjacent neighborhoods.
- (2) The maximum total duration of each special event and the assembly thereof shall be five hours.
- (3) Any signs, props or displays used in conjunction with the special event must be removed immediately after the time permitted for the special event has expired.
- (4) The use of banners, flags (other than flags of official governmental bodies), streamers, balloons or any similar devices, in connection with the event, shall be prohibited.
- (5) The use of decorated vehicles and trailers in connection with the event is prohibited.
- (6) The granting of a special event permit under this article shall not require the complete blockading of streets or intersections to vehicular traffic, and the town shall be empowered to apportion such streets and intersections for simultaneous use by special event participants and vehicular and pedestrian traffic.

- (7) The concentration of persons and/or vehicles at the special event will not interfere unduly with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly area or other areas of the town.
- (8) There are sufficient parking places near to the site of the special event to accommodate the approximate number of automobiles reasonably expected to be driven to the special event.
- (9) The event is not otherwise in violation of ordinances or regulations of the town or the state or of federal law.

DIVISION 2. PERMIT

Sec. 106-281. Required.

No person shall engage in, participate in, aid, form or start any special event unless a special event permit shall have first been obtained from the town manager or his/her designee. No permit shall be required and none of the limitations above shall apply for special events officially sponsored by the town government and/or approved by the town council, nor shall the regulations set forth in this division 2 apply to such special events.

Sec. 106-282. Application.

- (a) *Required.* A person seeking issuance of a special event permit shall file an application with the town clerk's office on forms provided by the town.
- (b) *Filing.* A completed application for a special event permit, providing all information required herein, shall be filed with the town clerk's office not less than 45 days (or a shorter period of time as deemed appropriate at the discretion of the town manager) and not more than nine months for residents and ~~seven~~four months for non-residents before the date on which it is proposed to conduct the special event.
- (c) *Contents.* The application for a special event permit shall set forth the following information:
 - (1) The name, address and telephone number of the person seeking to conduct such a special event.
 - (2) The purpose of the special event.
 - (3) If the special event is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization.
 - (4) The date on which the special event is to be conducted.
 - (5) The exact hours the special event is to be conducted.
 - (6) The name or type of event.
 - (7) The exact location of the event.
 - (8) The approximate number of participants and spectators.
 - (9) A detailed description of the activity or activities, including whether or not the event requires support facilities such as traffic control, parking volume, crowd control.
 - (10) The name of the applicant's insurance company for the event and proof of insurance. The town shall be named as additional insured on a policy of liability insurance in an amount not less than \$1,000,000.00. The Town of Palm Beach reserves the right to require

additional coverages and limits based upon the particular special event proposed by the applicant. If the special event applicant maintains higher limits than the minimums shown below, the town requires and shall be entitled to coverage for the higher limits maintained by the applicant.

- (11) The signature of the applicant.
 - (12) The name, address and telephone number of the person who will be responsible for the conduct of the special event (i.e., special event chair).
 - (13) Provisions for cleanup after conclusion of the special event. The applicant shall be responsible for costs of complete and immediate cleanup.
- (d) *Fees.* The following fees in accordance with the fee schedule adopted by the town council by resolution as may be amended from time to time:
- a. An administrative processing fee;
 - b. A refundable damage deposit, if applicable;
 - c. A usage fee prepaid for the hours requested to hold the proposed special event, if applicable.

Sec. 106-283. Standards for issuance.

The town manager shall issue a special event permit, when from consideration of the application and from such other information as may otherwise be obtained, he/she finds that:

- (1) No other applicant has obtained a permit for the date requested.
- (2) The special event applicant has agreed in writing to abide by all provisions set forth in this article.
- (3) All required information is set forth in the application and is in accordance with all provisions set forth in this article.
- (4) The concentration of persons and vehicles at assembly points of the special event will not interfere with the proper fire and police protection of or ambulance services to areas contiguous to such assembly areas.
- (5) The conduct of such special event will not interfere with the movement of police and fire rescue vehicles and equipment en route to a fire or the movement of emergency medical services equipment en route to an emergency.
- (6) The special event is not being held for the purpose of advertising any product, goods or event, and shall not be held for private profit or fund raising, unless the applicant is a 501(c)3 non-profit, in which a charitable solicitation permit would also be required.
- (7) The conduct of the special event will not substantially interrupt the safe and orderly movement of pedestrian or vehicular traffic contiguous to the place of the special event.
- (8) The conduct of the special event will not result in damage to town-owned property or constitute a hazard to the safety of other persons within the immediate vicinity of the event.
- (9) No event is scheduled elsewhere in the town where the town's resources required for that event are so great that the deployment of resources for the proposed assembly would have an immediate and adverse effect upon the welfare and safety of persons and property.

- (10) An original certificate of insurance was supplied to the town naming the town as additional insured on a policy of liability insurance in an amount not less than \$1,000,000.00 or an amount higher based upon the particular special event proposed.

~~Applications for the use of Phipps Plaza Park shall receive town council approval prior to the issuance of a special events permit. Said requirement shall automatically expire after three years from the adoption of Ordinance 29-2019.~~

Applications for the use of Phipps Plaza Park, Memorial Park and Lake Drive Park shall not be accepted, as special event permits shall not be issued for the use of these properties for non-governmental events.

Applications for special events that involve leaving the primary event location (public or private properties) to utilize public sidewalks, streets and/or bike paths shall receive town council approval prior to the issuance of a special event permit and shall be subject to section 106-288.1.

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 8th day of March 2022, and for second and final reading on this 12th day of April 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Lewis S.W. Crampton, Town Council Member

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk