



TOWN OF PALM BEACH

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

FEBRUARY 14, 2023

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. COMMENTS OF MAYOR DANIELLE H. MOORE
- VI. COMMENTS OF TOWN COUNCIL MEMBERS
- VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE
- VIII. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

- 1. Town Council Meeting Minutes **Page 8**
Pat Gayle-Gordon, Acting Town Clerk
 - a. January 10, 2023, Town Council Meeting Minutes
 - b. January 11, 2023, Town Council Development Review Meeting Minutes
- 2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of January 25, 2023 **Page 42**
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 003-2023 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 D-12 Pump Station Improvements in the Amount of \$146,000 and Establishing a Project Budget of \$160,000. **Page 51**
Dean Mealy, Procurement and Contract Manager
- 2. RESOLUTION NO. 009-2023 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 Bid and Construction Phase Services for A-4 Pump Station Improvements in the Amount of \$95,400 and Establishing a Project Budget of \$105,000. **Page 60**
Dean Mealy, Procurement and Contract Manager
- 3. RESOLUTION NO. 010-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2023-12 to Orlando Freightliner for the Purchase of a Replacement Recycling Truck in the Amount of \$294,731 and Establishing a Project Budget in the Amount of \$304,000. **Page 69**
Dean Mealy, Procurement and Contract Manager
- 4. RESOLUTION NO. 013-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grant of Florida Department of Environmental Protection Contract No. 22PB2, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach Under the Florida Beach Management Funding Assistance Program, **Page 72**

Specifically Reimbursement for Mid-Town Beach Nourishment Project Construction, in the Amount of \$4,763,017, and Authorizing the Mayor to Execute Same on Behalf of the Town.

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

C. OTHER

1. Approval of Town Manager Performance Evaluation **Page 111**
Kirk W. Blouin, Town Manager
2. Budget Calendar for FY24 Budget Process **Page 118**
Robert Miracle, Deputy Town Manager - Finance and Administration
3. Endorse Distribution of Education Series Videos for the Town's Coastal Management Program **Page 121**
H. Paul Brazil, P.E., Director of Public Works
4. Acceptance of Donation from the Palm Beach Police and Fire Foundation **Page 124**
Nicholas Caristo, Chief of Police

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Investment Advisory Committee **Page 129**
Christopher Storkerson, Chair

X. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on January 19, 2023 **Page 197**
Lew Crampton, Chair

XI. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. Water Feasibility Update
TIME CERTAIN: 11:00 AM
Bobbie Lindsay, Council President Pro Tem
2. Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status **Page 203**
H. Paul Brazil, P.E., Director of Public Works
3. Review of Parking and Traffic Study **Page 219**

RESOLUTION NO. 001-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to The Corradino Group, Inc. in the Amount of \$330,795 and Establishing a Project Budget in the Amount of \$363,875 for a Traffic and Parking Study.

Wayne Bergman, Director of Planning, Zoning and Building

4. RESOLUTION NO. 011-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Change Order to ZoneCo in the Amount of \$170,000 for a Total Awarded Purchase Order of \$420,000 for Code Reform. **Page 238**

Dean Mealy, Procurement and Contract Manager

5. RESOLUTION NO. 012-2023 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 Corradino Group in the Amount of \$45,000 for a Total Awarded Purchase Order of \$145,000 for Code Reform. **Page 242**

Dean Mealy, Procurement and Contract Manager

6. Phipps Ocean Park Project Update **Page 246**
Carolyn Stone, Deputy Town Manager, Business Enterprise and Culture

TIME CERTAIN: 2:00 PM

a. Estimated Future Costs for Park Staffing and Maintenance Presentation

b. Site plan review with Proposed Pickleball Location

c. FDOT Crosswalk Discussion

d. Lifeguard Building Design Presentation

7. RESOLUTION NO. 014-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Bridges, Marsh & Associates for Renovation to the North Fire Station in the Amount of \$170,000 for a Total Purchase Amount of \$566,000. **Page 260**

Dean Mealy, Procurement and Contract Manager

8. Discussion Regarding Single-Use Plastics

Bobbie Lindsay, Council President Pro Tem

9. Review of Proposed North County Road Alignment **Page 267**
H. Paul Brazil, P.E., Director of Public Works

C. New Business

1. Re-Appointment of Town Manager Pursuant to Section 4.02(b) of the Town Charter from February 15, 2023 through February 13, 2024 **Page 270**

Kirk W. Blouin, Town Manager

2. Discussion Regarding Bert Harris Act **Page 274**
John C. Randolph, Town Attorney

3. Traffic Mitigation Update
Nicholas Caristo, Chief of Police

4. Update of FDOT Project on SR A1A from Emerald Way to Royal Palm Way **Page 308**
H. Paul Brazil, P.E., Director of Public Works

5. Review of a Stop Work Order Due to the Three-Strike Rule at 236 Pendleton Avenue
Wayne Bergman, Director of Planning, Zoning and Building

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XII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend Chapter 82 of the Town Code, Relative to Personnel

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ORDINANCE NO. 002-2023 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 of the Town Code of Ordinances Relating to Personnel, at Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision I, in General, by Adding a New Section 82-77, Reemployment After Retirement; Amending Subdivision V, General Employees and Lifeguards, By Amending Section 82-147, Worker's Compensation Benefits Offset; Return of Retirant to Town Employment; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Gillian Barth, Director of People & Culture

B. First Reading

1. Proposed Ordinance to Amend the Town's Budgets

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ORDINANCE NO. 001-2023 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2022, and Providing an Effective Date.

Robert Miracle, Deputy Town Manager, Finance & Administration

2. Proposed Ordinance to Amend Chapter 134 of the Town Code Relative to On-Street Parking Permits

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ORDINANCE NO. 004-2023 An Ordinance of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134-Zoning, Article X. On-Street Parking Permits, Division 2., Residential Districts at Section 134-2291. Findings; Section 134-2292. Definitions; Section 134-2296. Issuance of Special Parking Permits Upon Application; Section 134-2298. Unlawful Acts and Section 134-2302. Revocation Of Decal/Permit. Also Amending Division 3., Residential Districts Adjacent to Commercial Districts at Section 134-2327. Issuance; Section 134-2334. Unlawful Acts; And Section 134-2336; All Providing That Visitor/Service Permits May Not Be Used on A Continual Basis; Providing A Definition of Continual Use; And Providing for Revocation of Decal/Permit by Chief of Police for Violations; Providing for Severability; Providing for Repeal

of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Nicholas Caristo, Chief of Police

XIII. ANY OTHER MATTERS

XIV. 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: February 14, 2023

Section of Agenda Minutes

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

- a. January 10, 2023, Town Council Meeting Minutes
- b. January 11, 2023, Town Council Development Review Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **January 10, 2023, Town Council Meeting Minutes**
- ▣ **January 11, 2023, Town Council Development Review Meeting Minutes**



MINUTES OF THE TOWN COUNCIL MEETING HELD ON JANUARY 10, 2023

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting was called to order at 9:30 a.m. On roll call, all Council members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. MODIFICATIONS TO THE AGENDA

The following modification was made to the agenda:

Item No. XIII.B.2. Annual Report from the Palm Beach Island Cats will be heard under PRESENTATIONS as Item No. V.C.

IV. APPROVAL OF AGENDA

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

V. PRESENTATIONS

Mayor Moore recognized Antonette Fabrizi for her five years of service and announced the retirement of Frank Magliano, Fire Department and Jane LeClainche, Director of Finance.

A. Employee Retirement Proclamation *Danielle H. Moore, Mayor*

Mayor Moore presented a Proclamation to Jane LeClainche, Director of Finance, in honor of her retirement on January 27, 2023.

B. Presentation by the Friends of Palm Beach
Diane Buhler

Diane Buhler, Friends of Palm Beach, gave a presentation to the Town Council regarding beach clean-ups carried out by her group and explained challenges that they face. She requested the use of a Dump Truck from the Town and additional bins at the Southern Boulevard bridge to assist in the organization's efforts. She explained research efforts in which she is participating to determine the source of much of the trash that ends up on the Town's beaches.

C. Annual Report from Palm Beach Island Cats
David Leavitt, Palm Beach Island Cats

David Leavitt, President, Palm Beach Island Cats presented the Annual Report. Discussion ensued regarding the issue of an increased presence of coyotes in Town. Council President Zeidman spoke in support of receiving additional information and study from Town staff on how to address this issue. She asked that staff add safety information to the Town website on coyotes.

Public Comment

Tom Parker, 215 Jamaica Lane
Diane Buhler, Friends of Palm Beach

Police Chief Nick Caristo spoke regarding the Police Department's process for addressing coyote sightings.

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

A. Presentations by the Applicants and Appointments to the Code Enforcement Board
Pat Gayle-Gordon, Acting Town Clerk

Martin Klein presented his qualifications to continue serving on the Code Enforcement Board.

Motion was made by Council Member Crampton and seconded by Council Member Araskog to appoint Martin Klein as a regular member of the Code Enforcement Board. On roll call, the Motion passed unanimously.

VII. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore expressed concern over confusion in the community regarding the location of the 30-minute free parking spaces on Worth Avenue and inquired how they will be identified. Council President Pro Tem Lindsay and Director of Public Works Paul Brazil stated that staff is working on markers to identify the free parking spaces and that the

Business and Administrative Committee (BAC) will be receiving a report on these markers at an upcoming meeting.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Crampton requested to add an item for discussion regarding beginning the effort of entering into a public-private partnership for a parking structure at the Apollo lot. The Town Council provided consensus to add a discussion on the February agenda regarding this item.

Council President Pro Tem Lindsay spoke regarding the Town Council's efforts in 2018 to regulate single-use plastic bags. She spoke in support of revisiting these regulations by requesting an exemption to the State legislation that preempts coastal communities from instituting regulations on single-use plastic bags.

Council Member Araskog spoke in support of holding a discussion of what to do with the Apollo lot and looking at different options for using it for parking. She expressed concern over issues with communication from the Town to the residents. She spoke regarding concerns from residents about the proposed expansion of paid parking and the institution of the mobile app. She requested that the Council revisit this item and return to Council in February in order to allow for additional public input.

Council President Zeidman spoke regarding the background and process of discussing the paid parking issue. She expressed concern over communication with residents and urged residents to sign up for the Town's alerts. Discussion ensued regarding the expansion of the paid parking program.

Council Member Cooney expressed appreciation to the Garden Club and SMI Landscape for the landscaping improvements to the traffic circle on Southern Boulevard.

Council President Zeidman spoke in support of looking at how to improve the communication from the Town to residents. She expressed concern over the effectiveness of the microphones in the Council Chambers. Bob Miracle, Deputy Town Manager, stated that staff is working with a new vendor to address the audio-visual issues in Council Chambers. Council President Zeidman spoke regarding a status report from Town Attorney Randolph on matters of litigation. Town Attorney Randolph spoke regarding the most effective method to provide updates to Town Council.

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

John David Corey, 426 Australian Avenue, expressed concern over the noticing and application for a renovation project at the Chesterfield Hotel.

Edward Kassatly, 309 Barton Avenue and owner of 250 Worth Avenue, spoke in opposition to the use of a mobile app for paid parking on Worth Avenue.

Lori Bernstein, 153 Kings Road, 301 and 312 S. County Road store owner, spoke in opposition to paid parking in the shopping districts.

Jennifer Marcello, Café L'Europe, 331 S. County Road and resident at 170 Clarendon Avenue, spoke in opposition to the expansion of the paid parking program.

Lynn Foster, 424 Brazilian Avenue, expressed concern over problems with the applicant's proposal for renovations at the Chesterfield Hotel.

Betsy Kalip, 1570 N. Ocean Boulevard, spoke in opposition to instituting the mobile app for paid parking and time-limited parking. Lt. Paul Alber, Police Dept., responded to Ms. Kalip by stating that the Town Council will be the decision-making body to set the regulations and time limits for the ParkMobile app.

Dino Peroni, OnPoint Valet, expressed concern regarding the continuation of valet service with the expansion of the paid parking program. Council Member Crampton provided clarification of what is being studied regarding valet services. Mayor Moore provided further clarification on the use of private lots, as well as how the ParkMobile app can be adapted to the Town's specifications.

Council President Zeidman stated that there seems to be a lot of misinformation among the residents. She reiterated that before any decisions are made by the Town Council it will be heard by the Business and Administrative Committee.

Linda Olson, 239 Pendleton Avenue spoke in opposition to the expansion of the paid parking program, especially the use of the mobile app.

Town Manager Kirk Blouin addressed concerns raised by public comment speakers and spoke regarding the process for discussion on this item.

Lori Bernstein, representing Palm Beach Parking, spoke in opposition to the expansion of the paid parking program.

Lt. Paul Alber assured all that there would be sufficient time and education for the community before any changes were implemented.

Anita Seltzer, 44 Cocoanut Row, spoke regarding Resolution No. 001-2023 and addressed issues with the proposed traffic and parking study.

X. APPROVAL OF CONSENT AGENDA

The following items were pulled from the Consent Agenda and heard as follows:

Item No. X.B.1. RESOLUTION NO. 001-2023 Heard as Item No. XIII.A.1

Item No. X.B.3. RESOLUTION NO. 004-2023 Heard as Item No. XIII.A.2

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

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk

November 15, 2022, Town Council Development Review Meeting Minutes
December 13, 2022, Town Council Meeting Minutes
December 14, 2022, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of December 16, 2022
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 001-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to The Corradino Group, Inc. in the Amount of \$199,962 for a Traffic Engineering and Parking Study.
*Dean Mealy, Procurement and Contract Manager – **Pulled and Heard as Item No. XIII.A.1***
2. RESOLUTION NO. 002-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn and Associates, Inc. for FY23 Landfill Services in the Amount of \$103,890 and Establishing a Project Budget of \$114,000.
Dean Mealy, Procurement and Contract Manager
3. RESOLUTION NO. 004-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standards Applicable to Public Rights of Way and Easements, by Amending Chapter XII, Miscellaneous Provisions, Construction Parking & Construction Site Management, to Include NFPA 1, Chapter 16, Safeguarding Construction, Alteration, and Demolition Operations and the Town Code of Ordinances, Chapter 38, Emergency Services, Section 38-35, Contractor Activated False Alarms.
*Wayne Bergman, Director of Planning, Zoning and Building – **Pulled and Heard as Item No. XIII.A.2***

XI. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Recreation Advisory Commission**

Nicholas Coniglio, Chair

Mark Bresnahan, Director of Recreation, provided background information on the Recreation Advisory Commission report and answered Council Members' questions.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to accept the Annual Report of the Recreation Advisory Commission. On roll call, the Motion passed unanimously.

XII. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on November 17, 2022
Julie Araskog, Chair

Motion was made by Council Member Araskog and seconded by Council Member Crampton to defer the Report of the Ordinances, Rules and Standards Committee Meeting held on November 17, 2022, to the January 11, 2023, Town Council Development Review Meeting. On roll call, the Motion passed unanimously.

XIII. REGULAR AGENDA

- A. Matters Pulled From Consent Agenda: If needed
1. RESOLUTION NO. 001-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to The Corradino Group, Inc. in the Amount of \$199,962 for a Traffic Engineering and Parking Study.
Dean Mealy, Procurement and Contract Manager – Pulled from Consent Agenda

Joe Corradino, The Corradino Group, Inc., provided background information on the proposed study.

Council Member Cooney expressed concern that the Town Council did not provide input on the scope for the parking study. He spoke in favor of the addition of areas to be studied that were raised by Anita Seltzer, specifically Sunrise Avenue and County Road, Sunset Avenue and County Road, Royal Poinciana Way and County Road. He also expressed concern over how staff will select three restaurants for review.

Council President Pro Tem Lindsay spoke in support of additional areas of study as previously mentioned and the areas of County Road and Bradley Place and County Road and the Breakers.

Council Member Crampton expressed concern over the study potentially not having the correct data points. He recommended that the scope return to staff and the consultants for further review to ensure that all of the areas of concern are covered in the study.

Council President Zeidman expressed concern that traffic queuing in West Palm Beach impacts the traffic in Palm Beach. Director Brazil spoke regarding the scope of the study and Mr. Corradino provided further clarification. Ms. Zeidman spoke regarding the BAC looking at the shared parking ordinance in their discussions about options for future parking. Council President Pro Tem Lindsay spoke regarding moving the time for valets to 5:00 p.m. and spoke regarding the areas for valet.

Council Member Araskog spoke in support of the additional areas of study as previously mentioned. She expressed concern over ensuring that the study addresses how many parking spaces are required for different uses. In response to a question by Council Member Araskog, Mr. Corradino addressed the hours for study. She spoke regarding potential changes to the hours for study in critical areas. She expressed concern over how the restaurants are selected, to which Mr. Corradino responded.

Public Comment

Anita Seltzer, 44 Cocoanut Row, stated that the Planning and Zoning Commission should be involved in the planning regarding the Traffic and Parking Study. She stated her concern regarding the use of cellphone data and what happens to the phone numbers afterward. Mr. Corradino responded that the numbers are collected by a data company and his company (Corradino Group) does not have access to the numbers or any other private data which are scrubbed from the data provided to them.

Please note: A brief break was taken at 1:12 p.m. until 1:25 p.m.

2. RESOLUTION NO. 004-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standards Applicable to Public Rights of Way and Easements, by Amending Chapter XII, Miscellaneous Provisions, Construction Parking & Construction Site Management, to Include NFPA 1, Chapter 16, Safeguarding Construction, Alteration, and Demolition Operations and the Town Code of Ordinances, Chapter 38, Emergency Services, Section 38-35, Contractor Activated False Alarms.
*Wayne Bergman, Director of Planning, Zoning and Building – **Pulled from Consent Agenda***

Director Bergman provided background information on this item.

Council Member Araskog spoke in support of the proposed changes and stated that she would support a stop work order being issued after two false alarms and separating out false alarms into its own category.

Director Brazil spoke regarding potential changes to the right-of-way manual.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve Resolution No. 004-2023. On roll call, the Motion passed unanimously.

B. Old Business

1. 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 the project status and spoke regarding chicanes necessary for Phase 7 north and south. Discussion ensued regarding the location of the potential chicanes.

Council Member Crampton spoke regarding the project costs and requested confirmation from Town Manager Blouin regarding how the future costs will be financed, to which Mr. Blouin responded.

2. Annual Report from Palm Beach Island Cats

*David Leavitt, Palm Beach Island Cats – **Heard as Item No. V.C.***

C. New Business

1. Discussion Regarding Expansion of Landmarks Program
Danielle H. Moore, Mayor / Wayne Bergman, Director of Planning, Zoning & Building

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to defer the discussion to the February 14, 2023, Town Council Meeting. On roll call, the Motion passed unanimously.

The Town Council recessed for lunch at 1:45 p.m. and reconvened at 2:22 p.m.

2. Review of a Stop Work Order Due to the Three-Strike Rule at 221 Ocean Terrace

Wayne Bergman, Director of Planning, Zoning and Building

Director Bergman provided background information on the item.

Council Member Araskog expressed concern over the number of citations for this project.

Mayor Moore expressed concern over the actions by this contractor on this project.

Jason Vassalotti, Vassalotti Stone Works, West Palm Beach, spoke regarding issues that had occurred on the project and attempted to provide an explanation of the citations.

Director Brazil and Town Engineer Strayer addressed the issue of why a right-of-way permit would be denied.

Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Cooney to lift the Stop Work Order, waive the third strike and issue right-of-way permit(s) subject to all fines being paid. On roll call, the Motion passed unanimously.

3. Review of a Stop Work Order Due to the Three-Strike Rule at 346 Seabreeze Avenue for Multiple Strikes
Wayne Bergman, Director of Planning, Zoning and Building

Director Bergman provided background information on the item.

Richard Stevenson, owner of 346 Seabreeze, provided explanations of the violations.

Council Member Araskog expressed concern over the contractor and spoke in support of additional fines being imposed on the contractor.

Erica Bauman, Woolems, provided additional explanations on the violations that occurred.

Town Manager Blouin spoke regarding the violation and fee process.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to lift the Stop Work Order, waive the third strike and issue right-of-way permit(s) subject to all fines being paid and an additional \$2,500 fee paid by the contractor. On roll call, the Motion passed 3-2 with Council Members Cooney and Lindsay dissenting.

XIV. ORDINANCES

A. First Reading

1. ORDINANCE NO. 001-2023 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2022, and Providing an Effective Date.
Robert Miracle, Deputy Town Manager Finance & Administration

Town Attorney Randolph read the title of the ordinance.

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

Council Member Araskog expressed concern over the expenditures listed for the Code Reform project. Town Manager Blouin provided clarification and Director Bergman provided information on the proposed Code Reform expenses. Deputy Town Manager Miracle provided additional information on the proposed expenditures and the budget process. Council President Zeidman spoke regarding the Code Reform process and the expenses that are required. Council Member Araskog inquired about the architects for the charrettes, to which Mr. Bergman responded.

Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Crampton to approve Ordinance No. 001-2023 on first reading. On roll call, the Motion passed unanimously.

2. ORDINANCE NO. 002-2023 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 of the Town Code of Ordinances Relating to Personnel, at Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision I, in General, by Adding a New Section 82-77, Reemployment After Retirement; Amending Subdivision V, General Employees and Lifeguards, By Amending Section 82-147, Worker's Compensation Benefits Offset; Return of Retirant to Town Employment; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
Gillian Barth, Director of People & Culture

Town Attorney Randolph read the title of the ordinance.

Janice Rustin, Pension Attorney, provided background information on the proposed ordinance and answered Council Members' questions. Town Manager Blouin provided further clarification.

Mayor Moore spoke regarding reemployment of previous retirees being approved by Town Council. Town Manager Blouin provided additional background information.

Council Member Crampton spoke regarding this ordinance providing the Town Manager additional flexibility.

Council Member Cooney inquired about succession planning with Town staff, to which Mr. Blouin and Deputy Town Manager Stone responded. Council President Zeidman spoke regarding the importance of succession planning.

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

Motion was made by Council Member Araskog and seconded by Council Member Cooney to approve Ordinance No. 002-2023 on first reading. On roll call, the Motion passed unanimously.

XV. ANY OTHER MATTERS

1. Pilot Program Regarding Garbage Collection at the Town Marina

In response to questions by Council President Pro Tem Lindsay, Director Brazil provided information regarding the new truck that was expected to be utilized for the pilot program. Deputy Town Manager Stone provided further information on training and the process involved with pickups. Discussion ensued regarding potential procedures that can be put into place to address challenges to trash collection in the marina.

Council Member Araskog inquired about the potential of increased costs for this program.

Council President Zeidman spoke regarding the necessity to please both the customers of the marina and the residents who live adjacent to the marina.

Council President Pro Tem Lindsay spoke regarding the great success of the marina and stated that she believes that staff will handle this issue effectively.

2. Notification Regarding Application Issues

Council Member Araskog expressed concern that she and other residents are not receiving notices from the Planning, Zoning and Building Department on public hearings. The Council agreed to discuss this item at the January 11, 2023, Town Council Development Review Meeting.

3. Construction Parking

Council Member Araskog spoke regarding a requirement in the Code that requires a parking plan and attendants at construction sites. She expressed concern over the

multiple violations from construction sites in regards to parking. The Council agreed to discuss this item at the January 11, 2023, Town Council Development Review Meeting.

Council President Zeidman stated that the following items should be placed on the February 14, 2023, Town Council Meeting Agenda:

1. Review of Parking and Traffic Study
2. Public/Private Partnership Regarding the Apollo Parking Lot
3. Friends of Palm Beach Requests for a Dump Truck and additional Bins
4. Beach Cleaning of Sargassum Seaweed

XVI. ADJOURNMENT

The Town Council Meeting of Tuesday, January 10, 2023, was adjourned at 4:03 PM, without benefit of a Motion.

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 January 11, 2023

I. CALL TO ORDER AND ROLL CALL

The Development Review Town Council Meeting was called to order January 11, 2023, at 9:31 a.m. On roll call, all elected officials were found to be present, except for Mayor Moore, who because of a previously town related function arrived at 9:52 a.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore was not present when this item was called.

IV. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog reminded contractors to review the Town's construction rules because she has witnessed many violations on construction sites in Town.

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

No one indicated a desire to speak.

VI. APPROVAL OF AGENDA

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

Addition of VIII.B. Demolitions and Related Screening of Construction Projects

Deferral of Appeal of ARCOM Decision of ARC-22-241, 624 Island Drive to the February 15, 2023 meeting

Addition of X.B.3. Time Extension for 266 Colonial Lane

Deferral of ZON-22-021, 160 Seaview Avenue to the February 15, 2023 meeting

Deferral of ZON-22-088, 240 Oleander Avenue to the February 15, 2023 meeting

Deferral of ZON-22-122, 141 Australian Avenue to the February 15, 2023 meeting

Deferral of ZON-22-140, 248 Colonial Lane to the February 15, 2023 meeting

Deferral of ZON-22-147, 201 El Vedado Road to the February 15, 2023 meeting

Withdrawal of ZON-22-111, 239 S. County Road, Ste. 2A and 1D

Deferral of ZON-22-129, 441 Australian Avenue to the February 15, 2023 meeting

Deferral of ZON-23-002, 624 Island Drive to the February 15, 2023 meeting

Item ZON-23-003, 1030 S. Ocean Blvd. removed from the agenda

Deferral of ZON-23-012, 246 Everglade Avenue to the February 15, 2023 meeting

Deferral of ZON-23-013, 7 La Costa Way to the February 15, 2023 meeting

Deferral of ZON-23-014, 302 Seabreeze Avenue to the February 15, 2023 meeting

Deferral of ZON-23-025, 210 Via del Mar to the February 15, 2023 meeting

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

Council Member Cooney noted the number of residents in the audience to discuss the project at 139 N. County Road. After a short discussion, there was a consensus of the Town Council to place a time certain on ZON-23-006 139 N. County Road for 12:00 p.m.

Council President Zeidman spoke regarding an article in the Palm Beach Daily News about the Code Review kickoff on Tuesday, January 17, 2023.

Please note: At this time, the Town Council moved to hear Item XI.A., Resolution No. 005-2023.

VII. CODE REVIEW

A. TIME CERTAIN 10:00 A.M.

Code Review Update Including a Discussion Regarding Limiting the Number of Restaurants Based on Location and Area

Sean Suder, Zone Co.

Mr. Suder provided an update on the upcoming kickoff meetings. He spoke regarding the ability to address restaurant capacity in zoning. He provided an explanation of carrying capacities and externalities and addressed how it applies to restaurants in Town. He spoke regarding the issues that this review is attempting to solve and explained how zoning can address the issues.

Council President Zeidman expressed appreciation to Council Member Araskog for placing the discussion of restaurants on the agenda. She stated that it was a balance to provide services for residents while not becoming a regional destination.

Council Member Araskog stated that she believes that it is important to know the total number of restaurant seats in the Town. She acknowledged that the parking study would also be important prior to making any decision relating to restaurants.

Council President Pro Tem Lindsay spoke regarding the importance of the issue. She discussed how the service industry parking infringes on the residential areas. She spoke regarding the town serving requirement for local businesses and stressed the importance of keeping this requirement. She spoke in support of ensuring that the study includes a review of traffic impacts on residential neighborhoods.

Council Member Cooney spoke regarding the existence of “grandfathered” spaces for restaurants and stated that it was more difficult to change a non-restaurant space into a restaurant space. He requested that staff explain the Code provisions that were already in effect. James Murphy, Assistant Director of Planning, Zoning and Building, discussed the recent change in the code that required all eating and drinking establishments to get an approval from the Town Council for a special exception. He also discussed the code provisions that were required of a business changing use to a restaurant.

Council President Zeidman provided background on the change to the code that requires a special exception for new restaurants. She spoke in support of having a discussion of the “grandfathering” issue and the use of special exceptions.

Mayor Moore provided corrections to the list of restaurants, dining rooms, clubs, and bars that staff provided to the Town Council. Mayor Moore stated that it would be helpful if staff delineated the restaurants that were within hotels.

Council Member Cooney stated that it would also be helpful to understand how many seats each restaurant had, as well as the number of parking spaces.

Council Member Crampton stressed the importance of the strategic planning process that is currently being undertaken and spoke regarding how that process relates to creating solutions for these issues.

Council Member Araskog spoke regarding the importance of the traffic and parking study. She expressed concern that there have been several new restaurants using the same parking spaces as their required spaces in their applications. She discussed other potential changes to address these issues.

Council President Pro Tem Lindsay recommended that the Town Council deny any parking variances for restaurants on a change of use. Town Attorney Randolph expressed concern over indicating that an applicant is not entitled to apply for a parking variance and spoke regarding considering distance requirements.

Council President Zeidman spoke in support of researching the legality of not allowing parking variances for restaurants on a change of use. She stated that the Town is at a tipping point and expressed concern over additional traffic and parking issues if new businesses are opened in Town. Ms. Zeidman requested a review of the issue of special exceptions and how to move forward.

VIII. DISCUSSION ITEMS

A. TIME CERTAIN: 10:45 AM

Native Landscape Discussion

Council Member Araskog provided background information on the ORS Report and specifically provided background on the discussions regarding native landscape.

Council Member Cooney reviewed the discussions on native landscape at the recent ORS meeting. He discussed the reason he voted no on a resolution that changed the native requirement to a higher percentage.

Council Member Araskog discussed the issues that staff initially had prior to the 35% native requirement.

Council President Pro Tem Lindsay discussed the history of the changes to the requirement of native landscaping and how the requirement evolved to the 35% threshold. She explained that the goal was to contribute to a healthy ecosystem. She provided background history on the Town's green initiative and spoke regarding several local organizations that continue to provide education on the issue.

Council President Zeidman spoke regarding the importance of education on native landscaping, as well as the importance of setting standards to protect the health and welfare of the residents and wildlife.

Council Member Crampton stated that he is neutral on the issue and was interested in hearing the comments from the public. He spoke in support of the program consisting of incentives, recognition, and education rather than being regulatory. He spoke

regarding looking at neighboring communities, while still understanding the unique nature of the Town. He requested clarification on the 35% requirement, to which Ms. Araskog responded.

Council President Pro Tem Lindsay provided clarification on the Garden Club's position on this issue.

Mayor Moore expressed concern over attempting to micromanage beautifully designed gardens and spoke regarding the issue of enforcement and over-regulation.

Council President Zeidman clarified the items being considered.

Council President Zeidman called for public comment.

John David Corey, 426 Australian Avenue, spoke in support of the current native landscape ordinance and the 35% minimum requirement. He stated that the landscaping plans have become more interesting at the Architectural Review Commission meetings since the new requirement has been in place. He spoke in support of staff's recommendation to streamline the list and suggested requiring a shade tree minimum for each project.

Allison Gulbrandsen, 217 Emerald Lane, inquired about how residents are notified about new ordinances. She spoke regarding the recent removal and replacement of a Ficus hedge at her home and discussed violations she received from the Town.

Kit Pannell, 4 S. Lake Trail, spoke in support of using native landscaping. She spoke regarding the importance of education and encouragement in achieving the goal. Rather than requiring 35%, she recommended changing it to 25%. She spoke in support of using the University of Florida's Native Plant Database or Florida Native Plant Society database with IRC's native list.

Amanda Skier, The Preservation Foundation, provided the organization's recommendations in moving forward with achieving the goals for native landscaping. These recommendations included expanding the Institute of Regional Conservation's 33480 list to the organization's state-wide list, eliminating the palm category and absorbing palms into the tree or shrub category, separating the vine category from groundcovers, and moving it to shrub category, changing the calculation for groundcovers from plant count to area, clarifying when the ordinance is triggered by defining "redevelopment" as 50% or more of greenspace area. She spoke in support of the Preservation Foundation working with Town staff on holding a workshop to educate the community on native landscaping.

George Gann, The Institute for Regional Conservation (IRC), spoke in support of expanding the 33480 list, although he stated that the current list is still effective. He stated that he believes that the categories should not be collapsed. He spoke regarding the large number of species of native landscaping that is available and stated that local ordinances will expand the supply that is available to residents. He spoke regarding the work that his organization does to educate the public on using local native species and

to obtain support from residents on the regulations.

Jorge Sanchez, 239 Southland Road and owner of SMI Landscape Architecture, expressed concern over the Town over-regulating landscaping.

Mario Nievera, 2257 S. Ocean Blvd. and Nievera Williams Design, expressed concern that the list of Institute of Regional Conservation did not include some of the regularly used plants. He supported the 25% requirement rather than 35%.

Miguel Rosales, 426 Australian Avenue, supported the 35% requirement as a minimum. He discussed the changes to his own garden and the positive outcomes from using native materials.

Seline Bastille, Fernando Wong Outdoor Living Design, discussed the hardship of working with the 35% native requirement. She stated that owners were frustrated at the requirement as it hindered their visions for their gardens.

Ginny Parker, 215 Jamaica Lane, supported keeping the native requirement at 25% at this time.

Dustin Mizell, Environment Design Group, stated that landscape architects were charged with being stewards of the land. He spoke regarding landscape architects using other methods to assist with sustainability efforts rather than just using native landscaping. He requested that the Town return to zero requirements. He stated that he felt that many architects and owners would do the right thing for the environment.

Ms. Skier clarified the IRC list, specific to 33480. She asked that the IRC list could be expanded to the entire State of Florida. She also stated she was not opposed to using the Florida Native Plant Society's list. She suggested allowing the expansion of the list to be put into place before the Council changes the percentage of native requirements.

Susan Lerner, Preservation Foundation of Palm Beach, addressed statements made by Jorge Sanchez in the newspaper regarding Pan's Garden, which she stated were erroneous.

Claudia Visconti, SMI Landscape Architecture, discussed some of the plant materials that they provided to Mr. Gann and The Preservation Foundation's list that her firm believed should be included on the list of allowed plants.

Council Member Araskog asked Mr. Gann to define cultivars, to which Mr. Gann responded. He spoke regarding the combined list that he recommends and explained cultivars.

Council President Pro Tem Lindsay requested clarification of the list that Mr. Gann recommends, to which he responded. Ms. Lindsay spoke regarding the possibility of having two separate lists from which residents could select. She spoke regarding the usefulness of the IRC list due to the ability to search by zip code.

Mayor Moore stated that she did not have the expertise needed to make the decision. She addressed a speaker's comment regarding the Town Council delegating the list to be used to an outside entity.

Council Member Cooney expressed appreciation of the community's advancement to a greener community and the reduction of pesticides. He stated there should be a balance of education and respecting residents' property rights. He spoke regarding there not being a "one-size-fits-all" approach in this issue. He spoke in support of returning to 25% and spoke in support of including the expanded IRC list and the Florida Native Plant Society list. He spoke in support of eliminating the palm category and absorbing them into the shrubs and trees category and separating the vine category from groundcover and moving it under the shrub category to allow for greater flexibility. He spoke in support of clarifying the trigger for compliance and using 50% as is done for other zoning regulations in Town. He was in favor of including credits for native landscaping on redevelopment projects.

Council Member Crampton admitted he was not an expert on the subject. He spoke in support of native plants but expressed concern over the regulatory side of the requirement. He spoke in support of the Preservation Foundation's recommendations. He spoke in support of the 25% standard if the consideration is category by category or 35% if the consideration is the overall garden.

Council President Pro Tem Lindsay spoke in support of the using the more expansive list and spoke in support of the Preservation Foundation's recommendations. She pointed out that if the Town remained at 35%, it would be the second lowest in the State. She spoke in opposition to reverting the requirement back to 25%. She discussed the requirement for replacing a hedge.

Mayor Moore questioned if the requirement could be enforced. Jennifer Hofmeister-Drew, Planner III, discussed how staff enforces the requirement.

Council Member Araskog inquired if staff would find it acceptable to use two lists, to which Mr. Bergman responded. Council Member Araskog spoke in support of the recommendations for the lists and changing the categories and for the requirement to remain 35%.

Motion made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to approve the project with the following conditions: (1) to accept the five recommendations from the Preservation Foundation, which includes expanding the Institute of Regional Conservation's 33480 list to the organization's state-wide list, eliminating the palm category and absorbing palms into the tree or shrub category, separating the vine category from groundcovers and moving it to shrub category, changing the calculation for groundcovers from plant count to area, clarifying when the ordinance is triggered by defining "redevelopment" as 50% or more of greenspace area, (2) to utilize both the Institute for Regional Conservation's list as well as the Florida Native Plant Society list for a permissible catalog of native plant species; (3) there will be three categories of native planting materials; (4) a 35% native landscaping material will be required; (5) this item will return to the town council in four (4) months for reevaluation. Motion failed 2-3, with Council

President Zeidman, and Council Members Cooney and Crampton dissenting.

Council President Zeidman spoke regarding the change in the requirement being de minimis. She spoke in support of reducing the requirement to 30% to move the motion forward.

Motion revised by Council Member Araskog and seconded by Council President Pro Tem Lindsay to approve the project with the following conditions: (1) to accept the five recommendations from the Preservation Foundation, which includes expanding the Institute of Regional Conservation's 33480 list to the organization's state-wide list, eliminating the palm category and absorbing palms into the tree or shrub category, separating the vine category from groundcovers and moving it to shrub category, changing the calculation for groundcovers from plant count to area, clarifying when the ordinance is triggered by defining "redevelopment" as 50% or more of greenspace area, (2) to utilize both the Institute for Regional Conservation's list as well as the Florida Native Plant Society list for a permissible catalog of native plant species; (3) there will be three categories of native planting materials; (4) a 30% native landscaping material will be required; (5) this item will return to the town council in four (4) months for reevaluation. Motion carried 4-1, with Council Member Cooney dissenting.

Please note: A short break was taken at 1:08 p.m. The meeting resumed at 1:15 p.m.

Council President Zeidman reminded the Town Council that the ORS Report needed to be accepted.

Motion made by Council President Pro Tem Lindsay and seconded by Council Member Cooney to accept the Ordinance, Rules and Standard Report as presented. Motion carried unanimously, 5-0.

Council Member Cooney pointed out one scrivener's error in the report and asked Deputy Town Clerk Churney to revise for the final version.

Please note: The following item was heard at 3:34 p.m.

B. Demolitions and the Related Screening of Construction Projects

Council Member Araskog provided background information on the issue.

Council President Zeidman read the five items raised for this issue.

Director Bergman spoke in support of holding pre-demolition meetings in order to ensure that contractors are aware of the Town's regulations. He provided background information on the process that is currently in place.

The Town Council provided consensus for staff to move forward with holding pre-demolition meetings.

Mr. Hauschild discussed the difference between the two dumpsters. Director Bergman spoke regarding the issue of projects having adequate screening for demolitions.

Discussion ensued regarding the screening that should be required for demolitions.

Director Bergman stated that he and Mr. Hauschild would put together their recommendations for the listed items and return to Town Council.

The following item was heard out of order of the agenda.

IX. RESOLUTIONS

- A. Resolution No. 005-2023: A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing Ad Valorem Tax Exemptions For the Property Hereinafter Described And Stating That The Subject Property Meets The Criteria Set Forth In Chapter 54, Article V Of The Code Of Ordinances Of The Town Of Palm Beach, Relating To Landmarks Preservation And Titled "Tax Exemptions."

Emily Stillings, MurphyStillings, provided background information on the tax exemption for the property at 264-270 S. County Road, the Carriage House.

Council Member Araskog clarified that this request for the revision of the tax abatement was from Palm Beach County.

Motion made by Council Member Crampton and seconded by Council Member Cooney to approve Resolution No. 005-2023. Motion carried unanimously, 5-0.

Deputy Town Clerk Churney administered the oath of office at this time and throughout the meeting when appropriate.

- B. Resolution No. 006-2023: A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as 205 Jamaica Lane 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 Designation Said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of the Code of Ordinances of the Town of Palm Beach. [The owner objected to the Landmark Designation at the December 21, 2022, Landmarks Preservation Commission meeting.]

Ex parte communications were declared by Council Members Cooney, Crampton, Araskog, President Pro Tem Lindsay, President Zeidman and Mayor Moore.

Council President Zeidman requested confirmation of proof of publication. Deputy Town Clerk Churney provided confirmation.

Emily Stillings, MurphyStillings, presented background information on the project and historical information on the property. She outlined how the property met Criteria 1, 3 and 4 for Landmark Designation. She indicated that if landmarked, it would be the first John Stetson home to be landmarked. Ms. Stillings expressed appreciation to the owner for conversing with her on the designation.

Motion made by Council Member Araskog and seconded by Council President Pro Tem Lindsay that the designation report be made part of the record. Motion carried unanimously, 5-0.

Council President Zeidman called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, indicated that she believed this home met the criteria for designation. She thanked the owner for working with them to learn about the Landmarks program in the Town. She requested that the Town Council support the designation.

Tom Parker, 215 Jamaica Lane, spoke regarding his objections to the landmark designation on this home.

Council Member Cooney acknowledged that it is difficult to designate a home against a homeowner's wishes and stated that sometimes it is necessary to preserve significant structures. He stated that he did not support the designation for this home.

Council Member Crampton spoke in opposition to a landmark designation for this home.

Council President Pro Tem Lindsay also stated she would not support the designation. She stated that she did not believe the home was an example of historic Palm Beach.

Council President Zeidman stated she would not landmark a home that she believed did not rise to a high level of landmark status and spoke in opposition to a landmark designation for this home.

Council Member Araskog stated that she was torn on this item, especially since the architect was not represented in the Town as a landmarked home. She spoke in opposition to a landmark designation for this home.

Mayor Moore spoke regarding John Stetson homes and expressed concern that the architect was not represented in the Landmarks Program. She spoke in support of not landmarking this particular home.

Motion made by Council Member Cooney and seconded by Council Member Crampton to deny the landmark ratification of 205 Jamaica Lane. Motion carried unanimously, 5-0.

X. DEVELOPMENT REVIEW

B. Appeals

1. Appeal of ARCOM Decision RE: ARC-22-241, 624 Island Drive

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

C. Time Extensions and Waivers

1. Time Extension for 150 Worth Avenue

Mr. Bergman provided background information on the time extension request.

Yvonne Jones, General Manager of The Esplanade, discussed the repairs that would be completed prior to May 1, 2023, and explained the roof deck replacement that would begin in May.

Council President Pro Tem Lindsay inquired if a structural engineer had assessed the integrity of the entire building, to which Ms. Jones responded and discussed the changes that would be forthcoming due to the engineer's assessment. She indicated that the building was sound.

Council Member Araskog spoke in support of the time extension due to the importance of this work being completed in order to address safety concerns.

In response to questions from Council Member Crampton, Ms. Jones spoke regarding potential impacts to pedestrians and occupants of the building and provided a timeline of the work to be done. Council Member Crampton asked if staff supported the application, to which Mr. Bergman provided confirmation.

Council President Zeidman inquired about the surrounding neighbors that would be affected. Ms. Jones responded and indicated that she reached out to the neighboring properties. She stated that she would provide a detailed schedule of the upcoming repairs with the neighbors and staff.

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

Motion made by Council Member Araskog and seconded by Council Member Cooney to approve the time extension request for 150 Worth Avenue with the caveat that if there are any reported verifiable issues, the Director of Planning, Zoning and Building could handle the issue. Motion carried unanimously, 5-0.

2. Time Extension for 225 Worth Avenue (Gucci)

Mr. Bergman provided background information on the time extension request. He stated that the request is for minor interior work to be completed February 1-15, 2023.

Butch Felt, 225 Worth Avenue, provided additional information on the time extension request.

Mayor Moore spoke in support of contractors requesting more time than they may expect to eliminate the need to continue returning to Town Council for time extensions.

Council Member Araskog inquired about the outdoor work and the timeline for the work, to which Mr. Felt responded.

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

Council Member Cooney asked if pedestrians would still be able to walk around the construction. Mr. Felt confirmed pedestrians would still be able to traverse the sidewalk.

Motion made by Council Member Araskog and seconded by Council Member Crampton to approve the time extension for 225 Worth Avenue with the caveat that if there are any reported verifiable issues, the Director of Planning, Zoning and Building could handle the issue. Motion carried unanimously, 5-0.

3. Time Extension for 266 Colonial Lane

Mr. Bergman provided background information on the time extension request and stated that the request is to extend the time to the end of July 2023.

Jeff Burkhardt, Burkhardt Construction, provided additional information on the request.

Motion made by Mr. Cooney and seconded by Council President Pro Tem Lindsay to approve the time extension for 266 Colonial Lane as requested. Motion carried unanimously, 5-0.

D. Old Business

- a. **ZON-22-021 (ARC-22-022) 160 SEAVIEW AVE (COMBO) – VARIANCES** The applicant, Coral Beach Corporation (Angela Feldman, President) and Seaview Holdings, Inc. (David Feldman, Director), has filed an application requesting Town Council review for variances to exceed the point of measurement elevation higher than allowed to be measured from and to reduce the required street side yard setback for a new guest house on combined parcels at 160 and 170 Seaview Avenue. ARCOM will perform design review of the application. [The Architectural Commission deferred the project to their December 16, 2022, Architectural Commission meeting.] [This item shall be deferred to the February 15, 2023, Town Council meeting pending Architectural Review.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- b. **ZON-22-088 (ARC-22-126) 240 OLEANDER AVE (COMBO) – VARIANCES** The applicant, PTMJM Florida Investment Properties, LLC (Patricia Lambrecht), has filed an application requesting Town Council review and approval for variances (1) for development on a lot which is deficient in minimum lot area and (2) deficient in lot depth in the RC zoning district and (3) to exceed the maximum allowed lot coverage, in conjunction with the construction of a new two-story single-family residence. The Architectural

Commission will perform design review of the application. [The Architectural Review Commission deferred this project to the January 25, 2023, meeting.] [This item shall be deferred to the February 15, 2023, Town Council meeting pending Architectural Review.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- c. **ZON-22-122 (HSB-22-011) 141 AUSTRALIAN AVE (COMBO) - VARIANCES** The applicant, Gregory James Pamel, has filed an application requesting Town Council review and approval for Variances to (1) reduce the required side (east) yard setback, (2) to reduce the required rear (north) yard setback, (3) to exceed the overall building height for an accessory structure, and (4) to exceed the maximum Cubic Content Ratio (CCR), and (5) to allow a two story accessory structure where only one story is permitted, for the demolition and reconstruction of a two-story accessory structure in the rear yard in conjunction with the proposed renovations to an existing Historically Significant two- story building. The Landmarks Preservation Commission will perform design review of the application. [This item shall be deferred to the February 15, 2023, Town Council meeting pending review by the Landmarks Preservation Commission.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- d. **ZON-22-140 (ARC-22-216) 248 COLONIAL LN (COMBO) -SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE** The applicant, 306 Livingston Street Holdings I, LLC (Matthew Mirones), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for development of a lot which is deficient in lot depth and lot area in the R-B zoning district and for variances (1) to eliminate the two-car garage enclosure requirement, (2) to locate a generator in a setback which is higher than allowed from neighboring grade and (3) to not completely screen a generator with a masonry wall, in conjunction with the construction of a new two-story residence. The Architectural Review Commission will perform design review of the application. [The Architectural Review Commission deferred this project to the December 16, 2022, meeting. Carried 7-0.] [This item shall be deferred to the February 15, 2023, Town Council meeting pending review by the Architectural Review Commission.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- e. **ZON-22-147 (ARC-22-225) 201 EL VEDADO RD (COMBO) - VARIANCES.** The applicants, Perri and Robert Bishop, have filed an application requesting Town Council review and approval for a variance to provide vehicle queuing space deficient in depth between the driveway gate and edge of roadway. The Architectural Commission will perform design

review of the application. [The Architectural Review Commission Recommended: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 6-1.] [The Architectural Review Commission deferred the project to the December 16, 2022, meeting for a restudy of the gate. Carried 7-0.] [This project shall be deferred to the February 15, 2023, Town Council meeting pending Architectural Review.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- f. **ZON-22-151 (ARC-22-234) 760 N OCEAN BLVD—PALM BEACH COUNTRY CLUB (COMBO) - SPECIAL EXCEPTION WITH SITEPLAN REVIEW AND VARIANCE.** The applicant, Palm Beach Country Club, Inc. (Robert Schlager, President), has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review for modifications to a previously approved Special Exception use (private golf club) in the R-A zoning district including Variance to exceed the maximum projection permitted for a new skylight. The Architectural Commission will perform design review of the application. [The 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 replacement of the windows and doors with the applicant returning for a restudy of the south terrace, railings, elevator and skylight to the December 16, 2022, meeting. Motion carried 6-1.] [The Architectural Review Commission approved this project at the December 16, 2022, meeting. Motion Carried 4-2.]

No ex parte communication was declared at this time.

Maura Ziska, attorney for the applicant, explained the zoning requests to the Town Council.

Tom Youchak, Architect, presented the architectural modifications proposed for the existing commercial building.

Ms. Hofmeister-Drew provided staff comments on the application.

Council Member Araskog inquired about the size of the space to be added, to which Ms. Hofmeister-Drew responded. Council Member Araskog asked about the distance between the balconies and the nearest residences and inquired about the hardship, to which Ms. Ziska responded.

Council Member Cooney inquired if the organization would be amenable to changing their exterior lights to a softer light, to which Mr. Youchak responded. Council Member Cooney spoke in support of the application.

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

that Variance ZON-22-151 shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (A), items 1 through 7 have been met. Motion carried unanimously, 5-0.

Motion made by Council Member Crampton and seconded by Council Member Cooney to approve Special Exception and Site Plan ZON 22-151, as said applications meet the criteria set forth in Section 134-229 and Section 134-329 respectively of the Town Code, and finding that approval of the Site Plan will not adversely affect the public interest and that all 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-22-111 239 S COUNTY RD STE 2A AND 1D—SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW.** The applicant, Palm Beach Club Services LLC (Franck Savoy, COO), has filed an application requesting Town Council review and approval for Special Exception Request with Site Plan Review to allow a professional office (4,875 SF) in excess of 3,000 SF in the C-TS district in an existing two-story office building. [This project was deferred to the January 11, 2023, Town Council meeting.] [This project has been withdrawn by the applicant.]

This item was withdrawn at the approval of the agenda.

2. New Business

- a. **ZON-22-123 (COA-22-042) 218 PHIPPS PLZ (COMBO)— VARIANCES** The applicant, Bruce Leeds, Trustee of the Bruce Leeds Declaration of Trust, dated May 30, 2007, has filed an application requesting Town Council review and approval of variances for (1) the flood resistant construction requirements from Chapter 50-114 of the Florida Building Code, (2-4) reduced building setback requirements in the south and west yards, (5) reduced garage parking requirements, and (6) reduced mechanical equipment (pool heater) setback requirements in the north yard in conjunction with the renovation of and addition to an existing detached rear accessory structure, the construction of a new pergola, and side wide landscape and hardscape improvements for a Landmarked property. The Landmarks Preservation Commission will perform the design review component of the application. [The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances (2-6) will not cause negative architectural impacts to the subject landmarked property. Carried 7-0. A second motion approved variance 1, based on Chapter 50, Sections 116 and 117 with a condition relating to a utility easement. Carried 7-0.] [The Landmarks Preservation Commission approved this project as presented at the December 21, 2022, meeting. Carried 7-0.]

Ex parte communications were disclosed by Mayor Moore and Council Member Cooney.

Maura Ziska, attorney for the applicant, explained the zoning requests. Patrick

O'Connell, Patrick Ryan O'Connell Architects, presented the site plan and explained the variances.

Council Member Cooney spoke regarding the history of the structure and expressed appreciation that the structure was being retained.

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

Motion made by Council President Pro Tem Lindsay and seconded by Council Member Crampton that Variance ZON-22-123 shall be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Chapter 50, Sections 116 and 117 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, with Mr. Cooney dissenting.

- b. **ZON-22-129 (ARC-22-187) 441 AUSTRALIAN AVE (COMBO) — VARIANCES** The applicant, John and Ginny Collett, has filed an application requesting town council review and approval for development of a new two-story single-family structure, requiring variances for (1) developing a lot deficient in area in the RC zoning district, (2) developing a lot deficient in width in the RC zoning district, and (3) to reduce the required front yard landscaped open space, in conjunction with the construction of a new two-story residence. The Architectural Commission will perform design review of the application. [This project shall be deferred to the February 15, 2023, Town Council meeting pending Architectural Review.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- c. **ZON-23-002 (ARC-22-241) 624 ISLAND DR (COMBO)—VARIANCES** The applicant, Holly Ann Bartlett, as Trustee of the 1220 South Ocean Boulevard Trust dated May 23, 2013, has filed an application requesting Town Council review and approval Variances (1) to exceed the maximum amount of lot coverage and to exceed the maximum amount of Cubic Content Ratio (CCR) in the R-B zoning district in conjunction with the enclosure of an existing open-air courtyard of a two-story residence with a new skylight. The Architectural Commission will perform design review of the application. [This project was denied at the December 16, 2022, Architectural Review Commission.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- d. **ZON-23-003 (ARC-22-242) 1030 S OCEAN BLVD (COMBO) — VARIANCES** The applicant, Martin L. Edelman as Trustee of the 1030 South Ocean Trust dated March 24, 2022, has filed an application requesting Town Council review and approval for a Variance to reduce the required vehicular

queue backup of 18'-0" on a street closer than allowed for the installation of two new vehicular driveway gates. The Architectural Commission will perform design review of the application. [This project was denied at the December 16, 2022, Architectural Review Commission and will not move forward.]

This item was withdrawn from the agenda at the approval of the agenda.

- e. **ZON-23-006 139 N COUNTY RD - OUTDOOR PROMOTIONAL EVENTS - THE PARAMOUNT THEATRE - SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, WEG Paramount LLC (Lester Woerner), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for Outdoor Promotional Events in the open-air courtyard of the Paramount Theatre, an existing three-story commercial building.
TIME CERTAIN: NOON

Ex parte communications were declared by Mayor Moore, Council President Zeidman, Council President Pro Tem Lindsay, and Council Members Araskog, Cooney and Crampton.

Jamie Crowley, attorney for the applicant, presented background information on the special exception application and spoke regarding a text amendment that he had previously proposed that produces safeguards for outdoor events. He explained negotiations with the attorney representing the Sun and Surf Condominiums on this application. He spoke regarding terms that have been agreed upon that would be compiled in a declaration of use agreement to be approved by Town Council at a future meeting.

Ellyn Bogdanoff, attorney representing Sun and Surf, stated that she agreed with all of Mr. Crowley's statements with the addition of one condition, which was that three decibel readings should be taken at each of their events.

Mr. Murphy provided staff comments on the application.

Mr. Crowley clarified the three types of events that would be held in the space.

Council Member Araskog inquired if traffic and/or parking study had been done, to which Mr. Murphy responded. Council Member Araskog inquired if his client would be willing to obtain a traffic study. Mr. Crowley stated he believed they had enough parking for their events. Discussion ensued on whether a study would be needed for this special exception application.

Council President Pro Tem Lindsay expressed concern that she has not been made aware of the future uses of the space. Mr. Crowley responded to her concerns. Council President Pro Tem Lindsay expressed further concern over the property having adequate parking for future additional parking requests. Mr. Crowley responded that increases would only be approved if there were no complaints from neighbors. Ms. Lindsay expressed concern over intensification

in this area.

Council Member Cooney inquired if the events would only be held on the first floor, to which Mr. Crowley provided confirmation.

Mayor Moore asked Mr. Crowley to provide notice to additional neighbors, including St. Edwards Church, as parking at the church would not be permissible. Mayor Moore stated that she believes that parking will be a problem. Mr. Crowley agreed to provide more notice.

Council President Zeidman inquired about the existing offices in the building. Mr. Crowley responded and discussed the amount of parking allowable based on the principle of equivalency. Council President Zeidman inquired about the noise decibel levels allowed for that location. Mr. Crowley responded.

Ms. Araskog requested clarification regarding the special events, as well as documentation certifying to the business being town serving. Mr. Crowley and Mr. Murphy responded.

Council President Zeidman called for public comment.

Elaine Hirsch, Sun and Surf, requested that the decibel levels be measured from her terrace. She expressed concern over increased traffic due to the already existing traffic problems in that area.

Daniel Hurley, Sun and Surf, expressed appreciation that a new owner had bought the property. He expressed concern over the hours of operation and the decibel levels.

Rita Krauss, Sun and Surf, spoke in support of the property being turned into condominiums.

Burt Manning, Sun and Surf, inquired about the impact on the quality of life of the neighbors and spoke in opposition of any project that would degrade the quality of life of the residents.

Jennifer Goffman, Sun and Surf, inquired about where the concerts will be held.

Jerry Zaro, President of the Sun and Surf 100 Building's Board, spoke regarding the negotiated terms and the process for the board's consideration of the agreement.

Burl Simonsen, President of the Sun and Surf 130 Building's Board, stated that he believes that they had negotiated good terms with the attorney but would have to take the negotiations to his board for approval.

Council Member Crampton congratulated Mr. Crowley and the board presidents for working together on a compromise.

Mr. Crowley delineated the terms that were agreed upon and stated that these items would be documented in a declaration of use agreement at a future Council meeting. Following were the terms that were agreed upon: (1) Reduce number of events to four per month; (2) Invite the board and/or residents to one of three sound tests in the courtyard; (3) Monitor decibel readings three times during events; (4) There will be no amplified music or DJ's; (5) Reduce number of attendees to 75, and if there were no complaints after 2 events, it would be increased in increments of 25 up to a maximum of 150; (6) Events would end at 9:00 p.m. during the week and 10:00 p.m. on the weekends; (7) The types of events that would be allowed are cultural, religious, educational and promotional to the permitted uses in the CTS zoning district; (8) Guests will be instructed to utilize the parking on the property; (9) Notifications of all events will be sent to the neighboring properties.

Motion made by Council Member Crampton and seconded by Council Member Cooney to approve Special Exception and Site Plan ZON 23-006, with the abovementioned conditions that have been approved upon between the attorney for the applicant and the attorney for the Sun and Surf Condominiums, and subsequently verified by a declaration of use agreement to be presented to Town Council at a future meeting, as said applications meet the criteria set forth in Section 134-229 and Section 134-329 respectively of the Town Code, and finding that approval of the Site Plan will not adversely affect the public interest and that all 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; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the Town that ensures a recorded easement will be granted, if necessary, to underground utilities in the area. The motion was withdrawn.

Council Member Cooney expressed concern over the automatic incremental increases of capacity and invited discussion of the cap of 150 attendees.

Council Member Araskog spoke regarding the importance of ensuring that the project is town serving and inquired if the requirement could be increased. She expressed concern over the Council making this decision until they had all of the information in front of them. She stated that she believes that it is an intensification of use and she spoke in support of the noise levels being measured on the terrace of the public comment speaker.

Council President Pro Tem Lindsay spoke in support of the increase of capacity being done at a slower pace than every two weeks. She inquired about when the first event would be held if approved, to which Mr. Crowley responded.

Council President Zeidman stated that she would be supportive of maintaining the attendance at 75-80 people, with the applicant returning to Town Council for any increase in capacity. She spoke in support of the events ending at 8:00 p.m. on Sunday and during the week and 9:00 p.m. during the weekend.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to defer the item to the February 15, 2023, Town Council Development Review Meeting. Motion carried unanimously, 5-0.

Please note: A lunch break was taken at 2:40 p.m. The meeting resumed at 3:28 p.m.

- f. **ZON-23-012 (ARC-22-212) 246 EVERGLADE AVE (COMBO) – VARIANCES.** The applicant, 246 Everglade LLC, has filed an application requesting town council review and approval for site modifications including variances for (1) reduced landscape open space (2) for reduced air conditioning equipment setbacks and (3) for reduced pool equipment setbacks. The Architectural Commission will perform design review of the application. [This project shall be deferred to the February 15, 2023, Town Council meeting pending Architectural Review.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- g. **ZON-23-013 (ARC-22-231) 7 LA COSTA WAY (COMBO) — SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES** The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Town Council review and approval variances (1) for a reduced 2nd story street rear-yard setback for a new second story roof top terrace, (2) a variance to provide deficient landscape open space, and (3) a variance to exceed 2-story lot coverage maximum, all as part of a renovation to an existing nonconforming one-story residence. The Architectural Commission will perform design review of the application. [This project shall be deferred to the February 15, 2023, Town Council meeting pending Architectural Review.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- h. **ZON-23-014 (ARC-22-243) 302 SEABREEZE AVE (COMBO) - SITE PLAN REVIEW AND VARIANCE** The applicant, Sean Rooney, has filed an application requesting town council review and approval for development of a new two-story single-family structure on a parcel, comprised of platted lots, which is deficient in lot width and lot area in the R-B zoning district requiring Site Plan Review, and a variance to provide one garage parking spot in lieu of the two required. The Architectural Commission will perform design review of the application. [This project shall be deferred to the February 15, Town Council meeting pending Architectural review.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

- i. **ZON-23-025 (COA-22-055) 210 VIA DEL MAR (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, BEACHBOYZ DEVELOPMENT LLC., has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for reduced

vehicular gate setbacks on a cul-de-sac street. The Landmarks Preservation Commission will perform the design review for modifications to the existing Landmarked residence and grounds. [This project shall be deferred to the February 15, 2023, Town Council meeting pending Landmarks Preservation review.]

This item was deferred to the February 15, 2023, meeting at the approval of the agenda.

XI. ANY OTHER MATTERS

Council Member Araskog inquired if the Town Council could hold a discussion on the February 15, 2023 agenda on notifications to neighbors for Development Review projects. She wanted to discuss how the notices are being handled, as well as notice language.

Council Member Araskog also asked if the Town Council could hold a discussion about how the Town is following up to ensure that construction sites have a parking manager on site. Mr. Bergman introduced Craig Hauschild, Engineer, to discuss the issue. Mr. Hauschild discussed the process for the parking attendants and how the Town monitors the parking managers and handles violations.

XII. ADJOURNMENT

The meeting adjourned at 4:51 p.m. on January 11, 2023 without the benefit of a roll call.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Kelly Churney, Deputy Town Clerk
Date: _____

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of January 25, 2023

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated January 30, 2023 from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **Minutes of the Architectural Review Commission Meeting of January 25, 2023**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: Approval of the Architectural Review Commission Meeting Action Minutes of January 25, 2023 meeting

Date: January 30, 2023

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of January 25, 2023.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Review Commission recommends that the Town Council approve major items that were considered at the regularly scheduled meeting of January 25, 2023.

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

SUMMARY OF THE ACTIONS TAKEN AT THE ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, JANUARY 25, 2023

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

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF THE MINUTES FROM DECEMBER 16, 2022, MEETINGS**
MOTION: APPROVED, AS PRESENTED
- V. **APPROVAL OF THE AGENDA**
MOTION: APPROVED, AS AMENDED
- VI. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**
- VII. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**
- VIII. **PROJECT REVIEW**
 - A. **CONSENT AGENDA OF MINOR PROJECTS**
 1. **ARC-22-021 129 CHILEAN AVE—EXTENSION OF TIME.** An application has been filed requesting Architectural Commission review and approval for a One (1) year Extension of Time for a previously issued Architectural Commission Approval for the construction of a new two- story residence. (ITEM WAS APPROVED AT THE JANUARY 26, 2022, ARCOM MEETING).
MOTION: APPROVED ON CONSENT
 2. **ARC-23-006 581 E WOODS RD.** The applicant, Mr. & Mrs. Cline, have filed

an application requesting Architectural Commission review and approval for an approximately 600 SF second floor addition to the rear of an existing two-story residence and window alterations including to the front entry and door.

MOTION: PULLED FROM CONSENT; APPROVED WITH THE CONDITIONS THAT THE ADDITION SHALL BE STEPPED DOWN BY LOWERING THE ROOF, AND THE PLANE OF THE LAUNDRY ROOM SHALL BE CHANGED.

B. MAJOR PROJECTS – OLD BUSINESS

1. **ARC-22-126 (ZON-22-088) 240 OLEANDER AVE. (COMBO)** The applicant, PTMJM Florida Investment Properties, LLC (Patricia Lambrecht), has filed an application requesting Architectural Commission review and approval for the demolition of an existing two-story apartment building and the construction of a new two-story single-family residence with final hardscape, landscape and pool, requiring variances due to deficient lot area and depth in the R-C zoning district and not provide required garage enclosure for two vehicles. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (*contd. from 08/24/22, 11/18/22*)

MOTION: DEFERRED TO FEBRUARY 22, 2023

2. **ARC-22-142 232 MOCKINGBIRD TR.** The applicant, The Beach House Trust, has filed an application requesting Architectural Commission review and approval for the demolition of an existing 3,371 square foot residence. Construction of a new two-story 4,629 square foot residence with associated landscape and hardscape. (*contd. from 07/27/22, 11/18/22*)

MOTION: DEFERRED TO FEBRUARY 22, 2023

3. **ARC-22-148 (ZON-22-105) 150 SEMINOLE AVE. (COMBO)** The applicant, James Lansing and Haviva D. Langenauer, as Trustee of the Haviva D. Langenauer Trust u/a/d/8/10/92, has filed an application requesting Architectural Commission review and approval for a demolition and redesign of the southern portion of the existing two-story residence, a redesign of all facades, the construction of an approximately 680 SF addition to the second story, and new pool, and new hardscape and landscape, requiring variances to maintain existing nonconforming setbacks with more than 50% demolition of a nonconforming structure as part of a renovation. Town Council will review the variance portion of the application. (*contd. from 09/28/22, 11/18/22*)

MOTION: APPROVED, WITH THE FOLLOWING CONDITIONS: THE STRING COURSE WILL BE ELIMINATED, THE APPLICANT HAS THE ABILITY TO RETURN TO STAFF FOR AN APPROVAL OF AN ENHANCED REGENCY STYLE PORCH AS WELL AS AN ADDITION OF AN ARCHITRAVE AROUND THE FRONT DOOR.

4. **ARC-22-022 (ZON-22-021) 160 SEAVIEW AVE (COMBO)** The applicant,

Coral Beach Corporation (Angela Feldman, President) (160 Seaview Ave) and Seaview Holdings, Inc. (David Feldman, Director) (170 Seaview Ave), has filed an application requesting Architectural Commission review and approval of the construction of a new two- story guest house including variances from setback and point of measurement requirements on a unified site of 160 and 170 Seaview Avenue. Town Council will review the variance portion of the application. *(contd. from 06/27/22 08/24/22, 11/18/22, 12/16/22)*

MOTION: DEFERRED TO FEBRUARY 22, 2023

5. **ARC-22-215 260 NIGHTINGALE TRL.** The applicant, 260 Nightingale, LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence. *(contd. from 12/16/22)*

MOTION: WITHDRAWN

6. **ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO)** The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing nonconforming one-story residence including new windows and doors, new rooftop equipment with screening, new rooftop terrace and new hardscape and landscape, requiring variances for lot coverage, landscape open space, and setbacks. This is a combination project that shall also be reviewed by town council as it pertains to zoning relief/approval. *(contd. from 12/16/22)*

MOTION: APPROVED, WITH THE CONDITION THAT THE DESIGN FOR THE VEHICULAR GATE AND LANDSCAPING WILL BE RESTUDIED AND WILL RETURN TO THE FEBRUARY 22, 2023 MEETING.

7. **ARC-22-197 1330 N LAKE WAY.** The applicant, 1330 NLW LLC (H. William Perry), has filed an application requesting Architectural Commission review and approval for a new two-story Mediterranean style home exceeding 10,000 SF in area with associated hardscape, landscape, and swimming pool. *(contd. from 09/28/22)*

MOTION: WITHDRAWN

C. MAJOR PROJECTS – NEW BUSINESS

1. **ARC-22-240 1198 N OCEAN WAY.** The applicant, Douglas L Williams & Gabrielle J Sirchio, has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with related landscape and hardscape improvements.

MOTION: DEFERRED TO MARCH 29, 2023

2. **ARC-23-012 (ZON-23-027) 206 CARIBBEAN RD (COMBO).** The applicant, 206 Caribbean LLC (Robert Frisbie), has filed an application requesting Architectural Commission review and approval for the construction of new two-story single-family dwelling with pool, hardscape and landscape, requiring site plan review for development of an existing nonconforming lot. This is a combination project that shall also be reviewed by Town Council as it relates to zoning relief/approval.

MOTION: DEFERRED TO FEBRUARY 22, 2023

3. **ARC-22-243 (ZON-23-014) 302 SEABREEZE AVE (COMBO).** The applicant, Sean Rooney, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements, requiring Site Plan Review due to deficient lot width and area, and variances to provide one garage parking space in lieu of the two required and to install air conditioning condensing units and a generator in the rear yard setback without being completely screened from the adjacent property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

MOTION: DEFERRED TO FEBRUARY 22, 2023 FOR RESTUDY

4. **ARC-22-244 (ZON-23-004) 422 AUSTRALIAN AVE (COMBO).** The applicant, 422 Development Group LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new a two-story residence on a lot deficient in lot width and lot area in the R-C zoning district requiring (3) variances. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

MOTION: DEFERRED TO FEBRUARY 22, 2023 FOR RESTUDY

5. **ARC-23-013 (ZON-23-028) 177 CLARKE AVE. (COMBO)** The applicants, James Coleman Baker and Veronica Chen Baker, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence, alterations to an existing garage structure, and landscape and hardscape improvements, including (1) Cubic Content Ratio, (2-4) to vest existing rear and side setback encroachments due to the demolition of more than 50% of the building, and (5) to allow a two-story accessory structure. This is a combination project that shall also be reviewed by Town Council as it relates to the zoning relief/approval.

MOTION: DEFERRED TO FEBRUARY 22, 2023 FOR RESTUDY

6. **ARC-23-002 (ZON-23-015) 160 ROYAL PALM WAY – THE PALM HOUSE HOTEL (COMBO).** The applicant, LR PALM HOUSE, LLC., has filed an application requesting Architectural Commission review and approval for modifications to previously approved improvements at the site, including the relocation of mechanical equipment to the roof, the construction of new

site walls, parapet alterations, and pool deck lighting, requiring a variance for rooftop air conditioning equipment height and requiring Site Plan Review. This is a combination project that shall also be reviewed by Town Council as it relates to the zoning relief/approval.

MOTION: APPROVED, WITH THE EXCEPTION FOR THE BOLLARD LIGHTING, WHICH SHALL RETURN TO THE FEBRUARY 22, 2023 MEETING. A SECOND MOTION CARRIED TO RECOMMEND THAT THE VARIANCES WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY.

7. **ARC-22-185 281 LIST RD.** The applicant, William & Brooke McKernan, have filed an application requesting Architectural Commission review and approval for a second story addition to an existing 1- and 2-story single family residence.

MOTION: APPROVED, WITH THE CONDITION THAT THE WINDOWS OVER THE GARAGE SHALL REMAIN AS EXISTING.

D. MINOR PROJECTS – OLD BUSINESS

1. **ARC-22-238 1480 N OCEAN BLVD.** The applicant, Jason Kalisman, has filed an application requesting Architectural Commission review and approval for site alterations including a new driveway curb cut, new pool, and new landscape and hardscape to an existing two- story residence. (*contd. from 12/16/22*)

MOTION: APPROVED WITH THE ELIMINATION OF THE CURB CUT ON MANANA LANE, AS IT WAS WITHDRAWN BY THE PROFESSIONAL.

2. **ARC-22-227 640 ISLAND DR.** The applicant, 640 Land Trust, has filed an application to the Architectural Commission for review and approval for a second-story addition over an existing one-story garage attached to an existing two-story residence. (*contd. from 11/18/22, 12/16/22*)

MOTION: DEFERRED TO FEBRUARY 22, 2023

3. **ARC-22-225 (ZON-22-147) 201 EL VEDADO RD. (COMBO)** The applicants, Perri and Robert Bishop, have filed an application requesting Architectural Commission review and approval for the installation of two vehicular driveway gates, including a variance from the backup/cueing distance requirement. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (*contd. from 11/18/22, 12/16/22*)

MOTION: DEFERRED TO FEBRUARY 22, 2023

4. **ARC-22-097 142 PERUVIAN AVE.** The applicant, Susan & Robert Taylor, has filed an application requesting Architectural Commission review and approval for the replacement of two pedestrian courtyard gates on a two-story condominium building. (*contd. from 08/24/22, 09/27/22, 10/26/22, 11/18/22, 12/16/22*)

MOTION: DEFERRED TO FEBRUARY 22, 2023

5. **ARC-22-212 (ZON-23-012) 246 EVERGLADE AVE. (COMBO)** The applicant, 246 Everglade LLC, has filed an application requesting Architectural Commission review and approval for the modification to an existing driveway, entry steps, pool and decking area, equipment area, entry path, site wall, and a new front entry vehicular gate, including variances for (1) reduced landscape open space (2) for reduced air conditioning equipment setbacks and (3) for reduced pool equipment setbacks. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (*contd. from 12/16/22*)

MOTION: APPROVED, WITH THE CONDITION THAT THE GATE IS ELIMINATED. A SECOND MOTION CARRIED TO RECOMMEND THAT THE VARIANCES WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY.

E. MINOR PROJECTS – NEW BUSINESS

1. **ARC-23-001 232 OLEANDER AVE.** The applicant, PBOC Inc, have filed an application requesting Architectural Commission review and approval for modifications to landscape, hardscape and landscape lighting including the removal of and retention of existing artificial turf to an existing two-story residence.

MOTION: APPROVED, WITH THE FOLLOWING CONDITIONS: THE EXISTING COCONUT PALMS SHALL BE RETAINED, ALL ARTIFICIAL TURF SHALL BE REMOVED, RECOMMEND ADDITION OF A NATIVE SHADE TREE ADJACENT TO THE UTILITY EASEMENT.

2. **ARC-23-009 (ZON-23-018) 2860 S OCEAN BLVD (COMBO)** The applicant, La Palma Condominium Apartment Association Inc., has filed an application requesting Architectural Commission review and approval for changes to the overall parking lot site plan of an existing six-story condominium building, including a new enclosed mechanical room including a variance to reduce the required parking spaces. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

MOTION: APPROVED. A SECOND MOTION CARRIED TO RECOMMEND THAT THE VARIANCES WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY.

3. **ARC-22-245 (ZON-23-008) 2784 S OCEAN BLVD (COMBO)**. The applicant, Cove Condominium Association Inc. has filed an application requesting Architectural Commission review and approval for modifications to the existing surface parking area and landscape areas of three existing six-story multifamily buildings. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

MOTION: APPROVED

IX. **UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)**

X. **NEXT MEETING DATE:** Wednesday, February 22, 2023

XI. **ADJOURNMENT**

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 003-2023 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 D-12 Pump Station Improvements in the Amount of \$146,000 and Establishing a Project Budget of \$160,000.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 31, 2023, from Dean Mealy, II, Procurement and Contract Manager**
- ▣ **Resolution No. 003-2023**
- ▣ **Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA, Deputy Town Manager, Finance and Administration

FROM: Dean Mealy II, NIGP-CPP, CPPO Procurement, and Contract Manager

RE: Resolution No. 003-2023, Approving the Award of a Purchase Order to Kimley-Horn and Associates, Inc. in the Amount of \$146,000 and Establishing a Project Budget of \$160,000 for the D-12 Pump Station Improvements – **Resolution No. 003-2023**

DATE: January 31, 2023

STAFF RECOMMENDATION

The Town staff recommends approving the Award of a Purchase Order to Kimley-Horn and Associates, Inc. in the Amount of \$146,000 and Establishing a Project Budget of \$160,000 for the D-12 Pump Station Improvements.

GENERAL INFORMATION

The D-12 Pump Station Improvement Program requires the Town engage Kimley-Horn and Associates, Inc. (KHA) to provide Construction Phase Services. The Pump Station has been approved for improvement as part of the budget process.

FUNDING/FISCAL IMPACT

This project will be funded from the Capital Improvement Fund.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by Public Works and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 003-2023

**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 D-12 PUMP
STATION IMPROVEMENTS IN THE AMOUNT OF \$146,000
AND ESTABLISHING A PROJECT BUDGET OF \$160,000**

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. 003-2023, Approving the Award of a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for D-12 Pump Station Improvements in the Amount of \$146,000 and Establishing a Project Budget in the Amount of \$160,000.

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 14th day of *February* 2023.

Danielle H. Moore, Mayor

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Lewis S.W. Crampton, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Margaret A. Zeidman, Town Council Member



January 19, 2023

Mr. Dean Mealy
Town of Palm Beach
951 Old Okeechobee Road
Suite A
West Palm Beach, FL 33401

RE: *Construction Phase Services Proposal – D-12 Pump Station Improvements*

Dear Dean,

Kimley-Horn and Associates, Inc. (“Kimley-Horn” or “CONSULTANT”) is pleased to submit this proposal to The Town of Palm Beach (“TOWN” or “CLIENT”) for providing professional engineering services during the construction phase of the D-12 Pump Station Improvements in the Town of Palm Beach. Our project understanding, scope of services, and fee follows.

Project Understanding

Kimley-Horn has recently completed the construction drawings and specifications for the D-12 Stormwater Pump Station Improvements that includes work at both the electrical/generator building on Seminole Avenue and at the pump station wetwell site at the end of Everglades Avenue. It is understood that the Town will advertise this scope of work soon to construct the improvements during the 2023 construction season. The Town has requested Kimley-Horn to provide construction phase services for the project. The project is expected to begin in April 2023 and have a duration of approximately eight (8) months.

Scope of Services

Construction Phase Services

We will provide construction phase services for the project for the purpose of providing assistance to the Town during construction. We believe this to be the level of services required to provide the required to determine if the project is being constructed in general accordance with the plans and specifications. Our construction phase services and fees are based on a project duration of eight months.

Pre-Construction Services. We will perform the following services prior to commencement of Work at the Site.

- We will attend a Pre-Construction Conference prior to commencement of Work at the Site.

Progress Meetings. Kimley-Horn will attend up to eighteen (18) bi-weekly progress meetings during the anticipated 8-month project construction duration.

Visits to Site and Observation of Construction. Kimley-Horn will provide on-site construction observation services during the construction phase. Kimley-Horn will periodically visit the site during the expected 8-month construction duration in order to observe the progress of the Work (up to 70 total

site visits). Such visits and observations by Kimley-Horn are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on Kimley-Horn's exercise of professional judgment. Based on information obtained during such visits and such observations, Kimley-Horn will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and Kimley-Horn will keep the Town informed of the general progress of the Work.

The purpose of our site visits will be to enable us to better carry out the duties and responsibilities specifically assigned in this Agreement to Kimley-Horn, and to provide the Town a greater degree of confidence that the completed Work will conform in general to the Contract Documents. Kimley-Horn shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall we 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 laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, 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.

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 Client 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. It is anticipated that 40 submittals will be required for review. 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.

Substitutes and "or-equal." Kimley-Horn will evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract Documents, but subject to the provisions of applicable standards of state or local government entities.

Inspections and Tests. Kimley-Horn may require special inspections or tests of Contractor's work as Kimley-Horn deems appropriate, and may 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. We anticipate providing a review of the following items during the course of the construction:

- We will provide field assistance during start-up of the generator cooling system.
We will provide field assistance during start-up of the pumps to review check valve operation.

Kimley-Horn's review of such items 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.

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 the Contractor be paid. It is anticipated that eight (8) applications for payment will be reviewed. Such recommendations of payment will be in writing and will constitute Kimley-Horn's representation to the Town, based on such observations and review, that, to the best of Kimley-Horn's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents 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.

By recommending any payment, Kimley-Horn shall not thereby be deemed to have represented that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to Kimley-Horn in this Agreement. It will also not impose responsibility on Kimley-Horn to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, nor to determine that title to any portion of the work in progress, materials, or equipment has passed to the Town free and clear of any liens, claims, security interests, or encumbrances, nor that there may not be other matters at issue between the Town and Contractor that might affect the amount that should be paid.

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.

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. 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. We anticipate completing the following items once the project is deemed substantially complete:

- We will review Record Drawings and Operation and Maintenance Manuals prepared by the selected contractor.

Final Notice of Acceptability of the Work. Kimley-Horn will conduct a final site visit 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 will 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. We will review and provide comments on the operation and maintenance manuals and project record drawings submitted by the contractor.

Limitation of Responsibilities. Kimley-Horn shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. Kimley-Horn shall not have the authority or responsibility to stop the work of any Contractor.

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope you request, will be considered additional services. These services will be performed based on proposals approved by the Town prior to the performance of those requested additional services. Additional services we can provide include, but are not limited to, the following:

- Construction phase services including site visits, progress meeting attendance, pay application review, etc. for construction durations extending past those assumed in this proposal
- Surveying and Mapping
- Record Drawing data collection and development
- Field Engineering
- Off-site improvements.

Information Provided by the Town

We shall be entitled to rely upon the accuracy of information provided by others in the performance of professional services. It is anticipated that the following items will need to be provided to Kimley-Horn by the Town during the project.

- Access to the site.

Schedule

We will provide our services as expeditiously as practical to meet a mutually agreed upon schedule.

Fee and Billing

Kimley-Horn will perform the services described in this Scope of Services on a lump sum basis in accordance with our Contract with the Town. It is recommended that a budget of \$146,000 be established for these services.

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in the Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc, which are incorporated by reference. As used in the Agreement, the term "CONSULTANT" shall refer to Kimley-Horn and Associates, Inc., and the term "TOWN" or "CLIENT" shall refer to The Town of Palm Beach.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



By: Jason Lee, P.E.
Vice President

Attachment

K:\WPB_Civil\General\Lee\Proposals\Palm Beach\D-12 Pump Station\Construction Phase\D-12 Pump Station Improvements - Construction Phase Services 20230119.docx

02-14-2023 TCM Backup

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TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 009-2023 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 Bid and Construction Phase Services for A-4 Pump Station Improvements in the Amount of \$95,400 and Establishing a Project Budget of \$105,000.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 31, 2023, from Dean Mealy, II, Procurement and Contract Manager**
- ▣ **Resolution No. 009-2023**
- ▣ **Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA, Deputy Town Manager, Finance and Administration

FROM: Dean Mealy II, NIGP-CPP, CPPO Procurement, and Contract Manager

RE: Resolution No. 009-2023, Approving a Purchase Order to Kimley-Horn and Associates, Inc. in the Amount of \$95,400 and Establishing a Project Budget of \$105,000 for Bid and Construction Phase Services for the A-4 Pump Station Improvements – **Resolution No. 009-2023**

DATE: January 31, 2023

STAFF RECOMMENDATION

The Town staff recommends approving a Purchase Order to Kimley-Horn and Associates, Inc. in the Amount of \$95,400 and Establishing a Project Budget of \$105,000 for Bid and Construction Phase Services for the A-4 Pump Station Improvements.

GENERAL INFORMATION

The A-4 Pump Station Improvement Program requires the Town engage Kimley-Horn and Associates, Inc. (KHA) to provide Bid and Construction Phase Services. The Pump Station has been approved for improvement as part of the budget process.

FUNDING/FISCAL IMPACT

This project will be funded from the Capital Improvement Fund.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by Public Works and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 009-2023

**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 BID AND
CONSTRUCTION PHASE SERVICES FOR A-4 PUMP STATION
IMPROVEMENTS IN THE AMOUNT OF \$95,400 AND
ESTABLISHING A PROJECT BUDGET OF \$105,000**

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. 009-2023, Approving the Award of a Purchase Order to Kimley-Horn and Associates, Inc. for Bid and Construction Phase Services for A-4 Pump Station Improvements in the Amount of \$95,400 and Establishing a Project Budget in the Amount of \$105,000.

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 14th day of *February* 2023.

Danielle H. Moore, Mayor

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Lewis S.W. Crampton, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Margaret A. Zeidman, Town Council Member



January 19, 2023

Mr. Dean Mealy
Town of Palm Beach
951 Old Okeechobee Road
Suite A
West Palm Beach, FL 33401

RE: *Bid and Construction Phase Services Proposal – A-4 Pump Station Improvements*

Dear Dean,

Kimley-Horn and Associates, Inc. (“Kimley-Horn” or “CONSULTANT”) is pleased to submit this proposal to The Town of Palm Beach (“TOWN” or “CLIENT”) for providing professional engineering services during the bid and construction phase of the A-4 Pump Station Improvements in the Town of Palm Beach. Our project understanding, scope of services, and fee follows.

Project Understanding

Kimley-Horn has recently completed the construction drawings and specifications for the A-4 Wastewater Pump Station Improvements. It is understood that the Town will advertise this scope of work soon to construct the improvements during the 2023 construction season. The Town has requested Kimley-Horn to provide bid and construction phase services for the project. The project is expected to begin in April 2023 and have a duration of approximately four (4) months.

Scope of Services

Task 1 – Bid Phase Services

Kimley-Horn will attend the pre-bid meeting, review the bid proposal from the apparent low bidder, and prepare a bid tabulation and memorandum to the Town containing our findings after our review of the bids. We will also assist the Town with responding to questions received from prospective bidders, if required. We will provide up to 5 signed and sealed copies of the construction documents for the Town to distribute to the selected contractor for permitting. We will respond to one round of reasonable comments from the building department after submittal by the Town/contractor, if required.

Task 2 - Construction Phase Services

We will provide construction phase services for the project for the purpose of providing assistance to the Town during construction. We believe this to be the level of services required to provide the required to determine if the project is being constructed in general accordance with the plans and specifications. Our construction phase services and fees are based on a project duration of eight months.

Pre-Construction Services. We will perform the following services prior to commencement of Work at the Site.

- We will attend a Pre-Construction Conference prior to commencement of Work at the Site.

Progress Meetings. Kimley-Horn will attend up to nine (9) bi-weekly progress meetings during the anticipated 4-month project construction duration.

Visits to Site and Observation of Construction. Kimley-Horn will provide on-site construction observation services during the construction phase. Kimley-Horn will periodically visit the site during the expected 4-month construction duration in order to observe the progress of the Work (up to 36 total site visits). Such visits and observations by Kimley-Horn are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on Kimley-Horn's exercise of professional judgment. Based on information obtained during such visits and such observations, Kimley-Horn will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and Kimley-Horn will keep the Town informed of the general progress of the Work.

The purpose of our site visits will be to enable us to better carry out the duties and responsibilities specifically assigned in this Agreement to Kimley-Horn, and to provide the Town a greater degree of confidence that the completed Work will conform in general to the Contract Documents. Kimley-Horn shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall we 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 laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, 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.

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 Client 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. It is anticipated that 25 submittals will be required for review. 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.

Substitutes and "or-equal." Kimley-Horn will evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract Documents, but subject to the provisions of applicable standards of state or local government entities.

Inspections and Tests. Kimley-Horn may require special inspections or tests of Contractor's work as Kimley-Horn deems appropriate, and may 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. We anticipate providing a review of the following items during the course of the construction:

- We will provide field assistance during start-up of the pump station.

Kimley-Horn's review of such items 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.

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 the Contractor be paid. It is anticipated that six (6) applications for payment will be reviewed. Such recommendations of payment will be in writing and will constitute Kimley-Horn's representation to the Town, based on such observations and review, that, to the best of Kimley-Horn's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents 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.

By recommending any payment, Kimley-Horn shall not thereby be deemed to have represented that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to Kimley-Horn in this Agreement. It will also not impose responsibility on Kimley-Horn to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, nor to determine that title to any portion of the work in progress, materials, or equipment has passed to the Town free and clear of any liens, claims, security interests, or encumbrances, nor that there may not be other matters at issue between the Town and Contractor that might affect the amount that should be paid.

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.

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. 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. We anticipate completing the following items once the project is deemed substantially complete:

- We will review Record Drawings and Operation and Maintenance Manuals prepared by the selected contractor.
- We will prepare and submit the construction completion certifications for the FDEP permit if the construction is found to be in general accordance with the plans and specifications upon completion of the improvements.

Final Notice of Acceptability of the Work. Kimley-Horn will conduct a final site visit 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 will 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. We will review and provide comments on the operation and maintenance manuals and project record drawings submitted by the contractor.

Limitation of Responsibilities. Kimley-Horn shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. Kimley-Horn shall not have the authority or responsibility to stop the work of any Contractor.

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope you request, will be considered additional services. These services will be performed based on proposals approved by the Town prior to the performance of those requested additional services. Additional services we can provide include, but are not limited to, the following:

- Construction phase services including site visits, progress meeting attendance, pay application review, etc. for construction durations extending past those assumed in this proposal
- Surveying and Mapping
- Record Drawing data collection and development
- Field Engineering
- Off-site improvements.

Information Provided by the Town

We shall be entitled to rely upon the accuracy of information provided by others in the performance of professional services. It is anticipated that the following items will need to be provided to Kimley-Horn by the Town during the project.

- Access to the site.

Schedule

We will provide our services as expeditiously as practical to meet a mutually agreed upon schedule.

Fee and Billing

Kimley-Horn will perform the services described in this Scope of Services on a lump sum basis in accordance with our Contract with the Town. It is recommended that the following budget be established for these services.

Task 1 – Bid Phase Services	\$ 7,500
Task 2 – Construction Phase Services	\$87,900
Total	\$95,400

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in the Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc, which are incorporated by reference. As used in the Agreement, the term "CONSULTANT" shall refer to Kimley-Horn and Associates, Inc., and the term "TOWN" or "CLIENT" shall refer to The Town of Palm Beach.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



By: Jason Lee, P.E.
Vice President

Attachment

K:\WPB_Civil\General\Lee\Proposals\Palm Beach\A-4 Construction Phase\A-4 Pump Station Improvements - Bid and Construction Phase Services 20230116.docx

ESTIMATE FOR ENGINEERING SERVICES

SHEET 1 of 1												
PROJECT: A-4 Pump Station Improvements - Bid and Construction Phase												
CLIENT: Town of Palm Beach												
ESTIMATOR: JRL												
FILE NO.												
DATE: 01/18/23												
ALLOCA 0.0000												
DIRECT LABOR (MAN-HOURS)												
DESCRIPTION:												
See Scope of Services												

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 010-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2023-12 to Orlando Freightliner for the Purchase of a Replacement Recycling Truck in the Amount of \$294,731 and Establishing a Project Budget in the Amount of \$304,000.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 31, 2023, from Dean Mealy, II, Procurement and Contract Manager**
- ▣ **Resolution No. 010-2023**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA, Deputy Town Manager, Finance and Administration

FROM: Dean Mealy II, NIGP-CPP, CPPO Procurement, and Contract Manager

RE: Resolution No. 010-2023, Approving the Award of ITB No. 2023-12 to Orlando Freightliner for the Purchase of a Replacement Recycling Truck in the Amount of \$294,731 and Establishing a Project Budget in the Amount of \$304,000 – **Resolution No. 010-2023**

DATE: January 31, 2023

STAFF RECOMMENDATION

The Town staff recommends approving the Award of ITB No. 2023-12 to Orlando Freightliner for the Purchase of a Replacement Recycling Truck in the Amount of \$294,731 and Establishing a Project Budget in the Amount of \$304,000.

GENERAL INFORMATION

The new recycling truck is procured through the State of Florida Sheriff Association Contract for Vehicles. This contract provides best terms and prices to State, County, and local municipalities.

The new truck will replace unit 545-88, a 2013 vehicle which has exceeded its useful and cost-effective life cycle. This vehicle was approved for the FY23 budget.

FUNDING/FISCAL IMPACT

This project will be funded from the Equipment Replacement Fund.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by Public Works and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 010-2023

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF ITB NO. 2023-12 TO ORLANDO
FREIGHTLINER FOR THE PURCHASE OF A REPLACEMENT
RECYCLING TRUCK IN THE AMOUNT OF \$294,731 AND
ESTABLISHING A PROJECT BUDGET IN THE AMOUNT OF
\$304,000**

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. 010-2023, Approving the Award of ITB No. 2023-12 to Orlando Freightliner for the purchase of a replacement recycling truck in the Amount of \$294,731 and Establishing a Project Budget in the Amount of \$304,000.

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 14th day of *February* 2023.

Danielle H. Moore, Mayor

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Lewis S.W. Crampton, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Margaret A. Zeidman, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 013-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grant of Florida Department of Environmental Protection Contract No. 22PB2, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach Under the Florida Beach Management Funding Assistance Program, Specifically Reimbursement for Mid-Town Beach Nourishment Project Construction, in the Amount of \$4,763,017, and Authorizing the Mayor to Execute Same on Behalf of the Town.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated January 25,2023, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 013-2023**
- ▣ **Grant Agreement**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Authorization for State Grant No. 22PB2
Mid-Town Beach Nourishment Reimbursement
Resolution No. 013-2023

DATE: January 25, 2023

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 013-2023 authorizing the Mayor to sign the Florida Department of Environmental Protection (FDEP) Agreement 22PB2 for State cost sharing participation in the amount of \$4,763,017 for reimbursement of the 2020 Mid-Town Beach Nourishment Federal Shore Protection Project construction.

GENERAL INFORMATION

Each year the Town provides a Local Government Funding Request (LGFR) to the FDEP for projects that are eligible for State cost sharing. The LGFR includes specific project details that are each assigned scores. The scores are tallied and the projects are ranked in competition with other statewide requested projects. Florida Legislature determines the size of the annual appropriation that is assigned to projects on the ranked list. The Mid-Town Beach Nourishment Project sufficiently scored on the ranked list to be included for reimbursement within the FY 2022-2023 approved State budget.

FUNDING/FISCAL IMPACT

State funds will reimburse the Town \$4,763,017 for eligible costs, 47.91% of the total non-federal project cost, associated with construction of the 2020 Mid-Town Beach Nourishment Federal Shore Protection Project.

TOWN ATTORNEY REVIEW

This Resolution has been reviewed and approved by the Town Attorney for legal form and sufficiency. In addition, the Town's Attorney will review the FDEP contract and approve for legal form and sufficiency prior to execution.

Attachments

cc: Shore Protection Board
Bob Miracle, Deputy Town Manager
Dean Mealy, Procurement and Contract Manager
Robert Weber, Coastal Program Manager

RESOLUTION NO. 013-2023

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING STATE GRANT OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CONTRACT NO. 22PB2, BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE TOWN OF PALM BEACH UNDER THE FLORIDA BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM, SPECIFICALLY REIMBURSEMENT FOR MID-TOWN BEACH NOURISHMENT PROJECT CONSTRUCTION, IN THE AMOUNT OF \$4,763,017, AND AUTHORIZING THE MAYOR TO EXECUTE SAME ON BEHALF OF THE TOWN.

WHEREAS, the Town of Palm Beach (Town) and the Florida Department of Environmental Protection (FDEP), have worked cooperatively by executing cost-sharing agreements related to implementing the Town's Comprehensive Coastal Management Plan; and

WHEREAS, the FDEP has agreed to a cost-share on eligible project elements related to the Mid-Town Beach Nourishment Project.

NOW, 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 Council hereby authorizes the attached State of Florida Department of Environmental Protection (FDEP) Contract No. 22PB2, to reimburse the Town with eligible construction costs associated with the 2020 Mid-Town Beach Nourishment Project in the amount of \$4,763,017.

Section 3. The Mayor is hereby authorized to execute FDEP Contract No. 22PB2, on behalf of the Town.

Section 5. This Resolution shall be provided to the FDEP, at 3900 Commonwealth Blvd., Mail Station 3601, Tallahassee, Florida 32399-3000, in accompaniment with an executed original of FDEP Contract No. 22PB2.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 14th day of February 2023.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Town Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Standard Grant Agreement**

This Agreement is entered into between the Parties named below, pursuant to Section 215.971, Florida Statutes:

1. Project Title (Project): **Mid-Town Beach Nourishment Project** Agreement Number: **22PB2**
2. Parties **State of Florida Department of Environmental Protection,
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000** (Department)
- Grantee Name: **Town of Palm Beach** Entity Type: **Local Government**
- Grantee Address: **951 Okeechobee Road, Suite A, West Palm Beach, FL 33401** FEID: **59-6000402** (Grantee)
3. Agreement Begin Date: **1/1/2020** Date of Expiration: **12/31/2024**
4. Project Number: Project Location(s): **Palm Beach County**
(If different from Agreement Number)
- Project Description: **The project consists of design, construction, and monitoring.**

5. Total Amount of Funding:	Funding Source?	Award #s or Line Item Appropriations:	Amount per Source(s):
\$ 4,763,017.00	☒ State ☐ Federal	FY21-22 GAA Line Item #1647	\$ 4,763,017.00
	☐ State ☐ Federal		
	☐ Grantee Match		
Total Amount of Funding + Grantee Match, if any:			\$ 4,763,017.00

6. Department's Grant Manager Grantee's Grant Manager
- Name: **John Irving** Name: **Robert Weber**
- or successor or successor
- Address: **Beach Management Funding Assistance** Address: **Town of Palm Beach**
- 2600 Blair Stone Road, MS #3601** **951 Okeechobee Road, Suite A**
- Tallahassee, Florida 32399** **West Palm Beach, Florida 33401**
- Phone: **850-245-8355** Phone: **561-838-5440**
- Email: **John.Irving@FloridaDEP.gov** Email: **rweber@townofpalmbeach.com**

7. The Parties agree to comply with the terms and conditions of the following attachments and exhibits which are hereby incorporated by reference:

☒ Attachment 1: Standard Terms and Conditions Applicable to All Grants Agreements
☒ Attachment 2: Special Terms and Conditions
☒ Attachment 3: Grant Work Plan
☒ Attachment 4: Public Records Requirements
☒ Attachment 5: Special Audit Requirements
☐ Attachment 6: Program-Specific Requirements
☐ Attachment 7: Grant Award Terms (Federal) *Copy available at https://facts.fldfs.com , in accordance with §215.985, F.S.
☐ Attachment 8: Federal Regulations and Terms (Federal)
☐ Additional Attachments (if necessary):
☒ Exhibit A: Progress Report Form
☐ Exhibit B: Property Reporting Form
☒ Exhibit C: Payment Request Summary Form
☐ Exhibit D: Quality Assurance Requirements
☐ Exhibit E: Advance Payment Terms and Interest Earned Memo
☐ Exhibit F: Common Carrier or Contracted Carrier Attestation Form PUR1808

DEP Agreement No. **22PB2**

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☐ Additional Exhibits (if necessary):

8. The following information applies to Federal Grants only and is identified in accordance with 2 CFR 200.331(a)(1):

Federal Award Identification Number(s) (FAIN):	
Federal Award Date to Department:	
Total Federal Funds Obligated by this Agreement:	
Federal Awarding Agency:	
Award R&D?	☐ Yes ☐ N/A

IN WITNESS WHEREOF, this Agreement shall be effective on the date indicated by the Agreement Begin Date above or the last date signed below, whichever is later.

GRANTEE

Grantee Name

By

(Authorized Signature)

Date Signed

Print Name and Title of Person Signing

State of Florida Department of Environmental Protection

DEPARTMENT

By

Secretary or Designee

Date Signed

Print Name and Title of Person Signing

☒ Additional signatures attached on separate page.

ORCP Additional Signatures

Name, DEP Grant Manager

Name, DEP QC Reviewer

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STANDARD TERMS AND CONDITIONS
APPLICABLE TO GRANT AGREEMENTS**

ATTACHMENT 1

1. Entire Agreement.

This Grant Agreement, including any Attachments and Exhibits referred to herein and/or attached hereto (Agreement), constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior agreements, whether written or oral, with respect to such subject matter. Any terms and conditions included on Grantee's forms or invoices shall be null and void.

2. Grant Administration.

- a. Order of Precedence. If there are conflicting provisions among the documents that make up the Agreement, the order of precedence for interpretation of the Agreement is as follows:
- i. Standard Grant Agreement
 - ii. Attachments other than Attachment 1, in numerical order as designated in the Standard Grant Agreement
 - iii. Attachment 1, Standard Terms and Conditions
 - iv. The Exhibits in the order designated in the Standard Grant Agreement
- b. All approvals, written or verbal, and other written communication among the parties, including all notices, shall be obtained by or sent to the parties' Grant Managers. All written communication shall be by electronic mail, U.S. Mail, a courier delivery service, or delivered in person. Notices shall be considered delivered when reflected by an electronic mail read receipt, a courier service delivery receipt, other mail service delivery receipt, or when receipt is acknowledged by recipient. If the notice is delivered in multiple ways, the notice will be considered delivered at the earliest delivery time.
- c. If a different Grant Manager is designated by either party after execution of this Agreement, notice of the name and contact information of the new Grant Manager will be submitted in writing to the other party and maintained in the respective parties' records. A change of Grant Manager does not require a formal amendment or change order to the Agreement.
- d. This Agreement may be amended, through a formal amendment or a change order, only by a written agreement between both parties. A formal amendment to this Agreement is required for changes which cause any of the following:
- (1) an increase or decrease in the Agreement funding amount;
 - (2) a change in Grantee's match requirements;
 - (3) a change in the expiration date of the Agreement; and/or
 - (4) changes to the cumulative amount of funding transfers between approved budget categories, as defined in Attachment 3, Grant Work Plan, that exceeds or is expected to exceed twenty percent (20%) of the total budget as last approved by Department.
- A change order to this Agreement may be used when:
- (1) task timelines within the current authorized Agreement period change;
 - (2) the cumulative transfer of funds between approved budget categories, as defined in Attachment 3, Grant Work Plan, are less than twenty percent (20%) of the total budget as last approved by Department;
 - (3) changing the current funding source as stated in the Standard Grant Agreement; and/or
 - (4) fund transfers between budget categories for the purposes of meeting match requirements.
- This Agreement may be amended to provide for additional services if additional funding is made available by the Legislature.
- e. All days in this Agreement are calendar days unless otherwise specified.

3. Agreement Duration.

The term of the Agreement shall begin and end on the dates indicated in the Standard Grant Agreement, unless extended or terminated earlier in accordance with the applicable terms and conditions. The Grantee shall be eligible for reimbursement for work performed on or after the date of execution through the expiration date of this Agreement, unless otherwise specified in Attachment 2, Special Terms and Conditions. However, work performed prior to the execution of this Agreement may be reimbursable or used for match purposes if permitted by the Special Terms and Conditions.

Attachment 1

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4. Deliverables.

The Grantee agrees to render the services or other units of deliverables as set forth in Attachment 3, Grant Work Plan. The services or other units of deliverables shall be delivered in accordance with the schedule and at the pricing outlined in the Grant Work Plan. Deliverables may be comprised of activities that must be completed prior to Department making payment on that deliverable. The Grantee agrees to perform in accordance with the terms and conditions set forth in this Agreement and all attachments and exhibits incorporated by the Standard Grant Agreement.

5. Performance Measures.

The Grantee warrants that: (1) the services will be performed by qualified personnel; (2) the services will be of the kind and quality described in the Grant Work Plan; (3) the services will be performed in a professional and workmanlike manner in accordance with industry standards and practices; (4) the services shall not and do not knowingly infringe upon the intellectual property rights, or any other proprietary rights, of any third party; and (5) its employees, subcontractors, and/or subgrantees shall comply with any security and safety requirements and processes, if provided by Department, for work done at the Project Location(s). The Department reserves the right to investigate or inspect at any time to determine whether the services or qualifications offered by Grantee meet the Agreement requirements. Notwithstanding any provisions herein to the contrary, written acceptance of a particular deliverable does not foreclose Department's remedies in the event deficiencies in the deliverable cannot be readily measured at the time of delivery.

6. Acceptance of Deliverables.

- a. Acceptance Process. All deliverables must be received and accepted in writing by Department's Grant Manager before payment. The Grantee shall work diligently to correct all deficiencies in the deliverable that remain outstanding, within a reasonable time at Grantee's expense. If Department's Grant Manager does not accept the deliverables within 30 days of receipt, they will be deemed rejected.
- b. Rejection of Deliverables. The Department reserves the right to reject deliverables, as outlined in the Grant Work Plan, as incomplete, inadequate, or unacceptable due, in whole or in part, to Grantee's lack of satisfactory performance under the terms of this Agreement. The Grantee's efforts to correct the rejected deliverables will be at Grantee's sole expense. Failure to fulfill the applicable technical requirements or complete all tasks or activities in accordance with the Grant Work Plan will result in rejection of the deliverable and the associated invoice. Payment for the rejected deliverable will not be issued unless the rejected deliverable is made acceptable to Department in accordance with the Agreement requirements. The Department, at its option, may allow additional time within which Grantee may remedy the objections noted by Department. The Grantee's failure to make adequate or acceptable deliverables after a reasonable opportunity to do so shall constitute an event of default.

7. Financial Consequences for Nonperformance.

- a. Withholding Payment. In addition to the specific consequences explained in the Grant Work Plan and/or Special Terms and Conditions, the State of Florida (State) reserves the right to withhold payment when the Grantee has failed to perform/comply with provisions of this Agreement. None of the financial consequences for nonperformance in this Agreement as more fully described in the Grant Work Plan shall be considered penalties.
- b. Invoice reduction
If Grantee does not meet a deadline for any deliverable, the Department will reduce the invoice by 1% for each day the deadline is missed, unless an extension is approved in writing by the Department.
- c. Corrective Action Plan. If Grantee fails to correct all the deficiencies in a rejected deliverable within the specified timeframe, Department may, in its sole discretion, request that a proposed Corrective Action Plan (CAP) be submitted by Grantee to Department. The Department requests that Grantee specify the outstanding deficiencies in the CAP. All CAPs must be able to be implemented and performed in no more than sixty (60) calendar days.
 - i. The Grantee shall submit a CAP within ten (10) days of the date of the written request from Department. The CAP shall be sent to the Department's Grant Manager for review and approval. Within ten (10) days of receipt of a CAP, Department shall notify Grantee in writing whether the CAP proposed has been accepted. If the CAP is not accepted, Grantee shall have ten (10) days from receipt of Department letter rejecting the proposal to submit a revised proposed CAP. Failure to obtain Department approval of a CAP as specified above may result in Department's termination of this Agreement for cause as authorized in this Agreement.
 - ii. Upon Department's notice of acceptance of a proposed CAP, Grantee shall have ten (10) days to commence implementation of the accepted plan. Acceptance of the proposed CAP by Department does not relieve Grantee of any of its obligations under the Agreement. In the event the CAP fails to correct or eliminate performance deficiencies by Grantee, Department shall retain the right to

Attachment 1

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require additional or further remedial steps, or to terminate this Agreement for failure to perform. No actions approved by Department or steps taken by Grantee shall preclude Department from subsequently asserting any deficiencies in performance. The Grantee shall continue to implement the CAP until all deficiencies are corrected. Reports on the progress of the CAP will be made to Department as requested by Department's Grant Manager.

- iii. Failure to respond to a Department request for a CAP or failure to correct a deficiency in the performance of the Agreement as specified by Department may result in termination of the Agreement.

8. Payment.

- a. Payment Process. Subject to the terms and conditions established by the Agreement, the pricing per deliverable established by the Grant Work Plan, and the billing procedures established by Department, Department agrees to pay Grantee for services rendered in accordance with Section 215.422, Florida Statutes (F.S.).
- b. Taxes. The Department is exempted from payment of State sales, use taxes and Federal excise taxes. The Grantee, however, shall not be exempted from paying any taxes that it is subject to, including State sales and use taxes, or for payment by Grantee to suppliers for taxes on materials used to fulfill its contractual obligations with Department. The Grantee shall not use Department's exemption number in securing such materials. The Grantee shall be responsible and liable for the payment of all its FICA/Social Security and other taxes resulting from this Agreement.
- c. Maximum Amount of Agreement. The maximum amount of compensation under this Agreement, without an amendment, is described in the Standard Grant Agreement. Any additional funds necessary for the completion of this Project are the responsibility of Grantee.
- d. Reimbursement for Costs. The Grantee shall be paid on a cost reimbursement basis for all eligible Project costs upon the completion, submittal, and approval of each deliverable identified in the Grant Work Plan. Reimbursement shall be requested on Exhibit C, Payment Request Summary Form. To be eligible for reimbursement, costs must be in compliance with laws, rules, and regulations applicable to expenditures of State funds, including, but not limited to, the Reference Guide for State Expenditures, which can be accessed at the following web address:
<https://www.myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf>.
- e. Invoice Detail. All charges for services rendered or for reimbursement of expenses authorized by Department pursuant to the Grant Work Plan shall be submitted to Department in sufficient detail for a proper pre-audit and post-audit to be performed. The Grantee shall only invoice Department for deliverables that are completed in accordance with the Grant Work Plan.
- f. Interim Payments. Interim payments may be made by Department, at its discretion, if the completion of deliverables to date have first been accepted in writing by Department's Grant Manager.
- g. Final Payment Request. A final payment request should be submitted to Department no later than sixty (60) days following the expiration date of the Agreement to ensure the availability of funds for payment. However, all work performed pursuant to the Grant Work Plan must be performed on or before the expiration date of the Agreement.
- h. Annual Appropriation Contingency. The State's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. This Agreement is not a commitment of future appropriations. Authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of Department if the Legislature reduces or eliminates appropriations.
- i. Interest Rates. All interest rates charged under the Agreement shall be calculated on the prevailing rate used by the State Board of Administration. To obtain the applicable interest rate, please refer to:
www.myfloridacfo.com/Division/AA/Vendors/default.htm.
- j. Refund of Payments to the Department. Any balance of unobligated funds that have been advanced or paid must be refunded to Department. Any funds paid in excess of the amount to which Grantee or subgrantee is entitled under the terms of the Agreement must be refunded to Department. If this Agreement is funded with federal funds and the Department is required to refund the federal government, the Grantee shall refund the Department its share of those funds.

9. Documentation Required for Cost Reimbursement Grant Agreements and Match.

If Cost Reimbursement or Match is authorized in Attachment 2, Special Terms and Conditions, the following conditions apply. Supporting documentation must be provided to substantiate cost reimbursement or match requirements for the following budget categories:

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- a. Salary/Wages. Grantee shall list personnel involved, position classification, direct salary rates, and hours spent on the Project in accordance with Attachment 3, Grant Work Plan in their documentation for reimbursement or match requirements.
- b. Overhead/Indirect/General and Administrative Costs. If Grantee is being reimbursed for or claiming match for multipliers, all multipliers used (i.e., fringe benefits, overhead, indirect, and/or general and administrative rates) shall be supported by audit. If Department determines that multipliers charged by Grantee exceeded the rates supported by audit, Grantee shall be required to reimburse such funds to Department within thirty (30) days of written notification. Interest shall be charged on the excessive rate.
- c. Contractual Costs (Subcontractors). Match or reimbursement requests for payments to subcontractors must be substantiated by copies of invoices with backup documentation identical to that required from Grantee. Subcontracts which involve payments for direct salaries shall clearly identify the personnel involved, salary rate per hour, and hours spent on the Project. All eligible multipliers used (i.e., fringe benefits, overhead, indirect, and/or general and administrative rates) shall be supported by audit. If Department determines that multipliers charged by any subcontractor exceeded the rates supported by audit, Grantee shall be required to reimburse such funds to Department within thirty (30) days of written notification. Interest shall be charged on the excessive rate. Nonconsumable and/or nonexpendable personal property or equipment costing \$5,000 or more purchased for the Project under a subcontract is subject to the requirements set forth in Chapters 273 and/or 274, F.S., and Chapter 69I-72, Florida Administrative Code (F.A.C.) and/or Chapter 69I-73, F.A.C., as applicable. The Grantee shall be responsible for maintaining appropriate property records for any subcontracts that include the purchase of equipment as part of the delivery of services. The Grantee shall comply with this requirement and ensure its subcontracts issued under this Agreement, if any, impose this requirement, in writing, on its subcontractors.
 - i. For fixed-price (vendor) subcontracts, the following provisions shall apply: The Grantee may award, on a competitive basis, fixed-price subcontracts to consultants/contractors in performing the work described in Attachment 3, Grant Work Plan. Invoices submitted to Department for fixed-price subcontracted activities shall be supported with a copy of the subcontractor's invoice and a copy of the tabulation form for the competitive procurement process (e.g., Invitation to Bid, Request for Proposals, or other similar competitive procurement document) resulting in the fixed-price subcontract. The Grantee may request approval from Department to award a fixed-price subcontract resulting from procurement methods other than those identified above. In this instance, Grantee shall request the advance written approval from Department's Grant Manager of the fixed price negotiated by Grantee. The letter of request shall be supported by a detailed budget and Scope of Services to be performed by the subcontractor. Upon receipt of Department Grant Manager's approval of the fixed-price amount, Grantee may proceed in finalizing the fixed-price subcontract.
 - ii. If the procurement is subject to the Consultant's Competitive Negotiation Act under section 287.055, F.S. or the Brooks Act, Grantee must provide documentation clearly evidencing it has complied with the statutory or federal requirements.
- d. Travel. All requests for match or reimbursement of travel expenses shall be in accordance with Section 112.061, F.S.
- e. Direct Purchase Equipment. For the purposes of this Agreement, Equipment is defined as capital outlay costing \$5,000 or more. Match or reimbursement for Grantee's direct purchase of equipment is subject to specific approval of Department, and does not include any equipment purchased under the delivery of services to be completed by a subcontractor. Include copies of invoices or receipts to document purchases, and a properly completed Exhibit B, Property Reporting Form.
- f. Rental/Lease of Equipment. Match or reimbursement requests for rental/lease of equipment must include copies of invoices or receipts to document charges.
- g. Miscellaneous/Other Expenses. If miscellaneous or other expenses, such as materials, supplies, non-excluded phone expenses, reproduction, or mailing, are reimbursable or available for match or reimbursement under the terms of this Agreement, the documentation supporting these expenses must be itemized and include copies of receipts or invoices. Additionally, independent of Grantee's contract obligations to its subcontractor, Department shall not reimburse any of the following types of charges: cell phone usage; attorney's fees or court costs; civil or administrative penalties; or handling fees, such as set percent overages associated with purchasing supplies or equipment.
- h. Land Acquisition. Reimbursement for the costs associated with acquiring interest and/or rights to real property (including access rights through ingress/egress easements, leases, license agreements, or other site access agreements; and/or obtaining record title ownership of real property through purchase) must be supported by the following, as applicable: Copies of Property Appraisals, Environmental Site Assessments, Surveys and Legal

Attachment 1

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Descriptions, Boundary Maps, Acreage Certification, Title Search Reports, Title Insurance, Closing Statements/Documents, Deeds, Leases, Easements, License Agreements, or other legal instrument documenting acquired property interest and/or rights. If land acquisition costs are used to meet match requirements, Grantee agrees that those funds shall not be used as match for any other Agreement supported by State or Federal funds.

10. Status Reports.

The Grantee shall submit status reports quarterly, unless otherwise specified in the Attachments, on Exhibit A, Progress Report Form, to Department's Grant Manager describing the work performed during the reporting period, problems encountered, problem resolutions, scheduled updates, and proposed work for the next reporting period. Quarterly status reports are due no later than twenty (20) days following the completion of the quarterly reporting period. For the purposes of this reporting requirement, the quarterly reporting periods end on March 31, June 30, September 30 and December 31. The Department will review the required reports submitted by Grantee within thirty (30) days.

11. Retainage.

The following provisions apply if Department withholds retainage under this Agreement:

- a. The Department reserves the right to establish the amount and application of retainage on the work performed under this Agreement up to the maximum percentage described in Attachment 2, Special Terms and Conditions. Retainage may be withheld from each payment to Grantee pending satisfactory completion of work and approval of all deliverables.
- b. If Grantee fails to perform the requested work, or fails to perform the work in a satisfactory manner, Grantee shall forfeit its right to payment of the retainage associated with the work. Failure to perform includes, but is not limited to, failure to submit the required deliverables or failure to provide adequate documentation that the work was actually performed. The Department shall provide written notification to Grantee of the failure to perform that shall result in retainage forfeiture. If the Grantee does not correct the failure to perform within the timeframe stated in Department's notice, the retainage will be forfeited to Department.
- c. No retainage shall be released or paid for incomplete work while this Agreement is suspended.
- d. Except as otherwise provided above, Grantee shall be paid the retainage associated with the work, provided Grantee has completed the work and submits an invoice for retainage held in accordance with the invoicing procedures under this Agreement.

12. Insurance.

- a. Insurance Requirements for Sub-Grantees and/or Subcontractors. The Grantee shall require its sub-grantees and/or subcontractors, if any, to maintain insurance coverage of such types and with such terms and limits as described in this Agreement. The Grantee shall require all its sub-grantees and/or subcontractors, if any, to make compliance with the insurance requirements of this Agreement a condition of all contracts that are related to this Agreement. Sub-grantees and/or subcontractors must provide proof of insurance upon request.
- b. Deductibles. The Department shall be exempt from, and in no way liable for, any sums of money representing a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of the Grantee providing such insurance.
- c. Proof of Insurance. Upon execution of this Agreement, Grantee shall provide Department documentation demonstrating the existence and amount for each type of applicable insurance coverage *prior to* performance of any work under this Agreement. Upon receipt of written request from Department, Grantee shall furnish Department with proof of applicable insurance coverage by standard form certificates of insurance, a self-insured authorization, or other certification of self-insurance.
- d. Duty to Maintain Coverage. In the event that any applicable coverage is cancelled by the insurer for any reason, or if Grantee cannot get adequate coverage, Grantee shall immediately notify Department of such cancellation and shall obtain adequate replacement coverage conforming to the requirements herein and provide proof of such replacement coverage within ten (10) days after the cancellation of coverage.
- e. Insurance Trust. If the Grantee's insurance is provided through an insurance trust, the Grantee shall instead add the Department of Environmental Protection, its employees, and officers as an additional covered party everywhere the Agreement requires them to be added as an additional insured.

13. Termination.

- a. Termination for Convenience. When it is in the State's best interest, Department may, at its sole discretion, terminate the Agreement in whole or in part by giving 30 days' written notice to Grantee. The Department shall notify Grantee of the termination for convenience with instructions as to the effective date of termination or the specific stage of work at which the Agreement is to be terminated. The Grantee must submit all invoices for work to be paid under this Agreement within thirty (30) days of the effective date of termination. The Department shall not pay any invoices received after thirty (30) days of the effective date of termination.

Attachment 1

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- b. Termination for Cause. The Department may terminate this Agreement if any of the events of default described in the Events of Default provisions below occur or in the event that Grantee fails to fulfill any of its other obligations under this Agreement. If, after termination, it is determined that Grantee was not in default, or that the default was excusable, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of Department. The rights and remedies of Department in this clause are in addition to any other rights and remedies provided by law or under this Agreement.
- c. Grantee Obligations upon Notice of Termination. After receipt of a notice of termination or partial termination unless as otherwise directed by Department, Grantee shall not furnish any service or deliverable on the date, and to the extent specified, in the notice. However, Grantee shall continue work on any portion of the Agreement not terminated. If the Agreement is terminated before performance is completed, Grantee shall be paid only for that work satisfactorily performed for which costs can be substantiated. The Grantee shall not be entitled to recover any cancellation charges or lost profits.
- d. Continuation of Prepaid Services. If Department has paid for any services prior to the expiration, cancellation, or termination of the Agreement, Grantee shall continue to provide Department with those services for which it has already been paid or, at Department's discretion, Grantee shall provide a refund for services that have been paid for but not rendered.
- e. Transition of Services Upon Termination, Expiration, or Cancellation of the Agreement. If services provided under the Agreement are being transitioned to another provider(s), Grantee shall assist in the smooth transition of Agreement services to the subsequent provider(s). This requirement is at a minimum an affirmative obligation to cooperate with the new provider(s), however additional requirements may be outlined in the Grant Work Plan. The Grantee shall not perform any services after Agreement expiration or termination, except as necessary to complete the transition or continued portion of the Agreement, if any.

14. Notice of Default.

If Grantee defaults in the performance of any covenant or obligation contained in the Agreement, including, any of the events of default, Department shall provide notice to Grantee and an opportunity to cure that is reasonable under the circumstances. This notice shall state the nature of the failure to perform and provide a time certain for correcting the failure. The notice will also provide that, should the Grantee fail to perform within the time provided, Grantee will be found in default, and Department may terminate the Agreement effective as of the date of receipt of the default notice.

15. Events of Default.

Provided such failure is not the fault of Department or outside the reasonable control of Grantee, the following non-exclusive list of events, acts, or omissions, shall constitute events of default:

- a. The commitment of any material breach of this Agreement by Grantee, including failure to timely deliver a material deliverable, failure to perform the minimal level of services required for a deliverable, discontinuance of the performance of the work, failure to resume work that has been discontinued within a reasonable time after notice to do so, or abandonment of the Agreement;
- b. The commitment of any material misrepresentation or omission in any materials, or discovery by the Department of such, made by the Grantee in this Agreement or in its application for funding;
- c. Failure to submit any of the reports required by this Agreement or having submitted any report with incorrect, incomplete, or insufficient information;
- d. Failure to honor any term of the Agreement;
- e. Failure to abide by any statutory, regulatory, or licensing requirement, including an entry of an order revoking the certificate of authority granted to the Grantee by a state or other licensing authority;
- f. Failure to pay any and all entities, individuals, and furnishing labor or materials, or failure to make payment to any other entities as required by this Agreement;
- g. Employment of an unauthorized alien in the performance of the work, in violation of Section 274 (A) of the Immigration and Nationality Act;
- h. Failure to maintain the insurance required by this Agreement;
- i. One or more of the following circumstances, uncorrected for more than thirty (30) days unless, within the specified 30-day period, Grantee (including its receiver or trustee in bankruptcy) provides to Department adequate assurances, reasonably acceptable to Department, of its continuing ability and willingness to fulfill its obligations under the Agreement:
 - i. Entry of an order for relief under Title 11 of the United States Code;
 - ii. The making by Grantee of a general assignment for the benefit of creditors;
 - iii. The appointment of a general receiver or trustee in bankruptcy of Grantee's business or property; and/or

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- iv. An action by Grantee under any state insolvency or similar law for the purpose of its bankruptcy, reorganization, or liquidation.

16. Suspension of Work.

The Department may, in its sole discretion, suspend any or all activities under the Agreement, at any time, when it is in the best interest of the State to do so. The Department shall provide Grantee written notice outlining the particulars of suspension. Examples of reasons for suspension include, but are not limited to, budgetary constraints, declaration of emergency, or other such circumstances. After receiving a suspension notice, Grantee shall comply with the notice. Within 90 days, or any longer period agreed to by the parties, Department shall either: (1) issue a notice authorizing resumption of work, at which time activity shall resume; or (2) terminate the Agreement. If the Agreement is terminated after 30 days of suspension, the notice of suspension shall be deemed to satisfy the thirty (30) days' notice required for a notice of termination for convenience. Suspension of work shall not entitle Grantee to any additional compensation.

17. Force Majeure.

The Grantee shall not be responsible for delay resulting from its failure to perform if neither the fault nor the negligence of Grantee or its employees or agents contributed to the delay and the delay is due directly to acts of God, wars, acts of public enemies, strikes, fires, floods, or other similar cause wholly beyond Grantee's control, or for any of the foregoing that affect subcontractors or suppliers if no alternate source of supply is available to Grantee. In case of any delay Grantee believes is excusable, Grantee shall notify Department in writing of the delay or potential delay and describe the cause of the delay either (1) within ten days after the cause that creates or will create the delay first arose, if Grantee could reasonably foresee that a delay could occur as a result; or (2) if delay is not reasonably foreseeable, within five days after the date Grantee first had reason to believe that a delay could result. **THE FOREGOING SHALL CONSTITUTE THE GRANTEE'S SOLE REMEDY OR EXCUSE WITH RESPECT TO DELAY.** Providing notice in strict accordance with this paragraph is a condition precedent to such remedy. No claim for damages, other than for an extension of time, shall be asserted against Department. The Grantee shall not be entitled to an increase in the Agreement price or payment of any kind from Department for direct, indirect, consequential, impact or other costs, expenses or damages, including but not limited to costs of acceleration or inefficiency, arising because of delay, disruption, interference, or hindrance from any cause whatsoever. If performance is suspended or delayed, in whole or in part, due to any of the causes described in this paragraph, after the causes have ceased to exist Grantee shall perform at no increased cost, unless Department determines, in its sole discretion, that the delay will significantly impair the value of the Agreement to Department, in which case Department may: (1) accept allocated performance or deliveries from Grantee, provided that Grantee grants preferential treatment to Department with respect to products subjected to allocation; (2) contract with other sources (without recourse to and by Grantee for the related costs and expenses) to replace all or part of the products or services that are the subject of the delay, which purchases may be deducted from the Agreement quantity; or (3) terminate Agreement in whole or in part.

18. Indemnification.

- a. The Grantee shall be fully liable for the actions of its agents, employees, partners, or subcontractors and shall fully indemnify, defend, and hold harmless Department and its officers, agents, and employees, from suits, actions, damages, and costs of every name and description arising from or relating to:
 - i. personal injury and damage to real or personal tangible property alleged to be caused in whole or in part by Grantee, its agents, employees, partners, or subcontractors; provided, however, that Grantee shall not indemnify for that portion of any loss or damages proximately caused by the negligent act or omission of Department;
 - ii. the Grantee's breach of this Agreement or the negligent acts or omissions of Grantee.
- b. The Grantee's obligations under the preceding paragraph with respect to any legal action are contingent upon Department giving Grantee: (1) written notice of any action or threatened action; (2) the opportunity to take over and settle or defend any such action at Grantee's sole expense; and (3) assistance in defending the action at Grantee's sole expense. The Grantee shall not be liable for any cost, expense, or compromise incurred or made by Department in any legal action without Grantee's prior written consent, which shall not be unreasonably withheld.
- c. Notwithstanding sections a. and b. above, the following is the sole indemnification provision that applies to Grantees that are governmental entities: Each party hereto agrees that it shall be solely responsible for the negligent or wrongful acts of its employees and agents. However, nothing contained herein shall constitute a waiver by either party of its sovereign immunity or the provisions of Section 768.28, F.S. Further, nothing herein shall be construed as consent by a state agency or subdivision of the State to be sued by third parties in any matter arising out of any contract or this Agreement.

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- d. No provision in this Agreement shall require Department to hold harmless or indemnify Grantee, insure or assume liability for Grantee's negligence, waive Department's sovereign immunity under the laws of Florida, or otherwise impose liability on Department for which it would not otherwise be responsible. Any provision, implication or suggestion to the contrary is null and void.

19. Limitation of Liability.

The Department's liability for any claim arising from this Agreement is limited to compensatory damages in an amount no greater than the sum of the unpaid balance of compensation due for goods or services rendered pursuant to and in compliance with the terms of the Agreement. Such liability is further limited to a cap of \$100,000.

20. Remedies.

Nothing in this Agreement shall be construed to make Grantee liable for force majeure events. Nothing in this Agreement, including financial consequences for nonperformance, shall limit Department's right to pursue its remedies for other types of damages under the Agreement, at law or in equity. The Department may, in addition to other remedies available to it, at law or in equity and upon notice to Grantee, retain such monies from amounts due Grantee as may be necessary to satisfy any claim for damages, penalties, costs and the like asserted by or against it.

21. Waiver.

The delay or failure by Department to exercise or enforce any of its rights under this Agreement shall not constitute or be deemed a waiver of Department's right thereafter to enforce those rights, nor shall any single or partial exercise of any such right preclude any other or further exercise thereof or the exercise of any other right.

22. Statutory Notices Relating to Unauthorized Employment and Subcontracts.

- a. The Department shall consider the employment by any Grantee of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationality Act. If Grantee/subcontractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of this Agreement. The Grantee shall be responsible for including this provision in all subcontracts with private organizations issued as a result of this Agreement.
- b. Pursuant to Sections 287.133, 287.134, and 287.137 F.S., the following restrictions apply to persons placed on the convicted vendor list, discriminatory vendor list, or the antitrust violator vendor list:
 - i. Public Entity Crime. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a Grantee, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.
 - ii. Discriminatory Vendors. An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity.
 - iii. Antitrust Violator Vendors. A person or an affiliate who has been placed on the antitrust violator vendor list following a conviction or being held civilly liable for an antitrust violation may not submit a bid, proposal, or reply on any contract to provide any good or services to a public entity; may not submit a bid, proposal, or reply on any contract with a public entity for the construction or repair of a public building or public work; may not submit a bid, proposal, or reply on leases of real property to a public entity; may not be awarded or perform work as a Grantee, supplier, subcontractor, or consultant under a contract with a public entity; and may not transact new business with a public entity.
 - iv. Notification. The Grantee shall notify Department if it or any of its suppliers, subcontractors, or consultants have been placed on the convicted vendor list, the discriminatory vendor list, or antitrust violator vendor list during the life of the Agreement. The Florida Department of Management Services is responsible for maintaining the discriminatory vendor list and the antitrust violator vendor list and posts the list on its website. Questions regarding the discriminatory vendor list or antitrust violator vendor list may be directed to the Florida Department of Management Services, Office of Supplier Diversity, at (850) 487-0915.

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23. Compliance with Federal, State and Local Laws.

- a. The Grantee and all its agents shall comply with all federal, state and local regulations, including, but not limited to, nondiscrimination, wages, social security, workers' compensation, licenses, and registration requirements. The Grantee shall include this provision in all subcontracts issued as a result of this Agreement.
- b. No person, on the grounds of race, creed, color, religion, national origin, age, gender, or disability, shall be excluded from participation in; be denied the proceeds or benefits of; or be otherwise subjected to discrimination in performance of this Agreement.
- c. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.
- d. Any dispute concerning performance of the Agreement shall be processed as described herein. Jurisdiction for any damages arising under the terms of the Agreement will be in the courts of the State, and venue will be in the Second Judicial Circuit, in and for Leon County. Except as otherwise provided by law, the parties agree to be responsible for their own attorney fees incurred in connection with disputes arising under the terms of this Agreement.

24. Build America, Buy America Act (BABA).

Recipients or Subrecipients of an award of Federal financial assistance from a program for infrastructure are required to comply with the Build America, Buy America Act (BABA), including the following provisions:

- a. All iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- b. All manufactured products used in the project are produced in the United States--this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- c. All construction materials are manufactured in the United States--this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

25. Scrutinized Companies.

- a. Grantee certifies that it is not on the Scrutinized Companies that Boycott Israel List or engaged in a boycott of Israel. Pursuant to Section 287.135, F.S., the Department may immediately terminate this Agreement at its sole option if the Grantee is found to have submitted a false certification; or if the Grantee is placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.
- b. If this Agreement is for more than one million dollars, the Grantee certifies that it is also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S. Pursuant to Section 287.135, F.S., the Department may immediately terminate this Agreement at its sole option if the Grantee is found to have submitted a false certification; or if the Grantee is placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.
- c. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize these contracting prohibitions then they shall become inoperative.

26. Lobbying and Integrity.

The Grantee agrees that no funds received by it under this Agreement will be expended for the purpose of lobbying the Legislature or a State agency pursuant to Section 216.347, F.S., except that pursuant to the requirements of Section 287.058(6), F.S., during the term of any executed agreement between Grantee and the State, Grantee may lobby the executive or legislative branch concerning the scope of services, performance, term, or compensation regarding that agreement. The Grantee shall comply with Sections 11.062 and 216.347, F.S.

27. Record Keeping.

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The Grantee shall maintain books, records and documents directly pertinent to performance under this Agreement in accordance with United States generally accepted accounting principles (US GAAP) consistently applied. The Department, the State, or their authorized representatives shall have access to such records for audit purposes during the term of this Agreement and for five (5) years following the completion date or termination of the Agreement. In the event that any work is subcontracted, Grantee shall similarly require each subcontractor to maintain and allow access to such records for audit purposes. Upon request of Department's Inspector General, or other authorized State official, Grantee shall provide any type of information the Inspector General deems relevant to Grantee's integrity or responsibility. Such information may include, but shall not be limited to, Grantee's business or financial records, documents, or files of any type or form that refer to or relate to Agreement. The Grantee shall retain such records for the longer of: (1) three years after the expiration of the Agreement; or (2) the period required by the General Records Schedules maintained by the Florida Department of State (available at: <http://dos.myflorida.com/library-archives/records-management/general-records-schedules/>).

28. Audits.

- a. Inspector General. The Grantee understands its duty, pursuant to Section 20.055(5), F.S., to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing. The Grantee will comply with this duty and ensure that its sub-grantees and/or subcontractors issued under this Agreement, if any, impose this requirement, in writing, on its sub-grantees and/or subcontractors, respectively.
- b. Physical Access and Inspection. Department personnel shall be given access to and may observe and inspect work being performed under this Agreement, with reasonable notice and during normal business hours, including by any of the following methods:
 - i. Grantee shall provide access to any location or facility on which Grantee is performing work, or storing or staging equipment, materials or documents;
 - ii. Grantee shall permit inspection of any facility, equipment, practices, or operations required in performance of any work pursuant to this Agreement; and,
 - iii. Grantee shall allow and facilitate sampling and monitoring of any substances, soils, materials or parameters at any location reasonable or necessary to assure compliance with any work or legal requirements pursuant to this Agreement.
- c. Special Audit Requirements. The Grantee shall comply with the applicable provisions contained in Attachment 5, Special Audit Requirements. Each amendment that authorizes a funding increase or decrease shall include an updated copy of Exhibit 1, to Attachment 5. If Department fails to provide an updated copy of Exhibit 1 to include in each amendment that authorizes a funding increase or decrease, Grantee shall request one from the Department's Grants Manager. The Grantee shall consider the type of financial assistance (federal and/or state) identified in Attachment 5, Exhibit 1 and determine whether the terms of Federal and/or Florida Single Audit Act Requirements may further apply to lower tier transactions that may be a result of this Agreement. For federal financial assistance, Grantee shall utilize the guidance provided under 2 CFR §200.331 for determining whether the relationship represents that of a subrecipient or vendor. For State financial assistance, Grantee shall utilize the form entitled "Checklist for Nonstate Organizations Recipient/Subrecipient vs Vendor Determination" (form number DFS-A2-NS) that can be found under the "Links/Forms" section appearing at the following website: <https://apps.fldfs.com/fsaa>.
- d. Proof of Transactions. In addition to documentation provided to support cost reimbursement as described herein, Department may periodically request additional proof of a transaction to evaluate the appropriateness of costs to the Agreement pursuant to State guidelines (including cost allocation guidelines) and federal, if applicable. Allowable costs and uniform administrative requirements for federal programs can be found under 2 CFR 200. The Department may also request a cost allocation plan in support of its multipliers (overhead, indirect, general administrative costs, and fringe benefits). The Grantee must provide the additional proof within thirty (30) days of such request.
- e. No Commingling of Funds. The accounting systems for all Grantees must ensure that these funds are not commingled with funds from other agencies. Funds from each agency must be accounted for separately. Grantees are prohibited from commingling funds on either a program-by-program or a project-by-project basis. Funds specifically budgeted and/or received for one project may not be used to support another project. Where a Grantee's, or subrecipient's, accounting system cannot comply with this requirement, Grantee, or subrecipient, shall establish a system to provide adequate fund accountability for each project it has been awarded.
 - i. If Department finds that these funds have been commingled, Department shall have the right to demand a refund, either in whole or in part, of the funds provided to Grantee under this Agreement for non-compliance with the material terms of this Agreement. The Grantee, upon such written notification from Department shall refund, and shall forthwith pay to Department, the amount of

money demanded by Department. Interest on any refund shall be calculated based on the prevailing rate used by the State Board of Administration. Interest shall be calculated from the date(s) the original payment(s) are received from Department by Grantee to the date repayment is made by Grantee to Department.

- ii. In the event that the Grantee recovers costs, incurred under this Agreement and reimbursed by Department, from another source(s), Grantee shall reimburse Department for all recovered funds originally provided under this Agreement and interest shall be charged for those recovered costs as calculated on from the date(s) the payment(s) are recovered by Grantee to the date repayment is made to Department.
- iii. Notwithstanding the requirements of this section, the above restrictions on commingling funds do not apply to agreements where payments are made purely on a cost reimbursement basis.

29. Conflict of Interest.

The Grantee covenants that it presently has no interest and shall not acquire any interest which would conflict in any manner or degree with the performance of services required.

30. Independent Contractor.

The Grantee is an independent contractor and is not an employee or agent of Department.

31. Subcontracting.

- a. Unless otherwise specified in the Special Terms and Conditions, all services contracted for are to be performed solely by Grantee.
- b. The Department may, for cause, require the replacement of any Grantee employee, subcontractor, or agent. For cause, includes, but is not limited to, technical or training qualifications, quality of work, change in security status, or non-compliance with an applicable Department policy or other requirement.
- c. The Department may, for cause, deny access to Department's secure information or any facility by any Grantee employee, subcontractor, or agent.
- d. The Department's actions under paragraphs b. or c. shall not relieve Grantee of its obligation to perform all work in compliance with the Agreement. The Grantee shall be responsible for the payment of all monies due under any subcontract. The Department shall not be liable to any subcontractor for any expenses or liabilities incurred under any subcontract and Grantee shall be solely liable to the subcontractor for all expenses and liabilities incurred under any subcontract.
- e. The Department will not deny Grantee's employees, subcontractors, or agents access to meetings within the Department's facilities, unless the basis of Department's denial is safety or security considerations.
- f. The Department supports diversity in its procurement program and requests that all subcontracting opportunities afforded by this Agreement embrace diversity enthusiastically. The award of subcontracts should reflect the full diversity of the citizens of the State. A list of minority-owned firms that could be offered subcontracting opportunities may be obtained by contacting the Office of Supplier Diversity at (850) 487-0915.
- g. The Grantee shall not be liable for any excess costs for a failure to perform, if the failure to perform is caused by the default of a subcontractor at any tier, and if the cause of the default is completely beyond the control of both Grantee and the subcontractor(s), and without the fault or negligence of either, unless the subcontracted products or services were obtainable from other sources in sufficient time for Grantee to meet the required delivery schedule.

32. Guarantee of Parent Company.

If Grantee is a subsidiary of another corporation or other business entity, Grantee asserts that its parent company will guarantee all of the obligations of Grantee for purposes of fulfilling the obligations of Agreement. In the event Grantee is sold during the period the Agreement is in effect, Grantee agrees that it will be a requirement of sale that the new parent company guarantee all of the obligations of Grantee.

33. Survival.

The respective obligations of the parties, which by their nature would continue beyond the termination or expiration of this Agreement, including without limitation, the obligations regarding confidentiality, proprietary interests, and public records, shall survive termination, cancellation, or expiration of this Agreement.

34. Third Parties.

The Department shall not be deemed to assume any liability for the acts, failures to act or negligence of Grantee, its agents, servants, and employees, nor shall Grantee disclaim its own negligence to Department or any third party. This Agreement does not and is not intended to confer any rights or remedies upon any person other than the parties. If Department consents to a subcontract, Grantee will specifically disclose that this Agreement does not create any third-party rights. Further, no third parties shall rely upon any of the rights and obligations created under this Agreement.

35. Severability.

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If a court of competent jurisdiction deems any term or condition herein void or unenforceable, the other provisions are severable to that void provision, and shall remain in full force and effect.

36. Grantee's Employees, Subcontractors and Agents.

All Grantee employees, subcontractors, or agents performing work under the Agreement shall be properly trained technicians who meet or exceed any specified training qualifications. Upon request, Grantee shall furnish a copy of technical certification or other proof of qualification. All employees, subcontractors, or agents performing work under Agreement must comply with all security and administrative requirements of Department and shall comply with all controlling laws and regulations relevant to the services they are providing under the Agreement.

37. Assignment.

The Grantee shall not sell, assign, or transfer any of its rights, duties, or obligations under the Agreement, or under any purchase order issued pursuant to the Agreement, without the prior written consent of Department. In the event of any assignment, Grantee remains secondarily liable for performance of the Agreement, unless Department expressly waives such secondary liability. The Department may assign the Agreement with prior written notice to Grantee of its intent to do so.

38. Compensation Report.

If this Agreement is a sole-source, public-private agreement or if the Grantee, through this agreement with the State, annually receive 50% or more of their budget from the State or from a combination of State and Federal funds, the Grantee shall provide an annual report, including the most recent IRS Form 990, detailing the total compensation for the entities' executive leadership teams. Total compensation shall include salary, bonuses, cashed-in leave, cash equivalents, severance pay, retirement benefits, deferred compensation, real-property gifts, and any other payout. The Grantee must also inform the Department of any changes in total executive compensation between the annual reports. All compensation reports must indicate what percent of compensation comes directly from the State or Federal allocations to the Grantee.

39. Execution in Counterparts and Authority to Sign.

This Agreement, any amendments, and/or change orders related to the Agreement, may be executed in counterparts, each of which shall be an original and all of which shall constitute the same instrument. In accordance with the Electronic Signature Act of 1996, electronic signatures, including facsimile transmissions, may be used and shall have the same force and effect as a written signature. Each person signing this Agreement warrants that he or she is duly authorized to do so and to bind the respective party to the Agreement.

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Special Terms and Conditions
AGREEMENT NO. 22PB2**

ATTACHMENT 2

These Special Terms and Conditions shall be read together with general terms outlined in the Standard Terms and Conditions, Attachment 1. Where in conflict, these more specific terms shall apply.

1. Scope of Work.

The Project funded under this Agreement is Mid-Town Beach Nourishment. The Project is defined in more detail in Attachment 3, Grant Work Plan.

2. Duration.

- a. Reimbursement Period. The reimbursement period for this Agreement is the same as the term of the Agreement.
- b. Extensions. There are extensions available for this Project.
- c. Service Periods. Additional service periods are not authorized under this Agreement.

3. Payment Provisions.

- a. Compensation. This is a cost reimbursement Agreement. The Grantee shall be compensated under this Agreement as described in Attachment 3.
- b. Invoicing. Invoicing will occur as indicated in Attachment 3.
- c. Advance Pay. Advance Pay is not authorized under this Agreement.

4. Cost Eligible for Reimbursement or Matching Requirements.

Reimbursement for costs or availability for costs to meet matching requirements shall be limited to the following budget categories, as defined in the Reference Guide for State Expenditures, as indicated:

<u>Reimbursement</u>	<u>Match</u>	<u>Category</u>
☐	☐	Salaries/Wages
		Overhead/Indirect/General and Administrative Costs:
☐	☐	a. Fringe Benefits, N/A.
☐	☐	b. Indirect Costs, N/A.
☒	☐	Contractual (Subcontractors)
☐	☐	Travel, in accordance with Section 112, F.S.
☐	☐	Equipment
☐	☐	Rental/Lease of Equipment
☐	☐	Miscellaneous/Other Expenses
☐	☐	Land Acquisition

5. Equipment Purchase.

No Equipment purchases shall be funded under this Agreement.

6. Land Acquisition.

There will be no Land Acquisitions funded under this Agreement.

7. Match Requirements

See Attachment 3, Grant Work Plan.

8. Insurance Requirements

Required Coverage. At all times during the Agreement the Grantee, at its sole expense, shall maintain insurance coverage of such types and with such terms and limits described below. The limits of coverage under each policy

maintained by the Grantee shall not be interpreted as limiting the Grantee's liability and obligations under the Agreement. Grantee shall provide coverage through a self-insurance program established and operating under the laws of Florida. Additional insurance requirements for this Agreement may be required elsewhere in this Agreement, however the minimum insurance requirements applicable to this Agreement are:

a. Comprehensive General Liability Insurance.

The Grantee shall provide adequate comprehensive general liability insurance coverage and hold such liability insurance at all times during the Agreement. The minimum limits shall be \$200,000 for each person and \$300,000 per occurrence.

b. Commercial Automobile Insurance.

If the Grantee's duties include the use of a commercial vehicle, the Grantee shall maintain automobile liability, bodily injury, and property damage coverage. Insuring clauses for both bodily injury and property damage shall provide coverage on an occurrence basis. The minimum limits shall be as follows:

\$200,000/300,000	Automobile Liability for Company-Owned Vehicles, if applicable
\$200,000/300,000	Hired and Non-owned Automobile Liability Coverage

c. Workers' Compensation.

The Grantee shall comply with the workers' compensation requirements of Chapter 440, F.S.

d. Other Insurance. None.

9. Quality Assurance Requirements.

There are no special Quality Assurance requirements under this Agreement.

10. Retainage.

Retainage is permitted under this Agreement. Retainage may be up to a maximum of 10% of the total amount of the Agreement.

11. Subcontracting.

The Grantee may subcontract work under this Agreement without the prior written consent of the Department's Grant Manager except for certain fixed-price subcontracts pursuant to this Agreement, which require prior approval. The Grantee shall submit a copy of the executed subcontract to the Department prior to submitting any invoices for subcontracted work. Regardless of any subcontract, the Grantee is ultimately responsible for all work to be performed under this Agreement.

12. State-owned Land.

The Board of Trustees of the Internal Improvement Trust Fund must be listed as additional insured to general liability insurance required by the Agreement and, if the Grantee is a non-governmental entity, indemnified by the Grantee.

13. Office of Policy and Budget Reporting.

There are no special Office of Policy and Budget reporting requirements for this Agreement.

14. Common Carrier.

- a. Applicable to contracts with a common carrier – firm/person/corporation that as a regular business transports people or commodities from place to place. If applicable, Contractor must also fill out and return PUR 1808 before contract execution] If Contractor is a common carrier pursuant to section 908.111(1)(a), Florida Statutes, the Department will terminate this contract immediately if Contractor is found to be in violation of the law or the attestation in PUR 1808.
- b. Applicable to solicitations for a common carrier – Before contract execution, the winning Contractor(s) must fill out and return PUR 1808, and attest that it is not willfully providing any service in furtherance of transporting a person into this state knowing that the person unlawfully present in the United States according to the terms of the federal Immigration and Nationality Act, 8 U.S.C. ss. 1101 et seq. The Department will terminate a contract immediately if Contractor is found to be in violation of the law or the attestation in PUR 1808

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15. Additional Terms.
None.

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Rev. 10/11/2022

ATTACHMENT 3 GRANT WORK PLAN

PROJECT TITLE: Mid-Town Beach Nourishment Project

PROJECT LOCATION: The Project is located between Department of Environmental Protection (Department or DEP) reference monuments R89 and R102 along the Atlantic Ocean in the Town of Palm Beach in Palm Beach County, Florida.

PROJECT BACKGROUND: The Mid-Town Beach Nourishment includes 2.8 miles of shoreline in Palm Beach County. Restoration was completed in 1995 from R95 to R100 and included construction of eleven groins, which were completed in 1996. In 2003, nourishment was completed in an extended shoreline length between R90.4 to R101.4. The Project was nourished using FEMA funds in 2006 in response to the 2004/05 hurricane seasons, and again in 2010/11 to repair dune damages sustained during Tropical Storm Fay. The Project was included in the 2013 Palm Beach Island BMA Pilot Project. A nourishment was completed in 2015 and the construction of an additional groin at R99 was completed in 2018. The most recent nourishment and the first nourishment to be performed with a federal cost share was completed in 2020. The Town signed a Project Partnership Agreement with the U.S. Army Corps of Engineers in 2019 to include the Mid-Town Segment within the Palm Beach County Federal Shore Protection Project.

PROJECT DESCRIPTION: The Project consists of design, construction, and monitoring.

PROJECT ELIGIBILITY: The Department has determined that 95.82 percent of the non-federal Project cost is eligible for state cost sharing. Therefore, the Department's financial obligation shall not exceed the sum of \$4,763,017.00 for this Project or up to 47.91 percent of the non-federal Project cost, if applicable, for the specific eligible Project items listed, whichever is less. Any indicated federal cost sharing percentage is an estimate and shall not affect the cost sharing percentages of the non-federal share. The parties agree that eligibility for cost sharing purposes will be maintained pursuant to 62B-36, Florida Administrative Code (F.A.C.).

The Local Sponsor will be responsible for auditing all travel reimbursement expenses based on the travel limits established in Section 112.061, Florida Statute (F.S.).

Pursuant to Sections 161.091 - 161.161, F.S., the Department provides financial assistance to eligible governmental entities for beach erosion control and inlet management activities under the Florida Beach Management Funding Assistance Program.

Pursuant to 62B-36.005(1)(d), F.A.C., the Local Sponsor has resolved to support and serve as local sponsor, has demonstrated a financial commitment, and has demonstrated the ability to perform the tasks associated with the beach erosion control project as described herein.

The Project shall be conducted in accordance with the terms and conditions set forth under this Agreement, all applicable Department permits and the eligible Project task items established below. All data collection and processing, and the resulting product deliverables, shall comply with the standards and technical specifications contained in the Department's Monitoring Standards for Beach Erosion Control Projects (2014) and all associated state and federal permits, unless otherwise specified in the approved scope of work for an eligible Project item. The monitoring standards may be found at:

<https://floridadep.gov/sites/default/files/PhysicalMonitoringStandards.pdf>

One (1) electronic copy of all written reports developed under this Agreement shall be forwarded to the Department, unless otherwise specified.

DEP – Florida Department of Environmental Protection
F.A.C. – Florida Administrative Code
FEMA – Federal Emergency Management Agency
F.S. – Florida Statutes
FWC – Florida Fish and Wildlife Conservation Commission

TASKS and DELIVERABLES:

The Local Sponsor will provide detailed scopes of work or a letter requesting advance payment if authorized by Attachment 2, for all tasks identified below, which shall include a narrative description of work to be completed, a corresponding cost estimate and a proposed schedule of completion for the proposed work and associated deliverables. Each scope of work shall be approved in writing by the DEP Project Manager to be included into this work plan for reimbursement.

Task 1: Design

Task Description: The Local Sponsor will acquire professional services for the engineering and design of the Project such as coastal engineering analyses, preparation of plans and specifications, physical and environmental surveys, cultural resource surveys, design-level geotechnical services, sediment studies, inlet studies, environmental analyses, orthophotography, plan formulations and for obtaining environmental permits and other Project-related authorizations. The Local Sponsor will submit work products to the appropriate State or Federal regulatory agencies as requested by the DEP Project Manager in order to be eligible for reimbursement under this task.

Deliverable: Certification of Completion including documentation of submittal affirming that the final design document was completed and submitted to the Department. For interim payment requests, a Task Summary Report signed by the Local Sponsor must be submitted detailing work progress during the payment request period. The Task Summary Report must include the dates and descriptions of all activities, surveys and reports completed or in progress during the time period of the interim payment request.

Performance Standard: The DEP Project Manager will review the task deliverable and any associated work products as necessary to verify they meet the specifications in the Grant Work Plan and this task description.

Payment Request Schedule: Payment requests may be submitted after the deliverable is received and accepted and may be submitted no more frequently than quarterly.

Task 2: Construction

Task Description: This task includes work performed and costs incurred associated with the placement of fill material and/or the construction of erosion control structures within the Project area. Project costs associated with eligible beach and inlet construction activities include work approved through construction bids and/or construction-phase engineering and monitoring services contracts. Eligible costs may include mobilization, demobilization, construction observation or inspection services, physical and environmental surveys, beach fill, tilling and scarp removal, erosion control structures, mitigation reefs, dune stabilization measures and native beach-dune vegetation. Construction shall be conducted in accordance with any and all State or Federal permits. The Local Sponsor will submit work products to the appropriate State or Federal regulatory agencies as requested by the DEP Project Manager in order to be eligible for reimbursement under this task.

Deliverable: Certification of Completion by a Florida-registered Professional Engineer with documentation of submittal to the Department affirming the construction task was completed in accordance with construction contract documents. For interim payment requests, a Task Summary Report signed by Local Sponsor must be submitted detailing activities completed during the payment request period. The Task Summary Report must include the dates and descriptions of all activities, surveys and reports completed or in progress during the time period of the interim payment request.

Performance Standard: The DEP Project Manager will review the task deliverable and any associated work products as necessary to verify they meet the specifications in the Grant Work Plan and this task description.

Payment Request Schedule: Payment requests may be submitted after the deliverable is received and accepted and may be submitted no more frequently than quarterly.

Task 3: Monitoring

State and federal monitoring required by permit is eligible for reimbursement pursuant to program statute and rule. In order to comply with Florida Auditor General report 2014-064 regarding conflicts of interest and to be consistent with Section 287.057(17)(a)(1), F.S., all monitoring data and statistical analysis must be provided directly and concurrently from the monitoring contractor to the Department/Local Sponsor permittee/engineering consultant. The Local Sponsor's engineering consultant must provide an adequate mitigation plan, consistent with Section 287.057(17)(a)(1), F.S., including a description of organizational, physical, and electronic barriers to be used by the Local Sponsor's engineering consultant, that addresses conflicts of interest when contracting multi-disciplinary firms for Project engineering and post-construction environmental monitoring services, or when the Project engineering consultant firm subcontracts for post-construction environmental monitoring. Environmental monitoring includes hardbottom, seagrass, and mangrove resources. Department approval of the consultant's mitigation plan will be required prior to execution of this Agreement. If at any time the Local Sponsor and/or its engineering consultant fails to comply with this provision, the Local Sponsor agrees to reimburse the Department all funds provided by the Department associated with environmental monitoring for the Project listed.

Task Description: This task includes activities associated with permit-required monitoring conducted in accordance with the conditions specified by state or federal regulatory agencies. All monitoring tasks must be located within or adjacent to the Project area and follow the Department's Regional Coastal Monitoring Program and FWC's marine turtle and shorebird monitoring programs. Guidance for monitoring of nearshore resources is available in the Department's Standard Operation Procedures For Nearshore Hardbottom Monitoring Of Beach Nourishment Projects. The Local Sponsor must submit work products directly to the appropriate state or federal regulatory agencies in accordance with permit conditions to be eligible for reimbursement under this task, unless otherwise directed.

Deliverable: For each interim or final payment, the Local Sponsor will provide a Task Summary Report signed by Local Sponsor containing; 1) An itemized listing of all monitoring activities completed or in progress during the payment request period and, 2) Documentation of submittal to state and federal regulatory agencies of completed monitoring data, surveys and final reports for permit-required work under this task description.

Performance Standard: The DEP Project Manager will review the task deliverable and any associated work products as necessary to verify they meet the specifications in the Grant Work Plan and this task description.

Payment Request Schedule: Payment requests may be submitted after the deliverable is received and accepted and may be submitted no more frequently than quarterly.

Estimated Eligible Project Cost

Task #	Eligible Project Tasks	State Cost Share (%)	Federal Estimated Project Costs	DEP	Local	Total
1	Design and Permitting	47.91%		\$81,900.00	\$89,045.52	\$170,945.52
2	Construction	47.91%	\$9,845,350.23	\$4,660,642.00	\$5,067,268.67	\$19,573,260.90
3	Monitoring	47.91%		\$20,475.00	\$22,261.38	\$42,736.38
TOTAL PROJECT COSTS			\$9,845,350.23	\$4,763,017.00	\$5,178,575.57	\$19,786,942.80

PROJECT TIMELINE & BUDGET DETAIL: The tasks must be completed by, and all deliverables received by, the corresponding deliverable due date.

Task No.	Task Title	Budget Category	Budget Amount	Task Start Date	Deliverable Due Date
1	Design	Contractual Services	\$81,900.00	1/1/2020	9/30/2024
2	Construction	Contractual Services	\$4,660,642.00	1/1/2020	9/30/2024
3	Monitoring	Contractual Services	\$20,475.00	1/1/2020	9/30/2024
Total:			\$4,763,017.00		

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Public Records Requirements**

Attachment 4

1. Public Records.

- a. If the Agreement exceeds \$35,000.00, and if Grantee is acting on behalf of Department in its performance of services under the Agreement, Grantee must allow public access to all documents, papers, letters, or other material, regardless of the physical form, characteristics, or means of transmission, made or received by Grantee in conjunction with the Agreement (Public Records), unless the Public Records are exempt from section 24(a) of Article I of the Florida Constitution or section 119.07(1), F.S.
- b. The Department may unilaterally terminate the Agreement if Grantee refuses to allow public access to Public Records as required by law.

2. Additional Public Records Duties of Section 119.0701, F.S., If Applicable.

For the purposes of this paragraph, the term "contract" means the "Agreement." If Grantee is a "contractor" as defined in section 119.0701(1)(a), F.S., the following provisions apply and the contractor shall:

- a. Keep and maintain Public Records required by Department to perform the service.
- b. Upon request, provide Department with a copy of requested Public Records or allow the Public Records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, F.S., or as otherwise provided by law.
- c. A contractor who fails to provide the Public Records to Department within a reasonable time may be subject to penalties under section 119.10, F.S.
- d. Ensure that Public Records that are exempt or confidential and exempt from Public Records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the Public Records to Department.
- e. Upon completion of the contract, transfer, at no cost, to Department all Public Records in possession of the contractor or keep and maintain Public Records required by Department to perform the service. If the contractor transfers all Public Records to Department upon completion of the contract, the contractor shall destroy any duplicate Public Records that are exempt or confidential and exempt from Public Records disclosure requirements. If the contractor keeps and maintains Public Records upon completion of the contract, the contractor shall meet all applicable requirements for retaining Public Records. All Public Records stored electronically must be provided to Department, upon request from Department's custodian of Public Records, in a format specified by Department as compatible with the information technology systems of Department. These formatting requirements are satisfied by using the data formats as authorized in the contract or Microsoft Word, Outlook, Adobe, or Excel, and any software formats the contractor is authorized to access.
- f. **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, F.S., TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THE CONTRACT, CONTACT THE DEPARTMENT'S CUSTODIAN OF PUBLIC RECORDS AT:**

Telephone: (850) 245-2118

Email: public.services@floridadep.gov

Mailing Address: Department of Environmental Protection
ATTN: Office of Ombudsman and Public Services
Public Records Request
3900 Commonwealth Boulevard, MS 49
Tallahassee, Florida 32399

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Special Audit Requirements
(State and Federal Financial Assistance)**

Attachment 5

The administration of resources awarded by the Department of Environmental Protection (*which may be referred to as the "Department", "DEP", "FDEP" or "Grantor", or other name in the agreement*) to the recipient (*which may be referred to as the "Recipient", "Grantee" or other name in the agreement*) may be subject to audits and/or monitoring by the Department of Environmental Protection, as described in this attachment.

MONITORING

In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F-Audit Requirements, and Section 215.97, F.S., as revised (see "AUDITS" below), monitoring procedures may include, but not be limited to, on-site visits by DEP Department staff, limited scope audits as defined by 2 CFR 200.425, or other procedures. By entering into this Agreement, the recipient agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Department of Environmental Protection. In the event the Department of Environmental Protection determines that a limited scope audit of the recipient is appropriate, the recipient agrees to comply with any additional instructions provided by the Department to the recipient regarding such audit. The recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer (CFO) or Auditor General.

AUDITS

PART I: FEDERALLY FUNDED

This part is applicable if the recipient is a State or local government or a non-profit organization as defined in 2 CFR §200.330

1. A recipient that expends \$750,000 or more in Federal awards in its fiscal year, must have a single or program-specific audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F. EXHIBIT 1 to this Attachment indicates Federal funds awarded through the Department of Environmental Protection by this Agreement. In determining the federal awards expended in its fiscal year, the recipient shall consider all sources of federal awards, including federal resources received from the Department of Environmental Protection. The determination of amounts of federal awards expended should be in accordance with the guidelines established in 2 CFR 200.502-503. An audit of the recipient conducted by the Auditor General in accordance with the provisions of 2 CFR Part 200.514 will meet the requirements of this part.
2. For the audit requirements addressed in Part I, paragraph 1, the recipient shall fulfill the requirements relative to auditee responsibilities as provided in 2 CFR 200.508-512.
3. A recipient that expends less than \$750,000 in federal awards in its fiscal year is not required to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F-Audit Requirements. If the recipient expends less than \$750,000 in federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F-Audit Requirements, the cost of the audit must be paid from non-federal resources (i.e., the cost of such an audit must be paid from recipient resources obtained from other federal entities).
4. The recipient may access information regarding the Catalog of Federal Domestic Assistance (CFDA) via the internet at www.cfda.gov

PART II: STATE FUNDED

This part is applicable if the recipient is a nonstate entity as defined by Section 215.97(2), Florida Statutes.

1. In the event that the recipient expends a total amount of state financial assistance equal to or in excess of \$750,000 in any fiscal year of such recipient (for fiscal years ending June 30, 2017, and thereafter), the recipient must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, F.S.; Rule Chapter 69I-5, F.A.C., State Financial Assistance; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. EXHIBIT 1 to this form lists the state financial assistance awarded through the Department of Environmental Protection by this agreement. In determining the state financial assistance expended in its fiscal year, the recipient shall consider all sources of state financial assistance, including state financial assistance received from the Department of Environmental Protection, other state agencies, and other nonstate entities. State financial assistance does not include federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.
2. In connection with the audit requirements addressed in Part II, paragraph 1; the recipient shall ensure that the audit complies with the requirements of Section 215.97(8), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.
3. If the recipient expends less than \$750,000 in state financial assistance in its fiscal year (for fiscal year ending June 30, 2017, and thereafter), an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. In the event that the recipient expends less than \$750,000 in state financial assistance in its fiscal year, and elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the non-state entity's resources (i.e., the cost of such an audit must be paid from the recipient's resources obtained from other than State entities).
4. For information regarding the Florida Catalog of State Financial Assistance (CSFA), a recipient should access the Florida Single Audit Act website located at <https://apps.fldfs.com/fsaa> for assistance. In addition to the above websites, the following websites may be accessed for information: Legislature's Website at <http://www.leg.state.fl.us/Welcome/index.cfm>, State of Florida's website at <http://www.myflorida.com/>, Department of Financial Services' Website at <http://www.fldfs.com/> and the Auditor General's Website at <http://www.myflorida.com/audgen/>.

PART III: OTHER AUDIT REQUIREMENTS

(NOTE: This part would be used to specify any additional audit requirements imposed by the State awarding entity that are solely a matter of that State awarding entity's policy (i.e., the audit is not required by Federal or State laws and is not in conflict with other Federal or State audit requirements). Pursuant to Section 215.97(8), Florida Statutes, State agencies may conduct or arrange for audits of State financial assistance that are in addition to audits conducted in accordance with Section 215.97, Florida Statutes. In such an event, the State awarding agency must arrange for funding the full cost of such additional audits.)

PART IV: REPORT SUBMISSION

1. Copies of reporting packages for audits conducted in accordance with 2 CFR Part 200, Subpart F-Audit Requirements, and required by PART I of this form shall be submitted, when required by 2 CFR 200.512, by or on behalf of the recipient directly to the Federal Audit Clearinghouse (FAC) as provided in 2 CFR 200.36 and 200.512
 - A. The Federal Audit Clearinghouse designated in 2 CFR §200.501(a) (the number of copies required by 2 CFR §200.501(a) should be submitted to the Federal Audit Clearinghouse), at the following address:

Attachment 5

2 of 7

By Mail:

Federal Audit Clearinghouse
Bureau of the Census
1201 East 10th Street
Jeffersonville, IN 47132

Submissions of the Single Audit reporting package for fiscal periods ending on or after January 1, 2008, must be submitted using the Federal Clearinghouse's Internet Data Entry System which can be found at <http://harvester.census.gov/facweb/>

2. Copies of financial reporting packages required by PART II of this Attachment shall be submitted by or on behalf of the recipient directly to each of the following:

- A. The Department of Environmental Protection at one of the following addresses:

By Mail:

Audit Director

Florida Department of Environmental Protection
Office of Inspector General, MS 40
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Electronically:

FDEPSingleAudit@dep.state.fl.us

- B. The Auditor General's Office at the following address:

Auditor General
Local Government Audits/342
Claude Pepper Building, Room 401
111 West Madison Street
Tallahassee, Florida 32399-1450

The Auditor General's website (<http://flauditor.gov/>) provides instructions for filing an electronic copy of a financial reporting package.

3. Copies of reports or management letters required by PART III of this Attachment shall be submitted by or on behalf of the recipient directly to the Department of Environmental Protection at one of the following addresses:

By Mail:

Audit Director

Florida Department of Environmental Protection
Office of Inspector General, MS 40
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Electronically:

FDEPSingleAudit@dep.state.fl.us

4. Any reports, management letters, or other information required to be submitted to the Department of Environmental Protection pursuant to this Agreement shall be submitted timely in accordance with 2 CFR 200.512, section 215.97, F.S., and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

Attachment 5

3 of 7

5. Recipients, when submitting financial reporting packages to the Department of Environmental Protection for audits done in accordance with 2 CFR 200, Subpart F-Audit Requirements, or Chapters 10.550 (local governmental entities) and 10.650 (non and for-profit organizations), Rules of the Auditor General, should indicate the date and the reporting package was delivered to the recipient correspondence accompanying the reporting package.

PART V: RECORD RETENTION

The recipient shall retain sufficient records demonstrating its compliance with the terms of the award and this Agreement for a period of **five (5)** years from the date the audit report is issued, and shall allow the Department of Environmental Protection, or its designee, Chief Financial Officer, or Auditor General access to such records upon request. The recipient shall ensure that audit working papers are made available to the Department of Environmental Protection, or its designee, Chief Financial Officer, or Auditor General upon request for a period of **three (3)** years from the date the audit report is issued, unless extended in writing by the Department of Environmental Protection.

EXHIBIT – 1

FUNDS AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

Note: If the resources awarded to the recipient represent more than one federal program, provide the same information shown below for each federal program and show total federal resources awarded

Federal Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following:					
Federal Program A	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category
				\$	
Federal Program B	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category
				\$	

Note: Of the resources awarded to the recipient represent more than one federal program, list applicable compliance requirements for each federal program in the same manner as shown below:

Federal Program A	First Compliance requirement: i.e.: (what services of purposes resources must be used for)	
	Second Compliance requirement: i.e.: (eligibility requirement for recipients of the resources)	
	Etc.	
	Etc.	
Federal Program B	First Compliance requirement: i.e.: (what services of purposes resources must be used for)	
	Second Compliance requirement: i.e.: (eligibility requirement for recipients of the resources)	
	Etc.	
	Etc.	

Attachment 5, Exhibit 1

5 of 7

Note: If the resources awarded to the recipient for matching represent more than one federal program, provide the same information shown below for each federal program and show total state resources awarded for matching.

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Matching Resources for Federal Programs:					
Federal Program A	Federal Agency	CFDA	CFDA Title	Funding Amount	State Appropriation Category
Federal Program B	Federal Agency	CFDA	CFDA Title	Funding Amount	State Appropriation Category

Note: If the resources awarded to the recipient represent more than one state project, provide the same information shown below for each state project and show total state financial assistance awarded that is subject to section 215.97, F.S.

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:						
State Program A	State Awarding Agency	State Fiscal Year ¹	CSFA Number	CSFA Title or Funding Source Description	Funding Amount	State Appropriation Category
Original	FDEP	21-22	37.003	Beach Management Funding Assistance, GAA Line Item #1647, LATF	\$4,763,017.00	140126
State Program B	State Awarding Agency	State Fiscal Year ²	CSFA Number	CSFA Title or Funding Source Description	Funding Amount	State Appropriation Category

Total Award	\$4,763,017.00	
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Note: List applicable compliance requirement in the same manner as illustrated above for federal resources. For matching resources provided by the Department for DEP for federal programs, the requirements might be similar to the requirements for the applicable federal programs. Also, to the extent that different requirements pertain to different amount for the non-federal resources, there may be more than one grouping (i.e. 1, 2, 3, etc.) listed under this category.

For each program identified above, the recipient shall comply with the program requirements described in the Catalog of Federal Domestic Assistance (CFDA) [www.cfda.gov] and/or the Florida Catalog of State Financial Assistance (CSFA) [https://apps.fldfs.com/fsaa/searchCatalog.aspx], and State Projects Compliance

¹ Subject to change by Change Order.

² Subject to change by Change Order.

Supplement (Part Four: State Projects Compliance Supplement [https://apps.fldfs.com/fsaa/state_project_compliance.aspx]). The services/purposes for which the funds are to be used are included in the Agreement's Grant Work Plan. Any match required by the Recipient is clearly indicated in the Agreement.

Attachment 5, Exhibit 1
7 of 7

BGS-DEP 55-215
Revised 7/2019

EXHIBIT A

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM
REQUEST FOR PAYMENT – PART III
QUARTERLY PROJECT PROGRESS REPORT

Name of Project: Mid-Town Beach Nourishment Project

Local Sponsor: Town of Palm Beach

DEP Agreement Number: 22PB2

Report Year: _____ Report Period (select one):

☐ Q1: Jan – Mar 31 ☐ Q2: Apr – Jun 30 ☐ Q3: Jul – Sep 30 ☐ Q4: Oct – Dec 31

For each task, include the following information: Describe the work performed during the reporting period (including percent of task completed to date), problems encountered, problem resolutions, scheduled updates, and proposed work for the next reporting period. (*Use additional pages, if needed*).

Task 1: _____

Task 2: _____

Task 3: _____

Task 4: _____

EXHIBIT C

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM
REQUEST FOR PAYMENT
PART I – PAYMENT SUMMARY**

Name of Project: Mid-Town Beach Nourishment

Local Sponsor: Town of Palm Beach

DEP Agreement Number: 22PB2

Remittance Mailing Address: _____

Billing Number: _____

Billing Type: ☐ Interim Billing ☐ Final Billing

Costs Incurred This Payment Request:

Federal Share*	State Share	Local Share	Total
\$ _____	\$ _____	\$ _____	\$ _____
*if applicable			

Cost Summary:

State Funds Obligated \$ _____	Local Funds Obligated \$ _____
Less Advance Pay \$ _____	Less Advance Pay \$ _____
Less Previous Payment \$ _____	Less Previous Credits \$ _____
Less Previous Retained \$ _____	Less This Credit \$ _____
Less This Payment \$ _____	Local Funds Remaining \$ _____
Less This Retainage \$ _____	
State Funds Remaining \$ _____	

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM
REQUEST FOR PAYMENT
PART II – REIMBURSEMENT DETAIL**

DEP Agreement Number: _____

Name of Project: _____

Billing Number: _____

Billing Period (1): _____

Individual Completing Form (2): _____

Phone Number (2): _____

REIMBURSEMENT DETAIL

Item #	Vendor Name	Invoice Number	Invoice Date	Check Number	Task Number (3)	SOW Number (3)	Invoice Amount (4)	Eligible Amount (5)	% Fed Share (6)	Federal Share of Eligible Amount (7)	Non-Federal Share (8)	% State Share (9)	State Share (10)	Local Share (11)	Requested Retainage Payment (12)	Withheld Retainage (13)	State Payment (14)
										-	-		\$0.00	0.00		0.00	0.00
								-		Totals	-		-	-	-	-	-

Total Due to Local Sponsor (15) _____

Form Instructions:

1. Billing Period: Period when services were conducted (beginning date: earliest date of services conducted; end date: latest date of services conducted).
2. Person responsible for completing this form: Name and phone number if contact is needed.
3. Task #/SOW #: Insert a Task #/SOW # for each invoice. If invoice covers multiple Task#/SOW#, then that invoice should be listed multiple times, a line item for each deliverable.
4. Invoice amount: Full amount of invoice.
5. Eligible Amount: Invoice amount paid by Local Sponsor less ineligible cost for line item deliverable only.
6. % Federal Share: If applicable, the federal cost share percentage listed in Agreement.
7. Federal Share of Eligible Amount: If applicable, Local Sponsor will multiply Eligible Amount (5) by % Federal Share (6).
8. Non-Federal Share: Eligible Amount (5) minus Federal Share of Eligible Amount (7).
9. % State Share: The state cost share percentage listed in Agreement.
10. State Share: Multiply Non-Federal Share (8) by % State Share (9).
11. Local Share: Subtract State Share (10) from Non-Federal Share (8).
12. Requested Retainage Payment: Requires separate line for each completed Task, Sub-Task and or Deliverable that retainage is being requested.
13. Withheld Retainage: Multiply State Share (10) by 10%.
14. State Payment: Subtract Withheld Retainage (13) from State Share (10).
15. Total Due to Local Sponsor: Add Retainage Payment Total (12) to State Payment Total (14).

Please redact all sensitive financial information from the invoices and other supporting documentation to be submitted with this Payment Request Form.

****For questions or concerns regarding this form please contact: Janice Simmons, Fiscal Administrator, 850-245-7620, Janice.L.Simmons@FloridaDEP.gov**

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM
REQUEST FOR PAYMENT
PART III – INVOICE REPORT**

Name of Project: Mid-Town Beach Nourishment

Local Sponsor: Town of Palm Beach

DEP Agreement Number: 22PB2

Billing Number: _____

Invoice Report Period: _____

(Describe progress accomplished during the invoice report period, including statement(s) regarding percent of task completed to date.). **NOTE:** Use as many pages as necessary to cover all tasks in the Grant Work Plan.

The following format should be followed:

Task 1:

Progress for this invoice billing period:

Identify any delays or problems encountered:

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM
REQUEST FOR PAYMENT
PART IV – CERTIFICATION OF DISBURSEMENT REQUEST**

Name of Project: Mid-Town Beach Nourishment

Local Sponsor: Town of Palm Beach

DEP Agreement Number: 22PB2

Billing Number: _____

Certification: I certify that this billing is correct and is based upon actual obligations of record by the Local Sponsor; that payment from the State Government has not been received; that the work and/or services are in accordance with the Department of Environmental Protection, Beach Management Funding Assistance Program's approved Project Agreement including any amendments thereto; and that progress of the work and/or services are satisfactory and are consistent with the amount billed. The disbursement amount requested on Page 1 of this form is for allowable costs for the project described in the Attachment 3, Grant Work Plan.

I certify that the purchases noted were used in accomplishing the project; and that invoices, check vouchers, copies of checks, and other purchasing documentation are maintained as required to support the cost reported above and are available for audit upon request.

Name of Project Administrator

Signature of Project Administrator

Date

Name of Project Financial Officer

Signature of Project Financial Officer

Date

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
FLORIDA BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM
REQUEST FOR PAYMENT
PART V – COMPLETION CERTIFICATION**

Name of Project: Mid-Town Beach Nourishment

Local Sponsor: Town of Palm Beach

DEP Agreement Number: 22PB2

Task Completion ☐ (List Tasks) _____

Agreement Completion ☐

*I hereby certify that the above mentioned project task(s) has been completed in accordance with the Project Agreement, including any amendments thereto, between the DEPARTMENT and LOCAL SPONSOR, and all funds expended for the project were expended pursuant to this Agreement. All unused funds and interest accrued on any unused portion of advanced funds which have not been remitted to the DEPARTMENT, have been returned to the DEPARTMENT, or will be returned to the DEPARTMENT within sixty (60) days of the completion of construction portion of this PROJECT. Unused funds advanced to the United States Army Corps of Engineers through LOCAL SPONSORS will be due sixty (60) days after the final federal accounting has been completed.

Name of Project Manager

Signature of Project Manager

Date

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Consent - Other

Agenda Title

Approval of Town Manager Performance Evaluation

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 25, 2023, from Kirk W. Blouin, Town Manager**
- ▣ **2022 Evaluation Form-Town Manager Kirk Blouin**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

TO: Mayor and Town Council

FROM: Kirk W. Blouin, Town Manager

RE: Approval of Town Manager Performance Evaluation

DATE: January 25, 2023

Approval of Performance Evaluation on behalf of Kirk Blouin, Town Manager, for evaluation period February 14, 2022 to February 13, 2023.

The Mayor and Town Council were supplied with the attached evaluation form for completion.

KWB:pgg

Attachment



Town of Palm Beach Town Manager Performance Evaluation

The Mayor and Town Council should complete this evaluation form, sign it in the space below, and return it to Kirk Blouin by Friday, February 3, 2023. The evaluation and contract renewal shall be presented and discussed at the Town Council meeting on February 14, 2023.

Evaluation Period: February 14, 2022 to February 13, 2023

Signature: _____

Date: _____

INSTRUCTIONS:

This evaluation form presents seven categories of evaluation criteria, organized under two main headings: Leadership and Organizational Management. Each category contains multiple statements to describe standards in that category. Use the following scale to indicate your rating of the Town Manager's overall performance in each category:

- 5 = **Excellent** (almost always exceeds the performance standard) 4 = **Above average** (generally exceeds the performance standard) 3 = **Average** (general meets the performance standard)
2 = **Below average** (usually does not meet the performance standard)
1 = **Poor** (rarely meets the performance standard)

This evaluation form also contains a provision for entering narrative comments, including responses to specific questions and any observations you believe appropriate and pertinent to the rating period.

Leadership

Leadership with Council

Makes an effort to maintain consistent availability to Town Council.

- 1) Works with Council Members to facilitate their thoughts and ideas into cohesive policy development.
- 2) Carries out directives of the body as a whole as opposed to those of any one member or minority group and successfully executes their collective policy directive.
- 3) Effectively facilitates key priorities, such as annual budget and goal-setting processes.
- 4) Ensures Council Members are thoroughly informed of key plans and activities of the Town and staff through reports, memoranda, emails and personal briefings.
- 5) Ensures Council Members have adequate information available prior to meetings.
- 6) Maintains an honest, truthful and professional relationship with each Councilmember.
- 7) Presents matters in a factual, analytical way. Coordinates Council policy decisions to staff, departments, other organizations and the community.

Comments:

Score (Scale: 1-5): ____

Leadership with Employees

- 1) Leads the organization through effective management of people and tasks. Demonstrates commitment to make decisions, address and fulfill responsibilities.
- 2) Demonstrates the capacity, through example, confidence, performance, and enthusiasm to inspire and motivate others to achieve their best and fulfill the objectives of the organization.
- 3) Encourages initiative, risk taking, vision, creativity and innovation. Challenges employees to perform at the highest level.
- 4) Delegates responsibilities and directs work activities to effectively accomplish Town goals.
- 5) Effectively cross-communicates between the department heads and Council.
- 6) Mentors department heads to assist in further developing or maintaining their performance standards.

Comments:

Score (Scale: 1-5): ____

Leadership in Community

- 1) Demonstrates a dedication to service to the community and its citizens.
- 2) Meets with and listens to members of the community to discuss their concerns and strives to understand their interests. Promotes the same behavior in employees of the Town.
- 3) Provides a high level of responsive and vital customer service, including timely follow through on citizen requests and complaints.
- 4) Has generated overall community satisfaction with the Town's administrative and service obligations.
- 5) Maintains an appropriate level of involvement and communication with community organizations and businesses.
- 6) Looks for new ways to improve processes and improve employee commitment to customer service.

Comments:

Score (Scale: 1-5): _____

Strategic Leadership

- 1) Courage to Act – Governed by a sense of urgency with a bias toward action.
- 2) Directs organizational change initiatives and promotes flexibility in order to meet changing business needs.
- 3) Maintains knowledge of current developments affecting the practice of local government management.
- 4) Anticipates and analyzes problems to develop effective approaches for solving them.
- 5) Understands and embraces change, risk and uncertainty in order to pursue innovative ideas.
- 6) Challenges the status quo by stepping up to conflict, displaying a willingness to say what needs to be said and taking unpopular actions when necessary. Develops new ideas or practices; applying existing ideas and practices to new situations, not afraid to make a mistake.
- 7) Demonstrates an understanding of technology and ensuring that it is incorporated appropriately to improve service delivery, communication and citizen access.

Comments:

Score (Scale: 1-5): _____

Organizational Management

Fiscal

- 1) Prepares a balanced budget to provide services at a level directed by council.
- 2) Manages the financial resources of the Town to ensure the Town maintains a sound financial condition and continues to receive clean audits from the State Auditor's Office. Appropriately monitors and manages fiscal activities of the organization.
- 3) Demonstrates ingenuity and creativity in approaching budgetary matters and procurement procedures.
- 4) Communicates concerns in a timely manner to the Council regarding issues that may significantly affect the Town fiscally in the foreseeable future.
- 5) Oversees the various capital projects of the Town to ensure that they are accomplished on time and has exhibited demonstrable operational control to contain costs.

Comments:

Score (Scale: 1-5): _____

Management of the Organization

- 1) Effectively runs the operations of the organization. Encourages teamwork, innovation, and effective problem-solving among the staff members.
- 2) Supports professional growth and opportunity within the organization. Coaches/mentors staff by providing direction; support and feedback to enable others to meet their full potential.
- 3) Facilitates teamwork, creates an environment that encourages responsibility and decision making at all organizational levels.
- 4) Recruits or promotes competent personnel for Department Director positions.
- 5) Identifies organizational problems and takes remedial action. Applies an appropriate level of supervision to improve any areas of substandard performance and holds employees accountable for performance issues.

Comments:

Score (Scale: 1-5): _____

Individual Qualities

- 1) Skilled at listening and isolating key points or issues.
- 2) Proficient at verbal and written communications.
- 3) Exercises good judgement. Decision-making process indicates fairness and impartiality and is based on logic and reason.
- 4) Remains flexible, objective and receptive to suggestions.
- 5) Effectively mediates and resolves problems, even under strained and unpleasant conditions.
- 6) Universally applies common sense, tact and diplomacy.
- 7) Self-confident. Exhibits composure, appearance and attitude appropriate for executive position.
- 8) Displays strong work ethic and enthusiasm for work.
- 9) Demonstrates integrity and loyalty to the Town's best interest. Makes decisions which are rooted in a loyalty to public service and to the community.

Comments:

Score (Scale: 1-5): _____

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Consent - Other

Agenda Title

Budget Calendar for FY24 Budget Process

Presenter

Robert Miracle, Deputy Town Manager - Finance and Administration

ATTACHMENTS:

- ▣ **Memorandum dated January 20, 2023, from Bob Miracle, Deputy Town Manager, Finance and Administration**
- ▣ **FY24 Budget Calendar**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Bob Miracle, Deputy Town Manager – Finance and Administration

Re: Budget Calendar for FY24 Budget Process

Date: January 20, 2023

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the proposed FY24 budget calendar.

GENERAL INFORMATION

The attached budget calendar for FY24 includes all significant deadlines and meetings that are planned for the budget process. These include both State mandated actions (e.g. the special Town Council meeting in July and public hearings in September) and the Town's self-directed actions. Items requiring Town Council action are highlighted in blue and shown in red type on the calendar.

The dates for the public hearings in September are tentative and are subject to change based on the dates of the County and School Board public hearings. Significant dates during the budget process include:

- **July 13, 2023** – Town Council meeting to review Town staffs' proposed FY24 budget and Initial Resolutions Adopting Special Non-Ad Valorem Assessments.
- **September 12, 2023 at 5:01pm** – First public hearing on tentative budget and proposed tax rate.
- **September 21, 2023 at 5:01pm** – Second public hearing on budget and proposed tax rate.

Staff looks forward to working with the Mayor and Town Council on the FY24 budget.

Attachment

jll

cc: Department Directors

Carolyn Stone, Deputy Town Manager – Business Enterprise and Culture

John C. Randolph, Town Attorney

FY2024 Proposed Budget Calendar

Task	Date	Task	Date
Finance to distribute FY24 Budget instruction	03/6/2023	Town Manager's Review of Initial Town Manager, Finance, Risk and ERF Budgets	05/8/2023
Submit initial CIP Request forms to Public Works, IT Requests to IT, and Reorganization/Reclassification requests, to HR	03/18/2023	Town Manager's Review of P&C/Health/OPEB	05/12/2023
All Budget Information submitted to Finance	04/10/2023	Property Appraiser Issues Preliminary Property Values	05/31/2023
Town Manager's Initial Review of IT Budget	04/17/2023	Final Budget Document Pages Returned to Finance	06/9/2023
Town Manager's Initial Review of Planning, Zoning and Building Budget	04/18/2023	Notice from Property Appraiser of Preliminary Certification of Taxable Value	06/30/2023
Town Manager's Initial Review of Recreation Budget and Marina and Golf Enterprise Fund budgets	04/19/2023	Distribution of Proposed FY24 Budget Document	Week of July 3rd
Town Manager's Initial Review of Fire Rescue Budget	04/24/2023	Town Council Meeting to Consider Proposed FY24 Budget, LTFP and Initial Resolutions(s) Adopting Special Non-Ad Valorem Assessments	07/13/2023
Town Manager's Initial Review of Police Department Budget	04/27/2023	Notice of Proposed Property Taxes is mailed from Palm Beach Property Appraiser	Week of August 14th
Town Manager's Initial Review of Public Works Budget	05/1/2023	Town Council Meeting – First Public Hearing to Approve Tentative Budget and Proposed Tax Rate for FY24 and Final Resolution(s) Adopting Special Non-Ad Valorem Assessments	09/12/2023 5:01PM
Town Manager's Review of Capital Coastal Budget	05/3/2023	Town Council Meeting – Second Public Hearing to Adopt FY24 Budget and Tax Rate	09/21/2023 5:01PM
		Resolution Adopting Final Millage Rate is Forwarded to Property Appraiser and Tax Collector and Certificate of Compliance sent to Department of Revenue & EDR Report Due	10/02/2023

January 2023 S M T W T H F S 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	February 2023 S M T W T H F S 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	March 2023 S M T W T H F S 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	April 2023 S M T W T H F S 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	May 2023 S M T W T H F S 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	June 2023 S M T W T H F S 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
July 2023 S M T W T H F S 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	August 2023 S M T W T H F S 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	September 2023 S M T W T H F S 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	October 2023 S M T W T H F S 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	November 2023 S M T W T H F S 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	December 2023 S M T W T H F S 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

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Consent - Other

Agenda Title

Endorse Distribution of Education Series Videos for the Town's Coastal Management Program

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated January 25, 2023, from H. Paul Brazil, P.E.**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Endorse Distribution of Education Series Videos for the Town's Coastal Management Program

DATE: January 25, 2023

STAFF RECOMMENDATION

Town staff recommends Town Council endorse the Shore Protection Board's recommendation to publicly distribute four (4) education series videos for the Town's Coastal Management Program.

GENERAL INFORMATION

During the March 24, 2022 Shore Protection Board (SPB) meeting, and April 28, 2022 SPB workshop, the Board determined that improving communication was going to be the main goal to work on this 2023 calendar year. The Board recommended that four (4) topics be first addressed through a series of presentations to be prepared by Town staff and the appropriate Town consultants. Town Council approved a contract to Coastal Protection Engineering (CPE) on June 14, 2022, to develop the public education media for following specific aspects of the Town's Coastal Management Program:

- Beach Nourishment – overview of successes and ongoing importance.
- Coastal Hard Structure Technology – review the groin rehabilitation plan and encourage residents to get involved.
- Reach 8 – provide a history of the work completed with a look forward to implementing the long-term solution.
- Easements – describe temporary and perpetual easements and why they are needed for coastal projects.

CPE worked closely with staff to develop the objectives of the public education media and interviewed three (3) different vendors for video production and editing services. In order to meet the professional level of video products being requested, CPE selected public relations and marketing firm Firefly Communications, Inc. (Firefly) based on their demonstrated understanding of the objectives and previous experience developing similar videos for other local government coastal programs in Florida.

CPE provided research, support, background information, presentation scripts, and videos from the Town's project sites to support content for the videos. Town staff provided historical photographs. Firefly compiled all this information along with their own video/drone footage.

Production efforts were focused on development of online content as "social media ready" videos for the Town's use on various online platforms. Consistent with industry standards, each video has an expected 3 to 5 minutes of running time. Both CPE and Town staff participated in interviews for the video recordings and voiceovers for Firefly's use in producing these public communication videos. An initial screening of the videos was presented to the SPB on November 2, 2022, and a final screening on January 27, 2023. The SPB subsequently recommended that the videos be published through various media outlets, such as YouTube, in addition to placing them on the Town's website. Town staff recommends that the Town Council endorse the use of these videos and approves Town staff to publicly publish them, as described.

FUNDING/FISCAL IMPACT

The cost of development and production of the four videos was approximately \$60,000, funded through the Coastal Management Fund.

cc: Shore Protection Board
Patricia Strayer, P.E, Town Engineer
Robert Weber, Coastal Program Manager

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Consent - Other

Agenda Title

Acceptance of Donation from the Palm Beach Police and Fire Foundation

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▣ **Memorandum Dated February 3, 2023, from Nicholas Caristo, Chief of Police**
- ▣ **Attachment A - Town Donations Policy**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Accept Donation of from Laurence and Molly Austin et al. via the Palm Beach Police & Fire Foundation of \$130,000

Date: February 3, 2023

STAFF RECOMMENDATION

Staff recommends the Town Council accept a donation of \$130,000 from Laurence and Molly Austin et al. via the Palm Beach Police & Fire Foundation.

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 \$130,000 for the renovation of the Police Department's Cafeteria.

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.

FUNDING/FISCAL IMPACT

The donation will be forwarded to the Finance Department for deposit in the Palm Beach Police Department's donation account. Equipment and/or services purchased for this project will be obtained in accordance with established Purchasing Procedures.

Attachment

cc: Robert Miracle, Deputy Town Manager
Dean Mealy, Purchasing Manager



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: February 14, 2023

Section of Agenda

Board/Commission Annual Report

Agenda Title

Annual Report of the Investment Advisory Committee

Presenter

Christopher Storkerson, Chair

ATTACHMENTS:

- ▣ **Investment Advisory Committee Annual Report**



Town of Palm Beach Investment Advisory Committee

To: Mayor and Town Council

From: Mr. Christopher Storkerson, Chairman
Investment Advisory Committee

Date: January 26, 2023

Subject: Annual Report to Mayor and Town Council

On behalf of the Investment Advisory Committee, I am pleased to provide the following report on the current status of the investments and actions taken during the past year by the Investment Advisory Committee.

The Investment Advisory Committee is responsible for overseeing the investment of the Town's surplus funds and the OPEB trust investments. The Committee was also charged with the oversight of the 1% Sales Surtax proceeds. A copy of the most recent quarterly report for the 1% Sales Surtax is attached.

Surplus Fund Investments

The Town's surplus funds are managed by PFM Asset Management, the Florida Education Investment Trust (FEITF), and the Florida League of Cities Investment Trust, and the Town holds investments in Certificates of Deposit. The total balance of core investments as of November 30, 2022, was \$178,453,500.

PFM Asset Management

The Town's total investment with PFM represents approximately 27.84% of the total core portfolio. PFM 1-5 Year Actively Managed Portfolio one year return is -5.21%.

Florida League of Cities Bond Funds

The Florida League of Cities Investment Trust (FMIvT) has 19.92% of the Town investments; a total of \$37.6 million. \$26.3 million is with the Florida League of Cities Investment Trust 1 – 3 year and \$11 million is in 0-2 year bond fund and \$17,646 is in the Intermediate Bond fund. The FMIvT 1-3 year fund has returned -2.74%, the 0-2 year fund returned -0.27% and the intermediate fund returned -7.62% for the one year period ended November 30, 2022.

Certificate of Deposits

The Town had a \$5 million Certificate of Deposit with a one-year return of 1.06%. The current CD holding had a duration of 9 months. The Certificate of Deposit matures in June 2023.

Short Term Investments

The Town has approximately \$83.6 million in short term investments in the FL PALM (30.42%), a Bank United Money Market account (13.01%) and a TD Bank MMA account (6.12%) for a total of 49.55% of the portfolio. The one-year return of FL Palm is 1.39%.

Underground utility bond proceeds of \$9.6 million are invested in the FL PALM money market investments.

Health Insurance (OPEB) Trust

The Committee oversees the investment of the assets of the Health Insurance (OPEB) Trust. The asset classes and actual and policy target allocation for the Health Insurance Trust as of December 31, 2022, are shown below:

Asset Class	Actual Allocation	Target Allocation
Domestic Equity	39.8%	40%
International Equity	9.2%	10%
Non-Traditional Assets	1.5%	3%
Fixed Income	33.3%	35%
Real Estate	12.6%	10%
Liquid Capital	3.5%	2%

Attached is a summary of the investments in the Health Insurance (OPEB) Trust and the quarterly returns as of December 31, 2022. For the one-year period ending December 31, 2022, the fund returned -12.86%. The fiscal year ended September 30, 2022 return was -12.65%. The actuarial assumption from for this trust is 5%. The funding status as of September 30, 2021, is 147.81%.

The market value of the portfolio as of December 31, 2022, was \$36,221,347. AndCo Consulting oversees the investments for this trust. The current money managers and investment benchmarks for the trust are shown below:

Manager

Vanguard Russell 3000 Index
American Funds Europacific Growth Fund
Pear Tree Polaris Foreign Value
Vanguard Developed Markets Index
Crescent Direct Lending Levered Fund II
Vanguard Total Bond Market Index Fund
Galliard Intermediate Core Fund
PIMCO Diversified Income Bond Fund
Intercontinental US REIF
Principal Enhanced Property Fund
Government STIF 15

Investment Benchmark

Russell 3000 Index
MSCI AC World ex USA Net Index
MSCI EAFE Net Index
Vanguard Spliced Developed ex US Index
HFRI Fund-of-Funds Strategic Index
Barclays US Aggregate Index
Bloomberg interned aggregate Index
Bloomberg Global Credit
NCREIF Fund Index
NCREIF Fund Index
Citigroup Treasury Bill 3 Month Index

Financial Report

The attached Financial Report contains a balance sheet and income statement for the OPEB Trust Fund. The attached report is as of December 31, 2022.

General Information

The current members of the Investment Advisory Committee include:

Name:	Term Expires
Chris Storkerson, Chairman	May 2023
Kathleen Anderson	May 2024
David McDonald	May 2023
Lloyd Mc Adams	May 2023
Jacqueline Elizabeth de Sanctis	May 2024

During the past 12 months the committee has held 4 meetings.

The next meeting of the Committee is scheduled for Friday, February 17, 2023, at 2:30pm. AndCo Consulting and PFM Asset Management will discuss the performance through December 31, 2022. A 2023 meeting schedule is attached to this report.

Investment Performance Review
Period Ending December 31, 2022

Town of Palm Beach OPEB Trust

Monthly Preliminary Returns



02-14-2023 TCM Backup

Equities

	Month	3 M	YTD	1 Year	3 Yr Ann	5 Yr Ann
S&P 500 Total Return	(5.76)	7.56	(18.11)	(18.11)	7.66	9.42
Russell Midcap Index	(5.40)	9.18	(17.32)	(17.32)	5.88	7.10
Russell 2000 Index	(6.49)	6.23	(20.44)	(20.44)	3.10	4.13
Russell 1000 Growth Index	(7.66)	2.20	(29.14)	(29.14)	7.79	10.96
Russell 1000 Value Index	(4.03)	12.42	(7.54)	(7.54)	5.96	6.67
Russell 3000 Index	(5.86)	7.18	(19.21)	(19.21)	7.07	8.79
MSCI EAFE NR	0.08	17.34	(14.45)	(14.45)	0.87	1.54
MSCI EM NR	(1.41)	9.70	(20.09)	(20.09)	(2.69)	(1.40)

Russell Indices Style Returns

	V	B	G	V	B	G
L	-7.6	-19.1	-29.1	25.1	26.4	27.6
M	-12.1	-17.3	-26.7	28.3	22.6	12.7
S	-14.5	-20.5	-26.4	28.2	14.8	2.8
	YTD			2021		

Index Returns (%)

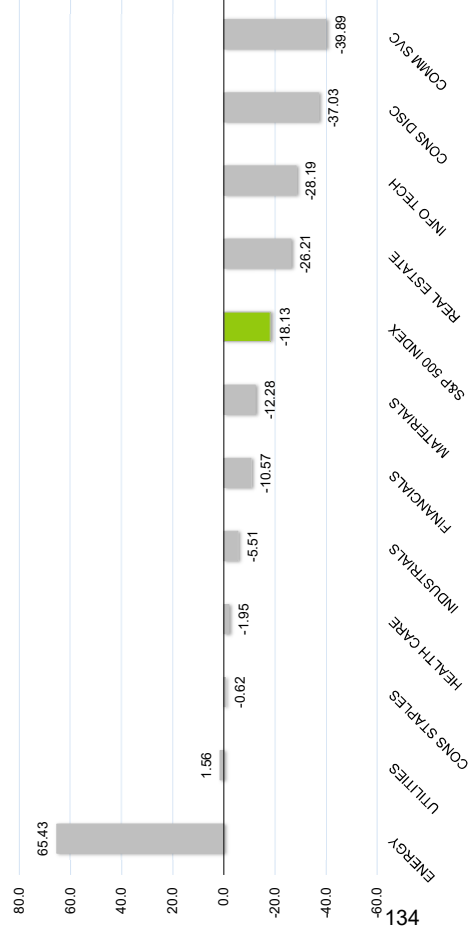
	Month	3 M	YTD	1 Year	Mod. Adj. Duration	Yield to Worst
U.S. Aggregate	(0.45)	1.87	(13.01)	(13.01)	6.17	4.68
U.S. Corporate Investment Grade	(0.44)	3.63	(15.76)	(15.76)	7.10	5.42
U.S. Corporate High Yield	(0.62)	4.17	(11.19)	(11.19)	3.88	8.96
Global Aggregate	0.54	4.55	(16.25)	(16.25)	6.69	3.73

Levels (%)

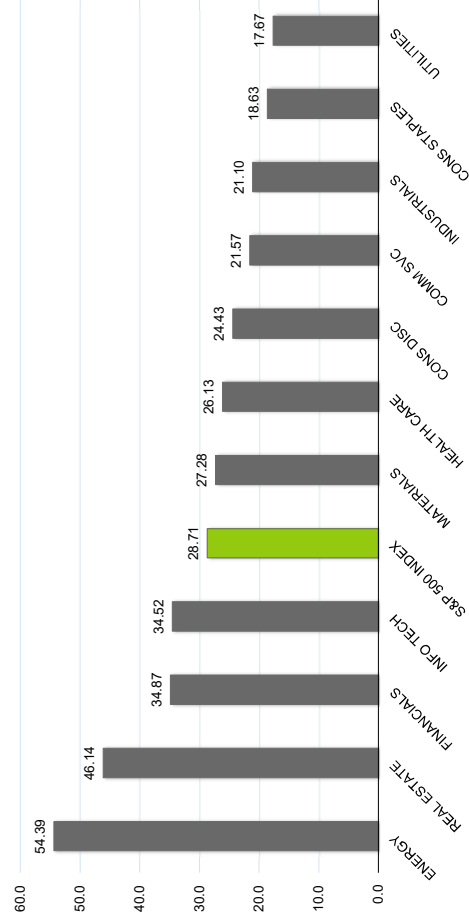
	12/31/22	12/31/21	12/31/19	12/31/18
US Generic Govt 3 Mth	4.34	0.03	1.54	2.35
US Generic Govt 2 Yr	4.43	0.73	1.57	2.49
US Generic Govt 10 Yr	3.87	1.51	1.92	2.68
US Generic Govt 30 Yr	3.96	1.90	2.39	3.01
ICE LIBOR USD 3M	4.77	0.21	0.24	2.81
Euribor 3 Month ACT/360	2.13	(0.57)	(0.55)	(0.31)
Bankrate 30Y Mortgage Rates Na	6.66	3.27	3.86	4.51
Prime	7.50	3.25	4.75	5.50

	12/31/22	12/31/21	12/31/20
Commodities	80.26	68.76	46.04
Oil	3.21	3.29	2.25
Gasoline	4.48	3.98	2.74
Natural Gas	1,826.20	1,843.90	1,187.30
Gold	24.04	23.63	16.50
Silver	381.05	439.05	351.80
Copper	678.50	553.50	409.00
Corn	245.89	211.80	166.63
BBG Commodity TR Idx			

YTD Sector Returns



2021 Sector Returns



Source: Bloomberg & Investment Metrics. For informational purposes only and should not be regarded as investment advice. Information is based on sources and data believed to be reliable, but AndCo Consulting cannot guarantee the accuracy, adequacy or completeness of the information. The material provided herein is valid only as of the date of distribution and not as of any future date.

*Heat maps are displayed utilizing a 9-color scale, with green as the highest return for the time period noted and red as the lowest return for the time period noted. Color scales within each time period are mutually exclusive.

Manager	MV as of	Most Recent Statement Date
Intercontinental U.S. REIF Principal Enhanced Property Fund	Real Estate	
	9/30/2022	9/30/2022
	12/31/2022	12/31/2022
Crescent Direct Lending Levered Fund II	Absolute Return	
	12/6/2022 - Capital Distribution	9/30/2022

Performance and valuations presented in this report are preliminary, with 89.8% of assets reporting finalized figures.
NAVs for non-reporting investments are carried forward from the most recent valuation.



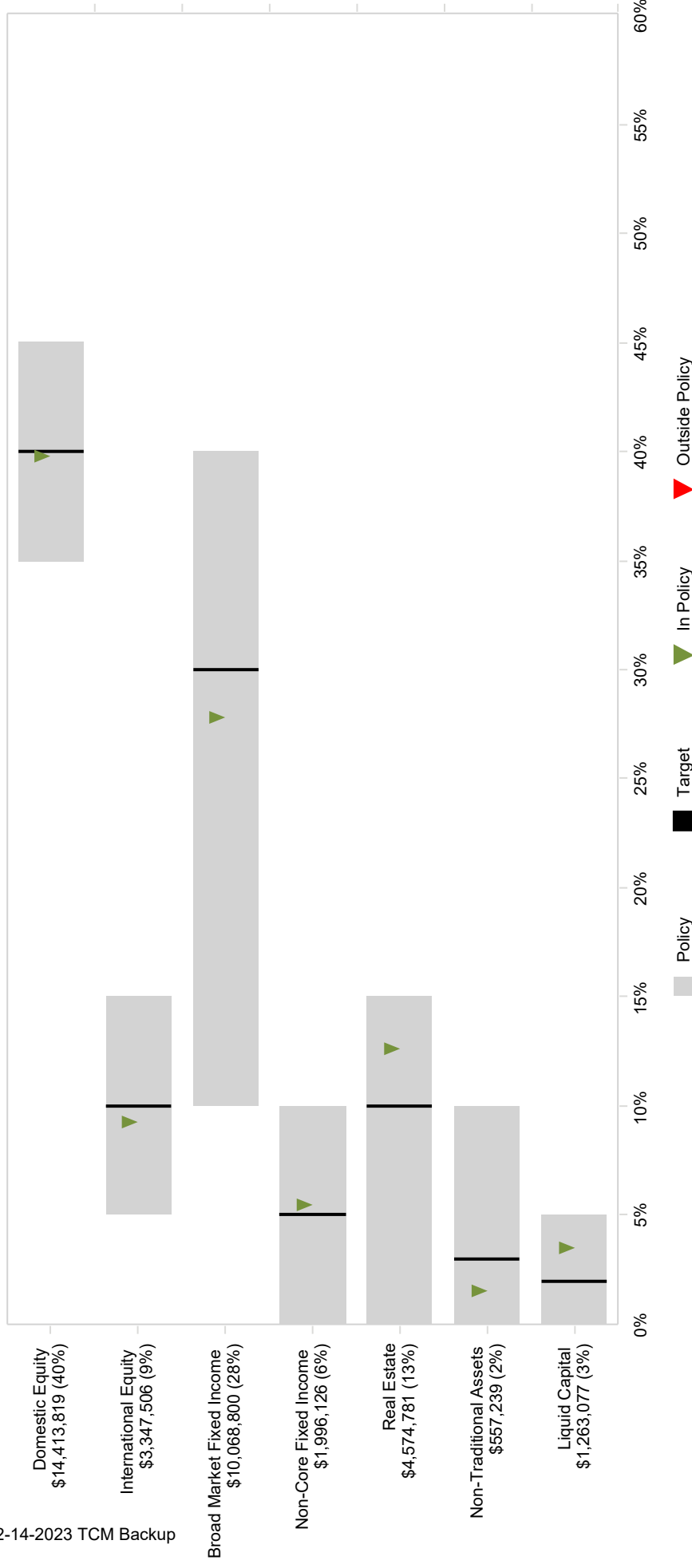
Asset Allocation Compliance

Town of Palm Beach OPEB Trust

As of December 31, 2022

Executive Summary

02-14-2023 TCM Backup



Asset Allocation Compliance

	Asset Allocation \$	Current Allocation (%)	Target Allocation (%)	Minimum Allocation (%)	Maximum Allocation (%)
Total Fund	36,221,347	100.0	100.0	N/A	N/A
Domestic Equity	14,413,819	39.8	40.0	35.0	45.0
International Equity	3,347,506	9.2	10.0	5.0	15.0
Broad Market Fixed Income	10,068,800	27.8	30.0	10.0	40.0
Non-Core Fixed Income	1,996,126	5.5	5.0	0.0	10.0
Real Estate	4,574,781	12.6	10.0	0.0	15.0
Non-Traditional Assets	557,239	1.5	3.0	0.0	10.0
Liquid Capital	1,263,077	3.5	2.0	0.0	5.0

Financial Reconciliation
Total Fund

1 Month Ending December 31, 2022

Financial Reconciliation - 1 Month									
	Market Value 12/01/2022	Net Transfers	Contributions	Distributions	Management Fees	Other Expenses	Income	Apprec./ Deprec.	Market Value 12/31/2022
Domestic Equity	15,311,997	-	-	-	-	-	66,673	-964,851	14,413,819
Vanguard Russell 3000 Idx (VRTTX)	15,311,997	-	-	-	-	-	66,673	-964,851	14,413,819
International Equity	3,412,347	-	-	-	-	-	93,043	-157,885	3,347,506
Pear Tree Polaris Foreign Value (QFVRX)	1,914,215	-	-	-	-	-	72,499	-88,204	1,898,511
American Funds Europacific Growth R6 (RERGX)	1,327,847	-	-	-	-	-	18,635	-64,093	1,282,390
Vanguard Developed Mkts Index (VTMGX)	170,285	-	-	-	-	-	1,909	-5,589	166,605
Total Fixed Income	12,070,111	-	-	-	-	-	19,286	-24,471	12,064,926
Galliard Intermediate Core	10,061,861	-	-	-	-	-	-	6,939	10,068,800
PIMCO Div Inc Bond Fund (PDIIX)	2,008,249	-	-	-	-	-	19,286	-31,410	1,996,126
Real Estate	4,662,250	-	-	-	-	-	-	-87,469	4,574,781
Intercontinental U.S. REIF	3,139,205	-	-	-	-	-	-	-	3,139,205
Principal Enhanced Property Fund	1,523,045	-	-	-	-	-	-	-87,469	1,435,576
Non-Traditional Assets	577,271	-20,032	-	-	-	-	-	-	557,239
Crescent Direct Lending Levered Fund II	577,271	-20,032	-	-	-	-	-	-	557,239
Liquid Capital	1,238,535	20,032	-	-	-	-	3,383	1,127	1,263,077
Cash	1,238,535	20,032	-	-	-	-	3,383	1,127	1,263,077
Total Fund	37,272,510	-	-	-	-	-	182,385	-1,233,549	36,221,347

Financial Reconciliation

Total Fund

October 1, 2022 To December 31, 2022

Financial Reconciliation - Fiscal Year To Date									
	Market Value 10/01/2022	Net Transfers	Contributions	Distributions	Management Fees	Other Expenses	Income	Apprec./ Deprec.	Market Value 12/31/2022
Domestic Equity	13,450,498	-	-	-	-	-	66,673	896,648	14,413,819
Vanguard Russell 3000 Idx (VRTTX)	13,450,498	-	-	-	-	-	66,673	896,648	14,413,819
International Equity	2,882,067	-	-	-	-	-	93,043	372,396	3,347,506
Pear Tree Polaris Foreign Value (QFVRX)	1,612,764	-	-	-	-	-	72,499	213,248	1,898,511
American Funds Europacific Growth R6 (RERGX)	1,127,033	-	-	-	-	-	18,635	136,722	1,282,390
Vanguard Developed Mkts Index (VTMGX)	142,270	-	-	-	-	-	1,909	22,427	166,605
Total Fixed Income	11,802,414	-	-	-	-	-	26,663	235,849	12,064,926
Galliard Intermediate Core	9,896,549	-	-	-	-	-	-	172,251	10,068,800
PIMCO Div Inc Bond Fund (PDIIX)	1,905,865	-	-	-	-	-	26,663	63,598	1,996,126
Real Estate	4,693,492	-	-	-	-	-	-	-118,711	4,574,781
Intercontinental U.S. REIF	3,139,205	-	-	-	-	-	-	-	3,139,205
Principal Enhanced Property Fund	1,554,287	-	-	-	-	-	-	-118,711	1,435,576
Non-Traditional Assets	589,102	-31,863	-	-	-	-	-	-	557,239
Crescent Direct Lending Levered Fund II	589,102	-31,863	-	-	-	-	-	-	557,239
Liquid Capital	1,219,692	31,863	1,967	-	-1,967	-	7,596	3,926	1,263,077
Cash	1,219,692	31,863	1,967	-	-1,967	-	7,596	3,926	1,263,077
Total Fund	34,637,264	-	1,967	-	-1,967	-	193,975	1,390,107	36,221,347



Asset Allocation & Performance
Program Composite and Investment Performance
As of December 31, 2022

Asset Allocation & Performance [Net of Fees] - Trailing Returns											
	Allocation		Performance(%)								Inception Date
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception	
Total Fund (Net)	36,221,347	100.0	-2.82	4.57	4.57	-12.86	-12.86	2.69	4.10	3.88	05/01/2007
Total Fund Policy			-2.51	5.16	5.16	-11.87	-11.87	3.81	5.31	N/A	
Domestic Equity	14,413,819	39.8	-5.87	7.16	7.16	-19.26	-19.26	5.21	6.82	6.28	06/01/2007
Vanguard Russell 3000 Idx (VRTTX)			-5.87	7.16	7.16	-19.26	-19.26	N/A	N/A	N/A	
Russell 3000 Index			-5.86	7.18	7.18	-19.21	-19.21	7.07	8.79	8.07	
International Equity	3,347,506	9.2	-1.90	16.15	16.15	-19.06	-19.06	-0.65	0.44	2.09	06/01/2007
Total International Equity Policy			-0.71	14.37	14.37	-15.57	-15.57	0.53	1.36	1.77	
Pear Tree Polaris Foreign Value (QFVRX)	1,898,511	5.2	-0.82	17.72	17.72	-16.72	-16.72	N/A	N/A	4.34	09/01/2020
MSCI EAFE (Net) Index			0.08	17.34	17.34	-14.45	-14.45	0.87	1.54	3.18	
MSCI EAFE Value Index (Net)			1.26	19.64	19.64	-5.58	-5.58	0.65	0.17	7.77	
American Funds Europacific Growth R6 (RERGX)	1,282,390	3.5	-3.42	13.78	13.78	-22.72	-22.72	0.06	N/A	2.27	07/01/2018
MSCI AC World ex USA (Net)			-0.75	14.28	14.28	-16.00	-16.00	0.07	0.88	1.85	
MSCI EAFE Growth Index (Net)			-1.13	15.05	15.05	-22.95	-22.95	0.47	2.49	2.98	
Vanguard Developed Mkts Index (VTMGX)	166,605	0.5	-2.16	17.11	17.11	-15.32	-15.32	N/A	N/A	9.44	05/01/2020
Vanguard Spliced Developed ex U.S. Index (Net)			-0.40	16.28	16.28	-15.58	-15.58	1.19	1.55	9.17	
Non-Traditional Assets	557,239	1.5	0.00	0.00	0.00	4.92	4.92	7.60	6.55	4.38	07/01/2007
Crescent Direct Lending Levered Fund II	557,239	1.5	0.00	0.00	0.00	4.92	4.92	7.44	N/A	8.63	03/01/2018

02-14-2023 TMM Backup



Asset Allocation & Performance
Program Composite and Investment Performance
As of December 31, 2022

	Allocation		Performance(%)								Inception Date
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception	
Total Fixed Income	12,064,926	33.3	-0.04	2.22	2.22	-11.61	-11.61	-1.70	0.89	2.12	06/01/2007
Fixed Income Composite Index			-0.49	1.89	1.89	-12.93	-12.93	-2.48	0.15	N/A	
Galliard Intermediate Core	10,068,800	27.8	0.07	1.74	1.74	N/A	N/A	N/A	N/A	-4.83	04/01/2022
Diamondberg Intermed Aggregate Index			-0.26	1.72	1.72	-9.51	-9.51	-1.93	0.31	-5.05	
PIMCO Div Inc Bond Fund (PDIIX)	1,996,126	5.5	-0.60	4.74	4.74	-13.46	-13.46	-2.62	0.62	0.71	12/01/2017
Bimbg. Global Credit (Hedged)			-0.62	3.31	3.31	-13.75	-13.75	-2.61	0.53	0.62	
Real Estate	4,574,781	12.6	-1.88	-2.53	-2.53	11.71	11.71	11.06	N/A	9.91	04/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	13.99	13.99	12.50	10.33	10.41	
Intercontinental U.S. REIF	3,139,205	8.7	0.00	0.00	0.00	14.55	14.55	11.45	N/A	10.31	04/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	13.99	13.99	12.50	10.33	10.41	
Principal Enhanced Property Fund	1,435,576	4.0	-5.74	-7.64	-7.64	5.95	5.95	10.22	N/A	8.88	10/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	13.99	13.99	12.50	10.33	10.61	
Liquid Capital	1,263,077	3.5									
Cash	1,263,077	3.5									

Benchmark History
Investment Policy Benchmarks
As of December 31, 2022

Total Fund Historical Hybrid Composition			Allocation Mandate		Weight (%)
Allocation Mandate					
Apr-2022					
Russell 3000 Index					40.00
MSCI AC World ex USA (Net)					10.00
Bloomberg Intermid Aggregate Index					30.00
Bimbg. Global Credit (Hedged)					5.00
NCREIF Fund Index-Open End Diversified Core (EW)					10.00
Credit Suisse Leveraged Loan Index					3.00
90 Day U.S. Treasury Bill					2.00
Oct-2020					
Russell 3000 Index					40.00
MSCI AC World ex USA (Net)					10.00
Bimbg. U.S. Aggregate Index					35.00
Bloomberg U.S. TIPS Index					5.00
NCREIF Fund Index-Open End Diversified Core (EW)					10.00
Apr-2018					
Russell 3000 Index					45.00
MSCI AC World ex USA					15.00
Bimbg. U.S. Aggregate Index					30.00
NCREIF Fund Index-Open End Diversified Core (EW)					10.00
Oct-2017					
Russell 3000 Index					45.00
MSCI AC World ex USA					15.00
Bimbg. U.S. Aggregate Index					37.50
Bloomberg U.S. TIPS Index					2.50
Jan-2015					
Russell 3000 Index					27.50
MSCI AC World ex USA (Net)					17.50
HFRI Fund of Funds Composite Index					20.00
Real Assets Composite Index Attribution Hybrid					15.00
Bimbg. U.S. Aggregate Index					10.00
Bimbg. U.S. Treasury: 1-5 Year					10.00
Sep-2013					
Russell 3000 Index					27.50
MSCI AC World ex USA (Net)					17.50
HFRI Fund of Funds Composite Index					20.00
Real Assets Composite Index					15.00
Fixed Income Composite Index					20.00
Dec-2011					
Russell 3000 Index					27.50
MSCI EAFE (Net) Index					17.50
HFRI Fund of Funds Composite Index					20.00
Real Assets Composite Index					15.00
Fixed Income Composite Index					20.00
Jul-2007					
Target Index					100.00

Active Return	- Arithmetic difference between the manager's performance and the designated benchmark return over a specified time period.
Alpha	- A measure of the difference between a portfolio's actual performance and its expected return based on its level of risk as determined by beta. It determines the portfolio's non-systemic return, or its historical performance not explained by movements of the market.
Beta	- A measure of the sensitivity of a portfolio to the movements in the market. It is a measure of the portfolio's systematic risk.
Consistency	- The percentage of quarters that a product achieved a rate of return higher than that of its benchmark. Higher consistency indicates the manager has contributed more to the product's performance.
Distributed to Paid In (DPI)	- The ratio of money distributed to Limited Partners by the fund, relative to contributions. It is calculated by dividing cumulative distributions by paid in capital. This multiple shows the investor how much money they got back. It is a good measure for evaluating a fund later in its life because there are more distributions to measure against.
Down Market Capture	- The ratio of average portfolio performance over the designated benchmark during periods of negative returns. A lower value indicates better product performance
Downside Risk	- A measure similar to standard deviation that utilizes only the negative movements of the return series. It is calculated by taking the standard deviation of the negative quarterly set of returns. A higher factor is indicative of a riskier product.
Excess Return	- Arithmetic difference between the manager's performance and the risk-free return over a specified time period.
Excess Risk	- A measure of the standard deviation of a portfolio's performance relative to the risk free return.
Information Ratio	- This calculates the value-added contribution of the manager and is derived by dividing the active rate of return of the portfolio by the tracking error. The higher the Information Ratio, the more the manager has added value to the portfolio.
Public Market Equivalent (PME)	- Designs a set of analyses used in the Private Equity Industry to evaluate the performance of a Private Equity Fund against a public benchmark or index.
R-Squared	- The percentage of a portfolio's performance that can be explained by the behavior of the appropriate benchmark. A high R-Squared means the portfolio's performance has historically moved in the same direction as the appropriate benchmark.
Return	- Compounded rate of return for the period.
Sharpe Ratio	- Represents the excess rate of return over the risk free return divided by the standard deviation of the excess return. The result is an absolute rate of return per unit of risk. A higher value demonstrates better historical risk-adjusted performance.
Standard Deviation	- A statistical measure of the range of a portfolio's performance. It represents the variability of returns around the average return over a specified time period.
Total Value to Paid In (TVPI)	- The ratio of the current value of remaining investments within a fund, plus the total value of all distributions to date, relative to the total amount of capital paid into the fund to date. It is a good measure of performance before the end of a fund's life
Tracking Error	- This is a measure of the standard deviation of a portfolio's returns in relation to the performance of its designated market benchmark.
Treynor Ratio	- Similar to Sharpe ratio but utilizes beta rather than excess risk as determined by standard deviation. It is calculated by taking the excess rate of return above the risk free rate divided by beta to derive the absolute rate of return per unit of risk. A higher value indicates a product has achieved better historical risk-adjusted performance.
Up Market Capture	- The ratio of average portfolio performance over the designated benchmark during periods of positive returns. A higher value indicates better product performance.

AndCo compiled this report for the sole use of the client for which it was prepared. AndCo is responsible for evaluating the performance results of the Total Fund along with the investment advisors by comparing their performance with indices and other related peer universe data that is deemed appropriate. AndCo uses the results from this evaluation to make observations and recommendations to the client.

2-14-2020
 Back

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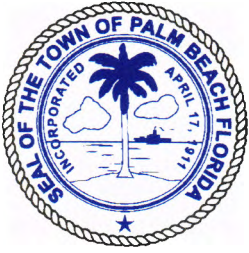
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TOWN OF PALM BEACH

Finance Department

To: Mayor and Town Council
Via: Kirk Blouin, Town Manager **KB**
From: Jane Le Clairche, Finance Director 
Date: January 13, 2023
Subject: Monthly Investment Report – November 2022

Attached you will find the Town's Investment Report for November 2022.

The table below summarizes the fiscal year to date returns for Town investments.

	Market Value	\$ Return FYTD	% Return FYTD	Benchmark
Core Investments	178,453,500	1,027,730	0.69%	.066%
Bond Funds	9,619,574	35,965	1.39%^	1.17%^
OPEB Trust~	37,272,510	NA	7.60%	7.86%
Total overseen by Investment Advisory Committee	225,345,584			
Retirement Fund*	270,438,411	NA	8.99%	10.33%

~Preliminary returns reported as of November 30, 2022

*Preliminary returns reported as of November 30, 2022

^Annualized

The blended total investment return for the Town's excess funds, excluding bond funds, is 0.44% for the month, 4.21% annualized.

The schedule on page 8 reports the performance results for the OPEB and Retirement Funds for November 2022.

I can be reached at extension 4724 with questions regarding this report.

JL\aw

Cc: Investment Advisory Committee

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Town of Palm Beach

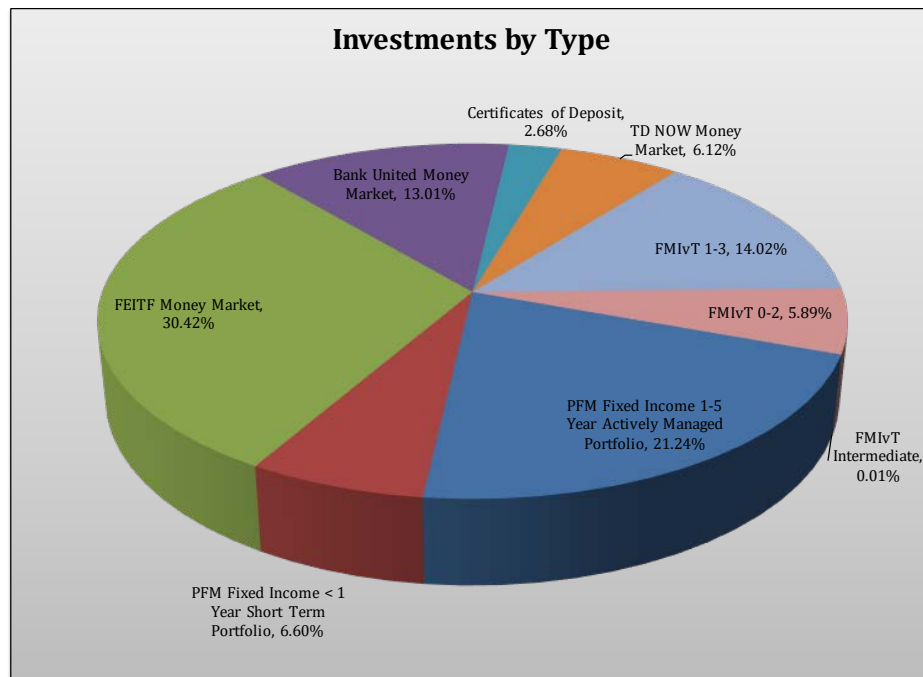
Investment Portfolio Performance



November 2022

Portfolio Return by Investment

Investment	November Balance	Return November-22	2023 Fiscal YTD (2 mo.)	2022 Fiscal YTD (2 mo.)	2022 Fiscal (12 mos.)
Core Investments					
PFM Fixed Income 1-5 Year Actively Managed Portfolio	\$ 39,939,305	\$ 459,641	\$ 363,494	\$ (241,052)	\$ (2,828,441)
PFM Fixed Income < 1 Year Short Term Portfolio	12,408,918	44,288	131,064	7,618	56,231
FL PALM/TD Custody Money Market	47,599,955	101,351	203,480	1,327	357,301
Bank United Money Market	24,474,467	67,613	120,867	4,812	158,282
TD Bank NOW Account	11,518,556	29,745	57,274	2,682	66,828
Certificates of Deposit	5,039,542	15,208	30,417	2,333	34,401
FMIvT 0-2	11,079,662	35,229	16,550	(4,383)	(72,166)
FMIvT 1-3	26,375,449	146,691	104,381	(68,940)	(990,450)
FMIvT Intermediate	17,646	338	204	(15,383)	(272,895)
Total Core Investments	\$ 178,453,500	\$ 900,104	\$ 1,027,730	\$ (310,986)	\$ (3,490,909)
GO Bond Funds (Undergrounding)					
FL PALM/TD Custody Money Market	\$ 9,619,574	\$ 18,120	\$ 35,965	7,839	151,653
Total GO Bond Funds	9,619,574	18,120	35,965	7,839	151,653
Total Bond Funds	\$ 9,619,574	\$ 18,120	\$ 35,965	\$ 7,839	\$ 151,653
Total	\$ 188,073,074	\$ 918,224	\$ 1,063,695	\$ (303,147)	\$ (3,339,256)



Portfolio Total Return vs. Benchmark

Core Investments	Monthly November-22	2022 Fiscal YTD (2 mo.)	2021 Fiscal YTD (2 mo.)	1 Year	3 Years	5 Years
Long Term Core Investments Total Return Performance (Discretionary)						
PFM Fixed Income 1-5 Year Actively Managed Portfolio	1.15%	0.88%	0.10%	-5.21%	-0.43%	0.92%
Merrill Lynch 1-5 Year U.S. Treasury/Agency Index	1.07%	0.87%	0.05%	-5.57%	-0.75%	0.64%
Certificates of Deposit (a)	0.30%	0.61%	0.10%	1.06%	0.89%	N/A
Merrill Lynch 1 Year Treasury Index	0.30%	0.30%	0.05%	-1.51%	0.17%	N/A
FMivT 0-2	0.34%	0.30%	-0.03%	-0.27%	0.69%	1.38%
ICE BofA ML 1 Yr Treasury Note	0.30%	0.37%	0.05%	-1.51%	0.17%	1.02%
FMivT 1-3	0.61%	0.50%	0.09%	-2.74%	0.18%	1.19%
BOA Merrill Lynch 1-3 Year Govt Index	0.63%	0.53%	0.01%	-4.09%	-0.41%	0.73%
FMivT Intermediate High Yield	2.08%	1.42%	-0.03%	-7.62%	-1.23%	0.70%
Barclays Int G/C ex BAA+ABS+MBS	2.74%	1.87%	0.01%	-9.35%	-1.89%	0.28%
Town's Long Term Core Investments Total Return Performance	0.69%	0.55%	0.08%	-3.92%	-0.44%	0.62%
Total Return Blended Benchmark Performance (b)	0.66%	0.56%	0.03%	-3.90%	-0.49%	0.52%
(a) The monthly return for the Certificates of Deposit is a weighted average monthly yield. The yield is the maximum return the Town can earn if held to maturity.						
(b) The blended benchmark includes the Merrill Lynch 1 Year U.S. Treasury Index, Merrill Lynch 1-5 Year U.S. Treasury/Agency Index, Merrill Lynch 1-3 Year Gov't Index, and the Barclays Capital HQ Intermed Agg.						
Short Term Portfolio Yield to Maturity at Cost Performance (Non-Discretionary)	Annualized Yield	Annualized Fiscal YTD (12 mo.)	Prior Fiscal YTD (12 mos.)	1 Year	3 Years	5 Years
PFM Fixed Income < 1 Year Short Term Portfolio Yield to Maturity at	3.49%	3.49%	N/A	1.58%	N/A	N/A
Cost S&P GIP Government 30 Day Index (c)	3.35%	3.34%	N/A	1.35%	N/A	N/A
(c) Short Term Benchmark changed to the Standard & Poor's LGIP30D represents Government Investment Pools Index.						

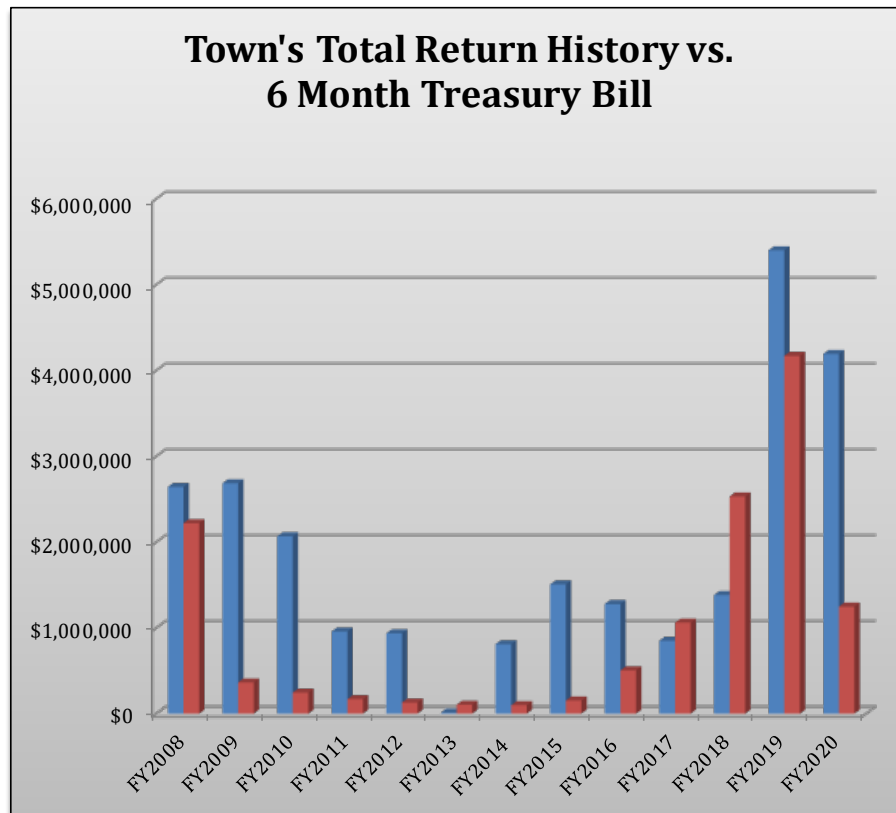
Money Market Fund Total Return Performance	Monthly November-22	1 Year	3 Years	5 Years
Florida Public Assets for Liquidity Management	3.85%	1.39%	N/A	N/A
iMoneyNet Money Market Fund Index	3.63%	1.17%	N/A	N/A

Total Investment Return	Monthly November-22	2022 Fiscal YTD (2 mo.)	Fiscal YTD Annualized	1 Year
Blended rate including both short and long term investments, excluding 2013 bond funds	0.44%	0.70%	4.21%	1.00%

*PFM began calculating the Town's Total Investment Return starting January of 2017

Total Investment Return History

Fiscal Year	Town's Total Return	Estimated Return - 6 Month TBill	Difference
FY2008	\$ 2,642,478	\$ 2,219,743	\$ 422,735
FY2009	2,683,901	363,524	2,320,377
FY2010	2,067,072	244,917	1,822,155
FY2011	957,872	169,447	788,425
FY2012	935,823	129,485	806,338
FY2013	11,870	103,463	(91,593)
FY2014	807,906	98,048	709,858
FY2015	1,506,923	153,068	1,353,855
FY2016	1,276,858	504,712	772,146
FY2017	849,246	1,060,160	(210,914)
FY2018	1,380,900	2,531,526	(1,150,627)
FY2019	5,399,637	4,169,137	1,230,500
FY2020	4,191,142	1,246,291	2,944,851
FY2021	209,313	123,369	85,945
FY2022	(3,482,536)	2,917,683	(6,400,219)
FY2023	1,027,730	1,339,653	(311,923)
Total	\$ 22,466,136	\$ 16,034,574	\$ 5,403,832

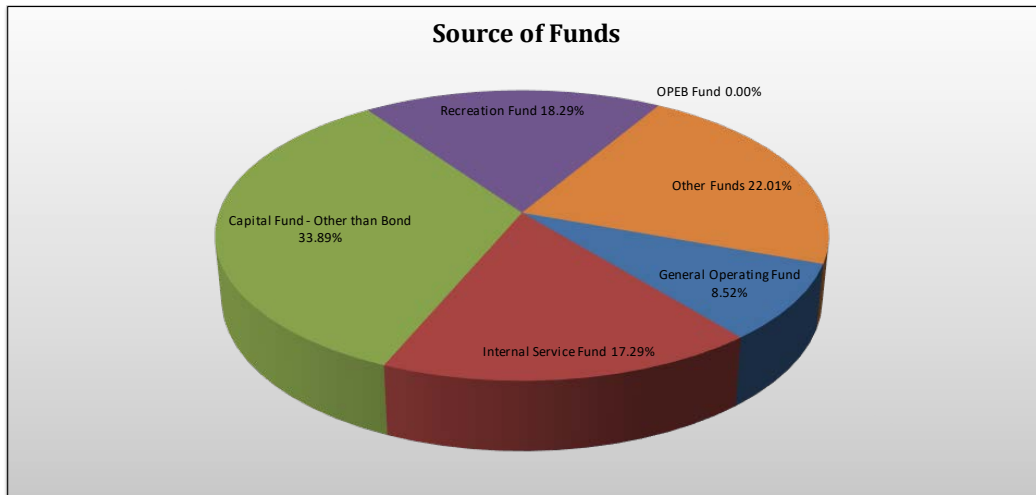


Town's FY2023 Monthly Investment Return vs. 6 Month Treasury Bill

Period	Investment Balance	Town's Monthly Total Return	6 Month T-Bill Rate	Estimated Return - 6 Month T-Bill	Difference
Oct-22	\$ 177,564,082	\$ 127,626	4.33%	640,710	\$ (513,084)
Nov-22	178,453,500	900,104	4.70%	698,943	201,161
Dec-22				-	-
Jan-23				-	-
Feb-23				-	-
Mar-23				-	-
Apr-23				-	-
May-23				-	-
Jun-23				-	-
Jul-23				-	-
Aug-23				-	-
Sep-23				-	-
Total		\$ 1,027,730		\$ 1,339,653	\$ (311,923)

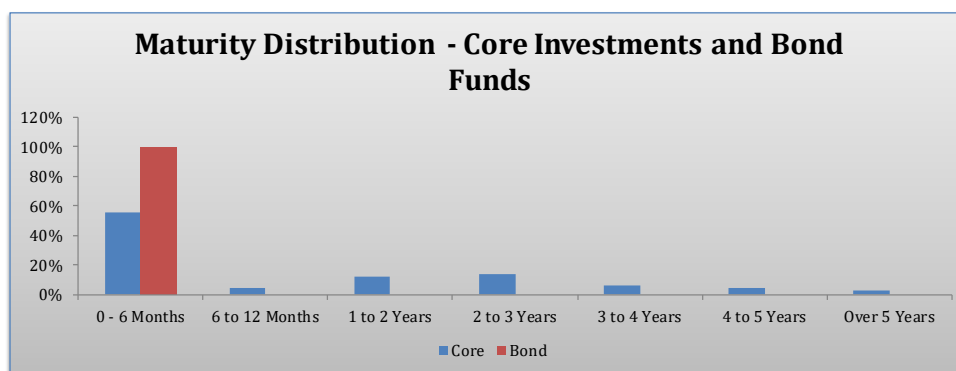
Portfolio Composition by Source of Funds

Investment	General Operating	Capital	Internal Service	Enterprise Funds	OPEB	Other Funds	Total
Non-Bond Funds							
PFM Fixed Income:							
1-5 Year	(11,830,812)	38,494,755	13,275,362	-	-	-	39,939,305
PFM Fixed Income:							
< One Year	12,408,918	-	-	-	-	-	12,408,918
Money Market	9,004,363	5,179,378	3,568,374	26,555,204	-	39,285,658	83,592,978
Certificates of Deposit	5,039,542	-	-	-	-	-	5,039,542
FMIvT Fixed Income:							
0-2 Year	170,921	4,969,189	4,143,315	1,796,237	-	-	11,079,662
FMIvT Fixed Income:							
1-3 Year	406,883	11,829,295	9,863,278	4,275,993	-	-	26,375,449
FMIvT Fixed Income:							
Intermediate	271	7,915	6,599	2,861	-	-	17,646
Sub Total Non Bond Funds	15,200,085	60,480,533	30,856,928	32,630,295	-	39,285,658	178,453,500
Bond Funds							
PFM Fixed Income	-	-	-	-	-	-	-
Certificates of Deposit	-	-	-	-	-	-	-
Money Market	-	-	-	-	-	9,619,574	9,619,574
Sub Total Bond Funds	-	-	-	-	-	9,619,574	9,619,574
Total	15,200,085	60,480,533	30,856,928	32,630,295	-	48,905,233	188,073,074



Portfolio Distribution by Maturity

	PFM Investments	Money Market Accts.	FMIvT 0-2 Year	FMIvT 1-3 Year	FMIvT Intermediate	Certificates of Deposit	Total
Core Investments							
0 - 6 Months	\$12,479,816	\$83,592,978	\$1,002,569	\$937,154	\$640	\$0	\$98,013,157
6 to 12 Months	1,518,098	-	2,468,416	2,072,888	222	5,039,542	8,671,884
1 to 2 Years	9,993,276	-	3,995,721	7,184,795	188	-	21,173,979
2 to 3 Years	12,275,658	-	2,192,062	9,946,491	2,875	-	24,417,087
3 to 4 Years	8,155,853	-	1,066,959	1,631,974	503	-	10,855,288
4 to 5 Years	6,951,844	-	39,866	1,514,128	3,058	-	8,508,897
Over 5 Years	973,677	-	314,069	3,088,019	10,160	-	4,385,926
Total Core Investments	\$52,348,224	\$83,592,978	\$11,079,662	\$26,375,449	\$17,646	\$5,039,542	\$178,453,501
Bond Funds							
0 - 6 Months	\$0	\$9,619,574	\$0	\$0		\$0	\$9,619,574
6 to 12 Months	-	-	-	-		-	-
1 to 2 Years	-	-	-	-		-	-
2 to 3 Years	-	-	-	-		-	-
3 to 4 Years	-	-	-	-		-	-
4 to 5 Years	-	-	-	-		-	-
Over 5 Years	-	-	-	-		-	-
Total Bond Funds	\$0	\$9,619,574	\$0	\$0		\$0	\$9,619,574

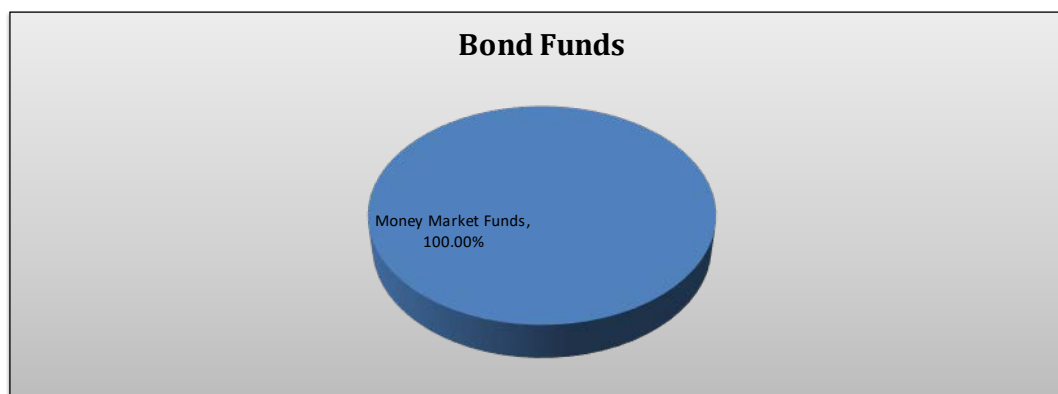
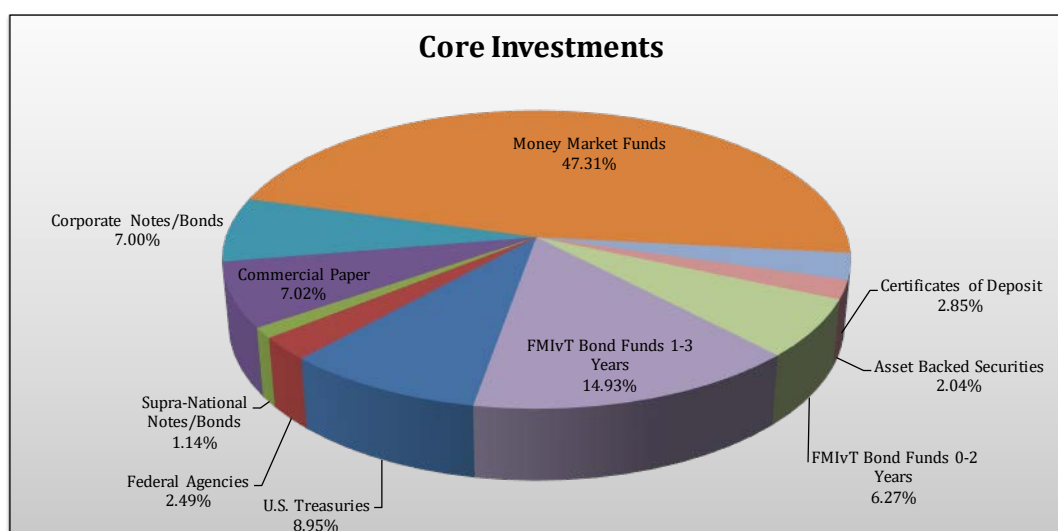


Core Investments - Weighted Average Duration Calculation				
Investment	Market Value	% of Portfolio	Duration (Yrs)	Weighted Avg. Duration (Yrs)
PFM Fixed Income 1-5 Year	\$ 39,939,305	22.38%	2.34	0.52
PFM Fixed Income < 1 Year	\$ 12,408,918	6.95%	0.24	0.02
FEITF/TD/Bank United Money Market	\$ 83,592,978	46.85%	0.17	0.08
TD Bank Certificates of Deposit	\$ 5,024,333	2.82%	0.53	0.01
FMIvT 0-2	\$ 11,079,662	6.21%	0.75	0.05
FMIvT 1-3	\$ 26,375,449	14.78%	1.48	0.22
FMIvT Intermediate	\$ 17,646	0.01%	4.11	0.00
Total	\$ 178,438,292	100.00%		0.90

Portfolio Composition by Security Type

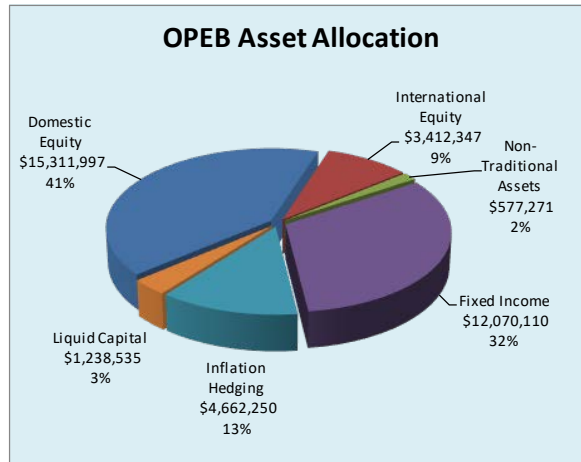
Security Type	Value	Distribution
Core Investments		
U.S. Treasuries	\$ 15,819,708	8.86%
Federal Agencies	4,405,810	2.47%
Supra-National Agency Notes/Bonds	2,006,505	1.12%
Commercial Paper	12,408,918	6.95%
Corporate Notes/Bonds	12,375,199	6.93%
Municipal Notes/Bonds	1,727,930	0.97%
Asset Backed Security/Collateralized Mortgage Obligation	3,604,153	2.02%
Money Market Funds	83,592,978	46.84%
Certificates of Deposit	5,039,542	2.82%
Florida Municipal Investment Trust Bond Funds 0-2 Years	11,079,662	6.21%
Florida Municipal Investment Trust Bond Funds 1-3 Years	26,375,449	14.78%
Florida Municipal Investment Trust Intermediate Bond Funds	17,646	0.01%
Total Core Investments	\$ 178,453,500	100.00%

Security Type	Value	Distribution
Bond Funds		
U.S. Treasuries	\$ -	-0.01%
Federal Agencies	-	0.00%
Commercial Paper	-	0.00%
Certificates of Deposit	-	0.00%
Money Market Funds	9,619,574	100.00%
Total Bond Funds	\$ 9,619,574	100.00%



**Health Insurance Trust (OPEB) Performance
as of November 30, 2022
Market Value - \$37,272,510**

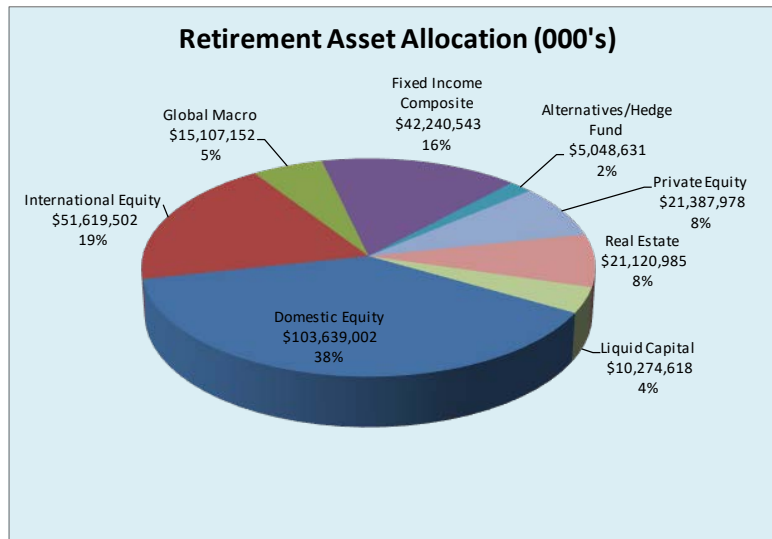
	QTD	Fiscal YTD	Calendar YTD	1 Yr	3 Yrs	5 Yrs	Return Since May 2007
Total Fund	7.60	7.60	-10.33	-8.09	4.50	4.84	4.09
Target Index	7.86	7.86	-9.61	-7.18	5.42	6.06	NA



**Town of Palm Beach Retirement System Performance
as of November 30, 2022
Market Value - \$270,438,411**

Preliminary returns for period ending 11/30/22

	Quarter	Fiscal YTD	1 Year	3 Years	5 Years
Total Fund	8.99	8.99	-10.34	4.09	5.23
Target Index	10.33	10.33	-7.34	6.75	6.83



Town of Palm Beach
Certificate of Deposit Schedule
11/30/2022

		Date	Maturity		
Amount	Purchased	Date	Term	Yield	
TD Bank					
\$ 5,000,000	9/13/2022	6/12/2023	9 mo.	3.65%	
5,000,000	Sub Total Bank United				
\$ 5,000,000	Total Certificates of Deposit				

FMI VT 0-2 Year High Quality Bond Fund
Holdings as of 11/30/2022

Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	from Investment Manager			
										DUR	Average Life	Fitch RATING	Moody's RATING
02007TAC9	329,338.55	ALLYA_19-4	1.840	06/15/2024	334,470.22	99.78	328,618.75	(5,851.47)	0.20%	0.12	0.12	NR	Aaa
03066MAF3	1,108,723.77	AMCAR_18-3	3.740	10/18/2024	1,135,012.65	99.88	1,107,357.16	(27,655.49)	0.68%	0.20	0.20	NR	Aaa
03066RAB1	117,098.05	AMCAR_21-2	0.260	11/18/2024	116,846.47	99.77	116,829.81	(16.66)	0.07%	0.08	0.08	NR	Aaa
05588CAD4	3,483,074.02	BMWOT_19-A	1.950	01/26/2026	3,531,374.46	99.03	3,449,263.12	(82,111.34)	2.11%	0.38	0.39	AAA	NR
05602RAB7	1,792,803.75	BMWOT_22-A	2.520	12/26/2024	1,792,674.85	98.84	1,772,093.82	(20,581.03)	1.08%	0.60	0.60	NA	Aaa
09690AAC7	1,940,000.00	BMWLT_21-2	0.330	12/26/2024	1,887,559.38	97.25	1,886,598.78	(960.60)	1.15%	0.58	0.60	AAA	Aaa
12597CAC1	287,085.72	CNH_19-C	2.010	12/16/2024	292,098.51	98.92	283,990.05	(8,108.46)	0.17%	0.33	0.34	AAA	Aaa
12660DAB3	1,770,000.00	CNH_22-A	2.390	08/15/2025	1,769,960.35	98.05	1,735,405.88	(34,554.47)	1.06%	0.54	0.56	AAA	NR
12664JAB6	1,555,000.00	CNH_22-C	5.420	07/15/2026	1,554,995.02	100.00	1,554,995.02	0.00	0.95%	0.95	0.95	NR	Aaa
14043MAC5	598,798.23	COPART_20-1	1.600	11/15/2024	606,563.89	98.88	592,112.47	(14,451.42)	0.36%	0.39	0.39	AAA	NR
14043QAB8	3,121,609.22	COPAR_22-1	2.710	06/16/2025	3,121,313.60	98.46	3,073,684.40	(47,629.20)	1.88%	0.54	0.56	AAA	NR
14315NAE0	3,995,000.00	CARMX_19-1	3.450	11/15/2024	4,082,448.03	99.34	3,968,749.65	(113,698.38)	2.43%	0.28	0.29	AAA	NR
14315PAD7	863,707.98	CARMX_19-3	2.180	08/15/2024	875,958.30	99.48	859,242.09	(16,716.21)	0.53%	0.22	0.23	AAA	NR
14315WAD2	971,142.81	CARMX_19-4	2.020	11/15/2024	981,885.41	98.91	960,577.26	(21,308.15)	0.59%	0.33	0.34	AAA	NR
14315WAE0	1,450,000.00	CARMX_19-4	2.130	07/15/2025	1,402,761.72	97.15	1,408,701.10	5,939.38	0.86%	0.88	0.90	AAA	NR
14316LAC7	18,732.12	CARMX_19-2	2.680	03/15/2024	19,041.64	99.92	18,718.04	(323.60)	0.01%	0.04	0.04	AAA	NR
14316LAE3	1,035,000.00	CARMX_19-2	3.010	12/16/2024	1,028,369.53	99.09	1,025,556.35	(2,813.18)	0.63%	0.44	0.46	AAA	NR
14318UAB7	1,605,000.00	CARMX_22-4	5.340	12/15/2025	1,604,865.82	99.84	1,602,391.71	(2,474.11)	0.98%	0.95	1.00	AAA	NR
30165XAC9	0.03	EART_21-2	0.300	10/15/2024	0.03	100.00	0.03	0.00	0.00%				
30167JAC8	2,025,000.00	EART_22-1	1.540	07/15/2025	2,020,106.59	98.91	2,002,852.78	(17,253.81)	1.23%	0.32	0.33	NR	NR
3128MEVY7	8,239.86	FHLMC PC GOLD 4.50	4.500	09/01/2026	8,502.51	100.04	8,242.91	(259.60)	0.01%	0.98	1.04	Agency	Agency
3128MEVW5	1,789.56	FHLMC PC GOLD 5.00	5.000	06/01/2026	1,855.55	101.15	1,810.21	(45.34)	0.00%	0.43	0.45	Agency	Agency
3136A3Z61	162,570.79	FNMA_12-3G	3.000	09/25/2026	165,873.01	99.16	161,204.87	(4,668.14)	0.10%	0.29	0.30	Agency	Agency
3136A7TB8	72,326.88	FNMA 2012-91 KA 3.	3.500	06/25/2032	74,428.88	99.23	71,769.33	(2,659.55)	0.04%	0.35	0.35	Agency	Agency
3136AGU75	297,790.15	FNMA_13-114C	2.500	11/25/2035	297,836.68	97.99	291,799.21	(6,037.47)	0.18%	0.74	0.72	Agency	Agency
3136APD58	10,245.30	FNMA 2015-55 JA 2.	2.000	07/25/2025	10,224.49	97.64	10,003.62	(220.87)	0.01%	0.57	0.59	Agency	Agency
3137A63Z3	38,757.24	FHLMC 3792 DF FLT	4.273	11/15/2040	38,872.30	99.89	38,716.38	(155.92)	0.02%	0.06	0.50	Agency	Agency
3137AHU97	12,756.13	FHLMC 3951 FD FLT	4.173	07/15/2026	12,792.01	99.98	12,754.12	(37.89)	0.01%	0.04	0.04	Agency	Agency
3137AKX30	490,966.00	FHLMC_3988A	2.500	04/15/2031	498,944.20	97.77	480,028.75	(18,915.45)	0.29%	0.76	0.74	Agency	Agency
3137ASAC8	165,383.18	FHLMC 4077 AB 1.5	1.500	01/15/2027	167,295.42	97.41	161,101.21	(6,194.21)	0.10%	0.65	0.60	Agency	Agency
3137B1UG5	210,315.30	FHLMC_K027	2.637	01/25/2023	214,234.07	99.71	209,699.16	(4,534.91)	0.13%	0.07	0.07	Agency	Agency
3137B36J2	2,638,200.51	FHLMC_K029	3.320	02/25/2023	2,735,773.43	99.58	2,627,091.05	(108,682.38)	1.61%	0.15	0.15	Agency	Agency
3137B3NA2	2,982,506.09	FHMS_K030	3.250	04/25/2023	3,063,709.48	99.45	2,966,033.11	(97,676.37)	1.81%	0.22	0.23	Agency	Aaa
3137B5SX2	433,065.46	FHLMC_4268C	2.500	08/15/2027	434,080.46	98.60	426,984.66	(7,095.80)	0.26%	0.49	0.46	Agency	Agency
3137B7YY9	2,345,000.00	FHMS-K037	3.490	01/25/2024	2,306,435.74	98.24	2,303,838.21	(2,597.53)	1.41%	0.92	0.96	Agency	Agency
3137B8K89	376.50	FHLMC 4317 MT 2.0	2.000	01/15/2023	376.50	99.80	375.76	(0.74)	0.00%	0.04	0.04	Agency	Agency
3137BAGC0	461,167.25	FHLMC 4324D	2.500	11/15/2028	472,984.66	96.45	444,791.52	(28,193.14)	0.27%	1.30	1.24	Agency	Agency
3137BEVG6	2,318,205.31	FHLMC_K040	2.768	04/25/2024	2,273,471.19	98.11	2,274,455.44	984.25	1.39%	0.78	0.81	Agency	Agency

FMI\VT 0-2 Year High Quality Bond Fund
Holdings as of 11/30/2022

Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	from Investment Manager			
										DUR	Average Life	Fitch RATING	Moody's RATING
31375QBZ9	434,064.19	FHMS_K722	2.406	03/25/2023	444,712.33	99.48	431,791.99	(12,920.34)	0.26%	0.16	0.16	AAA	Agency AAA
31375SPW7	990,043.95	FHLMC_K723	2.454	08/25/2023	1,018,353.02	98.28	973,011.23	(45,341.79)	0.60%	0.57	0.59	Agency	Agency AA+
31375UWM6	42,037.97	FHMS_K111	2.932	01/25/2023	42,300.71	99.54	41,845.15	(455.56)	0.03%	0.15	0.15	Agency	Agency AA+
31375WVF1	2,012,428.30	FHMS_KW02	2.896	04/25/2026	1,982,477.71	97.63	1,964,690.28	(17,787.43)	1.20%	1.21	1.28	Agency	Agency AA+
313778QP1	1,744,448.02	FHLMC_5065L	2.000	09/25/2030	1,746,628.58	97.92	1,708,231.19	(38,397.39)	1.05%	0.76	0.77	Agency	Agency AA+
313813TA3	970,000.00	FNMA >7I AM3244	2.520	05/01/2023	983,299.61	98.63	956,740.10	(26,559.51)	0.59%	0.47	0.49	Agency	Agency AA+
313814N58	900,000.00	FNMA >7I AM4011	3.670	07/01/2023	924,117.19	98.88	889,947.00	(34,170.19)	0.54%	0.63	0.65	Agency	Agency AA+
31381D5G4	1,209,765.70	FNMA 7YI AN1746	2.150	09/01/2023	1,193,131.43	97.54	1,180,017.56	(13,113.87)	0.72%	0.78	0.81	Agency	Agency AA+
3138WDBV4	412,554.94	FNMA 10I AS4209	2.000	01/01/2025	405,850.92	96.94	399,934.88	(5,916.04)	0.24%	0.83	0.85	Agency	Agency AA+
3138WTZG4	137,470.40	FNMA 10I AT6142	2.500	05/01/2023	137,921.48	99.22	136,395.38	(1,526.10)	0.08%	0.24	0.25	Agency	Agency AA+
31393CZF6	17,067.12	FNMA 2003-46 LD 3.	3.500	06/25/2023	17,403.13	99.39	16,963.03	(440.10)	0.01%	0.18	0.19	Agency	Agency AA+
31394CP71	274,728.75	FNMA_05-33C	5.000	04/25/2025	288,336.41	99.08	272,204.13	(16,132.28)	0.17%	0.60	0.63	Agency	Agency AA+
31394F3N3	128,628.20	FNMA 2005-92 UF FL	4.366	10/25/2025	128,989.97	99.83	128,409.73	(580.24)	0.08%	0.14	0.76	Agency	Agency AA+
31398EAC8	245,327.36	FHLMC 3544 KB 4.5	4.500	06/15/2024	257,747.06	99.15	243,249.73	(14,497.33)	0.15%	0.57	0.59	Agency	Agency AA+
34528GAL0	1,680,000.00	FORDO_20-A	1.350	07/15/2025	1,634,193.75	96.26	1,617,222.94	(16,970.81)	0.99%	0.99	0.99	AAA	NR
34532DAE7	2,446,614.96	FORDO_19-B	2.240	10/15/2024	2,509,309.46	99.43	2,432,613.47	(76,695.99)	1.49%	0.27	0.27	AAA	NR
36178M2Q3	567,869.23	GNMA MUJ AB2583X	2.140	08/15/2023	573,694.29	99.81	566,778.92	(6,915.37)	0.35%	0.96	0.96	Govt	Govt AA+
36257PAD0	30,720.82	GMCAE_19-3	2.180	04/16/2024	31,236.83	99.89	30,687.53	(549.30)	0.02%	0.04	0.04	AAA	NR
36257PAE8	600,000.00	GMCAE_19-3	2.210	11/18/2024	600,421.88	99.37	596,195.22	(4,226.66)	0.36%	0.29	0.30	AAA	NR
362585AB7	1,780,216.75	GMCAE_22-2	2.520	05/16/2025	1,780,164.24	98.67	1,756,525.09	(23,639.15)	1.07%	0.63	0.63	NR	Aaa
36258MAD6	172,840.90	GMCAE_19-4	1.750	07/16/2024	174,663.83	99.68	172,294.27	(2,369.56)	0.11%	0.12	0.12	AAA	Aaa
36258MAE4	2,480,000.00	GMCAE_19-4	1.760	07/16/2025	2,486,781.25	98.42	2,440,901.31	(45,879.94)	1.49%	0.51	0.53	AAA	Aaa
36258NAC6	543,479.81	GMCAE_20-1	1.840	09/16/2024	554,158.34	99.37	540,036.76	(14,121.58)	0.33%	0.25	0.26	NR	Aaa
36258VAE4	2,290,000.00	GMCAE_20-2	1.740	08/16/2025	2,204,393.36	96.49	2,209,729.77	5,336.41	1.35%	1.05	1.06	AAA	NR
38013FAD3	0.01	GMCAE_18-4	3.210	10/16/2023	0.01	100.00	0.01	0.00	0.00%				
38377JSK0	24,753.98	GNMA 2010-98 MG 3.	3.000	08/20/2039	25,063.40	99.62	24,659.70	(403.70)	0.02%	0.14	0.14	Agency	Agency AA+
38378XFL0	1,159,805.34	GNMA_14-112	3.250	10/16/2043	1,153,462.66	96.53	1,119,597.21	(33,865.45)	0.69%	0.94	1.00	Agency	Agency AA+
38379RTQ6	151,995.58	GNMA_17-51	2.350	04/16/2057	150,285.63	97.67	148,447.97	(1,837.66)	0.09%	0.24	0.25	Govt	Govt AA+
38380Y4U6	310,361.05	GNMA_18-125J	3.500	11/20/2044	311,912.86	98.25	304,920.20	(6,992.66)	0.19%	1.02	0.99	Agency	Agency AA+
41284UAD6	258,603.30	HDMOT_20-A	1.870	10/15/2024	261,270.15	99.67	257,737.11	(3,533.04)	0.16%	0.17	0.18	NR	Aaa
41284YAB2	271,065.06	HDMOT_22-A	2.450	05/15/2025	271,063.90	98.95	268,231.18	(2,832.72)	0.16%	0.53	0.54	NR	Aaa
43813KAC6	358,493.33	HAROT_20-3	0.370	10/18/2024	354,852.38	97.60	349,877.66	(4,974.72)	0.21%	0.54	0.54	AAA	NR
43813VAD0	2,885,000.00	HAROT_19-4	1.870	02/18/2026	2,913,101.17	98.59	2,844,256.59	(68,844.58)	1.74%	0.37	0.38	AAA	NR
44891JAC2	7,186.10	HART 2019-B A3 1.9	1.940	02/15/2024	7,353.68	99.89	7,178.11	(175.57)	0.00%	0.04	0.04	AAA	NR
44891LAC7	1,337,918.14	HART_20-A	1.410	11/15/2024	1,353,074.25	98.61	1,319,325.89	(33,748.36)	0.81%	0.44	0.44	AAA	NR
44932NAG5	500,000.00	HART_19-A	3.030	11/17/2025	503,125.00	99.01	495,055.20	(8,069.80)	0.30%	0.43	0.45	AAA	NR
58768PAB0	1,625,000.00	MBART_22-1	5.900	10/15/2025	1,624,896.16	99.87	1,622,882.95	(2,013.21)	0.99%	1.14	1.22	NR	Aaa
65478NAE5	631,036.54	NAROT_18-C	3.270	06/16/2025	653,073.52	99.91	630,465.26	(22,608.26)	0.39%	0.09	0.09	NR	AAA
65479HAD9	1,214,631.94	NAROT_19-B	2.540	12/15/2025	1,214,442.16	99.11	1,203,870.67	(10,571.49)	0.74%	0.35	0.36	AAA	NR
65480IAB6	3,200,000.00	NAROT_22-B	4.500	08/15/2025	3,199,888.96	99.10	3,171,060.48	(28,828.48)	1.94%	1.05	1.10	NR	AAA
80285UAC5	839,799.98	SDART_22-3	2.760	03/17/2025	839,794.10	99.44	835,102.39	(4,691.71)	0.51%	0.32	0.33	NR	AAA
80285EAC0	500,000.00	SDART_22-1	1.940	11/17/2025	487,753.91	98.04	490,197.75	2,443.84	0.30%	0.72	0.75	AAA	NR
87165LCC3	375,000.00	SYNCT_18-2	3.470	05/15/2026	379,746.09	99.18	371,914.05	(7,832.04)	0.23%	0.44	0.46	AAA	NR

FMI\VT 0-2 Year High Quality Bond Fund
Holdings as of 11/30/2022

Holdings as of 11/30/2022											from Investment Manager					
Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	DUR	Average Life	Fitch RATING	Moody's RATING	S&P RATING		
89232HAD7	1,735,000.00	TAOT_20-A	1.680	05/15/2025	1,679,967.97	97.02	1,683,313.48	3,345.51	1.03%	0.85	0.86	NR	Aaa	AAA		
912096XQ7	3,915,000.00	TREASURY BILL	0.000	07/13/2023	3,841,932.18	98.13	3,841,932.18	0.00	2.35%	0.60	0.62	Govt	Govt	A-1+		
912096XY0	3,320,000.00	TREASURY BILL	0.000	08/10/2023	3,246,108.42	97.77	3,246,108.42	0.00	1.99%	0.68	0.69	Govt	Govt	A-1+		
912096V80	3,275,000.00	TREASURY NOTE	2.250	01/31/2024	3,200,427.96	97.27	3,185,690.75	(14,737.21)	1.95%	1.13	1.17	Govt	Govt	AA+		
912096CCN9	26,500,000.00	TREASURY NOTE	0.125	07/31/2023	25,902,803.62	96.97	25,697,845.00	(204,958.62)	15.72%	0.65	0.67	Govt	Govt	AA+		
912096CEA5	38,750,000.00	WI TREASURY NOTE	1.500	02/29/2024	37,282,571.22	96.20	37,277,112.50	(5,458.72)	22.81%	1.21	1.25	Govt	Govt	AA+		
98162RAD0	1,123,740.79	WOART_19-C	1.960	12/15/2024	1,136,645.31	99.30	1,115,876.51	(20,768.80)	0.68%	0.30	0.30	AAA	NR	AAA		
98162RAE8	1,375,000.00	WOART_19-C	2.030	12/15/2025	1,350,883.79	97.38	1,338,987.51	(11,896.28)	0.82%	0.82	0.83	AAA	NR	AAA		
98163GAE1	585,000.00	WOLS_20-B	0.520	02/17/2026	577,550.39	97.97	573,101.92	(4,448.47)	0.35%	0.41	0.42	AAA	Aaa	NR		
98163JAD7	690,000.00	WOLS_21-A	0.500	11/16/2026	653,640.23	94.44	651,660.22	(1,980.01)	0.40%	1.10	1.13	AAA	Aaa	NR		
					157,632,974.91	156,021,263.32		(1,611,711.59)	95.46%							
665278404	7,419,333.24	NORTHERN INSTL FDS			7,419,333.24	1.00	7,419,333.24	0.00	4.54%						Aaa-mf	AAAm
					165,052,308.15	163,440,596.56		(1,611,711.59)	100.00%	0.75	0.77					

Portfolio NAV	159,070,954.71
# Shares	14,306,216.16
NAV per Share	11.119010

FMIvT 1-3 Year High Quality Bond Fund
Holdings as of 11/30/2022

Holdings as of 11/30/2022										from Investment Manager				
Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	DUR	Average Life	Fitch RATING	Moody's RATING	S&P RATING
02007RAD1	4,180,000.00	ALLYA_19-3	1.960	12/15/2024	4,313,400.78	99.02	4,138,868.38	(174,532.40)	1.89%	0.44	0.46	NR	Aaa	AAA
02007TAD7	820,000.00	ALLYA_19-4	1.920	01/15/2025	808,660.94	98.78	810,033.72	1,372.78	0.37%	0.46	0.47	NR	Aaa	AAA
02008JAC0	4,500,000.00	ALLYL_22-1	3.310	11/16/2026	4,499,128.80	97.31	4,379,057.10	(120,071.70)	2.00%	1.78	1.87	NA	Aaa	AAA
03066PAB5	0.01	AMCAR_20-3	0.420	03/18/2024	0.01	100.00	0.01	0.00	0.00%					
05602RAD3	2,000,000.00	BMWOT_22-A	3.210	08/25/2026	1,999,896.00	96.78	1,935,634.00	(64,262.00)	0.89%	1.91	2.01	NA	Aaa	AAA
12597CAC1	908,374.31	CNH_19-C	2.010	12/16/2024	927,428.88	98.92	898,579.22	(28,849.66)	0.41%	0.33	0.34	AAA	Aaa	NR
12597PAC2	2,319,267.65	CNH_20-A	1.160	06/15/2025	2,300,514.19	98.31	2,280,156.91	(20,357.28)	1.04%	0.36	0.38	NR	Aaa	AAA
12664JAC4	4,260,000.00	CNH_22-C	5.150	04/17/2028	4,259,274.52	99.98	4,259,274.52	0.00	1.95%	2.80	2.80	NR	Aaa	AAA
14041NFW6	3,350,000.00	COMET_21-1	0.550	07/15/2026	3,349,864.33	92.94	3,113,474.59	(236,389.74)	1.42%	1.58	1.63	AAA	NR	AAA
14043QAC6	5,580,000.00	COPAR_22-1	3.170	04/15/2027	5,578,780.77	96.34	5,376,000.22	(202,780.55)	2.46%	1.87	1.99	AAA	NR	AAA
14315PAD7	1,114,952.22	CARMX 19-3 A3 2.18	2.180	08/15/2024	1,126,120.19	99.48	1,109,187.25	(16,932.94)	0.51%	0.22	0.23	AAA	NR	AAA
14315WAD2	482,027.11	CARMX_19-4	2.020	11/15/2024	488,880.93	98.91	476,782.90	(12,098.03)	0.22%	0.33	0.34	AAA	NR	AAA
14315WAE0	1,115,000.00	CARMX_19-4	2.130	07/15/2025	1,122,142.97	97.15	1,083,242.57	(38,900.40)	0.50%	0.88	0.90	AAA	NR	AAA
14316HAD4	2,300,000.00	CARMX_20-4	0.630	06/15/2026	2,310,332.03	92.31	2,123,140.12	(187,191.91)	0.97%	1.72	1.75	AAA	NR	AAA
14316LAD5	4,100,000.00	CARMX_19-2	2.770	12/16/2024	4,246,863.28	99.26	4,069,621.87	(177,241.41)	1.86%	0.31	0.33	AAA	NR	AAA
14316NAD1	1,175,000.00	CARMX_21-1	0.530	10/15/2026	1,098,716.80	91.45	1,074,530.33	(24,186.47)	0.49%	1.94	1.97	AAA	NR	AAA
14317JAB3	807,440.96	CARMX_21-4	0.240	11/15/2024	807,432.97	99.13	800,422.44	(7,010.53)	0.37%	0.24	0.24	NR	Aaa	AAA
14318UAD3	1,100,000.00	CARMX_22-4	5.340	08/16/2027	1,099,742.05	100.43	1,104,709.10	4,967.05	0.51%	2.22	2.43	AAA	NR	AAA
30166QAB5	822,656.75	EART_22-2	2.190	11/17/2025	822,652.64	99.68	820,004.42	(2,648.22)	0.38%	0.13	0.13	NR	NR	AAA
30167JAC8	3,375,000.00	EART_22-1	1.540	07/15/2025	3,366,844.31	98.91	3,338,087.96	(28,756.35)	1.53%	0.32	0.33	NR	NR	AAA
3128ME4V0	429,321.76	FHLMC #1 G1-6036	2.500	01/01/2030	435,694.51	95.49	409,946.47	(25,748.04)	0.19%	1.88	1.93	Agency	Agency	AA+
3128MEW98	14,054.21	FHLMC G1-5872	5.000	06/01/2026	14,985.30	101.15	14,216.40	(768.90)	0.01%	0.46	0.48	Agency	Agency	AA+
3128MFI82	361,328.63	FHLMC #1 G1-6387	2.500	10/01/2031	363,756.31	95.44	344,844.82	(18,911.49)	0.16%	1.91	1.96	Agency	Agency	AA+
3128MMTW3	407,846.74	FHLMC #1 G1-8564	2.500	08/01/2030	421,993.93	94.61	385,851.57	(36,142.36)	0.18%	2.72	2.75	Agency	Agency	AA+
31294UA29	598,808.85	FHLMC #1 E0-9025	2.500	03/01/2028	604,609.81	95.43	571,455.26	(33,154.55)	0.26%	1.92	1.97	Agency	Agency	AA+
3132ADR59	849,193.67	FHLMC 11 ZT-1408	2.000	10/01/2032	880,507.69	92.37	784,366.23	(96,141.46)	0.36%	3.32	3.34	Agency	Agency	AA+
3133LP557	1,047,421.48	FNMA #R1 RD-5040	1.500	10/01/2030	1,077,207.53	91.31	956,400.55	(120,806.98)	0.44%	3.07	3.02	Agency	Agency	AA+
3136A1M93	91,070.80	FNMA 2011-114 LA 2	2.500	06/25/2039	92,323.02	96.01	87,432.54	(4,890.48)	0.04%	1.51	1.66	Agency	Agency	AA+
3136A32R1	57,037.06	FNMA 2012-3 KG 2.0	2.000	09/25/2026	55,715.85	98.91	56,413.91	698.06	0.03%	0.30	0.30	Agency	Agency	AA+
3136A9UY2	738,452.87	FNMA 2012-128 QC 1	1.750	06/25/2042	752,298.86	93.39	689,643.50	(62,655.36)	0.32%	2.29	2.33	Agency	Agency	AA+
3136AAUB2	123,929.77	FNMA 2012-135 BC 1	1.500	12/25/2027	121,838.45	93.74	116,169.11	(5,669.34)	0.05%	1.69	1.73	Agency	Agency	AA+
3136AAUZ6	229,666.76	FNMA 2012-134 LX 1	1.750	03/25/2032	228,949.05	94.00	215,893.83	(13,055.22)	0.10%	1.86	1.77	Agency	Agency	AA+
3136AB7K3	426,171.84	FNMA 2013-24 LC 1.	1.500	03/25/2028	430,167.20	94.20	401,450.51	(28,716.69)	0.18%	1.53	1.55	Agency	Agency	AA+
3136AD6N4	120,223.25	FNMA 2013-48 BE 1.	1.500	05/25/2028	118,927.09	96.50	116,015.58	(2,911.51)	0.05%	0.79	0.81	Agency	Agency	AA+
3136ADEY1	504,552.10	FNMA_13-36A	3.000	05/25/2032	515,273.83	96.35	486,139.93	(29,133.90)	0.22%	1.80	1.84	Agency	Agency	AA+
3136AF4D3	101,713.21	FNMA 2013-85 VA 4.	4.000	02/25/2042	107,816.00	99.44	101,146.60	(6,669.40)	0.05%	0.23	0.24	Agency	Agency	AA+
3136AGMB5	818,518.34	FNMA_13-M12	2.405	03/25/2023	827,726.67	99.12	811,322.34	(16,404.33)	0.37%	0.27	0.28	Agency	Agency	AA+
3136AJD37	389,299.92	FNMA 2014-26 YD 2.	2.000	04/25/2044	387,475.08	94.92	369,534.27	(17,940.81)	0.17%	1.65	1.63	Agency	Agency	AA+
3136AJDU7	1,431,132.68	FNMA_14-M2	3.513	12/25/2023	1,529,746.67	98.20	1,405,348.68	(124,397.99)	0.64%	0.96	1.00	Agency	Agency	AA+
3136AKXV0	566,921.29	FNMA_14-M9	3.103	07/25/2024	607,048.69	96.75	548,490.79	(58,557.90)	0.25%	1.50	1.57	Agency	Agency	AA+
3136AMML0	246,297.72	FNMA_15-5	3.000	06/25/2043	260,536.81	94.41	232,538.54	(27,998.27)	0.11%	2.73	2.97	Agency	Agency	AA+
3136ANNV5	125,752.32	FNMA 2015-31 MA 2.	2.500	05/25/2030	130,900.30	94.49	118,826.16	(12,074.14)	0.05%	2.18	2.21	Agency	Agency	AA+
3136APD58	24,930.23	FNMA 2015-55 JA 2.	2.000	07/25/2025	25,202.73	97.64	24,342.14	(860.59)	0.01%	0.57	0.59	Agency	Agency	AA+

Holdings as of 11/30/2022

Holdings as of 11/30/2022											from Investment Manager				
Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	DUR	Average Life	Fitch RATING	Moody's RATING	S&P RATING	
3137A6167	144,153.69	FHLMC 3814 B 3.0 2	3.000	02/15/2026	146,135.80	97.21	140,125.07	(6,010.73)	0.06%	1.15	1.20	Agency	Agency	AA+	
3137A7C3G2	76,549.76	FHLMC 3875 GJ 2.5	2.500	06/15/2026	76,184.95	98.05	75,056.53	(1,128.42)	0.03%	0.60	0.62	Agency	Agency	AA+	
3137A8HDW5	148,578.32	FHLMC 3956 AB 3.5	3.500	11/15/2026	152,849.95	97.75	145,238.49	(7,611.46)	0.07%	1.22	1.27	Agency	Agency	AA+	
3137A9MB89	128,348.23	FHLMC 3997E	2.000	08/15/2040	130,754.76	94.83	121,708.15	(9,046.61)	0.06%	1.78	1.80	Agency	Agency	AA+	
3137A9NH4	216,328.77	FHLMC 4013 QU 1.5	1.500	02/15/2027	220,199.03	95.63	206,881.09	(13,317.94)	0.09%	1.07	1.07	Agency	Agency	AA+	
3137AS5M7	205,811.96	FHLMC 4093 AD 1.5	1.500	08/15/2027	207,033.97	93.76	192,977.63	(14,056.34)	0.09%	1.72	1.73	Agency	Agency	AA+	
3137ATBM3	187,519.20	FHLMC 4096 LG 1.5	1.500	08/15/2027	188,632.59	93.86	176,002.11	(12,630.48)	0.08%	1.73	1.74	Agency	Agency	AA+	
3137ATFP2	834,373.00	FHLMC 4091 PA 2.0	2.000	10/15/2041	859,925.67	92.00	767,620.74	(92,304.93)	0.35%	2.77	2.90	Agency	Agency	AA+	
3137AU2G3	203,291.94	FHLMC 4106 YC 1.5	1.500	09/15/2027	204,498.99	93.67	190,415.41	(14,083.58)	0.09%	1.81	1.81	Agency	Agency	AA+	
3137AUMN6	233,556.69	FHLMC 4102 LC 3.0	3.000	01/15/2040	237,215.14	97.36	227,392.50	(9,822.64)	0.10%	1.27	1.32	Agency	Agency	AA+	
3137AUZH5	636,236.88	FHLMC 4122 LB 2.0	2.000	10/01/2027	635,043.93	94.47	601,039.87	(34,004.06)	0.27%	1.82	1.82	Agency	Agency	AA+	
3137AW4L6	366,010.24	FHLMC 4137 JB 1.5	1.500	10/15/2027	360,062.58	94.29	345,105.89	(14,956.69)	0.16%	1.60	1.57	Agency	Agency	AA+	
3137AWK46	189,332.28	FHLMC 4136 MC 1.5	1.500	11/15/2027	184,598.97	93.45	176,924.77	(7,674.20)	0.08%	1.83	1.85	Agency	Agency	AA+	
3137AWVC6	333,155.40	FHLMC 4145 UE 2.0	2.000	12/15/2027	331,229.34	94.79	315,811.93	(15,417.41)	0.14%	1.77	1.77	Agency	Agency	AA+	
3137AWXG5	1,511,784.63	FHLMC 4139 DA 1.25	1.250	12/15/2027	1,530,681.94	92.95	1,405,135.48	(125,546.46)	0.64%	1.86	1.86	Agency	Agency	AA+	
3137B16K3	135,294.81	FHLMC 4177 M 3.0 3	3.000	03/15/2028	135,358.23	97.29	131,633.14	(3,725.09)	0.06%	1.10	1.14	Agency	Agency	AA+	
3137B1UG5	85,842.98	FHLMC_K027	2.637	01/25/2023	89,196.22	99.71	85,591.49	(3,604.73)	0.04%	0.07	0.07	Agency	Agency	AA+	
3137B2AU4	407,662.87	FHLMC 4199C	1.500	05/15/2028	417,535.96	93.08	379,434.09	(38,101.87)	0.17%	1.95	1.97	Agency	Agency	AA+	
3137B2K82	118,672.93	FHLMC 4217 KA 3.0	3.000	10/15/2040	122,084.78	96.85	114,939.60	(7,145.18)	0.05%	1.52	1.54	Agency	Agency	AA+	
3137B3NA2	4,175,508.56	FHMS_K030	3.250	04/25/2023	4,289,193.31	99.45	4,152,446.39	(136,746.92)	1.90%	0.22	0.23	Agency	Aaa	AA+	
3137B4WB8	4,350,000.00	FHLMC_13-K033	3.060	07/25/2023	4,429,523.44	98.78	4,297,013.52	(132,509.92)	1.97%	0.51	0.52	Agency	Agency	AA+	
3137B5JL8	0.05	FHLMC_K034	2.669	02/25/2023	0.05	100.00	0.05	0.00	0.00%						
3137B6XD8	86,514.90	FHLMC 4287 AB 2.0	2.000	12/15/2026	89,461.81	94.79	82,004.84	(7,456.97)	0.04%	1.91	2.02	Agency	Agency	AA+	
3137B84S3	142,009.79	FHLMC 4305 CT 2.0	2.000	02/15/2029	141,743.52	97.26	138,113.18	(3,630.34)	0.06%	0.71	0.73	Agency	Agency	AA+	
3137B84N7	55,581.19	FHLMC 4338 GE 2.5	2.500	05/15/2029	57,500.48	96.50	53,634.93	(3,865.55)	0.02%	1.18	1.22	Agency	Agency	AA+	
3137B8CV39	842,053.40	FHLMC_4375B	2.000	03/15/2043	871,064.77	91.75	772,602.44	(98,462.33)	0.35%	3.10	3.20	Agency	Agency	AA+	
3137B8FE80	271,767.31	FHLMC_K041	2.720	08/25/2024	278,922.43	99.09	269,301.95	(9,620.48)	0.12%	0.36	0.37	Agency	Agency	AA+	
3137B8VNO	1,138,356.19	FHMS_KJ12	3.035	08/25/2024	1,204,540.22	98.50	1,121,229.62	(83,310.60)	0.51%	0.55	0.57	Agency	Agency	AA+	
3137FVNMO	1,958,271.07	FHMS_Q012 A1 0.582	0.582	08/25/2025	1,959,121.94	93.15	1,824,191.97	(134,929.97)	0.83%	1.49	1.56	Agency	Agency	AA+	
3137FYPU4	1,259,519.12	FHLMC REMIC SERIES	1.000	01/25/2031	1,268,473.51	88.87	1,119,309.33	(149,164.18)	0.51%	3.28	3.10	Agency	Agency	AA+	
3138ERP79	376,291.49	FNMA 15(AL9445	3.000	07/01/2031	399,574.53	95.97	361,115.65	(38,458.88)	0.17%	2.69	2.85	Agency	Agency	AA+	
3138W9AF7	770,696.10	FNMA #A(AS0005	2.500	07/01/2028	775,633.37	95.10	732,931.99	(42,701.38)	0.34%	2.10	2.16	Agency	Agency	AA+	
31393CZ66	28,304.21	FNMA 2003-46 LD 3.	3.500	06/25/2023	29,259.48	99.39	28,131.59	(1,127.89)	0.01%	0.18	0.19	Agency	Agency	AA+	
31394F3N3	38,588.46	FNMA 2005-92 UF FL	4.366	10/25/2025	38,725.63	99.83	38,522.92	(202.71)	0.02%	0.14	0.76	Agency	Agency	AA+	
31396JUF0	97,313.16	FHLMC 3143 B 5.5 4	5.500	04/15/2026	102,604.56	99.32	96,649.67	(5,954.89)	0.04%	0.69	0.73	Agency	Agency	AA+	
31396QKJ7	139.37	FNMA 2009-52 AJ 4.	4.000	07/25/2024	148.23	99.59	138.79	(9.44)	0.00%	0.10	0.10	Agency	Agency	AA+	
31397BBA8	76,689.50	FHLMC 3221 FB FLT	4.153	03/15/2036	76,731.44	99.28	76,139.25	(592.19)	0.03%	0.26	0.70	Agency	Agency	AA+	
31398JPY3	349,455.81	FHLMC 3577 B 4.0 9	4.000	09/15/2024	356,827.14	98.96	345,826.40	(11,000.74)	0.16%	0.68	0.71	Agency	Agency	AA+	
31398SB36	180,755.20	FNMA 2010-144 YB 3	3.000	12/25/2025	187,759.47	97.19	175,677.26	(12,082.21)	0.08%	1.07	1.10	Agency	Agency	AA+	
3140J5GK0	716,332.44	FNMA #B(BM1773	2.500	03/01/2029	727,525.13	95.28	682,550.20	(44,974.93)	0.31%	1.96	2.02	Agency	Agency	AA+	
3140X42Q8	1,391,861.66	FNMA #F(FM1682	2.500	03/01/2029	1,408,607.50	95.58	1,330,327.46	(78,280.04)	0.61%	1.94	1.99	Agency	Agency	AA+	
3140X6FV8	318,488.45	FNMA #F(FM2879	3.000	06/01/2032	338,593.04	95.97	305,653.37	(32,939.67)	0.14%	2.57	2.68	Agency	Agency	AA+	
3140X6LJ8	520,820.15	FNMA #F(FM3028	3.000	06/01/2030	550,930.06	96.16	500,805.03	(50,125.03)	0.23%	2.04	2.14	Agency	Agency	AA+	
3140XDS60	668,059.83	FNMA #M(MA4140	1.500	09/01/2030	687,162.16	91.38	610,506.48	(76,655.68)	0.28%	2.97	2.94	Agency	Agency	AA+	
31418DVT6	960,599.10	FNMA 10(MA4225	1.500	01/01/2031	986,415.21	91.14	875,451.60	(110,963.61)	0.40%	3.13	3.10	Agency	Agency	AA+	
3620AR4Z1	145,995.17	GNMA #7(738040X	3.500	03/15/2026	152,838.69	97.65	142,558.44	(10,280.25)	0.07%	1.24	1.32	Govt	Govt	AA+	
362585AC5	2,250,000.00	GMCAR_22-2	3.100	02/16/2027	2,249,529.75	96.57	2,172,819.15	(76,710.60)	0.99%	2.02	2.11	NR	Aaa	AAA	
36258NAC6	634,059.79	GMCAR_20-1	1.840	09/16/2024	646,518.07	99.37	630,042.89	(16,475.18)	0.29%	0.25	0.26	NR	Aaa	AAA	

Holdings as of 11/30/2022

Holdings as of 11/30/2022											from Investment Manager							
Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	DUR	Average Life	Fitch RATING	Moody's RATING	S&P RATING				
36266FAB5	5,066,330.14	GMALT_22-2	2.930	10/21/2024	5,066,088.48	98.59	4,995,041.81	(71,046.67)	2.29%	0.58	0.60	AAA	NR	AAA				
38376FEF0	19,153.19	GNMA 2009-88 QE 3.	3.000	09/16/2039	19,590.12	99.52	19,060.51	(529.61)	0.01%	0.20	0.21	Agency	Agency	AA+				
38378BCS6	1,061,497.41	GNMA_12-2	3.000	04/16/2045	1,050,053.14	96.35	1,022,723.35	(27,329.79)	0.47%	1.60	1.60	Agency	Agency	AA+				
38378FB9	547,046.21	GNMA 2013-10 JA 2.	2.000	11/20/2041	558,499.99	93.98	514,118.73	(44,381.26)	0.24%	2.42	1.87	Agency	Agency	AA+				
38378MWY7	1,266,801.27	GNMA 2013-67 PG 2.	2.000	12/16/2042	1,283,064.83	93.33	1,182,347.05	(100,717.78)	0.54%	1.73	1.88	Agency	Agency	AA+				
38378YZ77	53,746.59	GNMA 2014-21 DA 2.	2.000	04/16/2026	55,023.07	96.73	51,991.59	(3,031.48)	0.02%	1.22	1.28	Agency	Agency	AA+				
38380J3T3	1,072,820.52	GNMA_18-88	2.900	06/16/2049	1,061,757.06	94.85	1,017,519.63	(44,237.43)	0.47%	1.34	1.45	Govt	Govt	AA+				
38380VH46	176,165.61	GNMA_18-37F	2.500	01/20/2046	179,688.92	93.17	164,134.33	(15,554.59)	0.08%	3.78	4.03	Agency	Agency	AA+				
41285UAD6	409,149.24	HDMOT_20-A	1.870	10/15/2024	413,112.87	99.67	407,778.79	(5,334.08)	0.19%	0.17	0.18	NR	Aaa	AAA				
65479KAD2	0.03	NAROT 19-A A3 2.90	2.900	10/15/2023	0.03	100.00	0.03	0.00	0.00%									
80286EAC0	5,270,000.00	SDART_22-1	1.940	11/17/2025	5,269,264.31	98.04	5,166,684.29	(102,580.02)	2.36%	0.72	0.75	AAA	Aaa	NR				
802918AB8	4,245,000.00	SANTANDER DR AUT R	4.370	05/15/2025	4,244,920.62	99.40	4,219,449.77	(25,470.85)	1.93%	0.60	0.62	NR	Aaa	AAA				
89190GAC1	825,000.00	TAOT_21-B	0.260	11/17/2025	818,715.82	95.61	788,758.74	(29,957.08)	0.36%	0.94	0.92	AAA	NR	AAA				
89238FAE3	2,025,000.00	TAOT_22-B	3.110	08/16/2027	1,976,510.74	94.93	1,922,325.21	(54,185.53)	0.88%	3.10	3.32	NR	Aaa	AAA				
89239JAE4	4,219,807.26	TAOT_19-B	2.600	11/15/2024	4,370,793.51	99.52	4,199,459.77	(171,333.74)	1.92%	0.25	0.25	NR	Aaa	AAA				
912796XQ7	4,525,000.00	TREASURY BILL	0.000	07/13/2023	4,440,547.41	98.13	4,440,547.41	0.00	2.03%	0.60	0.62	Govt	Govt	A-1+				
9128283Z1	6,900,000.00	TREASURY NOTE	2.750	02/28/2025	6,653,706.71	96.70	6,671,955.00	18,248.29	3.05%	2.13	2.25	Govt	Govt	AA+				
912828ZT0	12,095,000.00	TREASURY NOTE	0.250	05/31/2025	11,005,001.65	90.64	10,963,512.75	(41,488.90)	5.02%	2.45	2.50	Govt	Govt	AA+				
91282CB0E	3,365,000.00	TREASURY NOTE	0.125	01/15/2024	3,281,806.39	95.05	3,198,466.15	(83,340.24)	1.46%	1.10	1.13	Govt	Govt	AA+				
91282CBM2	1,595,000.00	TREASURY NOTE	0.125	02/15/2024	1,580,052.22	94.70	1,510,449.05	(69,603.17)	0.69%	1.18	1.21	Govt	Govt	AA+				
91282CCD1	5,260,000.00	TREASURY NOTE	0.125	05/31/2023	5,240,377.14	97.79	5,143,701.40	(96,675.74)	2.35%	0.49	0.50	Govt	Govt	AA+				
91282CCT6	19,225,000.00	WI TREASURY NOTE	0.375	08/15/2024	19,188,251.13	93.24	17,925,774.50	(1,262,476.63)	8.20%	1.66	1.71	Govt	Govt	AA+				
91282CCX7	5,000,000.00	TREASURY NOTE	0.375	09/15/2024	4,696,891.75	93.02	4,651,150.00	(45,741.75)	2.13%	1.75	1.79	Govt	Govt	AA+				
91282CDB4	2,500,000.00	TREASURY NOTE	0.625	10/15/2024	2,489,656.81	93.22	2,330,475.00	(159,181.81)	1.07%	1.82	1.87	Govt	Govt	AA+				
91282CDD0	3,400,000.00	TREASURY NOTE	0.375	10/31/2023	3,390,448.89	96.12	3,268,114.00	(122,334.89)	1.50%	0.90	0.92	Govt	Govt	AA+				
91282CDN8	14,795,000.00	TREASURY NOTE	1.000	12/15/2024	14,759,059.72	93.47	13,829,330.35	(929,729.37)	6.33%	1.97	2.04	Govt	Govt	AA+				
91282CDZ1	10,880,000.00	TREASURY NOTE	1.500	02/15/2025	10,446,857.54	94.05	10,232,748.80	(214,108.74)	4.68%	2.13	2.21	Govt	Govt	AA+				
91282CEA5	850,000.00	WI TREASURY NOTE	1.500	02/29/2024	814,209.88	96.20	817,691.50	3,481.62	0.37%	1.21	1.25	Govt	Govt	AA+				
91282CEQ0	7,845,000.00	TREASURY NOTE	2.750	05/15/2025	7,869,541.91	96.52	7,572,229.35	(297,312.56)	3.46%	2.34	2.46	Govt	Govt	AA+				
91282CER8	850,000.00	TREASURY NOTE	2.500	05/31/2024	835,327.07	96.94	823,998.50	(11,328.57)	0.38%	1.45	1.50	Govt	Govt	AA+				
91282CFA4	4,240,000.00	TREASURY NOTE	3.000	07/31/2024	4,221,547.60	97.58	4,137,476.80	(84,070.80)	1.89%	1.59	1.67	Govt	Govt	AA+				
91282CFG1	8,000,000.00	TREASURY NOTE	3.250	08/31/2024	7,964,089.30	97.93	7,834,080.00	(130,009.30)	3.58%	1.67	1.75	Govt	Govt	AA+				
98162RAD0	1,453,996.32	WOART_19-C	1.960	12/15/2024	1,470,900.29	99.30	1,443,820.82	(27,079.47)	0.66%	0.30	0.30	AAA	NR	AAA				
98162WAD9	0.01	WOART_18-D	3.330	04/15/2024	0.01	100.00	0.01	0.00	0.00%									
98163KAB8	1,430,101.73	WOART_21-D	0.350	12/16/2024	1,429,985.89	98.92	1,414,710.40	(15,275.49)	0.65%	0.30	0.29	AAA	NR	AAA				
98163MAD0	805,658.83	WOART 20-A A3 1.1	1.100	04/15/2025	805,480.05	98.71	795,249.72	(10,230.33)	0.36%	0.43	0.43	AAA	NR	AAA				
225,252,174.92											224,002,353.38		215,850,202.81		(8,152,150.57)		98.76%	

665278404 2,716,602.15 NORTHERN INSTL FDS 1.00 2,716,602.15 0.00 1.24% 218,566,804.96 (8,152,150.57) 100.00% 1.48 1.52

Aaa-mf

AAAm

Total Portfolio

226,718,955.53

218,566,804.96

100.00%

1.48

1.52

Portfolio NAV	218,939,015.59
# Shares	11,364,986.21
NAV per Share	19.264345

FMIvT Intermediate High Quality Bond Fund
Holdings as of 11/30/2022

Holdings as of 11/30/2022										from Investment Manager				
Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	DUR	Average Life	Fitch RATING	Moody's RATING	S&P RATING
020038AD8	3,915,000.00	ALLVL 22-1	3.450	06/15/2027	3,914,256.15	96.90	3,793,526.16	(120,729.99)	2.18%	2.84	3.05	NA	Aaa	AAA
03066MAF3	606,418.94	AMCAR 18-3	3.740	10/18/2024	629,349.16	99.88	605,671.47	(23,677.69)	0.35%	0.20	0.20	NR	Aaa	NR
03066PAB5	0.01	AMCAR 20-3	0.420	03/18/2024	0.01	100.00	0.01	0.00	0.00%					
037833DP2	4,500,000.00	APPLE INC	2.200	09/11/2029	4,594,140.00	87.16	3,922,245.00	(671,895.00)	2.25%	6.11	6.78	NR	Aaa	AA+
05602RAE1	1,780,000.00	BMWOT 22-A	3.440	12/26/2028	1,779,472.05	96.32	1,714,420.71	(65,051.34)	0.98%	3.04	3.28	NR	Aaa	AAA
12660DAC1	1,910,000.00	CNH 22-A	2.940	07/15/2027	1,909,858.85	95.62	1,826,309.15	(83,549.70)	1.05%	2.05	2.18	AAA	NR	AAA
12664AD2	2,870,000.00	CNH 22-C	5.250	11/15/2029	2,869,679.13	99.99	2,869,679.13	0.00	1.65%	3.75	3.75	NR	Aaa	AAA
14041NFX4	3,100,000.00	COMET 21-2	1.390	07/15/2030	3,098,569.35	83.11	2,576,306.77	(522,262.58)	1.48%	5.28	5.63	AAA	NR	AAA
14043QAD4	3,940,000.00	COPAR 22-1	3.320	09/15/2027	3,939,057.16	95.45	3,760,652.38	(178,404.78)	2.16%	3.16	3.42	AAA	NR	AAA
14315VAD4	541,915.36	CARMX 20-2	1.700	11/15/2024	548,922.16	99.17	537,415.46	(11,506.70)	0.31%	0.26	0.27	AAA	NR	AAA
14315WAE0	1,000,000.00	CARMX 19-4	2.130	07/15/2025	1,006,406.25	97.15	971,518.00	(34,888.25)	0.56%	0.88	0.90	AAA	NR	AAA
14317HAD3	2,015,000.00	CARMX 22-2	3.620	09/15/2027	2,014,682.64	95.76	1,929,586.37	(85,096.27)	1.11%	2.98	3.23	NR	Aaa	AAA
14317IAB3	713,370.17	CARMX 21-4	0.240	11/15/2024	713,363.11	99.13	707,169.34	(6,193.77)	0.41%	0.24	0.24	NR	Aaa	AAA
14318UAE1	2,740,000.00	CARMX 22-4	5.700	07/17/2028	2,739,485.43	100.88	2,764,035.01	24,549.58	1.59%	3.28	3.71	AAA	NR	AAA
161571HS6	2,500,000.00	CHAIT 22-A1	3.970	09/15/2027	2,499,582.75	97.79	2,444,726.00	(54,856.75)	1.40%	2.59	2.79	AAA	NR	AAA
254683CS2	1,950,000.00	DCENT 22-A2	3.320	05/17/2027	1,949,841.47	96.51	1,881,872.26	(67,969.21)	1.08%	2.31	2.46	AAA	Aaa	NR
26208IAG8	0.04	DRIVE 18-2	4.140	08/15/2024	0.04	100.00	0.04	0.00	0.00%					
30165XAD7	1,723,559.43	EART 21-2	0.570	09/15/2025	1,723,516.51	99.08	1,707,753.87	(15,762.64)	0.98%	0.23	0.23	NR	Aaa	AA
30167JAC8	1,770,000.00	EART 22-1	1.540	07/15/2025	1,765,722.80	98.91	1,750,641.69	(15,081.11)	1.01%	0.32	0.33	NR	NR	AAA
3128LXB25	57,127.16	FHLMC PI G0-1857	5.000	10/01/2033	56,529.11	102.99	58,836.98	2,307.87	0.03%	3.33	3.88	Agency	Agency	AA+
3128M9Z21	2,071,647.09	FHLMC GI G0-7661	3.000	08/01/2043	2,010,636.83	91.52	1,895,888.55	(114,748.28)	1.09%	5.56	7.06	Agency	Agency	AA+
3128MCMF8	43,612.31	FHLMC GOLD #G13790	4.500	04/01/2025	45,570.21	100.17	43,686.01	(1,884.20)	0.03%	0.83	0.87	Agency	Agency	AA+
3128MCMX6	8,299.62	FHLMC GOLD #G14095	4.500	08/01/2025	8,714.60	100.12	8,309.58	(405.02)	0.00%	0.76	0.80	Agency	Agency	AA+
3128MIOX1	1,023,294.47	FGOLD 3(G0-8469	3.500	12/01/2041	998,511.56	94.24	964,393.64	(34,117.92)	0.55%	5.10	6.50	Agency	Agency	AA+
3132A8WY1	823,542.84	FNMA #Z(Z5-7863	3.000	03/01/2032	851,080.05	95.96	790,255.24	(60,824.81)	0.45%	2.81	2.91	Agency	Agency	AA+
3132A9R74	930,756.79	FNMA #Z(Z5-8610	2.500	05/01/2031	949,081.07	94.25	877,210.35	(71,870.72)	0.50%	3.01	3.06	Agency	Agency	AA+
3133ENN30	3,435,000.00	FEDERAL FARM CREDI	3.875	09/20/2032	3,217,564.51	96.05	3,299,317.50	81,752.99	1.90%	8.02	9.81	Agency	Agency	AA+
3133KH438	2,865,153.84	FNMA #RI(RA-2623	2.500	05/01/2050	3,004,158.57	86.24	2,470,965.97	(533,192.60)	1.42%	6.42	8.69	Agency	Agency	AA+
3133KIDQ2	3,030,062.20	FNMA #R(RA-2811	2.000	06/01/2050	3,108,417.71	82.75	2,507,285.57	(601,132.14)	1.44%	6.73	8.93	Agency	Agency	AA+
3133LPS57	1,836,078.27	FNMA #RI(RD-5040	1.500	10/01/2030	1,884,849.10	91.31	1,676,523.07	(208,326.03)	0.96%	3.07	3.02	Agency	Agency	AA+
3136AFNZ3	1,157,817.40	FNMA 2013-75 FC FL	4.266	07/25/2042	1,157,274.67	99.22	1,148,781.10	(8,493.57)	0.66%	0.39	2.40	Agency	Agency	AA+
3136AH2E9	217,930.29	FNMA 2014-M1 A2 3.	3.055	07/25/2023	213,850.20	98.91	215,545.81	1,695.61	0.12%	0.49	0.51	Agency	Agency	AA+
3136APD58	3,628.52	FNMA 2015-55 JA 2.	2.000	07/25/2025	3,650.06	97.64	3,542.93	(107.13)	0.00%	0.57	0.59	Agency	Agency	AA+
3136BMXZ6	2,745,000.00	FNA 22-M10	2.002	01/25/2032	2,388,314.70	81.15	2,227,622.95	(160,691.75)	1.28%	8.05	9.05	Agency	Agency	AA+
31371CGH7	97.89	FNMA PO(248472	6.500	12/01/2023	94.53	102.85	100.68	6.15	0.00%	0.45	0.46	Agency	Agency	AA+
31371EU52	106.04	FNMA PO(250004	6.500	04/01/2024	102.39	102.85	109.07	6.68	0.00%	0.51	0.53	Agency	Agency	AA+
31372F3H2	61.94	FNMA PO(271800	6.500	02/01/2024	59.81	102.85	63.71	3.90	0.00%	0.48	0.50	Agency	Agency	AA+
31372F6A4	578.51	FNMA PO(271865	6.500	02/01/2024	558.61	102.85	595.01	36.40	0.00%	0.34	0.36	Agency	Agency	AA+
313781UG5	515,057.88	FHLMC REMIC SERIES	2.637	01/25/2023	525,356.98	99.71	513,548.97	(11,808.01)	0.30%	0.07	0.07	Agency	Agency	AA+
3137BLAC2	1,535,000.00	FHMS 15-K048	3.284	06/25/2025	1,633,935.55	96.63	1,483,285.54	(150,650.01)	0.85%	2.26	2.41	AAA	Agency	AA+

FMMVT Intermediate High Quality Bond Fund
Holdings as of 11/30/2022

Holdings as of 11/30/2022											from Investment Manager				
Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	DUR	Average Life	Fitch RATING	Moody's RATING	S&P RATING	
31338PVM8	528,013.22	FHMS K152 A1 2.83	2.830	05/25/2030	550,041.27	93.25	492,364.94	(57,676.33)	0.28%	4.33	4.85	Agency	Agency	AA+	
31332PREH0	2,000,000.00	FHMS K104 A2 2.253	2.253	01/25/2030	2,193,750.00	87.09	1,741,712.20	(452,037.80)	1.00%	6.32	7.00	AAA	Agency	AA+	
313384QU0	2,000,000.00	FNMA >7/ AM4066	3.590	08/01/2023	2,045,781.25	98.73	1,974,520.00	(71,261.25)	1.13%	0.71	0.74	Agency	Agency	AA+	
31332JGM5	41,412.06	FED NATL MTG ASSN	3.500	03/25/2033	40,678.00	96.69	40,040.84	(637.16)	0.02%	1.26	1.29	Agency	Agency	AA+	
31354EDP0	30,359.18	FNMA 2005-58 MA 5.	5.500	07/25/2035	33,395.10	100.93	30,640.19	(2,754.91)	0.02%	2.39	2.70	Agency	Agency	AA+	
314072DC73	57,979.38	FNMA #725594 5.5 7	5.500	07/01/2034	63,437.59	104.54	60,614.54	(2,823.05)	0.03%	3.46	4.09	Agency	Agency	AA+	
314052RF95	66,130.50	FNMA PO(735592	5.000	05/01/2034	64,373.91	102.88	68,038.36	3,664.45	0.04%	3.60	4.24	Agency	Agency	AA+	
31400QD2J2	272,349.68	FNMA #C(CA6176	2.500	06/01/2030	287,414.02	94.41	257,119.89	(30,294.13)	0.15%	2.74	2.79	Agency	Agency	AA+	
31400QMZN7	3,906,293.77	FNMA 30(CB2548	2.500	01/01/2052	3,883,100.16	85.45	3,337,928.03	(545,172.13)	1.92%	6.78	9.34	Agency	Agency	AA+	
31400QNBZ4	3,759,464.24	FNMA 30(CB2755	3.000	02/01/2052	3,822,905.19	88.67	3,333,592.13	(489,313.06)	1.92%	6.44	9.03	Agency	Agency	AA+	
3140X4DE3	500,033.16	FNMA #F(FM1000	3.000	04/01/2047	506,674.23	89.66	448,339.73	(58,334.50)	0.26%	6.11	8.24	Agency	Agency	AA+	
3140X4HG4	974,149.18	FNMA #F(FM1130	3.000	10/01/2044	999,872.81	91.42	890,586.66	(109,286.15)	0.51%	5.57	7.05	Agency	Agency	AA+	
31410GBT9	379,201.92	FNMA #888450 5.5 8	5.500	08/01/2035	418,129.37	104.11	394,790.91	(23,338.46)	0.23%	3.21	3.72	Agency	Agency	AA+	
31416MGU3	14,288.28	FNMA #A(AA4482	4.000	04/01/2039	14,931.25	97.22	13,890.92	(1,040.33)	0.01%	4.45	5.42	Agency	Agency	AA+	
31418DRM6	1,135,128.04	FNMA #M(MA4091	2.000	07/01/2030	1,181,774.71	93.22	1,058,155.01	(123,619.70)	0.61%	2.87	2.89	Agency	Agency	AA+	
31419AGK7	42,185.46	FNMA #AE0201 5.5 8	5.500	08/01/2037	46,351.27	104.54	44,098.57	(2,252.70)	0.03%	3.44	4.05	Agency	Agency	AA+	
34531RAG2	1,600,000.00	FORDL 20-B-C	1.700	02/15/2025	1,589,625.00	99.79	1,596,665.28	7,040.28	0.92%	0.04	0.04	NR	Aaa	AAA	
36203LRW4	8.46	GNMA PO(352501X	7.000	09/15/2023	8.37	99.78	8.44	0.07	0.00%	0.04	0.04	Govt	Govt	AA+	
36203R4F3	11.44	GNMA PO(357322X	7.000	09/15/2023	11.32	100.02	11.44	0.12	0.00%	0.29	0.31	Govt	Govt	AA+	
36203XWY8	80.58	GNMA PO(362563X	7.000	08/15/2023	79.70	99.93	80.52	0.82	0.00%	0.18	0.18	Govt	Govt	AA+	
41284YAE6	1,930,000.00	HDMOT 22-A	3.260	02/15/2030	1,929,434.90	95.37	1,840,644.28	(88,790.62)	1.06%	3.06	3.29	NR	Aaa	AAA	
44891JAD0	3,100,000.00	HART 19-B	2.000	04/15/2025	3,148,316.41	98.92	3,066,565.88	(81,750.53)	1.76%	0.39	0.40	AAA	NR	AAA	
80285UAD3	3,150,000.00	SDART 22-3	3.400	12/15/2026	3,149,694.14	97.86	3,082,615.83	(67,078.31)	1.77%	1.24	1.30	NR	Aaa	AAA	
89238FAE3	2,700,000.00	TAOT 22-B	3.110	08/16/2027	2,635,347.66	94.93	2,563,100.28	(72,247.38)	1.47%	3.10	3.32	NR	Aaa	AAA	
9128282R0	3,000,000.00	US TREASURY 2.25 8	2.250	08/15/2027	2,896,711.22	92.99	2,789,640.00	(107,071.22)	1.60%	4.37	4.71	Govt	Govt	AA+	
9128283W8	3,000,000.00	US TREASURY 2.75 2	2.750	02/15/2028	2,971,568.93	94.69	2,840,640.00	(130,928.93)	1.63%	4.75	5.21	Govt	Govt	AA+	
9128284V9	3,035,000.00	US TREASURY 2.875	2.875	08/15/2028	2,985,574.84	94.90	2,880,154.30	(105,420.54)	1.65%	5.15	5.71	Govt	Govt	AA+	
912828P46	3,000,000.00	US TREASURY 1.625	1.625	02/15/2026	2,944,347.94	92.58	2,777,340.00	(167,007.94)	1.60%	3.07	3.21	Govt	Govt	AA+	
912828U24	2,350,000.00	US TREASURY 2.0 11	2.000	11/15/2026	2,193,365.94	92.75	2,179,625.00	(13,740.94)	1.25%	3.75	3.96	Govt	Govt	AA+	
912828XB1	5,500,000.00	US TREASURY 2.125	2.125	05/15/2025	5,409,647.62	95.07	5,228,630.00	(181,017.62)	3.00%	2.35	2.46	Govt	Govt	AA+	
912828Z94	4,500,000.00	US TREASURY 1.5 2/	1.500	02/15/2030	4,730,955.50	86.18	3,878,100.00	(852,855.50)	2.23%	6.67	7.21	Govt	Govt	AA+	
912828ZL7	2,975,000.00	TREASURY NOTE	0.375	04/30/2025	2,779,078.33	91.23	2,714,003.25	(65,075.08)	1.56%	2.35	2.42	Govt	Govt	AA+	
91282CB19	10,500,000.00	TREASURY NOTE	0.750	01/31/2028	10,288,674.81	85.51	8,978,340.00	(1,310,334.81)	5.16%	4.96	5.17	Govt	Govt	AA+	
91282CBP5	5,500,000.00	TREASURY NOTE	1.125	02/29/2028	5,444,377.47	87.12	4,791,435.00	(652,942.47)	2.75%	4.99	5.25	Govt	Govt	AA+	
91282CBZ3	4,000,000.00	TREASURY NOTE	1.250	04/30/2028	3,988,297.25	87.36	3,494,360.00	(493,937.25)	2.01%	5.14	5.42	Govt	Govt	AA+	
91282CCE9	1,300,000.00	TREASURY NOTE	1.250	05/31/2028	1,299,141.92	87.18	1,133,340.00	(165,801.92)	0.65%	5.22	5.50	Govt	Govt	AA+	
91282CCH2	1,505,000.00	TREASURY NOTE	1.250	06/30/2028	1,505,829.07	87.00	1,309,289.80	(196,539.27)	0.75%	5.26	5.58	Govt	Govt	AA+	
91282CCR0	3,050,000.00	TREASURY NOTE	1.000	07/31/2028	3,037,979.00	85.57	2,609,885.00	(428,094.00)	1.50%	5.39	5.67	Govt	Govt	AA+	
91282CDN8	3,450,000.00	TREASURY NOTE	1.000	12/15/2024	3,448,124.84	93.47	3,224,818.50	(223,306.34)	1.85%	1.97	2.04	Govt	Govt	AA+	
91282CDP3	3,000,000.00	TREASURY NOTE	1.375	12/31/2028	2,933,566.69	86.90	2,606,940.00	(326,626.69)	1.50%	5.70	6.08	Govt	Govt	AA+	
91282CD57	2,000,000.00	TREASURY NOTE	1.125	01/15/2025	1,976,334.83	93.49	1,869,760.00	(106,574.83)	1.07%	2.05	2.13	Govt	Govt	AA+	
91282CEB3	3,000,000.00	TREASURY NOTE	1.875	02/28/2029	3,011,847.94	89.28	2,678,550.00	(333,297.94)	1.54%	5.76	6.25	Govt	Govt	AA+	
91282CED9	3,000,000.00	TREASURY NOTE	1.750	03/15/2025	2,945,635.05	94.52	2,835,690.00	(109,945.05)	1.63%	2.20	2.29	Govt	Govt	AA+	
91282CEM9	915,000.00	TREASURY NOTE	2.875	04/30/2029	905,889.40	94.56	865,178.25	(40,711.15)	0.50%	5.76	6.42	Govt	Govt	AA+	
91282CEP2	6,850,000.00	TREASURY NOTE	2.875	05/15/2032	6,824,619.20	93.38	6,396,187.50	(428,431.70)	3.67%	8.16	9.46	Govt	Govt	AA+	
91282CFF3	6,785,000.00	TREASURY NOTE	2.750	08/15/2032	6,520,222.07	92.27	6,260,248.10	(259,973.97)	3.60%	8.32	9.71	Govt	Govt	AA+	

FMIVT Intermediate High Quality Bond Fund
Holdings as of 11/30/2022

Holdings as of 11/30/2022										from Investment Manager						
Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	DUR	Average Life	Fitch RATING	Moody's RATING	S&P RATING		
91282CFH9	6,300,000.00	TREASURY NOTE	3.125	08/31/2027	6,240,712.51	96.80	6,098,211.00	(142,501.51)	3.50%	4.33	4.75	Govt	Govt	AA+		
98162PRAD0	1,035,454.63	WOART_19-C	1.960	12/15/2024	1,046,051.86	99.30	1,028,208.21	(17,843.65)	0.59%	0.30	0.30	AAA	NR	AAA		
98163KAB8	838,829.34	WOART_21-D	0.350	12/16/2024	838,761.39	98.92	829,801.52	(8,959.87)	0.48%	0.30	0.29	AAA	NR	AAA		
98164GAD2	4,025,000.00	WOART_22-A	1.900	03/15/2028	4,024,787.08	91.61	3,687,306.93	(337,480.15)	2.12%	3.28	3.13	AAA	NR	AAA		
M Back					181,551,446.17		168,271,204.28	-13,280,241.89	96.67%							
665278404	5,801,606.10	NORTHERN INSTL FDS			5,801,606.10	1.00	5,801,606.10	0.00	3.33%						Aaa-mf	AAAm
					187,353,052.27		174,072,810.38	(13,280,241.89)	100.00%	4.11	4.65					

Aaa-mf AAAm

Portfolio NAV	174,534,135.66
# Shares	7,286,715.59
NAV per Share	23.952374

188,278,095.63	Total Portfolio
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For the Month Ending **November 30, 2022**

Managed Account Detail of Securities Held

TOWN OF PALM BEACH SHORT TERM PORTFOLIO - 68904245

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Commercial Paper										
MUFG BANK LTD/NY COMM PAPER DTD 04/06/2022 0.000% 12/15/2022	62479MMF7	A-1	P-1	06/17/22	06/17/22	1,232,654.17	2.80	0.00	1,248,658.33	1,247,916.25
MUFG BANK LTD/NY COMM PAPER DTD 04/06/2022 0.000% 12/15/2022	62479MMF7	A-1	P-1	06/15/22	06/15/22	2,465,052.08	2.79	0.00	2,497,326.39	2,495,832.50
FAIRWAY FINANCE CO LLC COMM PAPER DTD 09/13/2022 0.000% 03/08/2023	30601WQ85	A-1	P-1	09/13/22	09/13/22	2,453,555.56	3.87	0.00	2,474,402.78	2,467,010.00
METLIFE SHORT TERM FUND COMM PAPER DTD 09/14/2022 0.000% 03/13/2023	59157UQD5	A-1+	P-1	09/13/22	09/14/22	2,452,500.00	3.87	0.00	2,473,083.33	2,467,205.00
TORONTO DOMINION HDG USA COMM PAPER DTD 07/20/2022 0.000% 04/14/2023	89116FRE2	A-1+	P-1	07/20/22	07/20/22	1,848,514.22	3.74	0.00	1,874,257.11	1,865,382.00
BNP PARIBAS NY BRANCH COMM PAPER DTD 07/20/2022 0.000% 04/14/2023	09659CRE0	A-1	P-1	07/20/22	07/21/22	1,850,679.17	3.59	0.00	1,875,247.22	1,865,572.00

Security Type Sub-Total	12,550,000.00	12,302,955.20	3.49	0.00	12,442,975.16	12,408,917.75
Managed Account Sub-Total	12,550,000.00	12,302,955.20	3.49	0.00	12,442,975.16	12,408,917.75
Securities Sub-Total	\$12,550,000.00	\$12,302,955.20	3.49%	\$0.00	\$12,442,975.16	\$12,408,917.75
Accrued Interest						\$0.00
Total Investments						\$12,408,917.75

Managed Account Detail of Securities Held For the Month Ending **November 30, 2022**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note										
US TREASURY NOTES DTD 09/30/2016 1.375% 09/30/2023	912828T26	AA+	Aaa	04/29/21	04/30/21	77,059.57	0.24	175.65	75,706.74	72,937.50
US TREASURY NOTES DTD 12/15/2020 0.125% 12/15/2023	91282CBA8	AA+	Aaa	03/16/21	03/17/21	746,777.34	0.28	432.89	748,782.27	715,078.13
US TREASURY NOTES DTD 12/31/2018 2.625% 12/31/2023	9128285U0	AA+	Aaa	11/02/21	11/03/21	522,480.47	0.53	5,492.53	511,268.76	488,906.25
US TREASURY NOTES DTD 01/15/2021 0.125% 01/15/2024	91282CBE0	AA+	Aaa	01/15/21	01/20/21	239,418.75	0.21	113.31	239,781.36	228,112.51
US TREASURY NOTES DTD 01/15/2021 0.125% 01/15/2024	91282CBE0	AA+	Aaa	01/22/21	01/25/21	449,208.98	0.18	212.47	449,701.09	427,710.96
US TREASURY NOTES DTD 01/31/2019 2.500% 01/31/2024	9128285Z9	AA+	Aaa	02/05/20	02/06/20	520,117.19	1.46	4,177.99	505,889.98	487,500.00
US TREASURY NOTES DTD 02/28/2019 2.375% 02/29/2024	9128286G0	AA+	Aaa	03/01/19	03/05/19	237,909.38	2.56	1,448.62	239,477.92	233,437.49
US TREASURY NOTES DTD 03/15/2021 0.250% 03/15/2024	91282CBR1	AA+	Aaa	03/16/21	03/17/21	748,154.30	0.33	398.83	749,207.06	708,984.38
US TREASURY NOTES DTD 05/01/2017 2.000% 04/30/2024	912828X70	AA+	Aaa	01/22/21	01/25/21	396,782.22	0.21	642.27	384,437.13	361,464.83
US TREASURY NOTES DTD 09/30/2019 1.500% 09/30/2024	912828YH7	AA+	Aaa	06/17/21	06/21/21	92,984.77	0.48	229.94	91,668.18	85,359.37
US TREASURY NOTES DTD 10/02/2017 2.125% 09/30/2024	9128282Y5	AA+	Aaa	04/29/21	04/30/21	528,203.13	0.46	1,809.75	515,106.40	479,921.90
US TREASURY NOTES DTD 09/30/2019 1.500% 09/30/2024	912828YH7	AA+	Aaa	03/16/21	03/17/21	776,865.23	0.48	1,916.21	763,900.11	711,328.13
US TREASURY NOTES DTD 11/30/2019 1.500% 11/30/2024	912828YV6	AA+	Aaa	04/29/21	04/30/21	300,127.35	0.52	11.95	295,643.49	274,140.63
US TREASURY NOTES DTD 01/02/2018 2.250% 12/31/2024	9128283P3	AA+	Aaa	02/05/20	02/06/20	290,314.06	1.47	2,636.41	284,384.92	268,450.00

For the Month Ending **November 30, 2022**

Managed Account Detail of Securities Held

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
U.S. Treasury Bond / Note									
US TREASURY NOTES	AA+	Aaa	01/02/20	01/06/20	361,701.56	1.65	2,636.41	360,711.09	341,718.77
DTD 12/31/2019 1.750% 12/31/2024									
US TREASURY NOTES	AA+	Aaa	01/22/21	01/25/21	475,488.28	0.30	3,295.52	463,507.37	427,148.46
DTD 12/31/2019 1.750% 12/31/2024									
US TREASURY NOTES	AA+	Aaa	03/02/20	03/04/20	126,791.99	0.83	357.39	125,806.49	116,621.10
DTD 02/29/2020 1.125% 02/28/2025									
US TREASURY NOTES	AA+	Aaa	03/16/21	03/17/21	746,806.64	0.61	638.74	748,157.59	688,828.13
DTD 03/31/2020 0.500% 03/31/2025									
US TREASURY NOTES	AA+	Aaa	01/03/22	01/05/22	975,820.31	1.12	321.13	982,409.33	912,656.20
DTD 04/30/2020 0.375% 04/30/2025									
US TREASURY NOTES	AA+	Aaa	01/21/21	01/22/21	373,037.11	0.37	2.58	373,874.12	340,136.70
DTD 05/31/2020 0.250% 05/31/2025									
US TREASURY NOTES	AA+	Aaa	12/02/21	12/06/21	486,640.63	1.01	523.10	490,334.47	453,203.10
DTD 06/30/2020 0.250% 06/30/2025									
US TREASURY NOTES	AA+	Aaa	04/05/21	04/07/21	180,642.38	0.81	154.59	182,309.67	167,020.31
DTD 07/31/2020 0.250% 07/31/2025									
US TREASURY NOTES	AA+	Aaa	04/22/21	04/26/21	206,128.13	0.68	133.43	207,552.04	188,934.38
DTD 08/31/2020 0.250% 08/31/2025									
US TREASURY NOTES	AA+	Aaa	04/29/21	04/30/21	488,437.50	0.77	107.04	492,514.25	448,046.90
DTD 10/31/2020 0.250% 10/31/2025									
US TREASURY NOTES	AA+	Aaa	09/03/21	09/08/21	316,100.00	0.67	3.30	317,234.13	286,800.00
DTD 11/30/2020 0.375% 11/30/2025									
US TREASURY NOTES	AA+	Aaa	01/21/21	01/22/21	373,637.70	0.45	588.49	374,149.70	335,683.58
DTD 12/31/2020 0.375% 12/31/2025									
US TREASURY NOTES	AA+	Aaa	05/05/21	05/05/21	490,546.88	0.78	626.70	493,685.18	445,781.25
DTD 01/31/2021 0.375% 01/31/2026									
US TREASURY NOTES	AA+	Aaa	12/02/21	12/06/21	485,000.00	1.12	626.70	488,559.66	445,781.25
DTD 01/31/2021 0.375% 01/31/2026									

Managed Account Detail of Securities Held

For the Month Ending November 30, 2022

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type / Description	Par	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date / Coupon / Maturity	CUSIP	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
U.S. Treasury Bond / Note										
US TREASURY NOTES	912828P46	AA+	Aaa	03/01/21	03/03/21	522,792.97	0.69	2,384.51	514,758.76	463,437.50
DTD 02/16/2016 1.625% 02/15/2026										
US TREASURY N/B NOTES	91282CBW0	AA+	Aaa	11/02/21	11/03/21	492,636.72	1.09	321.13	494,402.29	448,046.90
DTD 04/30/2021 0.750% 04/30/2026										
US TREASURY N/B NOTES	91282CCF6	AA+	Aaa	09/29/21	09/30/21	173,379.88	0.95	3.61	173,785.86	156,433.59
DTD 05/31/2021 0.750% 05/31/2026										
US TREASURY N/B NOTES	91282CCF6	AA+	Aaa	06/02/21	06/04/21	498,945.31	0.79	10.30	499,260.79	446,953.10
DTD 05/31/2021 0.750% 05/31/2026										
US TREASURY N/B NOTES	91282CCZ2	AA+	Aaa	12/02/21	12/06/21	300,234.37	1.21	454.57	301,209.71	271,640.63
DTD 09/30/2021 0.875% 09/30/2026										
US TREASURY N/B NOTES	91282CDK4	AA+	Aaa	02/15/22	02/16/22	169,483.40	1.94	6.01	170,392.31	157,691.42
DTD 11/30/2021 1.250% 11/30/2026										
US TREASURY N/B NOTES	91282CEF4	AA+	Aaa	04/01/22	04/05/22	748,271.48	2.55	3,193.68	748,499.29	708,164.10
DTD 03/31/2022 2.500% 03/31/2027										
US TREASURY N/B NOTES	91282CEN7	AA+	Aaa	05/03/22	05/04/22	519,934.57	2.96	1,236.36	520,521.18	500,882.81
DTD 04/30/2022 2.750% 04/30/2027										
US TREASURY NOTES	912828X88	AA+	Aaa	07/05/22	07/06/22	487,949.22	2.91	524.86	488,954.58	468,984.40
DTD 05/15/2017 2.375% 05/15/2027										
US TREASURY N/B NOTES	91282CET4	AA+	Aaa	06/08/22	06/09/22	491,250.00	3.01	36.06	492,092.74	474,531.25
DTD 05/31/2022 2.625% 05/31/2027										
US TREASURY N/B NOTES	91282CEW7	AA+	Aaa	08/09/22	08/11/22	455,378.91	2.98	6,120.24	455,041.22	438,328.13
DTD 06/30/2022 3.250% 06/30/2027										
US TREASURY N/B NOTES	91282CFB2	AA+	Aaa	08/02/22	08/03/22	150,087.89	2.74	1,378.74	150,082.10	142,921.88
DTD 07/31/2022 2.750% 07/31/2027										

Security Type Sub-Total	16,970,000.00	17,023,526.57	1.12	45,384.01	16,964,761.33	15,819,707.92
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Supra-National Agency Bond / Note

ASIAN DEVELOPMENT BANK NOTES	045167EV1	AAA	Aaa	07/07/20	07/14/20	514,139.95	0.31	489.97	514,823.28	501,339.11
DTD 07/14/2020 0.250% 07/14/2023										

Managed Account Detail of Securities Held

For the Month Ending November 30, 2022

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type / Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date / Coupon / Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Supra-National Agency Bond / Note									
INTL BK RECON & DEVELOP NOTES DTD 11/24/2020 0.250% 11/24/2023	AAA	Aaa	11/17/20	11/24/20	364,215.25	0.32	17.74	364,743.43	349,575.83
ASIAN DEVELOPMENT BANK CORPORATE NOTES DTD 06/09/2021 0.375% 06/11/2024	AAA	Aaa	06/02/21	06/09/21	819,508.00	0.40	1,452.08	819,749.97	769,612.64
INTER-AMERICAN DEVEL BK NOTES DTD 09/23/2021 0.500% 09/23/2024	AAA	Aaa	09/15/21	09/23/21	414,692.90	0.52	391.94	414,814.51	385,976.98

Security Type Sub-Total **2,115,000.00** **2,112,556.10** **0.39** **2,351.73** **2,114,131.19** **2,006,504.56**

Municipal Bond / Note

NY ST URBAN DEV CORP TXBL REV BONDS DTD 07/23/2020 0.622% 03/15/2023	NR	Aa1	07/17/20	07/23/20	75,000.00	0.62	98.48	75,000.00	74,073.75
PORT AUTH OF NY/NJ TXBL REV BONDS DTD 07/08/2020 1.086% 07/01/2023	AA-	Aa3	07/02/20	07/08/20	70,000.00	1.09	316.75	70,000.00	68,412.40
SAN DIEGO CCD, CA TXBL GO BONDS DTD 10/16/2019 1.996% 08/01/2023	AAA	Aaa	09/18/19	10/16/19	40,000.00	2.00	266.13	40,000.00	39,289.20
HOUSTON, TX TXBL GO BONDS DTD 09/10/2019 1.950% 03/01/2024	AA	Aa3	08/23/19	09/10/19	230,000.00	1.95	1,121.25	230,000.00	221,384.20
CT ST TXBL GO BONDS DTD 06/11/2020 1.998% 07/01/2024	AA-	Aa3	05/29/20	06/11/20	40,000.00	2.00	333.00	40,000.00	38,422.00
SAN DIEGO CCD, CA TXBL GO BONDS DTD 10/16/2019 2.046% 08/01/2024	AAA	Aaa	09/18/19	10/16/19	15,000.00	2.05	102.30	15,000.00	14,392.20
MD ST TXBL GO BONDS DTD 08/05/2020 0.510% 08/01/2024	AAA	Aaa	07/23/20	08/05/20	99,972.00	0.52	170.00	99,988.30	94,058.00
TAMPA WTR & WSTWTR SYS, FL TXBL REV BND\$ DTD 07/28/2020 0.707% 10/01/2024	AAA	Aaa	07/17/20	07/28/20	90,000.00	0.71	106.05	90,000.00	83,889.90
MS ST TXBL GO BONDS DTD 08/06/2020 0.565% 11/01/2024	AA	Aa2	07/24/20	08/06/20	85,000.00	0.57	40.02	85,000.00	78,272.25

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2022**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type / Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date / Coupon / Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Municipal Bond / Note									
NY ST URBAN DEV CORP TXBL REV BONDS DTD 12/23/2020 0.870% 03/15/2025	AA+	NR	12/16/20	12/23/20	255,000.00	0.87	468.35	255,000.00	233,814.60
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025	AA	Aa3	09/03/20	09/16/20	25,176.75	1.11	131.04	25,095.30	22,484.25
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025	AA	Aa3	09/03/20	09/16/20	145,000.00	1.26	760.04	145,000.00	130,408.65
LOS ANGELES CCD, CA TXBL GO BONDS DTD 11/10/2020 0.773% 08/01/2025	AA+	Aaa	10/30/20	11/10/20	95,000.00	0.77	244.78	95,000.00	86,161.20
MN ST TXBL GO BONDS DTD 08/25/2020 0.630% 08/01/2025	AAA	Aaa	08/11/20	08/25/20	265,000.00	0.63	556.50	265,000.00	239,403.65
NY ST DORM AUTH PITTS TXBL REV BONDS DTD 06/23/2021 1.187% 03/15/2026	AA+	NR	06/16/21	06/23/21	100,000.00	1.19	250.59	100,000.00	89,495.00
NEW YORK ST DORM AUTH MUNICIPAL BONDS DTD 03/25/2022 2.738% 03/15/2026	AA+	NR	03/16/22	03/25/22	140,000.00	2.74	809.23	140,000.00	132,897.80
CT ST TXBL GO BONDS DTD 06/04/2021 1.123% 06/01/2026	AA-	Aa3	05/20/21	06/04/21	90,000.00	1.12	505.35	90,000.00	81,071.10
Security Type Sub-Total	1,860,000.00				1,860,148.75	1.19	6,279.86	1,860,083.60	1,727,930.15
Federal Agency Mortgage-Backed Security									
FR Z57331 DTD 09/01/2018 3.000% 12/01/2030	AA+	Aaa	02/13/20	02/18/20	93,541.24	2.60	225.33	92,661.30	86,136.12
FREDDIE MAC POOL DTD 12/01/2019 3.000% 05/01/2032	AA+	Aaa	02/05/20	02/18/20	90,158.67	2.67	217.87	89,471.84	82,923.07
FN F52986 DTD 09/01/2022 4.000% 10/01/2032	AA+	Aaa	10/18/22	10/21/22	248,900.79	4.37	855.05	248,986.73	252,152.97
FN CA4328 DTD 09/01/2019 3.000% 10/01/2034	AA+	Aaa	11/15/19	11/19/19	75,815.79	2.76	184.16	75,376.60	69,604.05

Managed Account Detail of Securities Held

For the Month Ending November 30, 2022

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Federal Agency Mortgage-Backed Security									
FN FM2694	3140X57G2	AA+	Aaa	03/24/20	03/25/20	2.57	224.44	93,733.57	84,828.73
DTD 03/01/2020 3.000% 03/01/2035									
FN FM3701	3140X7DF3	AA+	Aaa	07/27/20	07/29/20	2.04	160.17	80,679.95	71,038.74
DTD 06/01/2020 2.500% 07/01/2035									
FN FS2262	3140XH0Q3	AA+	Aaa	06/27/22	06/30/22	3.89	627.64	190,606.53	184,067.91
DTD 06/01/2022 4.000% 06/01/2037									

Security Type Sub-Total	862,410.69				875,078.54	3.39	2,494.66	871,516.52	830,751.59
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Federal Agency Commercial Mortgage-Backed Security

FHMS K724 A2	3137BTU25	AA+	Aaa	01/28/21	02/02/21	0.58	331.39	132,805.22	127,893.68
DTD 01/01/2017 3.062% 11/01/2023									
FHMS KJ30 A1	3137FUZN7	AA+	Aaa	07/23/20	07/30/20	0.53	7.16	16,331.09	16,194.27
DTD 07/01/2020 0.526% 01/01/2025									
FHMS KJ28 A1	3137FREB3	AA+	Aaa	02/19/20	02/27/20	1.77	4.26	2,893.01	2,893.01
DTD 02/01/2020 1.766% 02/01/2025									
FHMS K047 A2	3137BKRJ1	AA+	Aaa	05/19/22	05/24/22	3.10	1,137.41	412,626.56	395,751.87
DTD 07/30/2015 3.329% 05/01/2025									

Security Type Sub-Total	559,096.89				570,494.61	2.42	1,480.22	564,655.88	542,732.83
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Federal Agency Collateralized Mortgage Obligation

FHR 4096 PA	3137ATCD2	AA+	Aaa	02/21/20	02/26/20	1.49	101.15	87,823.50	82,935.50
DTD 08/01/2012 1.375% 08/01/2027									
FNR 2012-145 EA	3136AAZ57	AA+	Aaa	02/07/20	02/12/20	1.44	48.13	45,778.63	43,211.57
DTD 12/01/2012 1.250% 01/01/2028									
FNR 2015-33 P	3136APCJ9	AA+	Aaa	02/14/20	02/20/20	2.40	140.40	68,533.44	63,835.81
DTD 05/01/2015 2.500% 06/01/2045									
FNR 2016-19 AH	3136ARB64	AA+	Aaa	07/08/20	07/13/20	2.58	94.73	40,634.45	35,945.22
DTD 03/01/2016 3.000% 04/01/2046									

Managed Account Detail of Securities Held

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Security Type Sub-Total		239,757.22				242,691.54	1.91	384.41	242,770.02	225,928.10
Federal Agency Bond / Note										
FANNIE MAE NOTES DTD 07/10/2020 0.250% 07/10/2023	3135G05G4	AA+	Aaa	07/08/20	07/10/20	284,387.25	0.32	279.06	284,876.33	277,411.59
FREDDIE MAC NOTES DTD 12/04/2020 0.250% 12/04/2023	3137EAF2	AA+	Aaa	12/02/20	12/04/20	24,975.25	0.28	30.73	24,991.68	23,923.10
FANNIE MAE NOTES DTD 02/08/2019 2.500% 02/05/2024	3135G0V34	AA+	Aaa	02/07/19	02/08/19	254,051.40	2.58	2,054.17	254,775.73	248,882.81
FHLB BONDS DTD 02/15/2019 2.500% 02/13/2024	3130AFW94	AA+	Aaa	02/14/19	02/15/19	279,008.80	2.58	2,100.00	279,761.44	273,159.60
FANNIE MAE NOTES DTD 01/10/2020 1.625% 01/07/2025	3135G0X24	AA+	Aaa	01/08/20	01/10/20	343,899.45	1.69	2,242.50	344,536.61	325,716.57
FEDERAL HOME LOAN BANK NOTES DTD 04/16/2020 0.500% 04/14/2025	3130AJHU6	AA+	Aaa	04/15/20	04/16/20	383,090.40	0.60	251.32	384,094.41	351,955.07
FANNIE MAE NOTES DTD 04/24/2020 0.625% 04/22/2025	3135G03U5	AA+	Aaa	04/22/20	04/24/20	439,093.60	0.67	297.92	439,566.18	403,134.16
FANNIE MAE NOTES DTD 06/19/2020 0.500% 06/17/2025	3135G04Z3	AA+	Aaa	06/17/20	06/19/20	518,923.60	0.54	1,184.44	519,451.77	473,421.52
FREDDIE MAC NOTES DTD 07/23/2020 0.375% 07/21/2025	3137EAEU9	AA+	Aaa	07/21/20	07/23/20	144,277.90	0.48	196.35	144,618.76	131,276.48
FEDERAL HOME LOAN BANK NOTES (CALLABLE) DTD 02/10/2021 0.830% 02/10/2027	3130AKYH3	AA+	Aaa	08/18/22	08/19/22	304,507.40	3.36	870.12	306,763.65	297,516.66
Security Type Sub-Total		3,020,000.00				2,976,215.05	1.35	9,506.61	2,983,436.56	2,806,397.56

Corporate Note

BRISTOL-MYERS SQUIBB CO (CALLABLE) CORP DTD 11/13/2020 0.537% 11/13/2023	110122DT2	A+	A2	11/09/20	11/13/20	80,000.00	0.54	21.48	80,000.00	76,833.36
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Managed Account Detail of Securities Held

For the Month Ending **November 30, 2022**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Corporate Note									
PNC BANK NA CORP NOTES (CALLABLE) DTD 01/23/2019 3.500% 01/23/2024	A-	A3	10/23/19	10/25/19	95,067.90	2.11	1,120.00	91,290.31	88,580.07
3M COMPANY (CALLABLE) DTD 09/14/2018 3.250% 02/14/2024	A+	A1	02/12/19	02/22/19	80,937.60	2.99	772.78	80,214.59	78,595.36
BANK OF AMERICA CORP NOTE (CALLABLE) DTD 03/05/2018 3.550% 03/05/2024	A-	A2	03/06/19	03/08/19	180,919.80	3.44	1,526.50	180,059.30	178,837.74
MERCK & CO INC (CALLABLE) CORP NOTES DTD 03/07/2019 2.900% 03/07/2024	A+	A1	03/05/19	03/07/19	94,732.10	2.96	642.83	94,932.26	92,952.85
JPMORGAN CHASE & CO CORPORATE NOTES (CAL DTD 03/16/2021 0.697% 03/16/2024	A-	A1	03/09/21	03/16/21	75,000.00	0.70	108.91	75,000.00	73,968.45
CHARLES SCHWAB CORP NOTES (CALLABLE) DTD 03/18/2021 0.750% 03/18/2024	A	A2	03/16/21	03/18/21	29,985.00	0.77	45.63	29,993.53	28,465.17
MORGAN STANLEY CORP NOTES (CALLABLE) DTD 04/22/2021 0.731% 04/05/2024	A-	A1	04/19/21	04/22/21	20,000.00	0.73	22.74	20,000.00	19,624.82
MORGAN STANLEY CORP NOTES (CALLABLE) DTD 04/22/2021 0.731% 04/05/2024	A-	A1	04/20/21	04/22/21	75,087.00	0.69	85.29	75,015.25	73,593.08
BANK OF NY MELLON CORP NOTES (CALLABLE) DTD 04/26/2021 0.500% 04/26/2024	A	A1	04/19/21	04/26/21	69,925.10	0.54	34.03	69,965.01	65,912.35
UNITEDHEALTH GROUP INC (CALLABLE) CORP N DTD 05/19/2021 0.550% 05/15/2024	A+	A3	05/17/21	05/19/21	94,901.20	0.59	23.22	94,951.96	89,405.45
CITIGROUP INC (CALLABLE) CORPORATE NOTES DTD 05/14/2020 1.678% 05/15/2024	BBB+	A3	05/07/20	05/14/20	130,000.00	1.68	96.95	130,000.00	127,768.94

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2022**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Par	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Corporate Note									
JPMORGAN CHASE & CO CORPORATE NOTES	125,000.00	A-	A1	05/19/20	05/27/20	1.51	946.25	125,000.00	122,702.63
DTD 05/27/2020 1.514% 06/01/2024									
JOHN DEERE CAPITAL CORP CORPORATE NOTES	110,000.00	A	A2	06/07/21	06/10/21	0.49	239.25	109,930.31	103,334.11
DTD 06/10/2021 0.450% 06/07/2024									
US BANCORP NOTES (CALLABLE)	215,000.00	A+	A2	07/24/19	07/29/19	2.42	1,734.33	214,930.04	207,297.41
DTD 07/29/2019 2.400% 07/30/2024									
PACCAR FINANCIAL CORP NOTES	90,000.00	A+	A1	08/08/19	08/15/19	2.20	569.75	89,932.18	85,875.84
DTD 08/15/2019 2.150% 08/15/2024									
EXXON MOBIL CORPORATION (CALLABLE)	220,000.00	AA-	Aa2	08/13/19	08/16/19	2.02	1,295.53	220,000.00	210,928.96
DTD 08/16/2019 2.019% 08/16/2024									
PRINCIPAL LIFE GLB FND II NOTES	130,000.00	A+	A1	08/18/21	08/25/21	0.77	265.42	129,953.51	119,647.06
DTD 08/25/2021 0.750% 08/23/2024									
JOHN DEERE CAPITAL CORP CORPORATE NOTES	40,000.00	A	A2	09/07/21	09/10/21	0.65	56.25	39,984.60	37,289.72
DTD 09/10/2021 0.625% 09/10/2024									
MET LIFE GLOB FUNDING I NOTES	195,000.00	AA-	Aa3	09/21/21	09/28/21	0.70	242.67	194,985.77	179,938.59
DTD 09/28/2021 0.700% 09/27/2024									
BANK OF NY MELLON CORP	30,000.00	A	A1	01/21/20	01/28/20	2.00	64.75	30,052.85	28,603.98
DTD 10/24/2019 2.100% 10/24/2024									
BANK OF NY MELLON CORP	90,000.00	A	A1	10/17/19	10/24/19	2.14	194.25	89,940.26	85,811.94
DTD 10/24/2019 2.100% 10/24/2024									
CITIGROUP INC CORP NOTES (CALLABLE)	125,000.00	BBB+	A3	10/23/20	10/30/20	0.78	83.53	125,000.00	118,934.38
DTD 10/30/2020 0.776% 10/30/2024									
CATERPILLAR FINL SERVICE	185,000.00	A	A2	11/04/19	11/08/19	2.17	254.12	184,932.61	176,539.95
DTD 11/08/2019 2.150% 11/08/2024									
JOHN DEERE CAPITAL CORP	90,000.00	A	A2	01/06/20	01/09/20	2.06	727.75	89,989.38	85,591.89
DTD 01/09/2020 2.050% 01/09/2025									

Managed Account Detail of Securities Held

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note										
PROTECTIVE LIFE GLOBAL NOTES DTD 01/13/2022 1.646% 01/13/2025	74368CBJ2	AA-	A1	01/06/22	01/13/22	210,000.00	1.65	1,325.03	210,000.00	194,152.98
NEW YORK LIFE GLOBAL FDG NOTES DTD 01/14/2022 1.450% 01/14/2025	64952WEK5	AA+	Aaa	01/11/22	01/14/22	204,778.60	1.49	1,131.20	204,843.44	190,538.07
GOLDMAN SACHS GROUP INC (CALLABLE) CORP DTD 01/24/2022 1.757% 01/24/2025	38141GZH0	BBB+	A2	01/19/22	01/24/22	205,000.00	1.76	1,270.65	205,000.00	194,886.53
ADOBE INC (CALLABLE) CORP NOTE DTD 02/03/2020 1.900% 02/01/2025	00724PAB5	A+	A2	01/22/20	02/03/20	184,605.95	1.95	1,171.67	184,828.78	175,185.20
NATIONAL RURAL UTIL COOP CORPORATE NOTES DTD 02/07/2022 1.875% 02/07/2025	63743HFC1	A-	A2	01/31/22	02/07/22	59,998.20	1.88	356.25	59,998.69	56,304.42
TOYOTA MOTOR CREDIT CORP CORP NOTES DTD 02/13/2020 1.800% 02/13/2025	89236TGT6	A+	A1	02/10/20	02/13/20	244,835.85	1.81	1,323.00	244,927.67	230,851.01
NOVARTIS CAPITAL CORP DTD 02/14/2020 1.750% 02/14/2025	66989HAP3	AA-	A1	02/11/20	02/14/20	114,829.80	1.78	598.16	114,924.91	108,670.06
JOHN DEERE CAPITAL CORP CORPORATE NOTES DTD 03/07/2022 2.125% 03/07/2025	24422EWB1	A	A2	03/02/22	03/07/22	24,989.25	2.14	123.96	24,991.89	23,670.63
ROCHE HOLDINGS INC (CALLABLE) CORPORATE DTD 03/10/2022 2.132% 03/10/2025	771196BT8	AA	Aa2	03/03/22	03/10/22	430,000.00	2.13	2,062.71	430,000.00	407,671.39
TEXAS INSTRUMENTS INC CORP NOTES (CALLAB DTD 03/12/2020 1.375% 03/12/2025	882508BH6	A+	Aa3	03/03/20	03/12/20	69,895.70	1.41	211.22	69,952.48	65,297.12
BANK OF AMERICA CORP NOTES (CALLABLE) DTD 04/22/2021 0.976% 04/22/2025	06051GJR1	A-	A2	04/16/21	04/22/21	90,000.00	0.98	95.16	90,000.00	84,086.55

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2022**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Par	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Corporate Note									
CITIGROUP INC (CALLABLE) CORPORATE NOTES	172967MX6	45,000.00	BBB+	A3	04/27/21	05/04/21	36.79	45,000.00	41,871.56
DTD 05/04/2021 0.981% 05/01/2025									
CITIGROUP INC (CALLABLE) CORPORATE NOTES	172967MX6	45,000.00	BBB+	A3	04/28/21	05/04/21	36.79	45,041.93	41,871.55
DTD 05/04/2021 0.981% 05/01/2025									
APPLE INC (CALLABLE) CORP NOTES	037833DT4	115,000.00	AA+	Aaa	05/04/20	05/11/20	71.88	114,899.44	106,329.12
DTD 05/11/2020 1.125% 05/11/2025									
WELLS FARGO & COMPANY CORP NOTES (CALLAB	950000U2T9	55,000.00	BBB+	A1	05/12/21	05/19/21	14.76	55,000.00	51,164.69
DTD 05/19/2021 0.805% 05/19/2025									
WELLS FARGO & COMPANY CORP NOTES (CALLAB	950000U2T9	165,000.00	BBB+	A1	05/13/21	05/19/21	44.27	165,154.64	153,494.05
DTD 05/19/2021 0.805% 05/19/2025									
MORGAN STANLEY CORP NOTES (CALLABLE)	61747YEA9	170,000.00	A-	A1	05/26/21	06/01/21	3.73	170,000.00	157,226.88
DTD 06/01/2021 0.790% 05/30/2025									
HONEYWELL INTL CORP NOTES (CALLABLE)	438516CB0	45,000.00	A	A2	05/14/20	05/18/20	303.75	44,997.77	41,714.51
DTD 05/18/2020 1.350% 06/01/2025									
HERSHEY CO CORP NOTES (CALLABLE)	427866BF4	70,000.00	A	A1	05/27/20	06/01/20	315.00	69,935.25	63,889.42
DTD 06/01/2020 0.900% 06/01/2025									
EMERSON ELECTRIC CO CORPORATE NOTES (CAL	291011BG8	75,000.00	A	A2	09/29/20	09/30/20	1,181.25	79,014.02	72,337.65
DTD 05/21/2015 3.150% 06/01/2025									
JPMORGAN CHASE & CO (CALLABLE) CORP NOTE	46647PCH7	265,000.00	A-	A1	05/24/21	06/01/21	1,091.80	265,000.00	246,496.64
DTD 06/01/2021 0.824% 06/01/2025									
AMAZON INC CORP NOTES (CALLABLE)	023135BQ8	190,000.00	AA	A1	06/01/20	06/03/20	751.56	189,962.87	174,066.98
DTD 06/03/2020 0.800% 06/03/2025									

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TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Par	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Corporate Note									
AMERICAN EXPRESS CORP NOTES (CALLABLE)	115,000.00	BBB+	A2	07/25/22	08/03/22	114,885.00	3.99	1,488.93	112,494.15
DTD 08/03/2022 3.950% 08/01/2025									
NEW YORK LIFE GLOBAL FDG NOTES	450,000.00	AA+	Aaa	08/01/22	08/05/22	449,874.00	3.61	5,220.00	436,061.70
DTD 08/05/2022 3.600% 08/05/2025									
APPLE INC (CALLABLE) CORPORATE NOTES	60,000.00	AA+	Aaa	08/13/20	08/20/20	59,858.40	0.60	92.58	54,122.70
DTD 08/20/2020 0.550% 08/20/2025									
MET LIFE GLOB FUNDING I NOTES	335,000.00	AA-	Aa3	08/18/22	08/25/22	334,869.35	4.06	3,618.00	326,683.29
DTD 08/25/2022 4.050% 08/25/2025									
MASSMUTUAL GLOBAL FUNDIN NOTES	200,000.00	AA+	Aa3	08/23/22	08/26/22	199,794.00	4.19	2,190.28	195,837.40
DTD 08/26/2022 4.150% 08/26/2025									
BURLINGTN NORTH SANTA FE CORP NOTES (CAL)	180,000.00	AA-	A3	05/20/21	05/24/21	199,611.00	1.03	1,642.50	175,715.64
DTD 08/20/2015 3.650% 09/01/2025									
ABBOTT LABORATORIES CORPORATE NOTES (CAL)	55,000.00	AA-	A1	09/24/20	09/28/20	63,023.40	0.87	449.93	53,947.96
DTD 03/22/2017 3.875% 09/15/2025									
MORGAN STANLEY CORPORATE NOTES (CALLABLE)	60,000.00	A-	A1	10/16/20	10/21/20	60,000.00	0.86	57.60	54,782.52
DTD 10/21/2020 0.864% 10/21/2025									
BANK OF NY MELLON CORP (CALLABLE) CORPOR	60,000.00	A	A1	01/21/21	01/28/21	59,871.00	0.79	153.75	53,476.92
DTD 01/28/2021 0.750% 01/28/2026									
APPLE INC (CALLABLE) CORPORATE NOTES	75,000.00	AA+	Aaa	02/01/21	02/08/21	74,831.25	0.75	164.79	66,987.60
DTD 02/08/2021 0.700% 02/08/2026									
GOLDMAN SACHS GROUP INC CORP NOTES (CALL	75,000.00	BBB+	A2	02/10/21	02/12/21	75,000.00	0.86	194.16	67,530.38
DTD 02/12/2021 0.855% 02/12/2026									

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2022**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Corporate Note									
CHARLES SCHWAB CORP CORP NOTES (CALLABLE)	A	A2	12/08/20	12/11/20	124,847.50	0.92	250.00	124,904.81	111,207.00
DTD 12/11/2020 0.900% 03/11/2026									
BANK OF AMERICA CORP NOTES (CALLABLE)	A-	A2	03/17/22	03/22/22	220,000.00	3.38	1,220.12	220,000.00	209,195.58
DTD 03/22/2022 3.384% 04/02/2026									
BANK OF AMERICA CORP NOTES	A-	A2	02/01/22	02/03/22	147,642.60	2.14	571.67	146,144.93	134,253.70
DTD 04/19/2016 3.500% 04/19/2026									
PACCAR FINANCIAL CORP CORPORATE NOTES	A+	A1	05/04/21	05/10/21	59,959.20	1.11	36.67	59,971.93	53,489.88
DTD 05/10/2021 1.100% 05/11/2026									
IBM CORP	A-	A3	07/21/21	07/23/21	215,057.70	1.10	286.00	209,395.42	186,334.20
DTD 05/15/2019 3.300% 05/15/2026									
UNITEDHEALTH GROUP INC (CALLABLE) CORPOR	A+	A3	05/17/21	05/19/21	209,634.60	1.19	107.33	209,747.11	189,314.58
DTD 05/19/2021 1.150% 05/15/2026									
ASTRAZENECA FINANCE LLC (CALLABLE) CORP	A	A3	07/21/21	07/23/21	105,480.90	1.10	10.50	105,343.82	93,770.35
DTD 05/28/2021 1.200% 05/28/2026									
ASTRAZENECA FINANCE LLC (CALLABLE) CORP	A	A3	05/25/21	05/28/21	144,817.30	1.23	14.50	144,872.53	129,492.40
DTD 05/28/2021 1.200% 05/28/2026									
GENERAL DYNAMICS CORP NOTES (CALLABLE)	A-	A3	05/03/21	05/10/21	84,866.55	1.18	488.75	84,907.71	75,644.65
DTD 05/10/2021 1.150% 06/01/2026									
MASSMUTUAL GLOBAL FUNDIN NOTES	AA+	Aa3	07/21/21	07/23/21	210,495.60	1.15	945.00	210,360.46	186,350.43
DTD 07/16/2021 1.200% 07/16/2026									
BANK OF NEW YORK MELLON CORP NOTES (CALL	A	A1	07/19/22	07/26/22	60,000.00	4.41	919.58	60,000.00	59,285.10
DTD 07/26/2022 4.414% 07/24/2026									

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TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Par	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Corporate Note									
TRUIST FIN CORP NOTES (CALLABLE) DTD 07/28/2022 4.260% 07/28/2026	130,000.00	A-	A3	07/25/22	07/28/22	130,000.00	4.26	1,892.15	127,856.43
BMW US CAPITAL LLC (CALLABLE) CORPORATE DTD 08/12/2021 1.250% 08/12/2026	210,000.00	A	A2	08/09/21	08/12/21	209,544.30	1.30	794.79	184,225.65
PRINCIPAL LFE GLB FND II NOTES DTD 08/16/2021 1.250% 08/16/2026	210,000.00	A+	A1	08/10/21	08/16/21	209,059.20	1.34	765.63	182,546.49
PRICOA GLOBAL FUNDING 1 NOTES DTD 08/31/2021 1.200% 09/01/2026	210,000.00	AA-	Aa3	08/24/21	08/31/21	209,523.30	1.25	630.00	184,442.79
AMERICAN HONDA FINANCE CORPORATE NOTES DTD 09/09/2021 1.300% 09/09/2026	215,000.00	A-	A3	09/07/21	09/09/21	214,834.45	1.32	636.64	190,844.75
CATERPILLAR FINL SERVICE CORPORATE NOTES DTD 09/14/2021 1.150% 09/14/2026	215,000.00	A	A2	09/07/21	09/14/21	214,625.90	1.19	528.84	190,330.47
TEXAS INSTRUMENTS INC CORP NOTES (CALLAB DTD 09/15/2021 1.125% 09/15/2026	110,000.00	A+	Aa3	09/07/21	09/15/21	110,000.00	1.13	261.25	97,772.40
JPMORGAN CHASE & CO CORP NOTES DTD 07/21/2016 2.950% 10/01/2026	100,000.00	A-	A1	01/18/22	01/20/22	103,846.00	2.09	491.67	95,059.50
AMERICAN EXPRESS CO (CALLABLE) CORPORATE DTD 11/04/2021 1.650% 11/04/2026	210,000.00	BBB+	A2	11/22/21	11/24/21	209,008.80	1.75	259.88	185,151.75
NESTLE HOLDINGS INC CORP NOTES (CALLABLE DTD 09/14/2021 1.150% 01/14/2027	250,000.00	AA-	Aa3	09/07/21	09/14/21	249,717.50	1.17	1,094.10	218,572.25
TARGET CORP CORP NOTES (CALLABLE) DTD 01/24/2022 1.950% 01/15/2027	55,000.00	A	A2	01/19/22	01/24/22	54,906.50	1.99	405.17	50,348.49

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For the Month Ending November 30, 2022

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note										
BANK OF NY MELLON CORP (CALLABLE) CORP	06406RBA4	A	A1	01/19/22	01/26/22	194,834.25	2.07	1,388.02	194,862.30	175,740.05
DTD 01/26/2022 2.050% 01/26/2027										
PROCTER & GAMBLE CO/THE CORPORATE NOTES	742718FV6	AA-	Aa3	01/27/22	02/01/22	204,708.90	1.93	1,298.33	204,757.20	187,342.53
DTD 02/01/2022 1.900% 02/01/2027										
IBM CORP CORP NOTES (CALLABLE)	459200KM2	A-	A3	02/02/22	02/09/22	99,986.00	2.20	684.44	99,988.26	90,237.80
DTD 02/09/2022 2.200% 02/09/2027										
BERKSHIRE HATHAWAY CORP NOTES (CALLABLE)	084664CZ2	AA	Aa2	03/07/22	03/15/22	324,938.25	2.30	1,578.06	324,947.08	302,157.38
DTD 03/15/2022 2.300% 03/15/2027										
HOME DEPOT INC (CALLABLE) CORPORATE NOTE	437076CN0	A	A2	03/24/22	03/28/22	69,624.80	2.99	257.15	69,675.26	65,705.29
DTD 03/28/2022 2.875% 04/15/2027										
NORTHERN TRUST CORP NOTE (CALLABLE)	665859AW4	A+	A2	05/05/22	05/10/22	79,870.40	4.04	186.67	79,884.95	78,518.16
DTD 05/10/2022 4.000% 05/10/2027										
INTEL CORP NOTES (CALLABLE)	458140BY5	A+	A1	08/02/22	08/05/22	309,677.60	3.77	3,745.83	309,698.43	299,136.05
DTD 08/05/2022 3.750% 08/05/2027										
COLGATE-PALMOLIVE CO CORP NOTES (CALLABLE)	194162AN3	AA-	Aa3	08/01/22	08/09/22	359,568.00	3.13	3,472.00	359,594.88	343,765.44
DTD 08/09/2022 3.100% 08/15/2027										
WALMART INC CORP NOTES (CALLABLE)	931142EX7	AA	Aa2	09/06/22	09/09/22	603,693.20	4.00	5,443.32	603,752.60	598,868.93
DTD 09/09/2022 3.950% 09/09/2027										
COMCAST CORP NOTES (CALLABLE)	20030NEA5	A-	A3	10/31/22	11/07/22	59,973.00	5.36	214.00	59,973.35	61,786.74
DTD 11/07/2022 5.350% 11/15/2027										
Security Type Sub-Total		13,190,000.00				13,253,824.80	2.04	70,845.38	13,228,249.48	12,375,198.58
Asset-Backed Security										
NALT 2020-B A3	65480EAD3	AAA	Aaa	09/22/20	09/29/20	6,383.08	0.43	1.22	6,383.54	6,368.00
DTD 09/29/2020 0.430% 10/16/2023										

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Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Asset-Backed Security									
BMWLT 2021-1 A3 DTD 03/10/2021 0.290% 01/25/2024	AAA	Aaa	03/02/21	03/10/21	36,156.27	0.29	1.75	36,156.96	35,787.73
TLTOT 2021-A A3 DTD 04/21/2021 0.390% 04/22/2024	AAA	Aaa	04/13/21	04/21/21	90,005.14	0.39	10.73	90,010.78	88,559.91
GMALT 2021-2 A3 DTD 05/26/2021 0.340% 05/20/2024	AAA	NR	05/18/21	05/26/21	173,390.67	0.35	18.02	173,404.50	170,881.97
NAROT 2020-B A3 DTD 06/30/2020 0.550% 07/15/2024	AAA	Aaa	06/23/20	06/30/20	11,719.48	0.55	2.86	11,719.68	11,583.28
TAOT 2020-C A3 DTD 07/27/2020 0.440% 10/15/2024	AAA	Aaa	07/21/20	07/27/20	37,292.92	0.44	7.29	37,294.52	36,635.49
HAROT 2020-3 A3 DTD 09/29/2020 0.370% 10/18/2024	AAA	NR	09/22/20	09/29/20	57,901.96	0.37	7.74	57,906.51	56,535.98
BMWOT 2020-A A3 DTD 07/15/2020 0.480% 10/25/2024	AAA	NR	07/08/20	07/15/20	17,260.76	0.48	1.38	17,261.49	16,985.30
JDOT 2020-B A3 DTD 07/22/2020 0.510% 11/15/2024	NR	Aaa	07/14/20	07/22/20	22,839.46	0.51	5.18	22,841.37	22,436.93
HART 2020-B A3 DTD 07/22/2020 0.480% 12/16/2024	AAA	NR	07/14/20	07/22/20	30,715.39	0.48	6.55	30,718.47	30,252.06
VZOT 2020-B A DTD 08/12/2020 0.470% 02/20/2025	NR	Aaa	08/04/20	08/12/20	84,649.74	0.47	12.16	84,658.79	83,062.11
CARMX 2020-3 A3 DTD 07/22/2020 0.620% 03/17/2025	AAA	NR	07/14/20	07/22/20	34,318.95	0.62	9.46	34,321.93	33,634.64
GMALT 2021-3 A4 DTD 08/18/2021 0.500% 07/21/2025	AAA	NR	08/10/21	08/18/21	49,998.20	0.50	7.64	49,998.79	47,127.81
CARMX 2020-4 A3 DTD 10/21/2020 0.500% 08/15/2025	AAA	NR	10/14/20	10/21/20	43,523.89	0.50	9.67	43,528.09	42,137.03
KCOT 2021-1A A3 DTD 04/14/2021 0.620% 08/15/2025	NR	Aaa	04/06/21	04/14/21	99,979.54	0.62	27.56	99,987.24	94,767.83

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2022**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Asset-Backed Security									
JDOT 2021-A A3	47788UAC6	NR	Aaa	03/02/21	03/10/21	51,189.86	0.36	51,193.62	49,150.41
DTD 03/10/2021 0.360% 09/15/2025									
HART 2021-A A3	44933LAC7	AAA	NR	04/20/21	04/28/21	79,430.80	0.38	79,433.84	76,578.31
DTD 04/28/2021 0.380% 09/15/2025									
CARMX 2021-1 A3	14316NAC3	AAA	NR	01/20/21	01/27/21	31,469.47	0.34	31,471.82	30,259.60
DTD 01/27/2021 0.340% 12/15/2025									
CNH 2021-A A3	12598AAC4	AAA	NR	03/09/21	03/15/21	79,212.22	0.41	79,218.90	75,756.63
DTD 03/15/2021 0.400% 12/15/2025									
CARMX 2021-2 A3	14314OAC8	AAA	NR	04/13/21	04/21/21	119,974.14	0.52	119,982.78	115,059.53
DTD 04/21/2021 0.520% 02/17/2026									
DTRT 2022-1 A3	233869AC0	NR	Aaa	10/12/22	10/19/22	224,985.06	5.23	224,985.59	223,859.36
DTD 10/19/2022 5.230% 02/17/2026									
GMCAR 2021-2 A3	380149AC8	NR	Aaa	04/06/21	04/14/21	84,992.53	0.51	84,994.97	81,285.53
DTD 04/14/2021 0.510% 04/16/2026									
WOART 2021-B A3	98163LAC4	AAA	NR	05/11/21	05/19/21	154,977.66	0.42	154,984.42	148,023.19
DTD 05/19/2021 0.420% 06/15/2026									
CARMX 2021-3 A3	14317DAC4	AAA	Aaa	07/21/21	07/28/21	264,956.41	0.55	264,968.41	250,263.54
DTD 07/28/2021 0.550% 06/15/2026									
HAROT 2022-2 A3	43815PAC3	AAA	NR	08/15/22	08/24/22	64,996.13	3.73	64,996.40	63,253.33
DTD 08/24/2022 3.730% 07/20/2026									
DCENT 2021-A1 A1	254683CP8	AAA	Aaa	09/20/21	09/27/21	239,948.62	0.58	239,960.80	220,623.24
DTD 09/27/2021 0.580% 09/15/2026									
COMET 2021-A3 A3	14041NFY2	AAA	NR	11/18/21	11/30/21	309,957.28	1.04	309,965.91	286,813.27
DTD 11/30/2021 1.040% 11/15/2026									
CARMX 2022-3 A3	14318MAD1	AAA	NR	07/12/22	07/20/22	289,993.16	3.97	289,993.69	281,283.41
DTD 07/20/2022 3.970% 04/15/2027									
COPAR 2022-2 A3	14043GAD6	AAA	Aaa	08/02/22	08/10/22	129,990.69	3.66	129,991.29	125,630.32
DTD 08/10/2022 3.660% 05/17/2027									

Managed Account Detail of Securities Held

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Asset-Backed Security											
DCENT 2022-A2 A	DTD 05/26/2022 3.320% 05/17/2027	254683CS2	NR	Aaa	05/19/22	05/26/22	144,988.21	3.32	213.96	144,989.44	139,464.71
AMXCA 2022-2 A	DTD 05/24/2022 3.390% 05/17/2027	025821JT8	AAA	NR	05/17/22	05/24/22	319,929.22	3.39	482.13	319,936.65	308,322.30
JDOT 2022-C A3	DTD 10/19/2022 5.090% 06/15/2027	47800BAC2	NR	Aaa	10/12/22	10/19/22	244,980.99	5.09	1,454.89	244,981.47	245,604.76
BACCT 2022-A1 A1	DTD 06/16/2022 3.530% 11/15/2027	05522RDE5	NR	Aaa	06/09/22	06/16/22	109,993.14	3.53	172.58	109,993.72	106,165.96

Security Type Sub-Total	3,742,598.01						3,742,101.04	2.02	4,171.60	3,742,236.38	3,604,153.47
Managed Account Sub-Total	42,558,862.81						42,656,637.00	1.54	142,898.48	42,571,840.96	39,939,304.76
Securities Sub-Total	\$42,558,862.81						\$42,656,637.00	1.54%	\$142,898.48	\$42,571,840.96	\$39,939,304.76
Accrued Interest											\$142,898.48
Total Investments											\$40,082,203.24

Asset Allocation & Performance
Program Composite and Investment Performance

As of November 30, 2022

Asset Allocation & Performance [Net of Fees] - Trailing Returns										
	Allocation		Performance(%)							
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception Date
Total Fund (Net)	37,272,510	100.0	4.03	7.60	7.60	-10.33	-8.09	4.50	4.84	05/01/2007
Total Fund Policy			4.36	7.86	7.86	-9.61	-7.18	5.42	6.06	N/A
Domestic Equity	15,311,997	41.1	5.21	13.84	13.84	-14.23	-10.85	8.36	8.27	06/01/2007
Vanguard Russell 3000 Idx (VRTTX)			5.21	13.84	13.84	-14.23	-10.85	N/A	N/A	N/A
Russell 3000 Index			5.22	13.85	13.85	-14.18	-10.80	10.28	10.33	8.53
International Equity	3,412,347	9.2	11.54	18.40	18.40	-17.50	-13.82	1.52	1.08	06/01/2007
Total International Equity Policy			11.82	15.18	15.18	-14.97	-11.43	2.22	1.96	1.82
Pear Tree Polaris Foreign Value (QFVRX)	1,914,215	5.1	10.92	18.69	18.69	-16.03	-10.87	N/A	N/A	09/01/2020
MSCI EAFE (Net) Index			11.26	17.25	17.25	-14.52	-10.14	1.92	1.85	3.27
MSCI EAFE Value Index (Net)			10.99	18.15	18.15	-6.76	-1.21	1.43	0.22	7.47
American Funds Europacific Growth R6 (RERGX)	1,327,847	3.6	12.27	17.82	17.82	-19.99	-18.24	2.66	N/A	07/01/2018
MSCI AC World ex USA (Net)			11.80	15.15	15.15	-15.37	-11.87	1.75	1.48	2.05
MSCI EAFE Growth Index (Net)			11.54	16.36	16.36	-22.07	-18.70	1.80	3.06	3.30
Vanguard Developed Mkts Index (VTMGX)	170,285	0.5	13.02	19.69	19.69	-13.45	-9.30	N/A	N/A	05/01/2020
Vanguard Spliced Developed ex U.S. Index (Net)			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Non-Traditional Assets	577,271	1.5	0.00	0.00	0.00	4.92	6.88	8.21	6.72	07/01/2007
Crescent Direct Lending Levered Fund II	577,271	1.5	0.00	0.00	0.00	4.92	6.88	8.20	N/A	03/01/2018



Asset Allocation & Performance
Program Composite and Investment Performance
As of November 30, 2022

	Allocation		Performance(%)								Inception Date
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception	
Total Fixed Income	12,070,111	32.4	3.12	2.27	2.27	-11.57	-11.51	-1.67	0.96	2.14	06/01/2007
Fixed Income Composite Index			3.57	2.38	2.38	-12.51	-12.70	-2.33	0.34	N/A	
Galliard Intermediate Core	10,061,861	27.0	2.84	1.67	1.67	N/A	N/A	N/A	N/A	-4.90	04/01/2022
Diamondberg Intermed Aggregate Index			2.80	1.99	1.99	-9.27	-9.38	-1.79	0.40	-4.81	
PIMCO Div Inc Bond Fund (PDIIX)	2,008,249	5.4	4.54	5.37	5.37	-12.94	-11.99	-2.15	0.85	0.85	12/01/2017
Bimbg. Global Credit (Hedged)			4.17	3.96	3.96	-13.21	-13.06	-2.25	0.76	0.76	
Real Estate	4,662,250	12.5	-0.87	-0.67	-0.67	13.84	18.61	12.71	N/A	10.54	04/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	13.99	22.76	13.07	10.81	10.60	
Intercontinental U.S. REIF	3,139,205	8.4	0.00	0.00	0.00	14.55	22.08	12.41	N/A	10.50	04/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	13.99	22.76	13.07	10.81	10.60	
Principal Enhanced Property Fund	1,523,045	4.1	-2.60	-2.01	-2.01	12.40	12.03	13.34	N/A	10.62	10/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	13.99	22.76	13.07	10.81	10.83	
Liquid Capital	1,238,535	3.3									
Cash	1,238,535	3.3									



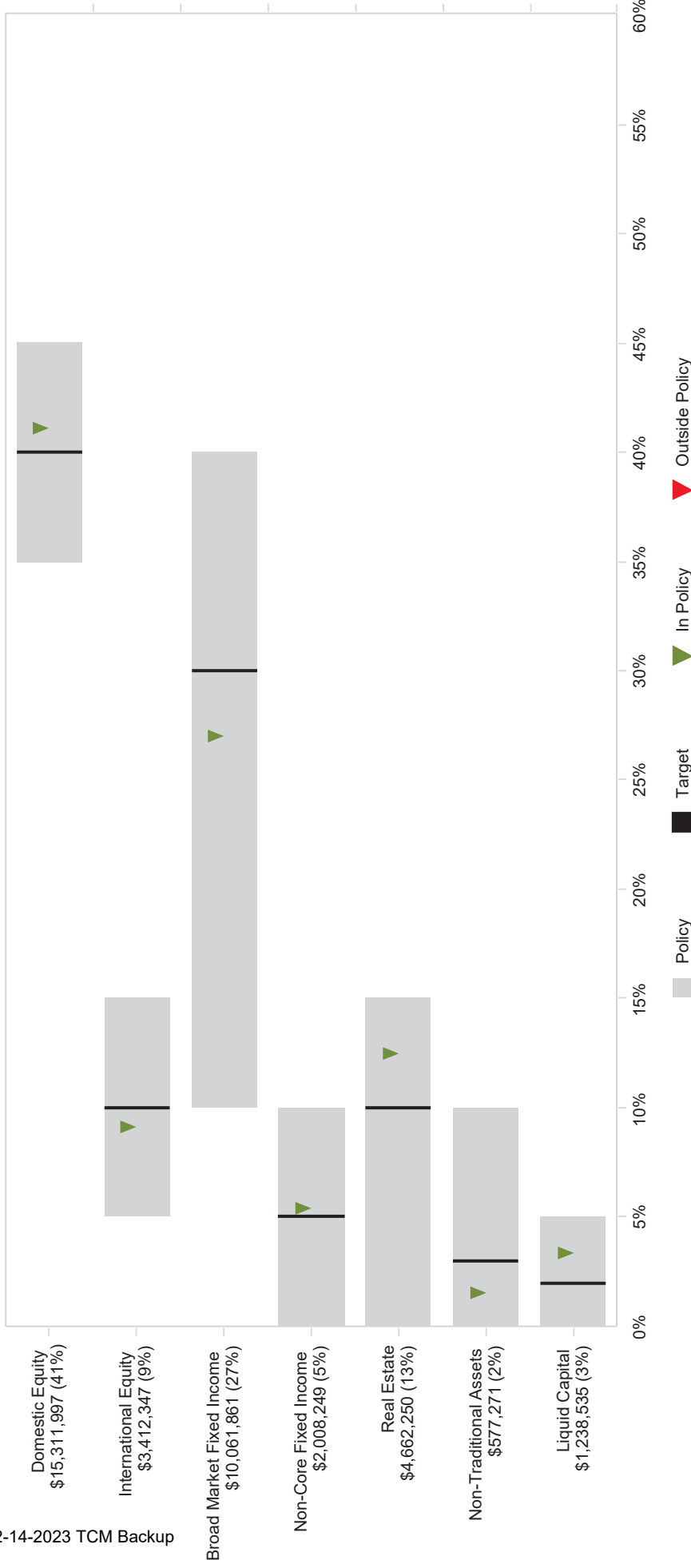
Asset Allocation Compliance

Town of Palm Beach OPEB Trust

As of November 30, 2022

Executive Summary

02-14-2023 TCM Backup



Asset Allocation Compliance

	Asset Allocation \$	Current Allocation (%)	Minimum Allocation (%)	Target Allocation (%)	Maximum Allocation (%)
Total Fund	37,272,510	100.0	N/A	100.0	N/A
Domestic Equity	15,311,997	41.1	35.0	40.0	45.0
International Equity	3,412,347	9.2	5.0	10.0	15.0
Broad Market Fixed Income	10,061,861	27.0	10.0	30.0	40.0
Non-Core Fixed Income	2,008,249	5.4	0.0	5.0	10.0
Real Estate	4,662,250	12.5	0.0	10.0	15.0
Non-Traditional Assets	577,271	1.5	0.0	3.0	10.0
Liquid Capital	1,238,535	3.3	0.0	2.0	5.0



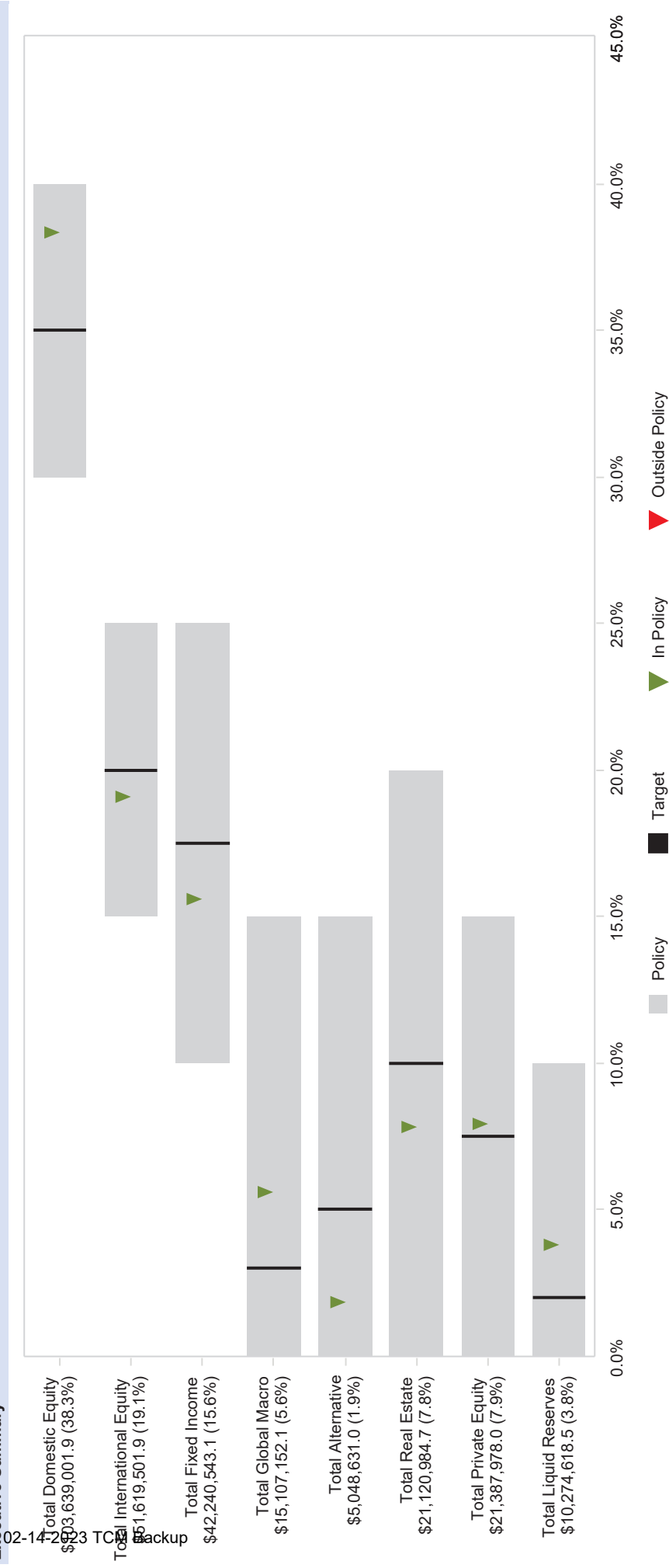
Asset Allocation & Performance
Program Composite Performance
As of November 30, 2022

Asset Allocation & Performance	Allocation		Performance(%)									
	Market Value \$	%	MTH	QTD	YTD	FYTD	1 YR	3 YR	5 YR	7 YR	Inception	Inception Date
Total Fund (Net)	270,438,411	100.0	5.15	8.99	-13.02	8.99	-10.34	4.09	5.23	6.26	6.32	09/01/2012
Total Fund (Gross)			5.15	9.01	-12.88	9.01	-10.18	4.28	5.47	6.53	6.59	
Total Fund Policy			5.72	10.33	-10.54	10.33	-7.34	6.75	6.83	8.10	7.83	
Total Fund Policy Index ex Alts			5.28	9.21	-9.72	9.21	-6.81	5.22	5.38	6.69	6.86	
Total Domestic Equity (Net)	103,639,002	38.3	5.49	14.24	-14.41	14.24	-10.40	9.22	9.93	10.55	11.42	09/01/2012
Total Domestic Equity (Gross)			5.49	14.24	-14.27	14.24	-10.26	9.33	10.09	10.75	11.64	
Total Domestic Equity Policy			5.22	13.85	-14.18	13.85	-10.80	10.28	10.33	11.63	12.76	
Total International Equity (Net)	42,773,443	15.8	12.33	19.19	-16.38	19.19	-12.26	1.52	1.33	4.17	6.03	09/01/2012
Total International Equity (Gross)			12.33	19.19	-16.38	19.19	-12.25	1.59	1.54	4.46	6.34	
Total International Equity Policy			11.82	15.18	-14.97	15.18	-11.43	2.22	1.96	4.62	N/A	
Total Emerging Markets Equity (Net)	8,846,059	3.3	13.86	11.03	-18.65	11.03	-18.54	-1.91	-0.47	5.08	2.60	08/01/2013
Total Emerging Markets Equity (Gross)			13.92	11.15	-18.18	11.15	-18.03	-1.29	0.15	5.74	3.25	
MSCI Emerging Markets (Net) Index			14.83	11.27	-18.95	11.27	-17.43	0.14	-0.42	5.04	2.68	
Total Fixed Income (Net)	42,240,543	15.6	4.47	2.63	-10.57	2.63	-10.81	-1.90	0.24	0.96	1.09	09/01/2012
Total Fixed Income (Gross)			4.47	2.63	-10.42	2.63	-10.65	-1.77	0.39	1.11	1.23	
Total Fixed Income Policy			3.68	2.33	-12.62	2.33	-12.84	-2.63	0.15	1.43	1.41	
Total Global Macro (Net)	15,107,152	5.6	4.40	6.70	-10.36	6.70	-8.39	N/A	N/A	N/A	-1.17	12/01/2020
Total Global Macro (Gross)			4.40	6.70	-10.36	6.70	-8.39	N/A	N/A	N/A	-1.17	
Total Global Macro Policy			5.34	8.45	-13.09	8.45	-11.33	3.02	4.35	5.42	-1.18	
Total Alternative (Net)	5,048,631	1.9	-2.09	-0.66	-60.38	-0.66	-64.24	N/A	N/A	N/A	-51.56	06/01/2021
Total Alternative (Gross)			-2.06	-0.57	-60.09	-0.57	-63.96	N/A	N/A	N/A	-51.18	
Total Alternative Policy			5.52	14.03	-13.49	14.03	-9.65	10.36	10.39	11.55	-0.92	

Town of Palm Beach Retirement System Pension Asset Allocation Compliance

As of November 30, 2022

Executive Summary



Asset Allocation Compliance

	Asset Allocation \$	Current Allocation (%)	Minimum Allocation (%)	Maximum Allocation (%)	Target Allocation (%)
Total Fund	270,438,411	100.0	N/A	N/A	100.0
Total Domestic Equity	103,639,002	38.3	30.0	40.0	35.0
Total International Equity	51,619,502	19.1	15.0	25.0	20.0
Total Fixed Income	42,240,543	15.6	10.0	25.0	17.5
Total Global Macro	15,107,152	5.6	0.0	15.0	3.0
Total Alternative	5,048,631	1.9	0.0	15.0	5.0
Total Real Estate	21,120,985	7.8	0.0	20.0	10.0
Total Private Equity	21,387,978	7.9	0.0	15.0	7.5
Total Liquid Reserves	10,274,618	3.8	0.0	10.0	2.0

TOWN OF PALM BEACH – OPEB TRUST



FINANCIAL REPORT

DECEMBER 31, 2022

ROBERT MIRACLE
DEPUTY TOWN MANAGER – FINANCE AND ADMINISTRATION

Town of Palm Beach
OPEB Trust
Statement of Net Assets
December 31, 2022

	December 31, 2022
Assets	
Cash (held in bank accounts)	12,361
Cash and cash equivalents (held in custodial accounts)	1,255,059
Total Cash and Cash Equivalents	1,267,420
Receivables	
Due from Brokers	-
Due from General Fund	-
Interest Receivable	-
Total Receivables	-
Investments at Market Value	
Domestic Equity	14,413,819
Fixed Income	12,057,742
Alternative	589,102
International Equity	3,347,506
Real Estate	4,679,338
Total Investments	35,087,506
Other Assets	-
Total Assets	36,354,926
Liabilities	
Accounts Payable and Accrued Expenses	-
Due to General Fund	237,567
Due to Brokers	8,435
Total Liabilities	246,002
Net Assets Held in Trust for Retiree Health Benefits	36,108,924

Town of Palm Beach
OPEB Trust
Statement of Changes in Net Assets
December 31, 2022

Additions	
Contributions	
Retiree	269,799
Employer	82,804
Other Income	45,356
Total Contributions	397,959
Investment Income (loss)	
Realized Gains/(loss)	-
Unrealized Gains/(loss)	1,480,710
Interest and Dividends	204,147
Total Investment Income	1,684,856
Less Investment Expense	6,202
Net Investment Income	1,678,654
Total Additions	2,076,613
Deductions	
Health Claims and Fixed Costs	405,460
Administrative Expense	43,597
Total Deductions	449,057
Net Increase (Decrease)	1,627,556

FINANCIAL REPORT

Town of Palm Beach OPEB Trust Cash Flow Forecast for FY2023

Period Ending	Total FY2023	FQ1	FQ2	FQ3	FQ4
Checking Account Balance	(98,793)	(98,793)	(151,326)	64,924	181,174
Estimated Receipts					
Employer Transfer	331,217	331,217			
Other Receipts	-				
Transfer from Investments	1,600,000		600,000	500,000	500,000
Estimated Retiree Contributions	1,200,000	300,000	300,000	300,000	300,000
Total Estimated Receipts	3,131,217	631,217	900,000	800,000	800,000
Estimated Expenditures					
Estimated Health Benefits	(2,500,000)	(625,000)	(625,000)	(625,000)	(625,000)
Estimated Operating Expenses	(235,000)	(58,750)	(58,750)	(58,750)	(58,750)
Total Estimated Expenditures	(2,735,000)	(683,750)	(683,750)	(683,750)	(683,750)
Estimated Quarter Ending Cash Balance	297,424	(151,326)	64,924	181,174	297,424

An approval of a request for a transfer of \$500,000 from the trust investments to the OPEB account will be necessary at the February meeting for the third fiscal quarter.



1% Sales Tax Quarterly Report

PRESENTATION TO INVESTMENT ADVISORY COMMITTEE

FEBRUARY 17, 2023

Receipts

	Amount Received
Total for FY2017	\$350,846.68
Total for FY2018	\$576,791.86
Total for FY2019	\$623,175.79
Total for FY2020	\$572,891.26
Total for FY2021	\$666,598.10
Total for FY2022	\$812,285.57
November 2022	\$57,867.92
December 2022	\$60,317.06
Total FYTD2023	\$118,184.98
Total Received Since 2017	\$3,720,774.24

Disbursements

- ▶ The Town Council approved using \$2.6 million of the one-cent surtax revenues for the undergrounding project at the July 12, 2017 Town Council meeting.
- ▶ The Town Council approved using the remaining one-cent surtax revenues for the undergrounding project at the December 10, 2019 Town Council meeting.

Investment Advisory Committee Schedule 2023

Meeting Date:	Presentations/Business:
Friday, February 17, 2023 2:30 P.M. Town Council Chambers	OPEB Trust Investment Consultant PFM Asset Management Fiduciary Liability Policy Renewal Annual Report to the Town Council Actuarial report
Friday, May 19, 2023 2:30 P.M. Town Council Chambers	OPEB Trust Investment Consultant PFM Asset Management Florida League of Cities (FMIvT) Election of Chairman and Vice Chairman
Friday, August 18, 2023 2:30 P.M. Town Council Chambers	OPEB Trust Investment Consultant PFM Asset Management
Friday, November 17, 2023 2:30 P.M. Town Council Chambers (Fiscal Year End Presentations)	Salem Trust Annual Update OPEB Trust Investment Consultant (Investment Policy and Asset Allocation Review) PFM Asset Management Florida League of Cities (FMIvT)

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda Committee Reports

Agenda Title
Report of the Business and Administrative Committee Meeting Held on January 19, 2023

Presenter
Lew Crampton, Chair

ATTACHMENTS:

- ▣ **January 19, 2023, Business and Administrative Committee Meeting Report**



REPORT OF THE BUSINESS AND ADMINISTRATIVE COMMITTEE MEETING HELD ON JANUARY 19, 2023

I. CALL TO ORDER AND ROLL CALL

The Business and Administrative Committee Meeting was called to order at 9:40 a.m. On roll call, all Committee members were found to be present.

II. PLEDGE OF ALLEGIANCE

Chair Crampton led the Pledge of Allegiance.

Chair Crampton requested that the agenda be modified to add COMMUNICATIONS FROM CITIZENS after the APPROVAL OF AGENDA.

III. APPROVAL OF AGENDA

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

COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT PLEASE

There were none.

IV. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting**
Held on October 27, 2022
Nicholas Caristo, Chief of Police

Chair Crampton reported on the October 27, 2022, meeting. He reiterated that the committee is a legislative one and any proposal would be a recommendation to the Town Council. Chair Crampton stated that there were reports that residents were questioning the need to review the parking and traffic issues as it was not broken. He stated his disagreement with that opinion especially in light of a recent town-wide public opinion survey that ranked traffic and parking as the Town's two (2) most serious quality-of-life

problems.

Chair Crampton stated that the Committee made the following seven-point proposal to the Town Council:

- (1) Paid parking from Hammon Avenue to Wells Road;
- (2) Using ParkMobile as the paid parking system;
- (3) Free half-hour parking spaces in various areas;
- (4) Valet parking;
- (5) Incentive for residents;
- (6) Tie-in to the Traffic and Parking Study, as part of the Zoning improvement;
- (7) Signage Plan.

The use of the ParkMobile app by the elderly seemed to be the primary issue for the residents. Chair Crampton stated that residents should know that revenue is not the main goal but will be used to help solve the parking issues.

V. REGULAR AGENDA

A. Old Business

1. Expansion of Paid Parking
Nicholas Caristo, Chief of Police

Lt. Paul Alber, Police Dept., presented the Town's draft ParkMobile Expansion plan. He stated that at a recent Strategic Planning Board meeting, focus #2 was "Control, regulate, and stabilize on-island mobility including traffic, parking, and pedestrian thoroughfares." He gave recent statistics regarding population growth in Palm Beach County (population 1.5M) and Broward County (population 1.9M). Florida population growth more than doubled that of the national growth. He stated that the goals of the parking plan were: 1) to ensure availability and accessibility by residents and visitors; 2) maintain safety for motorists and pedestrians as well as security of the Town; 3) establish uniform parking policies, consistent signage and effective enforcement; 4) encourage the best use of parking inventory and 5) make decisions based on data from the parking system. The topics covered were parking policies, zone configurations, effective times, valet parking and resident discounts.

Lt. Alber proposed the following recommendations for the business district which is divided into North and South:

- **Worth Avenue** and surrounding streets currently have four primary parking policies in place: permit spaces (24-hour, 9AM-6PM, 8AM-6PM); time-limited spaces (24-hour, 8AM-6PM); loading zones and resident permits. Staff recommends converting time-limited (free) spaces to ParkMobile (paid); retain some 30-minute free spaces; and establish consistent effective times across all policies.

- **Marina District** currently has four (4) primary parking policies in place between Peruvian Avenue and Royal Palm Way. These policies are inconsistent from street-to-street and vary from 24-hour permit spaces (9AM-6PM and 9AM to midnight), 15-minute loading zones and 24-hour passenger loading zones. Staff recommends consistent policies on every street, convert time-limited (free) spaces to paid (ParkMobile) spaces and free resident parking in ParkMobile spaces on their designated streets.
- **South County Business District** currently has four (4) primary parking policies in place in this business district. These policies are 24-hour permit spaces, time-limited spaces (8AM-6PM, 8AM-8PM) and loading zones. Staff recommends converting time-limited (free) spaces to ParkMobile (paid), retain strategically placed 30-minute (free) spaces, free resident (RPP) parking in ParkMobile spaces on their designated street and establishing consistent times across all policies.
- **South County Road and Seaview Avenue** currently has five (5) primary parking policies in place in the vicinity of S. County Road and Seaview Avenue. These policies are time-limited (free) spaces (8AM-6PM, 8AM-8PM), loading/valet zones, paid (ParkMobile), resident permit and some unregulated spaces. Staff recommends converting time-limited (free) spaces to ParkMobile (paid), unregulated spaces to paid (ParkMobile), retain strategically placed 30-minute (free) spaces and establish consistent times across all policies.
- **South County Residential** currently has majority resident permit spaces but the effective times vary. Staff recommends converting to all residential permit parking with consistent effective times.
- **Royal Poinciana Way** currently has four (4) primary parking policies in place in the Commercial District. These policies are resident permit spaces, loading/valet zones, paid (ParkMobile) spaces and time-limited spaces. Staff recommends converting time-limited (free) spaces to paid (ParkMobile), retain strategically placed 30-minute (free) spaces and establish consistent times across all policies.
- **Northern Business and Residential Districts** currently have four (4) primary policies in place. These policies are paid (ParkMobile) resident permit, loading/valet and time-limited spaces. Staff recommends converting time-limited (free) spaces to paid (ParkMobile), retaining strategically placed 30-minute (free) spaces and establishing consistent times across all policies.

Regarding private valet services staff recommends they receive valet placards along with the valet permits which will allow valet vehicles to park for free in ParkMobile spaces. Staff also recommends that residents with Residential Parking Permits (RPP) be allowed to utilize ParkMobile spaces at no cost on their designated streets and be eligible for discounted rates

when using ParkMobile in Palm Beach.

Lt. Alber summarized the staff recommendations as follows:

- (1) Uniform policies and consistent signage
- (2) Policies that are customized to meet the community's needs
- (3) Decisions based on data
- (4) Best use of parking inventory
- (5) Increased space turnover

Discussion ensued regarding parking options on Worth Avenue such as valet, use of ParkMobile app, turnover, and 30-minute free spaces.

Lt. Alber explained the turnover issue regarding Worth Avenue employees and the placement of free (30-minute) spaces. He addressed the issue of difficulty in using the ParkMobile app by senior citizens, by stating that there will be significant educational resources for the ParkMobile program when it is implemented.

Public Comments

The following residents voiced their opposition to paid parking in the commercial districts:

Oliver Graves, 270 Algoma Road, resident and business owner

Ed Kassatly, 309 Barton Avenue, and 250 Worth Avenue, resident and business owner

Darren Rubinfeld, Law offices of Darren Rubinfeld, 247 Worth Avenue, representing Holbrooke Real Estate, 245-261 Worth Avenue

Lori Bernstein, 301 and 304 S. County Road, resident and business owner

Paul Thibodeaux, Attorney, 205 Worth Avenue

Dino Peroni, Valet Company business owner

Jennifer Marcello, Café L'Europe, 331 S. County Road and 131 Clarendon Road, resident and business owner

Warren Belmar, 130 Sunrise Avenue, resident, also spoke regarding residents' use of the public internet access to conduct financial business, alternatives to ParkMobile and requested that a public forum be held regarding the recommendations to be made to the Town Council.

In response to Mr. Belmar, Lt. Alber stated that ParkMobile has been used in Town for the past decade and there have not been any issues regarding hacking, security breaches, service issues or with the kiosks.

Lori Bernstein requested a public meeting to address the parking issue and stated she was gathering petitions regarding the parking issue.

VI. ANY OTHER MATTERS

There were none.

VII. ADJOURNMENT

Motion was made by Member Lindsay and seconded by Chair Crampton to adjourn the Business and Administrative Committee meeting of January 19, 2023, at 11:15 a.m. On roll call, the Motion passed unanimously.

APPROVED:

Lew Crampton, Chair

ATTEST

Pat Gayle-Gordon, Acting Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated January 27, 2023, from H. Paul Brazil. P.E., Director of Public Works**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

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: January 27, 2023

I. COMMUNICATIONS:

A. Community Meetings:

None to report

B. Significant Residential Communications

The letters that were sent to properties in Phase 6 which are adjacent to right-of-way placement of equipment have generated numerous meetings and inquiries. These meetings did not result in additional easements as of yet. Staff meetings for Phase 7 North and South are concluding and the design plans are being finalized with chicanes. Phase 8 easement meetings are ongoing.

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 are awaiting delivery of materials.

A. Construction Progress:

Phase 1 North:

From the Inlet south to Onondaga Avenue

- 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 96% complete. Presently working with FPL on final feeder switching. All conversions are complete. Paving is complete with some items to come back and correct after the new year. Poles will be removed in May due to crews being redirected by FPL to the west coast of Florida after Hurricane Ian. Landscaping of equipment is being completed.

Phase 3 North Construction:

From Osceola Way to the north-side of La Puerta Way

- Completed September 17, 2021

Phase 3 South:

From S. Ocean Blvd & S. County Road to the alleyway south of Worth Ave.

- Phase 3 South construction is 81% complete. Switching is beginning after the New Year.

Phase 4 North:

From south-side of La Puerta Way to north-side of List Road

- Construction for Phase 4 North is 92% complete. All equipment has been installed. Switching is 50% complete by FPL. Comcast and ATT are working on equipment installation. Conversions of homes is 75% complete.

Phase 4 South:

From Peruvian to Royal Palm Way

- Construction is 36% complete.

Phase 5 North:

From Country Club Road to Southland Road

- Design is 100% complete.
- 87 out of 87 (100%) easements are recorded or verbally approved.
- Notice to Proceed was issued September 27, 2021.
- Construction phase is 60% complete.

Phase 5 South:

From South Lake Drive/Hibiscus Ave. & Peruvian Ave./Royal Palm Way, properties between the intracoastal waterway and the Atlantic Ocean and from Royal Palm Way to Seaspray Ave.

- Design is 100% complete.
- 83 of 83 (100%) easements are recorded or verbally approved.
- Construction phase is 32% complete.

Phase 6 North:

From Chateaux Drive & Kawama Lane to the south-side of Plantation Road

- Design is 99% complete and on schedule.
- 47 of 47 (100%) easements approved.

Phase 6 South:

Seaspray Ave. to the south of Royal Poinciana Way

- Design is 100% complete and on schedule.
- 73 of 73 (100%) easements approved.

Phase 7 North:

Palm Beach Country Club north to the south side of List Road

- Design is 88% complete and on schedule. Bid packages are being prepared and expected to be issued in the next 60 days.
- 58 of 79 (73%) easements approved.

Phase 7 South:

Atlantic Ave. north to Via Los Incas & Sanford Ave.

- Design is 88% complete and on schedule. Bid packages are being prepared and expected to be issued in the next 60 days.
- 39 of 54 (72%) easements approved.

Phase 8:

Royal Poinciana Way north to Everglade Ave.

- Design is 29% complete and on schedule.
- 8 of 97 (8%) easements approved.

III. FINANCIAL SUMMARY:

A. FEMA Grant Update:

- Quarterly submittals are in for approval.

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. The table below shows the latest construction cost summary.

Phase Area	Construction Cost Proposal	Master Plan OPC	Difference	% Difference
3S	\$8,029,384.83	\$7,710,000.00	\$319,384.83	+4.1%
4N	\$4,843,009.99	\$5,360,000.00	(\$516,990.01)	-9.6%
4S	\$8,803,506.00	\$6,400,000.00	\$2,403,506.00	+37.6%
5N	\$7,347,435.31	\$6,960,000.00	\$387,435.31	+5.6%
5S	\$8,102,327.89	\$8,940,000.00	(\$837,672.11)	-9.4%
6N	\$7,867,296.00	\$5,620,000.00	\$2,247,296.00	+40.0%
6S	\$8,149,565.00	\$10,040,000.00	(\$1,890,435.00)	-18.8%
Totals	\$53,142,525.02	\$51,030,000.00	\$2,112,525.02	+4.1%

cc: Bob Miracle, Deputy Town Manager
Kevin Schanen, Kimley-Horn & Associates

Underground Utility Project Budget
Project Financial Summary
January 31, 2023

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,773,514	\$ 12,718,730	99.6%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 13,348,040	\$ 13,482,698	101.0%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 16,427,031	\$ 14,281,220	86.9%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 18,026,163	\$ 10,369,917	57.5%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 17,950,916	\$ 8,947,697	49.8%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 19,966,261	\$ 3,182,262	15.9%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ 1,885,054	\$ 1,563,758	83.0%
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ 1,446,577	\$ 620,785	42.9%
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 101,823,557	\$ 65,167,066	64.0%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 2,957,405	\$ 2,957,405	\$ 2,717,055	91.9%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 122,862,050	\$ 104,780,962	\$ 67,884,122	64.8%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 14,543,157	\$ 15,600,704	107.3%
Total Other Costs Outside Underground Budget (Page 8)			\$ 690,317	\$ 1,679,132	243.2%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 122,862,050	\$ 105,471,279	\$ 85,163,957	80.7%

Total Project Budget - Opinion of cost for construction	\$ 122,862,050
% Budgeted/Encumbered To Date Project Costs	85.28%
% Spent to Date - Project Costs	55.25%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ 18,329,914	\$ 18,329,914	0.0%
Assessment Revenue	\$ 25,280,000	\$ 24,976,699	98.8%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest	\$ 1,667,009	\$ 3,772,425	226.3%
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	\$ 3,166,667	63.3%
FPL	\$ 450,246	\$ 450,246	100.0%
FEMA Grant	\$ 8,500,000	\$ 827,237	9.7%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (401) Fund Marina	\$ 5,200,000	\$ 3,466,667	66.7%
Transfer from (001) General Fund - PM Salary	\$ 942,116	\$ 1,081,746	114.8%
Total Project Revenues	\$ 138,674,922	\$ 129,412,035	93.3%

Underground Utility Project Budget
Phase 1 Project Costs
January 31, 2023

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Project Engineering					
Task 2.1 - Detailed Design North End	590,000		472,063	472,063	100.0%
Task 2.2 - Detailed Design South End	740,000		619,411	619,411	100.0%
Task 2.3 - Permitting Assistance			17,790	17,790	100.0%
Task 2.4 - Bid Phase Assistance			42,166	42,166	100.0%
Task 2.5 - Meetings - Design Phase			125,399	125,383	100.0%
Subtotal Design Phase	\$ 1,330,000	\$ 1,280,000	\$ 1,276,829	\$ 1,276,813	100.0%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,606,916	100.2%
Street Light Conversion			\$ 135,322	135,322	100.0%
Change Order for AT&T and Comcast Conduit			\$ 500,655	491,883	98.2%
Utility Design Costs			\$ 15,595	79,767	511.5%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	325,523	68.3%
Construction Engineering (KH)			\$ 207,771	205,818	99.1%
	\$ 4,210,000	\$ 4,930,000	\$ 4,953,984	\$ 4,864,949	98.2%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	4,518,572	101.5%
Utility Design Costs			\$ 33,013	119,725	362.7%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,250,395	91.0%
Construction Engineering (KH)			\$ 317,963	317,483	99.8%
	\$ 6,800,000	\$ 6,350,000	\$ 6,198,347	\$ 6,228,375	100.5%
Easement Recording Fees			\$ 740	740	100.0%
Legal Costs/Easement Acquisition - Jones Foster	\$ 280,000	\$ 350,000	\$ 301,359	\$ 306,723	101.8%
Legal Sketch and Description - Easements			34,000	33,215	97.7%
Easement Abandonment			\$ 8,256	5,120	62.0%
Legal Advertising				2,795	
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,773,514	\$ 12,718,730	99.6%

Underground Utility Project Budget
Phase 2 Project Costs
January 31, 2023

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 2 Design					
Kimley Horn					
Task 1.1 Phase 2 North Design	335,000		\$ 281,304	\$ 281,304	100.0%
Task 1.2 Phase 2 South Design	400,000		\$ 335,353	\$ 335,353	100.0%
Task 1.3 Permitting Assistance North and South			\$ 12,674	\$ 12,674	100.0%
Task 1.4 Bid Phase Assistance North and South			\$ 40,565	\$ 40,565	100.0%
Task 1.6 Meetings North and South			\$ 136,617	\$ 131,510	96.3%
Total Phase 2 Design	\$ 735,000	\$ 807,000	\$ 806,513	\$ 801,406	99.4%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 3,932,792	3,932,792	100.0%
Owner Purchased Supplies			\$ 83,073	253,631	305.3%
FPL Design Cost			\$ 11,759	34,936	297.1%
ATT Design Cost			\$ 5,000	\$ 10,000	200.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 423,898	85.4%
FPL - Additional Vista Switches			\$ 55,000	\$ 54,938	99.9%
Construction Engineering (KH)			\$ 248,121	\$ 246,227	99.2%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 4,872,052	\$ 4,992,974	102.5%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	87,667	250.5%
Burkhardt Construction			\$ 6,322,275	6,237,992	98.7%
Owner Supplied Materials			\$ 172,321	175,898	102.1%
FPL Design Cost			\$ 13,330	34,936	262.1%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 601,448	\$ 601,448	100.0%
Reimburse John Moran				\$ 39,240	
Construction Engineering (KH)	-		\$ 325,280	\$ 313,992	96.5%
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,479,654	\$ 7,500,755	100.3%
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			\$ 1,200	\$ 1,101	91.7%
Recording Costs			\$ 3,605	\$ 3,359	93.2%
Easement Abandonment			\$ 6,870	\$ 5,994	87.2%
Total Easement Acquisition Costs	200,000	219,000	\$ 189,822	\$ 187,564	98.8%
Total Phase 2 Costs	\$ 9,170,000	\$ 13,470,000	\$ 13,348,040	\$ 13,482,698	101.0%

Underground Utility Project Budget
Phase 3 Project Costs
January 31, 2023

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 3 Design					
Kimley Horn					
Task 1.1 Phase 3 North Design	\$ 325,000		\$ 280,189	\$ 280,189	100.0%
Task 1.2 Phase 3 South Design	\$ 535,000		\$ 486,333	\$ 486,323	100.0%
Task 1.3 Permitting Assistance			\$ 13,739	\$ 13,739	100.0%
Task 1.4 Bid Phase Assistance			\$ 36,834	\$ 36,834	100.0%
Task 1.5 Meetings			\$ 77,411	\$ 76,626	99.0%
Total Phase 3 Design	\$ 860,000	\$ 895,000	\$ 894,505	\$ 893,710	99.9%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000			
Preconstruction			\$ 24,580	\$ 24,580	100.0%
Construction - Burkhardt			\$ 4,100,697	\$ 4,100,697	100.0%
Owner supplied materials			\$ 2,797	\$ 3,456	123.6%
FPL Design Cost			\$ 12,850	\$ 2,700	21.0%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 3,128	\$ 3,128	100.0%
FPL Construction			\$ 87,101	\$ 87,101	100.0%
Street Light Conversion			\$ 4,249	\$ 7,012	165.0%
Utility Costs (Comcast & ATT)			\$ 409,387	\$ 428,207	104.6%
Construction Engineering (KH)			\$ 236,976	\$ 224,829	94.9%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 457,851	\$ 457,851	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			\$ 85,796	\$ 85,796	100.0%
Comcast Nightingale/LaPuerta - Townwide Portion			\$ 8,885	\$ 8,885	100.0%
AT&T Nightingale/LaPuerta Townwide Portion			\$ 30,555	\$ 30,555	100.0%
Billing for Arnold Fisher relocate transformer Deanna Davis and Cohlan			\$ (17,647)	\$ (17,647)	100.0%
Total Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000	\$ 5,452,205	\$ 5,452,150	100.0%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction			\$ 33,400	\$ 33,400	100.0%
Construction			\$ 8,029,385	\$ 6,264,916	78.0%
Owner supplied Pipe			\$ 153,809	\$ 138,366	90.0%
FPL Construction			\$ 562,000	\$ 562,905	100.2%
FPL Design Cost			\$ 11,359	\$ 17,159	151.1%
FPL - 101 El Brillo			\$ 10,875	\$ 10,875	100.0%
ATT Design and Construction Cost			\$ 425,000	\$ 5,000	1.2%
Comcast Design and Construction Cost			\$ 195,128	\$ 335,723	172.1%
Construction Engineering (KH)			\$ 322,540	\$ 234,226	72.6%
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 9,743,496	\$ 7,602,570	78.0%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 271,913	99.5%
Easement Amendment			\$ 49,285	\$ 49,198	99.8%
<i>Surveys</i>					
Recording Costs			\$ 6,000	\$ 5,137	85.6%
Easement Abandonment			\$ 8,150	\$ 6,542	80.3%
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 336,825	\$ 332,791	98.8%
Total Phase 3 Costs	\$ 10,910,000	\$ 15,400,000	\$ 16,427,031	\$ 14,281,220	86.9%

Underground Utility Project Budget
Phase 4 Project Costs
January 31, 2023

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000		\$ 312,317	312,317	100.0%
Task 1.2 Phase 4 South Design	\$ 413,000		\$ 451,284	451,284	100.0%
Task 1.3 Permitting Assistance			\$ 14,468	14,468	100.0%
Task 1.4 Bid Phase Assistance			\$ 37,899	37,899	100.0%
Task 1.6 Meetings			\$ 77,911	77,383	99.3%
Total Phase 4 Design	\$ 815,000	\$ 894,000	\$ 893,879	893,351	99.9%
Construction Costs					
Phase 4 North Construction	4,605,000	6,275,000			
Preconstruction			\$ 22,270	22,270	100.0%
Construction Costs			\$ 5,016,315	4,322,486	86.2%
Owner Supplied Pipe and Vaults			\$ 156,238	156,238	100.0%
FPL BCE			\$ 91,543	91,543	100.0%
FPL Design Cost			\$ 12,757	12,850	100.7%
ATT Design Cost			\$ 5,000	5,000	100.0%
Comcast Design and Construction Cost			\$ 173,151	3,128	1.8%
Utility Costs (FPL, Comcast, AT&T)					
Street Light Conversion FPL			\$ 4,222	4,222	100.0%
Construction Engineering (KH)			\$ 324,309	270,059	83.3%
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 5,805,805	4,887,795	84.2%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction			\$ 34,800	34,800	100.0%
Construction			\$ 8,906,006	2,387,466	26.8%
Construction with Lake Drive Park			\$ 320,311	363,499	113.5%
Owner Supplied Pipes			\$ 2,170	2,170	100.0%
Reimbursement from Preservation Foundation			\$ (102,500)	(102,500)	100.0%
Street Light Conversion			\$ 6,688	6,688	100.0%
FPL Design Cost			\$ 13,160	1,350	10.3%
ATT Design Cost			\$ 5,000	5,000	100.0%
Comcast Design Cost			\$ 3,128	3,128	100.0%
Kimley Horn - Design services Hibiscus Ave			\$ 12,047	11,940	99.1%
Utility Costs (FPL, Comcast, AT&T)			\$ 1,334,427	1,334,427	100.0%
Construction Engineering (KH)			\$ 333,659	104,586	31.3%
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 10,868,896	4,152,554	38.2%
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	67,481	99.6%
Easement Assistance (KH)			\$ 59,369	44,143	74.4%
<i>Surveys</i>					
Legal Sketch			\$ 38,230	38,092	99.6%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs			\$ 7,000	6,247	89.2%
Easement Abandonment					
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 457,583	436,217	95.3%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 18,026,163	10,369,917	57.5%

Underground Utility Project Budget
Phase 5 Project Costs
January 31, 2023

	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			\$ 6,425,580	3,890,601	60.5%
Construction Manager - Burkhardt			\$ 940,702	451,537	48.0%
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)			\$ 334,147	191,076	57.2%
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 7,854,009	\$ 4,700,901	59.9%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction			\$ 59,100	59,100	100.0%
Construction			\$ 6,629,361	1,695,456	25.6%
Infrastructure from Phase 4 south bid - Not part of Grant			\$ 163,350	45,019	27.6%
Construction Manager - Burkhardt			\$ 979,098	430,803	44.0%
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	94,854	28.4%
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 8,555,071	\$ 2,716,585	31.8%
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	\$ 78,699	97.1%
<i>Surveys</i>					
Legal Sketch			\$ 41,080	\$ 32,603	79.4%
Legal Ads			\$ 1,000	\$ 585	58.5%
Recording Costs			\$ 6,000	\$ 5,723	95.4%
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 347,766	\$ 336,146	96.7%
FEMA Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$ 14,090,000	\$ 11,694,645	\$ 17,950,916	\$ 8,947,697	49.8%

Underground Utility Project Budget
Phase 6 Project Costs
January 31, 2023

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	\$ 420,000		\$ 475,019	\$ 475,019	100.0%
Task 1.2 Phase 6 South Design	\$ 940,000		\$ 826,551	\$ 826,551	100.0%
Task 1.3 Permitting Assistance North/South			\$ 17,694	\$ 17,694	100.0%
Task 1.4 Bid Phase Assistance North/South			\$ 35,938	\$ 35,938	100.0%
Task 1.6 Meetings North			\$ 84,791	\$ 84,765	100.0%
Total Phase 6 Design	\$ 1,360,000	\$ 1,440,000	\$ 1,439,993	\$ 1,439,967	100.0%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000			
Preconstruction			\$ 24,270	24,270	100.0%
Construction			\$ 7,867,296	193,022	2.5%
Approved Change Orders					
FPL Design Cost			\$ 15,868	29,198	184.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)			\$ 295,632	295,632	100.0%
Construction Engineering (KH)			\$ 344,177	19,209	5.6%
Total Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ 8,547,243	\$ 561,331	6.6%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000			
Preconstruction			\$ 24,270	24,270	100.0%
Construction			\$ 8,400,000		
Approved Change Orders					
FPL Design Cost			\$ 29,924	29,924	100.0%
ATT Design Cost			\$ 10,000	10,000	100.0%
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)			\$ 754,815	754,815	100.0%
Construction Engineering (KH)			\$ 344,007	14,712	4.3%
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ 9,563,016	\$ 833,721	8.7%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 313,591	89.2%
<i>Surveys</i>					
Legal Sketch			\$ 58,415	\$ 29,947	51.3%
Legal Ads			\$ 1,000	\$ 113	11.3%
Recording Costs			\$ 5,000	\$ 3,592	71.8%
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 416,009	\$ 347,242	83.5%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 19,966,261	\$ 3,182,262	15.9%

Underground Utility Project Budget
Phase 7 Project Costs
January 31, 2023

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 7 Design					
Kimley Horn					
Task 1.1 Phase 7 North Design	\$ 450,000		\$ 492,488	\$ 443,239	90.0%
Task 1.2 Phase 7 South Design	\$ 480,000		\$ 630,830	\$ 567,747	90.0%
Task 1.3 Bid Phase Assistance North and South			\$ 35,938	\$ -	0.0%
Task 1.4 Meetings North and South			\$ 77,616	\$ 76,615	98.7%
Total Phase 7 Design	\$ 930,000	\$ 1,237,000	\$ 1,236,872	\$ 1,087,601	87.9%
Utility and Construction Costs					
Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000			
Preconstruction			\$ 47,500	11,515	24.2%
Construction					
Chicane Demonstrations			\$ 47,500	12,934	27.2%
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	\$ 110,806	\$ 51,614	46.6%
Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000			
Preconstruction			\$ 47,500	11,515	24.2%
Construction					
Chicane Demonstrations			\$ 47,500	12,934	27.2%
FPL Design Cost			\$ 19,953	19,953	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000	\$ 114,953	\$ 44,402	38.6%
Easement Acquisition/Abandonment	\$ 280,000	\$ 348,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 346,459	\$ 346,356	100.0%
Easement Assistance			\$ 69,964	\$ 30,533	43.6%
Surveys					
Legal Sketch					
Legal Ads			\$ 1,000	\$ 113	11.3%
American Acquisition Group					
Temp Services					
Legal Advertising					
Recording Costs			\$ 5,000	\$ 3,137	62.7%
Total Easement Acquisition Costs	\$ 280,000	\$ 348,000	\$ 422,423	\$ 380,139	90.0%
Total Phase 7 Costs	\$ 11,730,000	\$ 15,910,000	\$ 1,885,054	\$ 1,563,758	83.0%

Underground Utility Project Budget
Phase 8 Project Costs
January 31, 2023

	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	\$ 360,156	35.0%
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	\$ 6,838	7.6%
Total Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,150,919	\$ 366,994	31.9%
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	\$ 198,797	87.3%
Surveys					
Legal Sketch					
Legal Ads				\$ 56	
American Acquisition Group					
Kimley Horn Grant Assistance BRIC Grant			\$ 49,774	\$ 41,587	83.6%
Temp Services					
Recording Costs			\$ 5,000	\$ 190	3.8%
Total Easement Acquisition Costs	\$ 300,000	\$ 242,000	\$ 282,498	\$ 240,631	85.2%
Total Phase 8 Costs	\$ 12,300,000	\$ 14,500,000	\$ 1,446,577	\$ 620,785	42.9%

Underground Utility Project Budget
Other Project Costs
January 31, 2023

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, Legal, Fees and Discounts	\$ 950,000	\$ 947,590	99.7%
Project Manager -Pay and benefits	\$ 840,000	\$ 678,803	80.8%
Temp Services - Easement Acquisition	\$ 150,000	\$ 106,050	70.7%
Other Miscellaneous Expenses		\$ 24,620	
General Easement Assistance	\$ 24,976	\$ 24,838	99.4%
Community Outreach	\$ 282,519	\$ 225,256	79.7%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 2,957,405	\$ 2,717,055	91.9%

Debt Service and Related Debt Issuance Costs

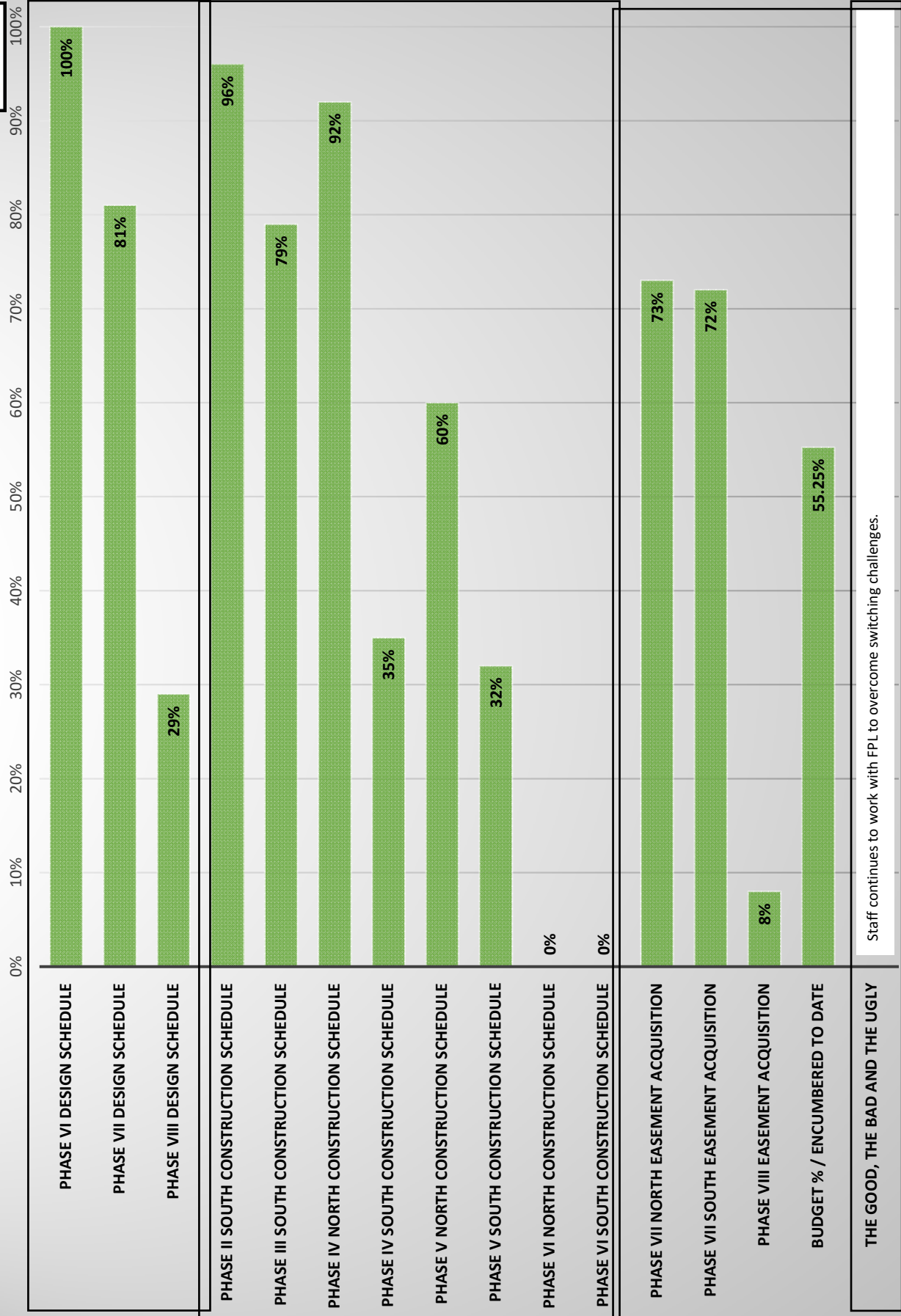
	Budget	Actual	% Expended
Commercial Paper Issuance Cost	\$ 260,116	\$ 260,116	100.0%
Commercial Paper Interest	\$ 243,096	\$ 243,096	100.0%
Arbitrage Rebate Calculation	\$ 2,500	\$ 2,900	116.0%
Debt Service Fees	\$ 2,000	\$ -	0.0%
GO Bond Closing Costs 2018	\$ 488,271	\$ 487,471	99.8%
GO Bond Closing Costs 2021	\$ 202,169	\$ 202,380	100.1%
GO Bond Debt Service	\$ 13,345,005	\$ 14,404,742	107.9%
Total Debt Service and Related Debt Issuance Costs	\$ 14,543,157	\$ 15,600,704	107.3%

Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	\$ 25,231	\$ 24,430	96.8%
Project Construction	\$ 351,081	\$ 351,081	100.0%
Project Construction Engineering	\$ 11,607	\$ 12,849	110.7%
Utility Cost (FPL, Comcast, AT&T)	\$ 134,333	\$ 127,531	94.9%
Project Meeting Attendance	\$ 3,334	\$ 2,914	87.4%
Total Lake Worth Section	\$ 525,586	\$ 518,805	98.7%
Ibis Way PGD Improvements	\$ 14,583	\$ 14,583	100.0%
Crosswalk Spare Conduits	\$ 26,148	\$ 17,519	67.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		\$ 183,701	
Kosberg v TPB Legal and Other Costs		\$ 615,602	
PBT Real Estate v TPB		\$ 197,178	
Gardner, Bist Bowden, Bush (Shef Wright)		\$ 24,799	
Telecommunications Consultant	\$ 89,000	\$ 83,210	93.5%
Peter Brandt (Contract Negotiations)	\$ 35,000	\$ 23,735	67.8%
Total Related Costs Outside of the Budget	\$ 690,317	\$ 1,679,132	243.2%

Town of Palm Beach - Underground Utility Project Dashboard - January 2023

Status Legend
 Green - On Task
 Yellow - Caution
 Red - Not on Task
 Complete - Not Shown



TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Review of Parking and Traffic Study

RESOLUTION NO. 001-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to The Corradino Group, Inc. in the Amount of \$330,795 and Establishing a Project Budget in the Amount of \$363,875 for a Traffic and Parking Study.

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated January 31, 2023, from Dean Mealy, Procurement and Contract Manager**
- ▣ **Proposal Regarding Structured Parking**
- ▣ **Proposal Regarding Downtown Traffic Analysis**
- ▣ **Resolution No. 001-2023**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA, Deputy Town Manager, Finance and Administration

FROM: Dean Mealy II, NIGP-CPP, CPPO Procurement and Contract Manager

RE: Approving the Award of a Purchase Order to The Corradino Group, Inc. in the Amount of \$330,795 and Establish a Project Budget in the Amount of \$363,875 for a Traffic and Parking Study– Resolution **No. 001-2023**

DATE: January 31, 2023

STAFF RECOMMENDATION

Town staff recommends approving the Award of a Purchase Order to The Corradino Group, Inc. in the Amount of \$330,795 and Establish a Project Budget in the Amount of \$363,875 for a Traffic and Parking Study.

GENERAL INFORMATION

This item has been presented at the January 2023 Town Council Meeting. Town Council requested that the item be brought back with additional clarification for discussion.

The Proposal from The Corradino Group, Inc., is estimated to cost \$330,795 for the Traffic and Parking Study. The study would begin in February and should finish in September 2023. It now includes a separate proposal for structured parking.

The Planning, Zoning, and Building Department has determined one of the deliverables is a Traffic Engineering and Parking Study. As such, the Consultant will provide traffic engineering review services related to a review of the traffic impact of the existing restaurants in the downtown area, evaluation of the existing parking supply in the downtown area and a review of the origin and destination of the traffic traveling into the downtown Town of Palm Beach area daily.

FUNDING/FISCAL IMPACT

For this project, \$200,000 will be funded from the General Fund Contingency. The remaining funding will be from a Fund Balance Transfer to the PZB Operating Account.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by Planning, Zoning and Building Department and is approved as recommended.

TOWN ATTORNEY REVIEW

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

Sent via Email to wbergman@townofpalmbeach.com

January 23, 2022

Wayne Bergman, MCP, LEED AP
Director
Town of Palm Beach
Planning, Zoning, Building
360 S. County Road
Palm Beach, FL 33480

Dear Mr. Bergman:

This is a reformed proposal stemming from the instructions received at the Town of Palm Beach January Council meeting, which made several additions to the traffic engineering and transportation planning services related to a review of the traffic impact of the existing restaurants in the downtown area, evaluation of the existing parking supply in the downtown area and a review of the origin and destination of the traffic traveling into the downtown area daily. One of the requests was an evaluation of structured parking on the Town. That request is being separated from the original scope of services should the Town want to consider it individually. This task work order will be per the terms and conditions of our continuing services agreement with the Town.

Sincerely,

Joseph M. Corradino, AICP
President
The Corradino Group, Inc.

CONSULTING SERVICE AUTHORIZATION

Statement of Work (SOW)

TOWN P.O. NO. _____

TOWN EXPENSE CODE _____

TITLE: Palm Beach Impact of Structured Parking

I. PROJECT DESCRIPTION:

The Consultant will provide traffic engineering review services related to a review of the traffic impact of the existing restaurants in the commercial area, evaluation of the existing parking supply in the commercial area and a review of the origin and destination of the traffic traveling into the commercial area daily.

II. SCOPE OF SERVICES:

Task 1: Parking facility site alternatives will be identified based on: 1) potential user preferences, 2) existing Town ownership or control of lands, 3) opportunity cost evaluations of currently owned lands, and 4) the feasibility of acquiring the use of optimal locations and sizes of land.

The site alternatives will be analyzed for the potential for each to be economically developed with parking and transit facilities as stand-alone or as mixed-uses.

Task 2: Parking Facility Design Alternatives

The sites identified in Task 1 will be analyzed for potential development as a structured parking facility. For each site, design alternatives will be developed and analyzed, including:

- surface parking
- above-ground structured parking mixed use with commercial or civic liner space at ground level
- use of the top parking deck for solar power generation, retail/restaurant spaces, or where areas are large enough, recreational facilities for residents and visitors.

Conceptual designs will be provided based on providing sufficient capacity for parking and operations. A maximum of 3 design concepts for up to 3 sites will be analyzed. For each design, an economic analysis will be provided based on planning-level cost estimates and planning-level revenue stream estimates in a general pro-forma format. Where applicable, public/private partnerships (P3) and non-parking revenue sources will be identified and analyzed to the extent practicable.

Task 3: Parking Management Strategies

Parking management strategies are a critical characteristic for efficient operation of parking supplies and maintaining a high level of utilization for the parking system. Strategies will be identified, and qualitatively analyzed for their potential benefits for the public good and the Town. Parking strategies may include:

ENGINEERS • PLANNERS • PROGRAM MANAGERS • ENVIRONMENTAL SCIENTISTS

- static wayfinding signage
- dynamic wayfinding signage with availabilities, and integration with intelligent, sensor-based transportation infrastructure
- automated, active management of traffic signals to facilitate transit prioritization and to increase pedestrian, bicycle, and micro-mobility safety
- dynamic wayfinding and transit smartphone application or application add-on
- dynamic pricing
- parking reservations
- provision of car-sharing and micro-mobility at parking hub sites
- branding and other non-tangibles

Downtown Parking Analysis				Town of Palm Beach Approved Hourly Rates													
Task Work Order Activity		Principal-in-\$225.00		Senior Engineer \$238.00		Principal Planner \$210.00		Senior Planner \$200.00		Engineer \$165.00		Planner \$150.00		Data Collection		Senior Planner	
		Hours	Total Fee	Hours	Total Fee	Hours	Total Fee	Hours	Total Fee	Hours	Total Fee	Hours	Total Fee	Quantity	Total Fee	Total Hours	Total Fee
Task 1 Impact of Structerd Parking			\$0.00		\$0.0	20	\$4,200		\$0		\$0	33	\$4,950		\$0	53	\$9,150
Task 2 Parking Facility Desing Alternatives			\$0.00		\$0.0	53	\$11,130		\$0		\$0	53	\$7,950		\$0	106	\$19,080
Task 3 Par Parking Management Strategies			\$0.00		\$0.0	20	\$4,200		\$0		\$0	33	\$4,950		\$0	53	\$9,150
Task Work Order Totals		0	\$0.00	0	\$0.0	93	\$19,530	0	\$0	0	\$0	119	\$17,850	0	\$0	212	\$37,380
Contingency- 10%		\$3,738															
TOTAL FEE		\$41,118															

Sent via Email to wbergman@townofpalmbeach.com

January 20, 2023

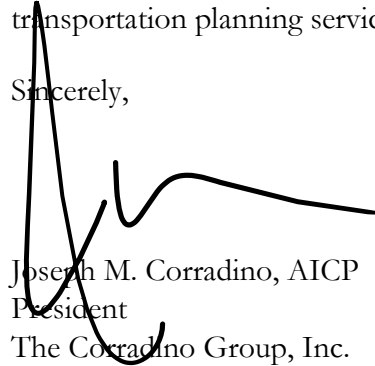
Wayne Bergman, MCP, LEED AP
Director
Town of Palm Beach
Planning, Zoning, Building
360 S. County Road
Palm Beach, FL 33480

Dear Mr. Bergman:

It is our understanding that the Town of Palm Beach has requested traffic engineering and transportation planning services related to a review of the traffic impact of the existing restaurants in the downtown area, evaluation of the existing parking supply in the downtown area and a review of the origin and destination of the traffic traveling into the downtown area daily. This task work order will be per the terms and conditions of our continuing services agreement with the Town.

The Corradino Group appreciates this opportunity to submit this proposal to the Town of Palm Beach. We look forward to assisting you in providing the Town with the best traffic engineering and transportation planning service possible.

Sincerely,



Joseph M. Corradino, AICP
President
The Corradino Group, Inc.

CONSULTING SERVICE AUTHORIZATION

Statement of Work (SOW)

TOWN P.O. NO. _____

TOWN EXPENSE CODE _____

TITLE: Palm Beach Commercial Areas Traffic Analysis

I. PROJECT DESCRIPTION:

The Consultant will provide traffic engineering review services related to a review of the traffic impact of the existing restaurants in the commercial area, evaluation of the existing parking supply in the commercial area and a review of the origin and destination of the traffic traveling into the commercial area daily.

II. SCOPE OF SERVICES:

1. Traffic Data Collection

a) **Manual Turning Movement Counts-** The Consultant will collect morning and afternoon peak hour turning movement counts on a typical weekday (during school) at the following intersections within the project radius of influence (Reference Exhibit One):

- State Road A1A/S. County Road and Golfview Road (signalized)
- State Road A1A/S. County Road and Worth Avenue (signalized)
- State Road A1A/S. County Road and Peruvian Avenue (signalized)
- State Road A1A/S. County Road and Chilean Avenue (unsignalized)
- State Road A1A/S. County Road and Australian Avenue (unsignalized)
- State Road A1A/S. County Road and Brazilian Avenue (unsignalized)
- State Road A1A/S. County Road and Royal Palm Way (signalized)
- State Road A1A/S. County Road and Seaview Avenue (unsignalized)
- State Road A1A/ S. County Road and Royal Poinciana Way
- State Road A1A/S. County Road and The Breakers Entrance (two intersections at the main entrances)
- State Road A1A/S. County Road and Sunset Avenue
- State Road A1A/S. County Road and Sunrise Avenue
- Bradley Place and Sunset Avenue
- Sunrise Avenue and Bradley Place (signalized)
- Sunset Avenue and Bradley Place (unsignalized)
- Royal Poinciana Way and Bradley Place (signalized)
- Royal Palm Way and Coconut Row (signalized)
- Southern Blvd and South Ocean Blvd (roundabout)
- South Lakeview and Royal Palm Way
- South Lakeview and Brazilian Avenue

- South Lakeview and Australian Avenue
- South Lakeview and Chilean Avenue
- South Lakeview and Peruvian Avenue
- Worth Avenue and Coconut Row

All traffic counts will be adjusted to account for seasonal variation using the appropriate Florida Department of Transportation (FDOT) seasonal adjustment factors to represent peak season traffic conditions.

- b) **Streetlight Data-** The Consultant will utilize Big Data to measure multimodal vehicle travel movements and patterns between zones. The Big Data will be in the form of the Streetlight InSight Data platform (Reference Exhibit Two).
- c) **Restaurant Valet Parking Data-** The Consultant will collect valet queue data in one-minute intervals and maximum queues will be documented during the weekday peak period on a typical weekday (Tuesday, Wednesday, or Thursday) between ~~4:00~~ 5:00 to 8:00 P.M. and a weekend (Friday or Saturday) peak period between 5:00 to 9:00 P.M. for up to ~~three~~ five restaurant valet drop-off/pick-up areas within the Town of Palm Beach Downtown project area limits. The specific restaurants will be selected after an examination of existing conditions and consultation with stakeholders to assure appropriate locations are suggested.
- d) **Parking Data Collection-** The Consultant will collect parking data in commercial districts and corridors in the Town, including:
- Royal Palm Way Corridor South Lake Drive to South Ocean Boulevard
 - North County Road (A1A) Corridor from Worth Avenue to Seaview Avenue
 - Peruvian Avenue Corridor from Coconut Row to North County Road (A1A)
 - Worth Avenue Corridor from Coconut Row to South Ocean Boulevard
 - Mixed-use district between Royal Poinciana Way to Sunrise Avenue which area is zoned Commercial Town Serving (C-TS)

The purpose of Task 1-d is to provide parking data that is ready for analysis of general mixed-use / commercial district parking supply and demand in the Town of Palm Beach.

The study areas for Task 1-d are public roadways along land designated as “Commercial” on the Town Zoning Map. It includes the zoning districts: Commercial Office, Professional, Institutional (C-OP), Commercial Planned Center (C-PC), Commercial Town Serving (C-TS), Commercial, Worth Avenue (C-WA), and Commercial Offices (C-B). Private lots, garages, and valet operations are included in Task 1c.

The Towns Parking Code and Shared Parking Ordinance will be reviewed and compared with at least three (3) similar communities to determine if parking standards need to be modernized to fit contemporary forms of development, as well as contemporary travel and vehicle usage patterns.

Land Use & Parking Supply: For each study area, parking inventory by block based on permit records, Town GIS information and field or aerial verification as required. Existing land use and occupancy data will be collected, including: land use, gross floor area, and permitted on-site parking spaces. To perform this analysis at a level of detail for retail cell occupancy, Corradino will require the Town to provide such from its current-year business tax/ permit data. Public on-street and off-street parking supply will also be identified by block based on aerial photography and Town records for structured parking.

Parking Occupancy Data: For each district three surveys will be taken:

- Midday - a weekday (Tuesday -Thursday) midday survey will be performed from 12:00 noon to 2:00 pm (or appropriate local peak times arrived at after consultation with staff) to capture the presumed peak for offices, retail, and restaurant patronage on a weekday. This will be collected on the same day and same time on three consecutive weeks.
- Evening - a Friday evening survey will be performed from 5:00 pm to 8:00 pm (or appropriate local peak times arrived at after consultation with staff) to capture the presumed peak for after-work retail and restaurant patronage on a weekday. This will be collected on the same day and same time on three consecutive weeks.
- Weekend - a Saturday midday survey will be performed from 2:00 pm to 3:00 pm (or appropriate local peak times arrived at after consultation with staff) capture the presumed peak for retail and restaurant patronage on a weekend. This will be collected on the same day and same time on three consecutive weeks.

Parking Turnover & Occupancy: Accumulation, turnover and occupancy studies will be performed from 11:00 am to 7:00 pm on a weekend day at sample locations within the general retail/restaurant area and town-serving commercial districts. This will be collected on the same day and same time on three consecutive weeks. The locations will be:

- Worth Avenue from Coconut Row to South Ocean Boulevard
- North County Road (A1A) from Australian Avenue to Royal Palm Way
- Sunrise Avenue from Bradley Place to North County Road

Private Lots and Valet: In addition, if the Town collects receipt data from private lot operators or valet operators, we will examine to determine if occupancy and duration information can be ascertained and if so, will be used to augment the on-street data.

2. Traffic Analysis- Consultant will complete the following traffic analysis related to the traffic data collection from task one.

- a) Trip Generation Comparison-** The Consultant will prepare a trip generation comparison using the ITE Trip Generation Handbook. The trip generation comparison will include a comparison of restaurant land use versus other commercial land uses.

- b) **Intersection Capacity Analysis-** The Consultant will perform an Intersection capacity analysis for the subject intersections using software based on the Highway Capacity Manual (HCM) methodology. The analysis will be performed for morning and afternoon peak hour conditions using Synchro 11 software. The analysis scenarios will include the existing year (2022) and the future year (2027) with alternative commercial uses. The Consultant will evaluate the travel time and delay of the intersection network using Synchro 11 software. The Intersection capacity analysis will include a queueing evaluation of the bridge openings over the Lake Worth Lagoon at the Southern Blvd Bridge, Royal Palm Way Bridge and Royal Poinciana Way Bridge. The queueing evaluation will determine if there is an impact to the nearest signalized intersection to the east of each bridge crossing in the Town of Palm Beach. Coordination will be made with Palm Beach County and the Florida Department of Transportation, regarding signal timing, coordination at the Royal Palm Way Bridge and adjacent traffic signals both in the Town of Palm Beach and the City of West Palm Beach.
- c) **Valet Parking Operational Analysis-** The Consultant will perform field observations at the three selected restaurant valet drop-off pick up areas within the Town of Palm Beach Downtown project area limits. The field observations will be performed during the queue data collection time periods. The purpose of these observations is to identify operational issues related to existing valet operations and traffic circulation patterns of these three locations. Photographs of the traffic circulation will be taken as part of this task. The field observations will document if queues spill back into public right-of-way. The valet operations queueing analysis will be conducted consistent with procedures described in ITE's Transportation and Land Development, 1988. A traffic circulation figure will be prepared to illustrate the valet routes to and from the vehicle drop-off/pick-up area.
- d) **Origin Destination Analysis-** The Consultant will evaluate the Streetlight data to determine the historical traffic patterns to the Town each day. This will include the following:
- Determination if the traffic congestion is local traffic or traffic from outside the Town of Palm Beach.
 - Evaluate the peak hour road segment level of service for the primary ingress egress corridors in the Town of Palm Beach
- e) **S. Lake Drive One Way Analysis-**
An analysis of the conversion of S Lake Drive from a bidirectional street to a one way street will be undertaken, using the turning movement counts and origin destination data collected above.

3. **Parking Analysis: Commercial Areas-** The residents of the Town of Palm Beach have expressed concerns that land development and parking regulations in the commercial areas need revision for improved management. Where parking supply and demand become misaligned, economic and recreational opportunities become inhibited and residents' quality-

of-life becomes strained. The Town of Palm Beach as an island community is also a destination for visitors for its natural and architectural beauty within short, walkable distances. While providing for excellent walkable community fabric, the compact geography also exacerbates impacts from parking demands that are not managed to the best practicable standards. To improve the quality-of-life and economic viability of the commercial areas, the Town will consider revising its land development and parking regulations and will need parking audit information for a data-driven approach. Task 3 is to provide the Town with the necessary data to establish the existing and project conditions for different land use scenarios. The data and analysis will answer three questions.

1. How much parking is provided in the study area (Reference Exhibit Three).
2. How parking is being utilized and if demand exceeds capacity
3. Identification of changes in the land use and parking regulations that can affect parking demand, with particular attention to identifying the different impacts of restaurants and other eateries versus retail and other commercial uses.

a) Existing Data Sources-

- Results of Task 1-d
- Near-term, new development scenario provided by the Town
- Zoning regulations by block with relevance to parking requirements and potential build-out or change of tenants
- Parking utilization, management and pricing for public parking as available
- Traffic volume, seasonal patterns, and trip growth data from the Palm Beach County travel model
- Village roadway-related reconstruction plans to identify roadway changes and potential changes to on-street parking supply
- Review of the Town of Palm Beach Traffic & Parking Improvement Plan, December 2006, and meetings with Town staff to discuss the successes and challenges of prior parking strategies with the intention to assure that all necessary data and analysis is performed

b) Existing and Future Conditions, and Scenario Analysis- Parking and mobility deficiencies, opportunities and needs will be identified in this Task. Existing and future parking deficiencies will be identified by block based on existing development, and for future conditions based on a near-term projected development scenario provided by the Town. Scenario analysis to identify the different impacts of restaurants and other eateries versus retail and other commercial uses will also be developed.

4. **Technical Memorandum-** The Consultant will summarize the traffic analysis and findings in a report using tables and figures as necessary. The technical memorandum will be signed and sealed by a Florida registered professional engineer.
5. **General Coordination and Meeting Attendance-** The Consultant will provide general coordination and meeting attendance with the Town of Palm Beach.

- Note: The Town of Palm Beach will select the existing restaurants where valet parking counts will be collected. Once selected, the Town of Palm Beach will assist in confirmation of the peak times for the valet queuing and parking utilization data collection.
- Note: This scope of services includes thirteen intersections where manual turning movement counts will be collected. Any additional count locations will be provided as an additional service as requested by the Town of Palm Beach.
- Note: This scope of services assumes that the Town of Palm Beach will provide bridge crossing opening/dwell times for each of the three bridge crossing locations (Southern Blvd Bridge, Royal Palm Way Bridge and Royal Poinciana Way Bridge).
- Note: This scope of services does not include preparation of design plans or permitting of intersection or road segment improvements based on the intersection analysis. All design related services such as roadway design, civil engineering design, structural engineering, surveying, geotechnical, utility coordination, landscape architecture and other related services are not included. These services can be provided as an additional services agreement as necessary at the request of the Town of Palm Beach.
- Note: This scope of services does not include preparation of additional traffic analysis not included within this scope of services as requested by Palm Beach County Traffic Engineering Division or FDOT. These services can be provided as an additional service as requested by the Town of Palm Beach.
- Note: This scope of services does not include collecting pedestrian and bicycle traffic counts beyond what was collected as part of the manual turning movement counts.

III. BUDGET:

The Corradino Group staff will provide the Town of Palm Beach with the basic services described in this scope of services for an hourly not to exceed fee amount of **\$256,796** in accordance with our continuing services contract (Reference Hourly Rates in Exhibit Four). The traffic data collection will be provided for a lump sum fee amount of **\$36,619**.

Contingency: A contingency of 10% (\$29,341) will be available for any changes to the scope of services. This will not be accessed without written approval of the appropriate Town Staff. If necessary, it would speed implementation of scope modifications.

Total Cost for the project would be \$322,757.

IV. ACCEPTANCE OF PROPOSAL

Downtown Palm Beach Traffic Analysis

Approved by:

TOWN OF PALM BEACH

Date: _____

By: _____
Wayne Bergman, MCP, LEED AP
Director

THE CORRADINO GROUP, INC.

Date: _____

By: _____
Joseph M. Corradino, President

EXHIBIT ONE
MANUAL TURNING MOVEMENT COUNT LOCATIONS

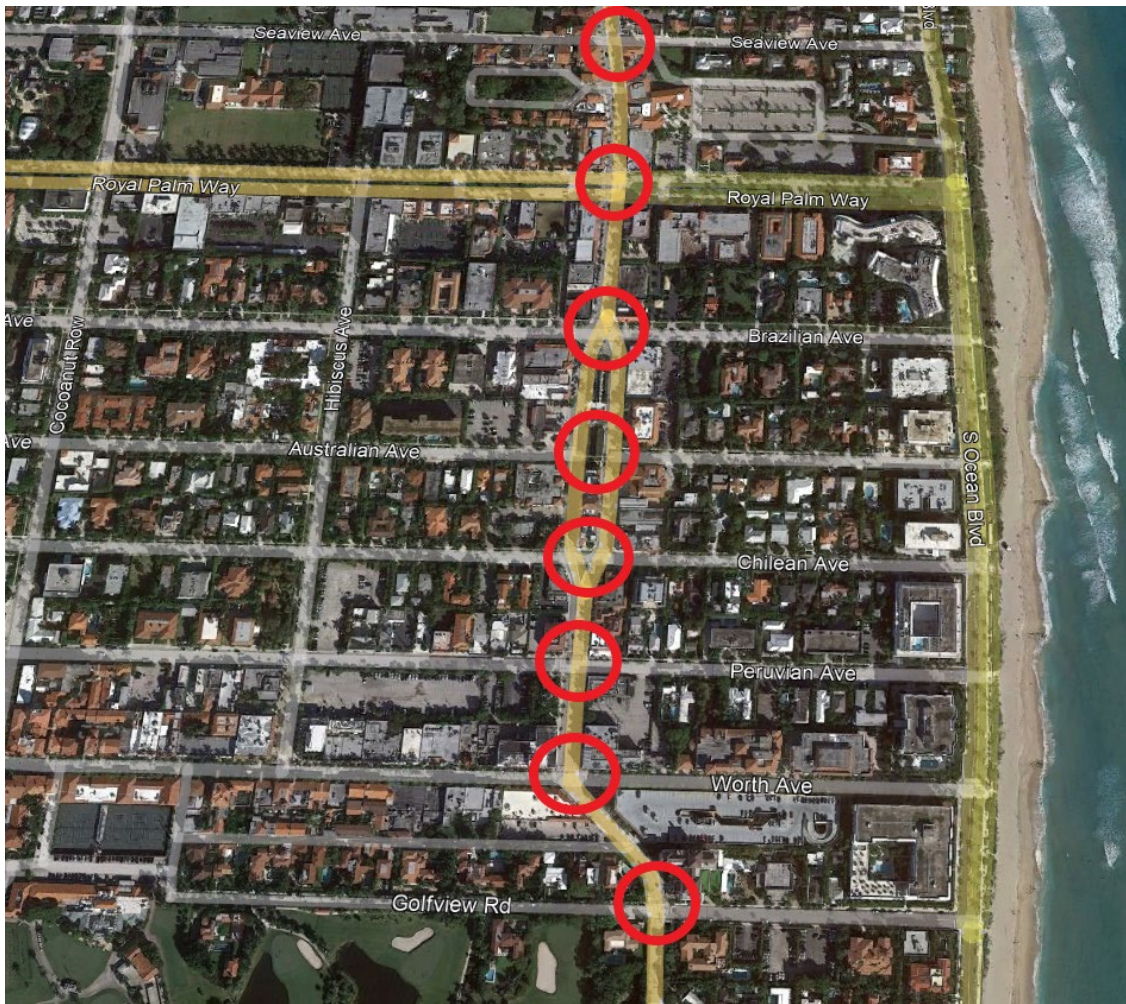




EXHIBIT TWO
STREETLIGHT DATA PLATFORM BACKGROUND INFORMATION

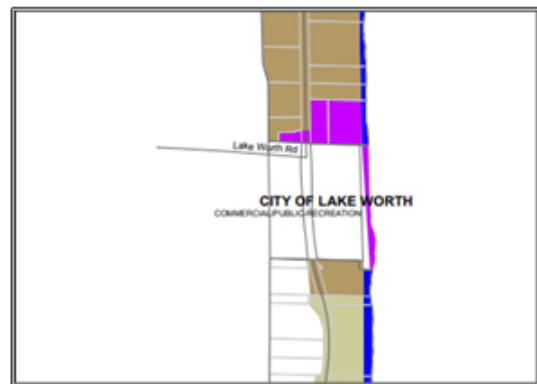
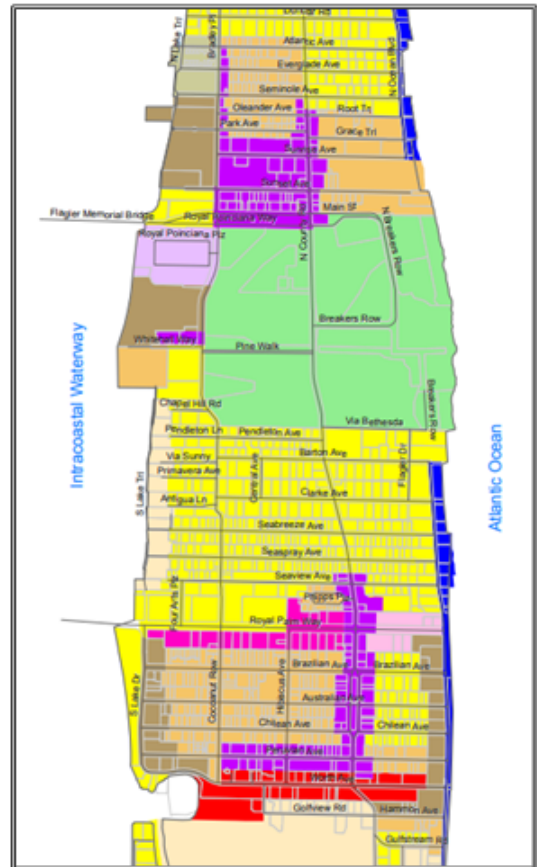
EXHIBIT THREE **PARKING ANALYSIS STUDY AREA**

The study area for the parking analysis will be the commercial and mixed-use districts in Palm Beach and include the areas in the Town that are designated Commercial on the Town Zoning Map:

- Commercial Office, Professional, Institutional (C-OPI)
- Commercial Planned Center (C-PC)
- Commercial Town Serving (C-TS)
- Commercial, Worth Avenue (C-WA)
- Commercial Offices (C-B)

The most southern commercial district at the northeast corner of Lake Avenue and South Ocean Boulevard will not be included in this analysis because this area has no on-street parking and is comprised of a single retail / services / office center with private parking.

Based on our understanding of the scope, this area is not an areas of parking concern. The public parking to the east of the center is for R. G. Kreusler Park and beach access. Parking for this park may be skewed by the much larger public metered parking inventory for Lake Worth Beach immediately to the south.



ZONING MAP EXCERPT LEGEND	
	Commercial Office, Professional, Institutional (C-OPI)
	Commercial Planned Center (C-PC)
	Commercial Town Serving (C-TS)
	Commercial, Worth Avenue (C-WA)
	Commercial Offices (C-B)

EXHIBIT FOUR
APPROVED HOURLY RATE SCHEDULE

The Corradino Group, Inc. Schedule of Hourly Billing Rates

	Hourly Rate
Principal-in-Charge	\$ 225.00
Principal Planner	\$ 210.00
Senior Planner	\$ 200.00
Planner/Architect	\$ 150.00
Associate Planner	\$ 100.00
Assistant Planner	\$ 90.00
Senior Engineer (PE)	\$ 238.00
Engineer (PE)	\$ 165.00
Attorney	\$ 250.00
Clerical	\$ 65.00

RESOLUTION NO. 001-2023

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A PURCHASE ORDER TO THE CORRADINO
GROUP, INC. IN THE AMOUNT OF \$330,795 AND
ESTABLISHING A PROJECT BUDGET IN THE AMOUNT OF
\$363,875 FOR A TRAFFIC AND PARKING STUDY**

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. 001-2023, Approving a Purchase Order to The Corradino Group, Inc. in the Amount of \$330,795 and Establishing a Project Budget of \$363,875 for a Traffic and Parking Study.

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 14th day of February 2023.

Danielle H. Moore, Mayor

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Lewis S.W. Crampton, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Margaret A. Zeidman, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - Old Business

Agenda Title

RESOLUTION NO. 011-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Change Order to ZoneCo in the Amount of \$170,000 for a Total Awarded Purchase Order of \$420,000 for Code Reform.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 31, 2023, from Dean Mealy, II, Procurement and Contract Manager**
- ▣ **Resolution No. 011-2023**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA, Deputy Town Manager, Finance and Administration

FROM: Dean Mealy II, NIGP-CPP, CPPO Procurement, and Contract Manager

RE: Resolution No. 011-2023, Approving the Award of a Change Order to ZoneCo in the Amount of \$170,000 for a Total Awarded Purchase Order of \$420,000 for Code Reform – **Resolution No. 011-2023**

DATE: January 31, 2023

STAFF RECOMMENDATION

Town staff recommends approving the Award of a Change Order to ZoneCo in the Amount of \$170,000 for a total Awarded Purchase Order of \$420,000 for Code Reform.

GENERAL INFORMATION

Town Council approved the award to ZoneCo and The Corradino Group, Inc. as the consultants for Code Reform in March of 2022. At the August Town Council Meeting, Town Council approved an initial minimum funding so that PZB could begin the process of meeting and assigning work tasks.

The additional funding being requested as a Change Order is required to support the pre-charrette public kick-off, the actual weeklong charrette, post-charrette documentation, and travel / housing expenses. This fee includes Sean Suder and his team from ZoneCo., Joe Nickol and his team from Yard & Company, and Fairfax and Sammons as illustrators.

The Kick-Off Meeting was held on January 17, 2023, and the weeklong Charrettes will take place February 27 through March 3, 2023. In addition, a traffic and parking study, part of the Code Review process, will begin in February 2023. These tasks and their related expenses were expected, as the Kick-Off meeting and week of Charrettes will address the education and public outreach portion of the project, and the traffic and parking study will result in the data needed to review current and future commercial uses and possible changes to parking regulations. The three months of January, February, and March of 2023 will be the most expensive timeline of this project.

The second half of the total Code Review project will run from April through the end of the year, with flexibility for changes (project scope and timelines) as requested by the Mayor and Town Council. During this time the consultant teams will review the public input and Town Official input, along with the previously identified issues with the code. They will calibrate the code by proposing revised base regulations, zoning district changes (if any), prepare tables and illustrations

for a clear code understanding, and review and test the code changes. After a preliminary review and conceptual acceptance by the Town, they will begin the task of codification, preparing the text and zoning district map changes, in a first and final draft presentation format. Finally, if requested by the Town, the consultant teams will assist staff with the Evaluation and Appraisal Review of the Comprehensive Plan.

FUNDING/FISCAL IMPACT

The initial Purchase Order in the amount of \$250,000 was funded from the General Fund Contingency. The Change Order will be funded from an unassigned fund balance transfer to the PZB Operating Account.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by Planning, Zoning and Building Department and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 011-2023

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF A CHANGE ORDER TO
ZONECO IN THE AMOUNT OF \$170,000 FOR A TOTAL
AWARDED PURCHASE ORDER OF \$420,000 FOR CODE
REFORM**

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. 011-2023, Approving the Award of a Change Order to ZoneCo in the Amount of \$170,000 for a Total Awarded Purchase Order of \$420,000 for Code Reform.

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 14th day of February, 2023.

Danielle H. Moore, Mayor

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Lewis S.W. Crampton, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Margaret A. Zeidman, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - Old Business

Agenda Title

RESOLUTION NO. 012-2023 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 Corradino Group in the Amount of \$45,000 for a Total Awarded Purchase Order of \$145,000 for Code Reform.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 31, 2023, from Dean Mealy, II, Procurement and Contract Manager**
- ▣ **Resolution No. 012-2023**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA, Deputy Town Manager, Finance and Administration

FROM: Dean Mealy II, NIGP-CPP, CPPO Procurement, and Contract Manager

RE: Resolution No. 012-2023, Approving the Award of a Change Order to The Corradino Group, Inc. in the Amount of \$45,000 for a Total Awarded Purchase Order of \$145,000 for Code Reform – **Resolution No. 012-2023**

DATE: January 31, 2023

STAFF RECOMMENDATION

Town staff recommends approving the Award of a Change Order to The Corradino Group, Inc. in the Amount of \$45,000 for a Total Awarded Purchase Order of \$145,000 for Code Reform.

GENERAL INFORMATION

Town Council approved the award to ZoneCo and The Corradino Group, Inc. as the consultants for Code Reform in March of 2022. At the August Town Council Meeting, Town Council approved an initial minimum funding so that PZB could begin the process of meeting and assigning work tasks.

The additional funding being requested as a Change Order is required to support the pre-charrette planning, kick-off meeting preparation and attendance, post-charrette meetings, charrette close out, and lodging expenses. The team includes land use attorney Rachel Streifeld.

The Kick-Off Meeting was held on January 17, 2023, and the weeklong Charrettes will take place February 27 through March 3, 2023. In addition, a traffic and parking study, part of the Code Review process, will begin in February 2023. These tasks and their related expenses were expected, as the Kick-Off meeting and week of Charrettes will address the education and public outreach portion of the project, and the traffic and parking study will result in the data needed to review current and future commercial uses and possible changes to parking regulations. The three months of January, February, and March of 2023 will be the most expensive timeline of this project.

The second half of the total Code Review project will run from April through the end of the year, with flexibility for changes (project scope and timelines) as requested by the Mayor and Town Council. During this time the consultant teams will review the public input and Town Official input, along with the previously identified issues with the code. They will calibrate the code by proposing revised base regulations, zoning district changes (if any), prepare tables and illustrations for a clear code understanding, and review and test the code changes. After a preliminary review

and conceptual acceptance by the Town, they will begin the task of codification, preparing the text and zoning district map changes, in a first and final draft presentation format. Finally, if requested by the Town, the consultant teams will assist staff with the Evaluation and Appraisal Review of the Comprehensive Plan.

FUNDING/FISCAL IMPACT

The initial Purchase Order in the amount of \$100,000 was funded from the General Fund Contingency. The Change Order will be funded from an unassigned fund balance transfer to the PZB Operating Account.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by Planning, Zoning and Building Department and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 012-2023

**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
CORRADINO GROUP IN THE AMOUNT OF \$45,000 FOR A
TOTAL AWARDED PURCHASE ORDER OF \$145,000 FOR
CODE REFORM**

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. 012-2023, Approving the Award of a Change Order to The Corradino Group in the Amount of \$45,000 for a Total Awarded Purchase Order of \$145,000 for Code Reform.

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 14th day of February, 2023.

Danielle H. Moore, Mayor

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Lewis S.W. Crampton, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Margaret A. Zeidman, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Phipps Ocean Park Project Update

Carolyn Stone, Deputy Town Manager, Business Enterprise and Culture

TIME CERTAIN: 2:00 PM

- a. Estimated Future Costs for Park Staffing and Maintenance Presentation
- b. Site plan review with Proposed Pickleball Location
- c. FDOT Crosswalk Discussion
- d. Lifeguard Building Design Presentation

Time Certain

2:00 PM

Presenter

ATTACHMENTS:

- ▣ **a. Memorandum Dated February 3, 2023, from Carolyn Stone, Deputy Town Manager, Business Enterprise and Culture**
- ▣ **b. Memorandum Dated February 1, 2023, from Carolyn Stone, Deputy Town Manager, Business Enterprise and Culture**
- ▣ **b. Phipps Ocean Park Pickleball Site Plan with 2 courts**
- ▣ **b. Phipps Ocean Park Pickleball Site Plan with 4 courts**
- ▣ **c. Memorandum Dated January 23, 2023, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **d. Memorandum Dated January 31, 2023, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **d. Phipps Ocean Park Lifeguard Building Elevations**
- ▣ **d. Phipps Ocean Park Lifeguard Building Elevations from Fairfax and Sammons**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Carolyn S. Stone, Deputy Town Manager – Business Enterprise and Culture

Re: Phipps Ocean Park Estimated Future Costs

Date: February 3, 2023

STAFF RECOMMENDATION

Staff recommends Town Council review the summary of estimated probable costs related to the renovated Phipps Ocean Park.

GENERAL INFORMATION

Town staff has been coordinating with The Preservation Foundation of Palm Beach on the Capital Grant and Operating Agreement for Phipps Ocean Park. As directed by Town Council, staff have been working toward an estimate of probable cost for the maintenance and operation of the park based on the Preservation Foundation's conceptual master plan. The park plans are currently at 60% design. All finishes for the various park elements have not been finalized and will impact the estimated future costs.

The Preservation Foundation has requested that the renovated park reflect the Town and Foundation's high standards and is maintained in first-class condition, clean and sanitary, free from all rubbish, regularly landscaped, and secure. The park is currently maintained with minimal staff (no dedicated full-time employees are assigned to park maintenance and oversight). Town staff have developed a staffing plan which they believe will best meet the desired standard of care for Phipps Ocean Park, assuming a satisfactory resolution of final design submittals.

ESTIMATED PERSONNEL NEEDS AND ADDITIONAL COSTS

Staff estimates the following new personnel needs:

Public Safety

The Police Department reviewed the proposed plans to revitalize Phipps Ocean Park, which will likely result in a significant increase in visitor traffic. The unique landscaping design will limit views of the entire park from within and outside its boundaries. A comprehensive camera plan will be installed to provide enhanced security. Still, in addition to this upgrade in technology, the Police Department anticipates the need for a more significant presence and response. Police service calls will likely include vehicle lockouts, vehicle break-ins, Violation of Town Ordinance (VTO) complaints, suspicious persons, and ocean-related incidents. Proactive foot and UTV/ATV patrol

will be required to maintain excellent response times. The Police Department recommends the addition of one police officer in the south end and a half position of parking enforcement to adequately meet the expected community standard due to the increased traffic and demands of the revitalized park.

Police Officer (1 FTE) – estimated annual cost of \$120,000

Parking Enforcement (.5 FTE) – estimated annual fee of \$40,000

Total estimated annual cost: \$160,000 (including salary and benefits)

Recreation

Recreation Department staff have reviewed the proposed plan for revitalizing Phipps Ocean Park and the planned allocation of park maintenance and management responsibilities between the Foundation (and its leased park components) and the Town. Taking into account the duties proposed, the hours the park will be open, and the expectation that the park is to be kept at an exceptional level of maintenance and care, the staff recommends hiring three full-time positions: a Parks Crew Foreman and two Park Attendants (or similar titles).

Parks Crew Foreman (1 FTE) – estimated annual cost of \$112,000

Park Attendant (2 FTE) – estimated yearly cost of \$188,000

Hours to be covered: 7 days per week, estimated 10 hours per day

Total Estimated Annual Cost: \$300,000 (including salary and benefits)

Summary of job duties:

Park Crew Foreman: The Parks Crew Foreman will operate and maintain Phipps Ocean Park grounds and facilities (outside of those elements which the Preservation Foundation will maintain). Responsibilities include, but are not limited to, directing and participating in the maintenance of park amenities (playground, pavilions, building structures, lighting, and pathways), oversight of wildlife removal, supervising the maintenance and repair of motorized and other mechanical equipment, and assisting in the supervision and directing the work of maintenance staff and park attendants, including public compliance with park rules.

Parks Attendant: Under the direction of the Parks Crew Foreman, the position will be required to operate various ground maintenance equipment, such as blowers and various hand tools associated with ground maintenance. Work involves routine manual labor duties, including daily maintenance and cleaning of multiple buildings and outdoor properties and trash, garbage, and debris collection. The attendants will also monitor the use of the park, assist in the oversight of park policies, and report any issues needing immediate attention.

Additional Costs:

Assorted tools, supplies, up-fit costs, and maintenance equipment will need to be purchased. Vendors may be required for specialty services and overnight cleaning. The Town currently spends approximately \$100,000 per year maintaining the park. That figure will be a placeholder for annual maintenance until the park design has evolved to 90%. The Preservation Foundation has also requested that the Town contribute \$100,000 annually to offset the maintenance costs the Preservation Foundation will incur.

Total estimated costs for the Town: \$660,000 (including personnel and maintenance)

Preservation Foundation of Palm Beach

Preliminary expenses the Preservation Foundation will incur each year in addition to the \$300,000 estimated probable cost for landscape maintenance include: maintenance of water features, outdoor classroom, signage, and rock features (approximately \$25,000), plant replacement (roughly \$20,000), Coastal Restoration Center and park staffing to include a botanical curator, educator, and gardener (3 FTEs and .5 FTE for supervision at an approximate cost of \$260,000), Little Red Schoolhouse maintenance and program expenses (\$25,000), and Coastal Restoration Center maintenance and program expenses (approximately \$50,000).

Total estimated annual costs for the Preservation Foundation: \$680,000

FUNDING/FISCAL IMPACT

The Preservation Foundation of Palm Beach will raise the \$20 million projected project cost for the proposed renovations and a goal of establishing an endowment fund of \$5 million. The Foundation is requesting the Town to contribute \$100,000 annually, inflation-adjusted, toward the Preservation Foundation's portion of maintenance for the park. This \$100,000 would be in addition to the annual costs itemized above for Recreation Department staffing (3 FTEs at an approximate cost of \$300,000), security (1.5 FTEs at an approximate cost of \$160,000), liability and property insurance coverage and claims (expenses TBD), beach renourishment (already budgeted), and invasive species removal (\$220,000 – already approved per September 13, 2022, TC meeting).

Estimated Projected Park Revenue:

Staff has estimated revenue changes based on increased park usage and, thus, increased parking revenues. Currently, only 144 available parking spaces are available due to the north lot being utilized for a laydown area for the undergrounding project. Once the park is completed, 201 available paid parking spaces will be available.

	2022/23 revenue	Estimated 2024
# of parking spaces	144	201
# of parking hours	53,361	74,705
Parking rate	\$5/hour	\$6*/hour
Total Revenue from parking	\$266,803	\$448,234

*staff placeholder for modeling purposes only – not an approved rate

Operating Profit Comparison for Renovated Park:

	2023	2024
Revenue	\$266,803	\$448,234
Expense	\$100,000	\$660,000
Total	\$166,803	(\$211,766)
Projected additional amount needed in FY 24 budget to support renovated park		(\$378,569)

Staff estimates that the Town would spend approximately **\$378,569** per year more than the current budget to operate the renovated Phipps Ocean Park. As noted, final design features and finishes

have not yet been selected and will have a material effect in the future as to the on-going park maintenance and replacement costs. Staff anticipates a material/finish selection process with the Foundation and its design professionals to select materials that are befitting of an extraordinary park but also not overly burdensome and costly to maintain. Once finishes are determined, staff will have a more accurate cost estimate for the ongoing maintenance and upkeep of the park.

cc: Robert Miracle, Deputy Town Manager for Finance and Administration
H. Paul Brazil, Director of Public Works
Eric Brown, Assistant Director of Public Works
Mark Bresnahan, Recreation Director
Darrell Donatto, Fire-Rescue Chief
Nicholas Caristo, Police Department Chief
Wayne Bergman, Planning, Zoning, and Building Director
Dean Mealy, Procurement and Contract Manager
Amanda Skier, Executive Director and CEO of the Preservation Foundation of Palm Beach

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Carolyn S. Stone, Deputy Town Manager for Business Enterprise & Culture
Mark Bresnahan, Director of Recreation

Re: Phipps Ocean Park Project – Proposed Pickball Site Plan

Date: February 1, 2023

STAFF RECOMMENDATION

Staff recommends Town Council review the Phipps Ocean Park proposed pickleball site plan and make a recommendation on the inclusion and/or location of the courts.

GENERAL INFORMATION

The Recreation Department started receiving requests from residents to add Pickleball in 2019. The Department currently offers two non-dedicated indoor courts, two non-dedicated clay courts, and one non-dedicated outdoor court for pickleball at the Mandel Recreation Center/Seaview Tennis. These courts do have reserved times for pickleball play but are primarily used for other recreation programs and tennis.

In February 2021, the Recreation Advisory Commission gave unanimous approval in recommending the Town moves forward with plans to add four pickleball courts within Phipps Ocean Park. Due to the limitations of green space on the island, Phipps Ocean Park Tennis Center was identified as the best location for consideration. When the Preservation Foundation of Palm Beach began the discussion with Town staff regarding the park renovation, the staff asked that four pickleball courts be included in the site plan. The four courts appeared on the master site plan throughout the duration of the design phase. However, the Preservation Foundation and Town have since received input from residents in the south end that are opposed to the addition of pickleball at the park.

Raymond Jungles, Inc. has modified the site plan to show a new location for two pickleball courts that are further north and west from The Reef Condominium, which is the closest residential property to the proposed courts. Staff conducted a decibel test on Thursday, January 19, 2023, to determine whether the sound made from pickleball play at the courts would be lower than the permitted decibel level in the Town Code. The test confirmed that the traffic noise and sound coming from The Reef were higher than pickleball. The pickleball play was inaudible from the property line of The Reef. The measured decibel level range was 48.8dBa to 50 dBa. The maximum allowed for this zone is 61 dBa.

The Recreation Advisory Commission at their Thursday, January 26, 2023 meeting, reaffirmed their recommendation that pickleball should have a dedicated location. They also recommend four courts vs. two due to the sport's popularity and projected growth.

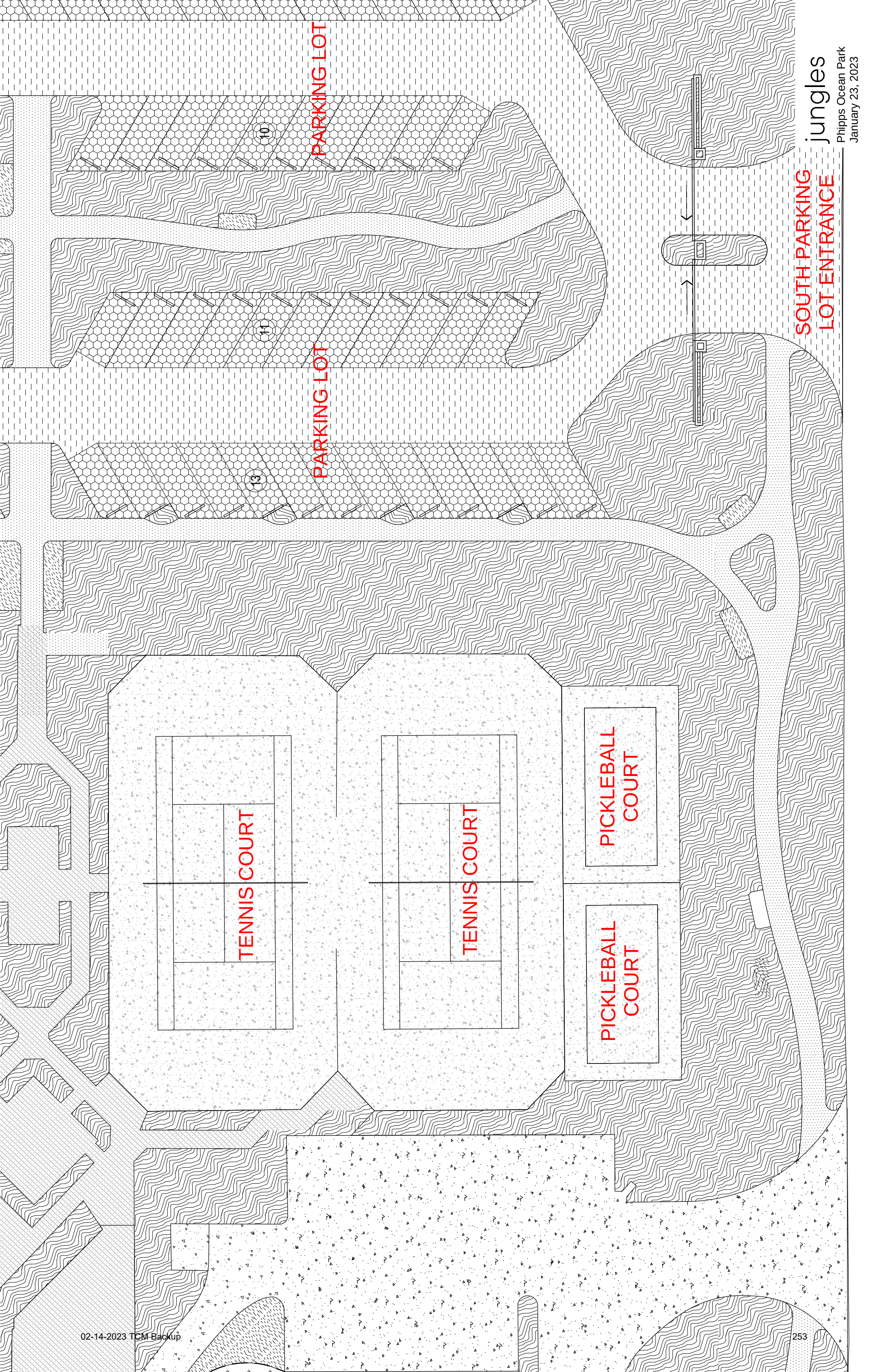
At the Town Council's request from the December 13, 2022 meeting, the new site plan showing the two courts will be presented along with the original master plan showing the four courts.

FUNDING/FISCAL IMPACT

The Preservation Foundation of Palm Beach will raise the \$20 million projected project cost and establish an endowment fund of \$5 million. The pickleball courts would be built as part of the renovation and included in the project cost.

Attachment – Phipps Ocean Park Site Plan with Proposed Pickleball Court Locations

cc: H. Paul Brazil, Director of Public Works
Nicholas Caristo, Police Chief
Darrell Donatto, Fire-Rescue Chief
Wayne Bergman, Planning, Zoning, and Building Director
Amanda Skier, Executive Director and CEO of the Preservation Foundation of Palm Beach



SOUTH PARKING
LOT ENTRANCE

jungles

RECEIVED

Bv vfiaveroa at 7:58 am, Nov 01, 2022

Kimley»»

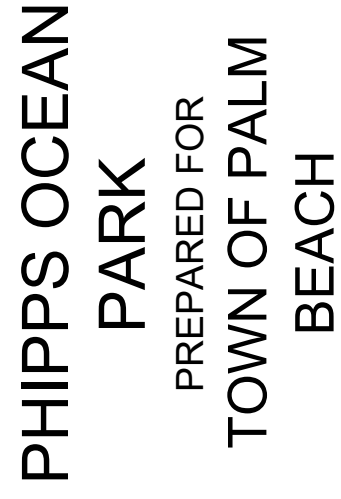
ARCHITECT



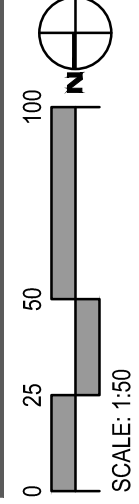
jungles

COA: 22-037
ZON: 22-107

SITE PLAN



SHEET NUMBER
GI.000



TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Consideration of Crosswalk for Improvements to South Ocean Boulevard (A1A) Between Lake Avenue to Ibis Way by the Florida Department of Transportation

DATE: January 23, 2023

STAFF RECOMMENDATION

Town staff is seeking guidance from Town Council on the consideration of a crosswalk for South Ocean Boulevard (SR A1A) associated with the Florida Department of Transportation (FDOT) project from Lake Avenue to Ibis Way.

GENERAL INFORMATION

During the Phipps Ocean Park master plan presentation to the Town Council at its meeting on June 14, 2022, there were resident comments related to the provision of a crosswalk in the vicinity of the park. As previously presented, the FDOT initiated the engineering design for the maintenance of the section of A1A between Lake Avenue (City of Lake Worth Beach) to Ibis Way (adjacent to Phipps Park) with anticipated construction of the improvements to start 2025.

Staff has discussed with FDOT staff, and their consultants, the possibility of including a crosswalk into that project design. They are amenable to including a crosswalk and, initial FDOT analysis indicates justification for a crosswalk. If the Town Council concurs with proceeding with the crosswalk in the vicinity of Phipps Ocean Park, staff will coordinate with FDOT and their consultants to pursue it. The proposed project improvements for Phipps Ocean Park are also under design and the civil/site design elements of that work will also be coordinated so that the eventual construction of the crosswalk will be integrated into the proposed park improvements.

As noted above, the construction timeline for the FDOT project (and hence the crosswalk) is likely to occur after the park improvements project has been completed. Town staff recommends the Town Council provide guidance on this issue and consider any public input on the subject.

FUNDING/FISCAL IMPACT

There are no funding impacts at this time, and the design and construction cost for inclusion of a crosswalk is anticipated to be part of the planned FDOT project (Lake Avenue to Ibis Way).

cc: Carolyn Stone, Deputy Town Manager
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Michael Roach, P.E., Project Engineer

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Proposed Lifeguard Building Revisions

DATE: January 31, 2023

STAFF RECOMMENDATION

Town staff is seeking guidance from Town Council on the consideration of proposed revisions to the Phipps Ocean Park lifeguard building design, and inclusion of said revisions into the Phipps Ocean Park Improvements project being designed by Preservation Foundation of Palm Beach.

GENERAL INFORMATION

The existing lifeguard building at Phipps Ocean Park has been in need of repairs and renovation, and a project was approved as part of the Capital Improvements Program in the Town's budget. The current task was approved at the May 10, 2022 Town Council meeting in the amount of \$69,858 for design, permitting and bid phase services. That approved budget reflected a modest amount for those repairs and renovation. The project scope included roof and siding replacement, along with some reconfiguration of the existing interior/exterior spaces to best serve the requirements of the assigned lifeguard staff there. Subsequent to the initial planning and design for the lifeguard building project by Chen Moore & Associates (CMA), a request was made by the Preservation Foundation of Palm Beach (PFPB) to consider some revisions to the exterior appearance of the building to align its aesthetics with the architectural style being proposed for the new buildings associated with the overall park improvements project.

The current lifeguard building project is at approximately 90% design stage, and typical exterior elevations are attached to show the roof slope and materials (low-maintenance metal roofing system). The design revisions proposed by PFPB and their architect (Fairfax Sammons) would change the roof pitch and materials to match the steeper roof slope and wood shingles as approved by Landmarks Preservation Commission (LPC) and the Town Council at previous meetings. Those proposed elevations for the lifeguard building are also attached. Discussions with the project team have been initiated and the proposed revisions are possible, but with additional cost and effort.

If the Town Council approves the proposed design concept, staff will negotiate a corresponding scope of services and change order with CMA to accommodate the revisions. The increased design cost is estimated to be \$39,730 and would be funded by PFPB. This increased fee is necessary to revise the current 90% building plans, coordinate the lifeguard building work with the overall park project, attend park project team meetings, and provide estimates of differential construction costs. Any additional effort related to LPC review (or staff approval) is unknown but if required the extra cost for those services is estimated at \$15,510. Staff recommends that a task budget of \$60,000 be authorized (\$39,730 + \$15,510 + contingency).

The lifeguard building design and bid documents will be incorporated into the overall Phipps Ocean Park Improvements project and included in the GMP being developed by Burkhardt Construction. The construction cost differential between the original design/budget and the proposed design/scope will be funded as an included item in the overall Phipps Ocean Park Improvements project, if approved by the Town Council.

FUNDING/FISCAL IMPACT

The funding impacts associated with the design revisions being proposed by PFPB and Fairfax Sammons are recommended to be funded from the initial donation made for pre-construction services (\$250K), which has a balance remaining after the award of P.O.# 230524 to Burkhardt Construction in the amount of \$106,760 for those services.

PROCUREMENT & CONTRACT MANAGEMENT DEPARTMENT REVIEW

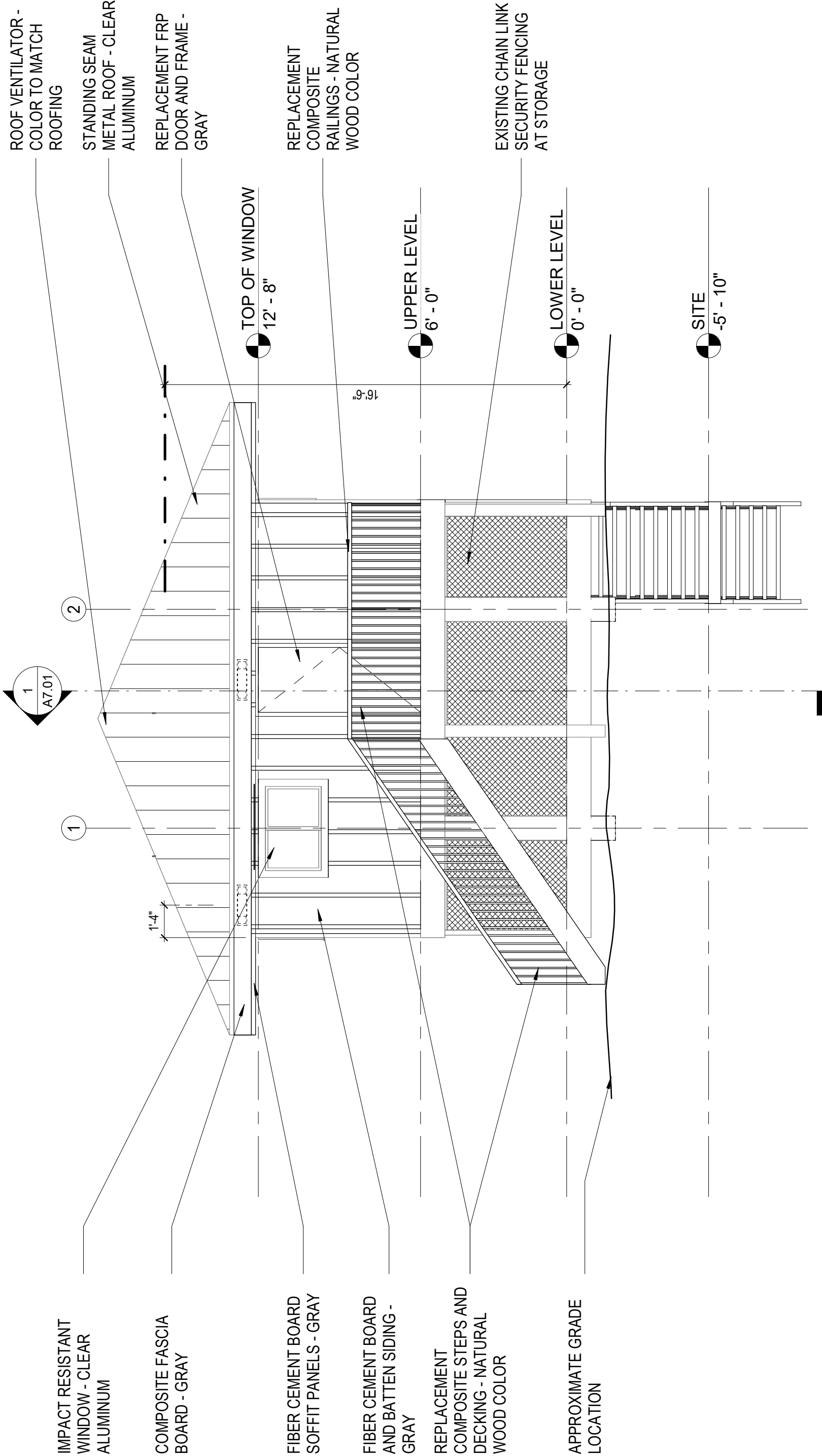
This item has been reviewed by the Procurement & Contract Management Department and concurs as recommended.

Attachments

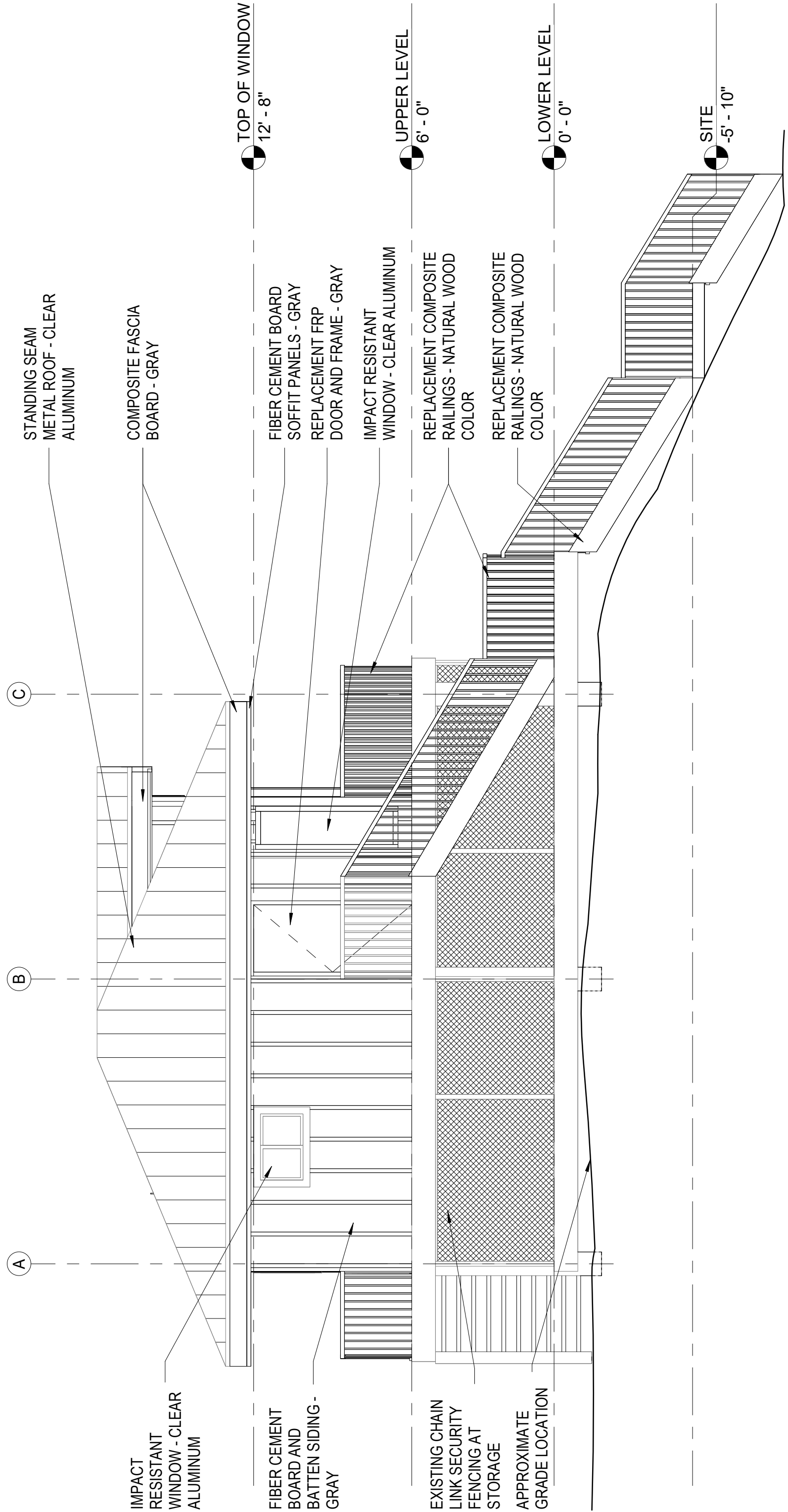
cc: Carolyn Stone, Deputy Town Manager
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Michael Roach, P.E., Project Engineer

GENERAL EXT. ELEV. NOTES

1. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO COMMENCING WORK.
2. CONTRACTOR SHALL NOTIFY ARCHITECT OF ANY DISCREPANCY, INACCURACY OR CONFLICTING INFORMATION BEFORE EXECUTION OF WORK.
3. CONTRACTOR SHALL VERIFY ALL DIMENSIONS FROM DRAWINGS. ANY UNKNOWN DIMENSION SHALL BE OBTAINED FROM DESIGN PROFESSIONALS VIA REQUEST FOR INFORMATION (RFI).
4. CONTRACTOR SHALL FIELD COORDINATE LOCATION, SIZE AND TYPE OF BLOCKING FOR INSTALLATION OF SIGNAGE / PLUMBING FIXTURES. ALL CONCEALED WOOD SHALL BE FIRE RETARDANT TREATED (F.R.T).
5. ALL SHAFTS PENETRATING SLAB SHALL BE RATED 2HR.
6. ALL ROOF SLOPES SHALL BE 1/4" PER FOOT U.N.O.
7. VERIFY ALL EXTERIOR PAINT COLORS WITH OWNER PRIOR TO PURCHASE. PROVIDE ADDITIONAL CONTROL JOINTS AS REQUIRED NOT EXCEEDING AREA LIMITATIONS AND MAXIMUM HEIGHT / LENGTH OF STUCCO SURFACES AS SPECIFIED. COORDINATE LOCATIONS WITH ARCHITECT PRIOR TO INSTALLATION.
8. VERIFY ALL EXTERIOR PAINT COLORS WITH OWNER PRIOR TO PURCHASE. PROVIDE ADDITIONAL CONTROL JOINTS AS REQUIRED NOT EXCEEDING AREA LIMITATIONS AND MAXIMUM HEIGHT / LENGTH OF STUCCO SURFACES AS SPECIFIED. COORDINATE LOCATIONS WITH ARCHITECT PRIOR TO INSTALLATION.
9. VERIFY ALL EXTERIOR PAINT COLORS WITH OWNER PRIOR TO PURCHASE. PROVIDE ADDITIONAL CONTROL JOINTS AS REQUIRED NOT EXCEEDING AREA LIMITATIONS AND MAXIMUM HEIGHT / LENGTH OF STUCCO SURFACES AS SPECIFIED. COORDINATE LOCATIONS WITH ARCHITECT PRIOR TO INSTALLATION.



WEST ELEVATION 1/4" = 1'-0" 2



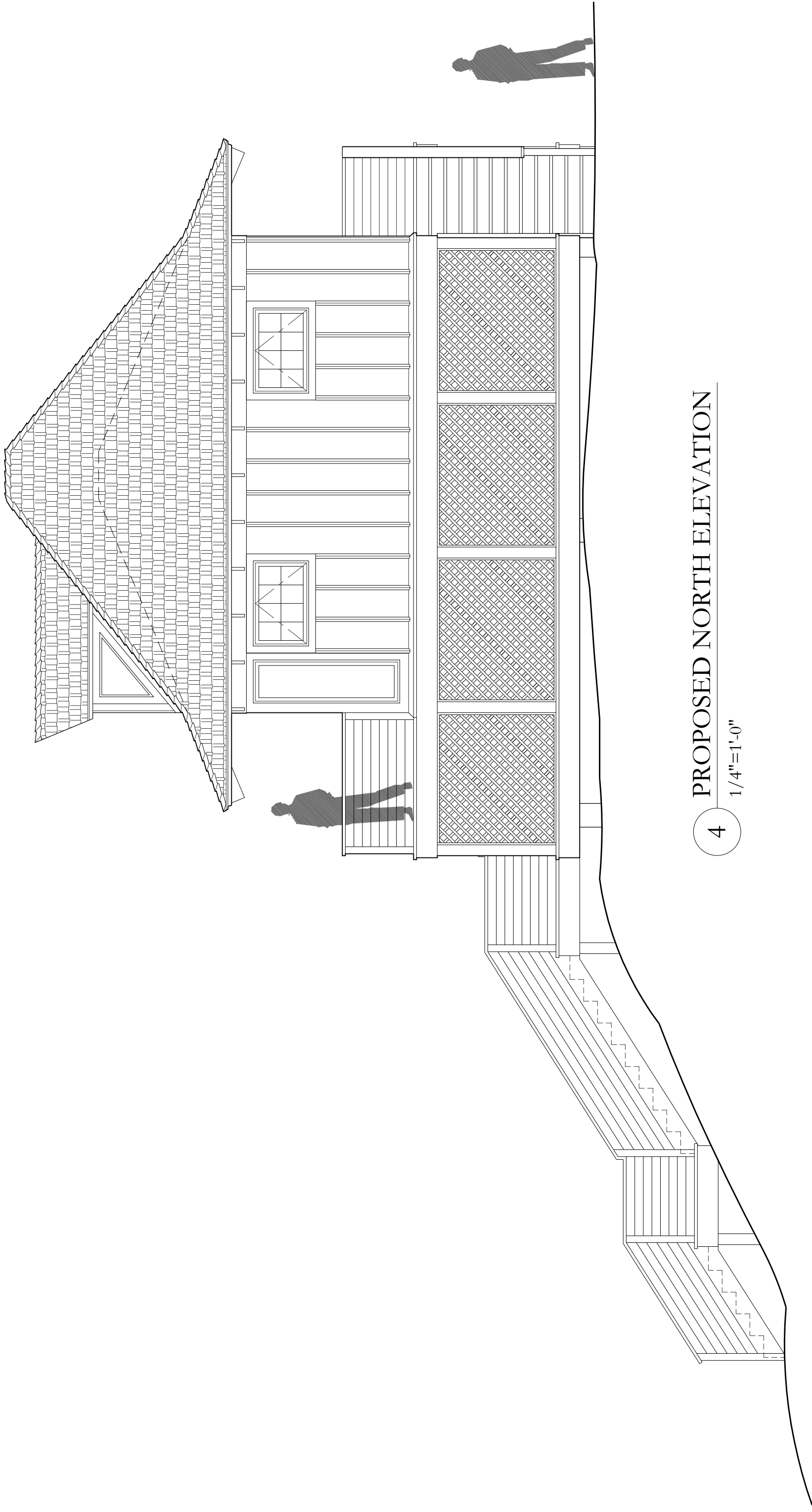
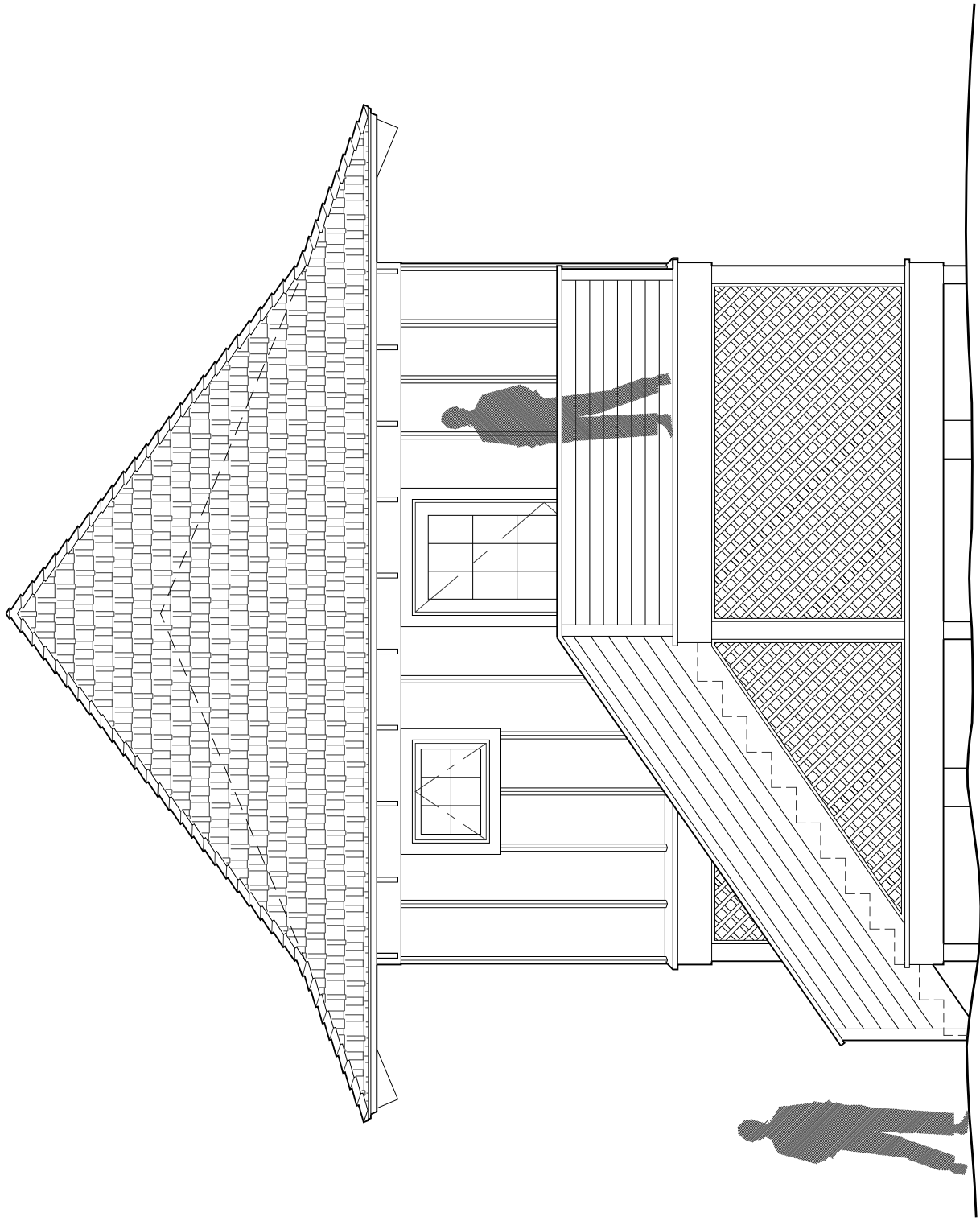
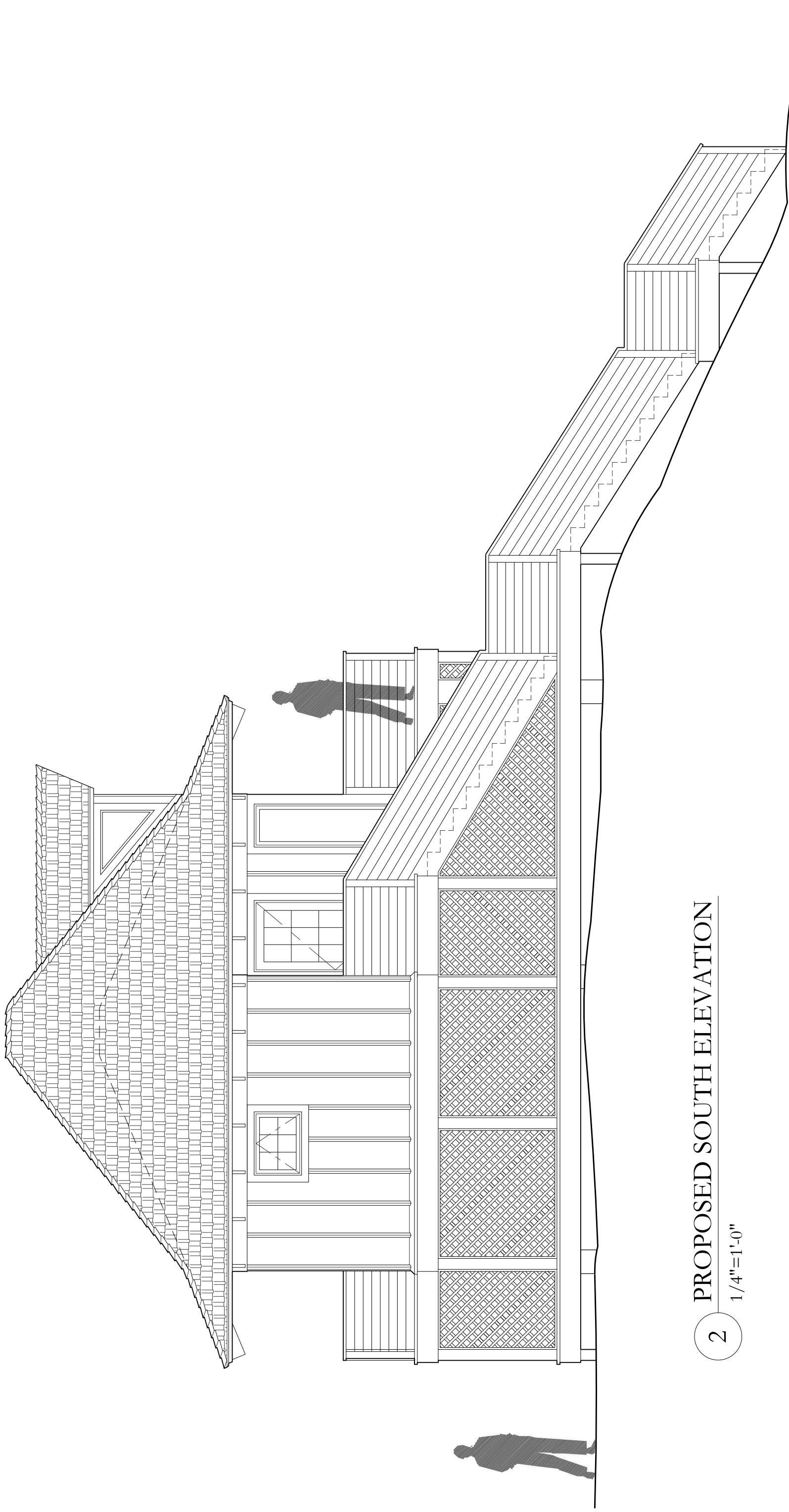
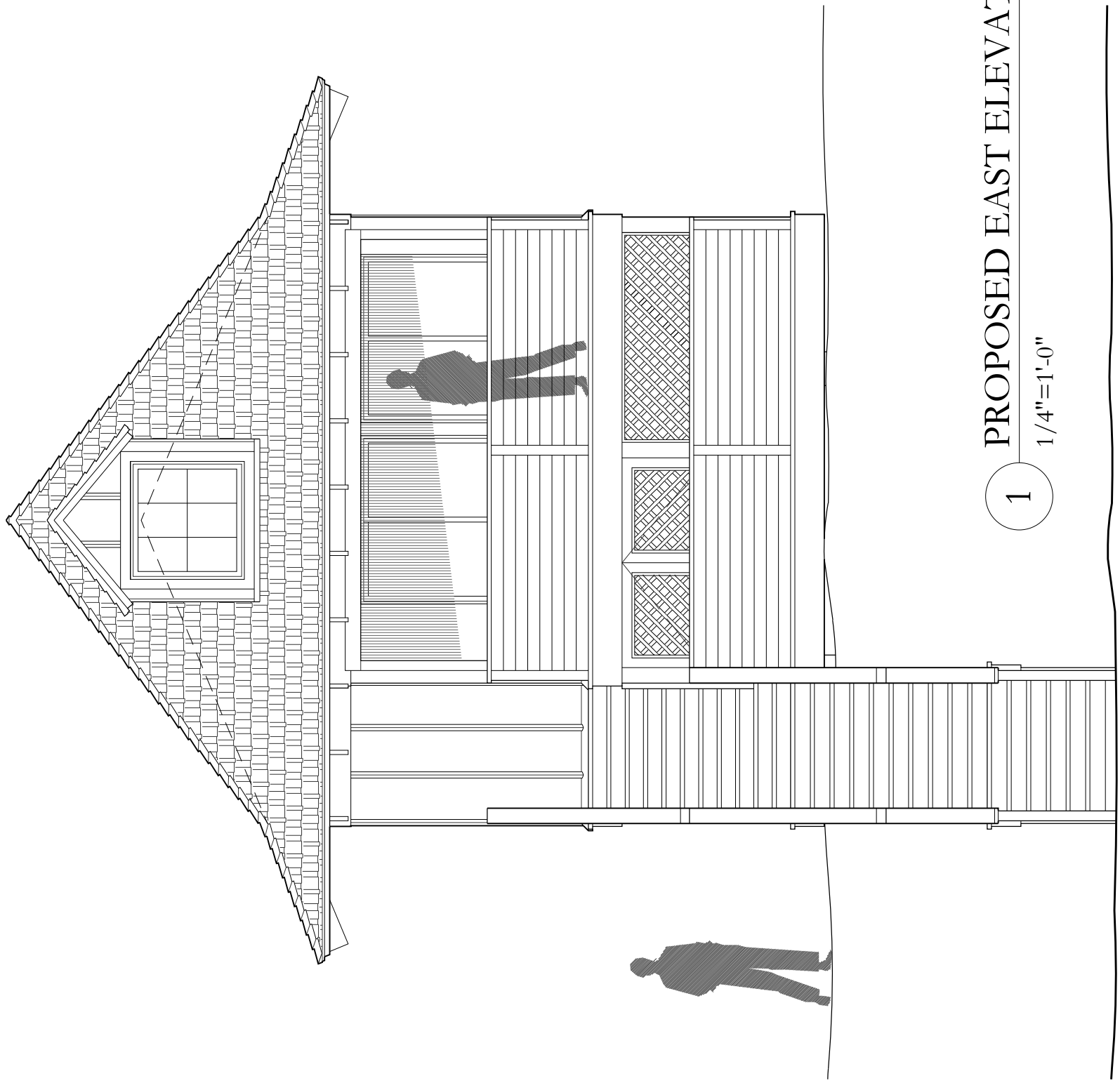
SOUTH ELEVATION 1/4" = 1'-0" 1

SUB-CONSULTANT

PGAL

PGAL GROUP, INC.
201 W. PALM BEACH AVENUE, SUITE 200
BOCA RATON, FL 33487
TEL: 561.995.4444
FAX: 561.995.4445
LIC. NO. AA403337
www.pgal.com

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adoption by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



CIVIL ENGINEER

Kimley»Horn

1920 MEKIVA WAY, SUITE 200,
WEST PALM BEACH, FL 33411
PHONE: 561-845-0665
FAX: 561-863-8175
WWW.KIMLEY-HORN.COM
REGISTRY NO. 35106

ARCHITECT



FAIRFAX & SAMMONS
ARCHITECTS
FAIRFAX, SAMMONS & PARTNERS, LLC
214 BRAZILIAN AVENUE
PALM BEACH, FL 33460
PHONE: (561) 805-6591

LANDSCAPE ARCHITECT

jungles

RAYMOND JUNGLES, INC.
2964 AVATION AVENUE
MIAMI, FL 33133
PHONE: (305) 858-6777

COA: 22-037
ZON: 22-107

No.	REVISIONS	DATE	



PROJECT No.
DATE 01/19/2023
SCALE AS SHOWN
DESIGNED BY
DRAWN BY STC
CHECKED BY

LIFEGUARD STATION

**PROPOSED
ELEVATIONS**



**PHIPPS OCEAN
PARK**
PREPARED FOR
**TOWN OF PALM
BEACH**

TOWN OF PALM BEACH FL

SHEET NUMBER
AF.110

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - Old Business

Agenda Title

RESOLUTION NO. 014-2023 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Bridges, Marsh & Associates for Renovation to the North Fire Station in the Amount of \$170,000 for a Total Purchase Amount of \$566,000.

Presenter

Dean Mealy, Procurement and Contract Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 31, 2023, from Dean Mealy, II, Procurement and Contract Manager**
- ▣ **Resolution No. 014-2023**
- ▣ **Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Robert Miracle, CPA, Deputy Town Manager, Finance and Administration

FROM: Dean Mealy II, NIGP-CPP, CPPO Procurement, and Contract Manager

RE: Resolution No. 014-2023, Approving the Award of a Change Order to Bridges, Marsh & Associates for Renovations to the North Fire Station in the Amount of \$170,000 for a Total Awarded Purchase Order of \$566,000 – **Resolution No. 014-2023**

DATE: January 31, 2023

STAFF RECOMMENDATION

The Town staff recommends approving the Award of a Change Order to Bridges, Marsh & Associates for Renovations to the North Fire Station in the Amount of \$170,000 for a Total Awarded Purchase Order of \$566,000.

GENERAL INFORMATION

Bridges, Marsh & Associates were awarded the RFQ for the North Fire Restoration Project – Architectural, Engineering Design Construction Services at the November 2, 2021, Town Council Meeting.

Pursuant to their agreement, Bridges, Marsh & Associates have requested a Change Order in the Amount of \$170,000 to address the following impact to the original Scope of the Project:

- The original duration of the renovation work/services by the Project Architect and Consultants will be required to be extended.
- Current state of the existing building/systems resulting from existing structural and building system deficiencies.
- More-in-depth investigation into non-conforming elements of the building.
- Failing structural systems: Design of new foundation improvement (Helical Piling)
- Removal and replacement of all roof structures including truss roof systems.
- Unexpected deterioration of building components
- Additional Pre-construction services
- Alternative design approach
- Extended Construction Administrative Services

The issues noted above are articulated in detail at the weekly progress meetings which include Bridges, Marsh & Associates, Hedrick Brothers Construction, Public Works, Fire, Information Technology and Procurement & Contract Management.

FUNDING/FISCAL IMPACT

This project will be funded from the Capital Improvement Fund.

USER DEPARTMENT CONCURRENCE

This item has been reviewed by Public Works and is approved as recommended.

TOWN ATTORNEY REVIEW

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

RESOLUTION NO. 014-2023

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A CHANGE ORDER TO BRIDGES, MARSH &
ASSOCIATES FOR RENOVATION TO THE NORTH FIRE
STATION IN THE AMOUNT OF \$170,000 FOR A TOTAL
PURCHASE AMOUNT OF \$566,000.**

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. 014-2023, Approving a Change Order to Bridges, Marsh & Associates for Renovations to the North Fire Station in the Amount of \$170,000 for a Total Purchase Order Amount of \$566,000.

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 14th day of February, 2023.

Danielle H. Moore, Mayor

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Lewis S.W. Crampton, Town Council Member

ATTEST:

Bobbie Lindsay, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Margaret A. Zeidman, Town Council Member

18 January 2023

Mr. Duke Basha
Assistant Purchasing Manager, Town of Palm Beach
Public Works Building
951 Okeechobee Rd.
West Palm Beach, FL 33401

RE: RENOVATIONS TO EXISTING NORTH FIRE STATION
300 North County Rd.
Palm Beach, FL 33480

Dear Mr. Basha,

Further to our agreement with the Town of Palm Beach dated 3 January 2022, we are submitting a Request for Additional Services which will cause the original fee of \$390,000.00 (Three Hundred and Ninety thousand dollars) to be increased to \$560,000 (Five hundred and sixty thousand dollars).

This modification request would be referenced under ARTICLE V – “Modification of Contract Terms” of the agreement.

These Additional Services are the result of the following impact to the original Scope of the Project:

- The original duration of the renovation work/services by the Project Architect and Consultants will be extended.
- Current state of the existing building/systems resulting from existing structural and building system deficiencies
- More in-depth investigation into non-conforming elements of the building.
- Failing structural systems: Design of new foundation improvement (Helical Piling)
- Removal and replacement of all roof structures including new truss roof systems
- Unexpected deterioration of building components
- Additional Pre-construction services
- Alternate design approach
- Extended Construction Administration Services

Proposed Additional Services

See Attached “Appendix 1”

Phase 1

Construction Documents:

-Architectural

-Structural

-Mechanical, Electrical, Plumbing

BRIDGES, MARSH & ASSOC., INC.
chartered architects

Fee: \$166,000.00

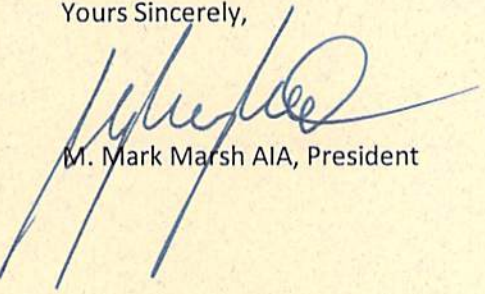
Reimbursables:

Fee: \$ 4,000.00

Total Additional Fee: \$170,000.00

Your understanding on this request would be appreciated. Should you have any questions or clarifications, please contact me directly.

Yours Sincerely,



M. Mark Marsh AIA, President

APPENDIX 1

PROJECT: RENOVATION OF EXISTING NORTH FIRE STATION #3 PALM BEACH
--

SUBJECT: Proposed Additional Service Agreement
Due to unforeseen existing building conditions

CONSULTANT SERVICES:

Bridges Marsh & Associates

1. Architectural Services:

Analysis, design, drafting, and site visits

Hourly Breakdown		
Principal	96 x \$300/hr	\$28,800.00
Project Architect	60 x \$150/hr	\$9,000.00
Senior Cad Draftsman	150 x \$95/hr	\$14,250.00
Administration	30 x \$65/hr	\$1,950.00
		\$54,000.00

Carmo Engineering

1. Structural Services:

Analysis, design, drafting and site visits

Hourly Breakdown		
Principal	84 x \$275/hr	\$23,100.00
Design Engineer	164 x \$175/hr	\$28,700.00
Senior Design Draftsman	318 x \$150/hr	\$47,700.00
Draftsman	20 x \$125/hr	\$2,500.00
		\$102,000.00

F&E Engineers (MEP)

1. MEP Services:

Analysis, design, drafting and site visits

Hourly Breakdown		
Principal	24 x \$275/hr	\$6,600.00
Design Project Manager	6 x \$175/hr	\$1,050.00
Mechanical Engineer	10 x \$165/hr	\$1,650.00
CAD Draftsman	7 x \$100/hr	\$700.00
		\$10,000.00

Reimbursables	\$4,000.00
Grand Total	<u>\$170,000.00</u>

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Review of Proposed North County Road Alignment

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated January 19, 2023, from H. Paul Brazil, P.E.,
Director of Public Works**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

TO: Mayor and Town Council

VIA: Kirk. W. Blouin, Town Manager

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

RE: Review of Proposed North County Road Alignment

DATE: January 19, 2023

STAFF RECOMMENDATION

Town staff is recommending approval, conditional to the Landmarks Preservation Committee approval, to move forward with finalizing design to construct drainage and roadway improvements along the North County Road corridor between Wells Road and Miraflores Drive during the summer of 2023.

GENERAL INFORMATION

There are several concerns along North County Road that have been identified in past communications from residents and stakeholders including: poor drainage, limited sight distance for traffic exiting Canterbury Lane, and sod in the median that is routinely subject to damage and rutting from traffic. However, due to the sensitivity of the banyan trees that create the landmarked canopy in this road segment, construction along the roadway section has been avoided in the past.

When Public Works identified that the utility undergrounding project would require the installation of underground conduits within the North County Road corridor during the summer of 2023, it was decided to address the other concerns along this segment concurrently. In response to comments at the October 2022 Town Council meeting, a graphically-rendered video has been created to illustrate the proposed condition of the corridor, which will be shown during the Town Council meeting. The video will also be made available on the Town's Website February 6th.

The following sections describe the proposed improvements that are currently under design.

Drainage Improvements along the Roadway and Path:

Public Works is having a new roadway profile and cross-section developed for the North County Road corridor that will provide consistent longitudinal and transverse slope along the pavement to existing and proposed stormwater inlets. There will be a limited number of new stormwater inlets installed to improve the drainage system. All proposed improvements have been designed to limit impacts to the roots of the existing banyan trees. The proposed stormwater inlets and pipes are being constructed within zones that have been identified as having the least damaging impact on the existing trees. The proposed roadway is intended to be constructed on top of the existing roadway whenever possible to limit the impact to the existing tree roots.

Improve Safety at the Canterbury Intersection:

As part of the proposed improvements, the alignment of the north bound lane is being shifted to the west before and after the Canterbury Lane intersection to allow traffic entering North County Road to have better visibility of oncoming traffic. This shift in alignment will eliminate a portion of the existing median but will not impact the alignment of the southbound lane or impact any existing banyan trees in the corridor.

Protection of the Sod within the Existing Median:

As part of the proposed improvements, a mountable curb will be installed along the edge of the median to protect the sod from traffic, and the new typical section of the median will include well-draining rock, and a geotextile beneath the sod to limit rutting when traffic does drive on the curb. Subsequent to the October 2022 Town Council meeting, the curbing along the median has been modified to reduce the width of the concrete and to expand the width of the grassed area.

FUNDING/FISCAL IMPACT

The estimated cost of construction for the roadway including inspections and oversight is \$1.6M. This cost is for the improvements to drainage, realignment of the intersection with Canterbury Road, and the upgrades to the median and curbs.

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - New Business

Agenda Title

Re-Appointment of Town Manager Pursuant to Section 4.02(b) of the Town Charter from February 15, 2023 through February 13, 2024

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated February 6, 2023, from Gillian Barth, Director of People and Culture**
- ▣ **2023 Town Manager Compensation Chart**
- ▣ **Town Charter, Section 4.02(b)**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 14, 2023

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Gillian Barth, Director People & Culture

RE: Approval of Town Manager Compensation

DATE: February 6, 2023

This memo is a follow-up to the performance evaluations the Town Manager received from the Mayor and Town Council. Historically, there has not been a determined salary range for the Town Manager. Rather, he has made requests for increased remuneration based on the current Performance Pay Chart for Town employees and market surveys.

As per yearly practice, the P&C Department has conducted a review of Town Manager salaries in eight neighboring municipalities to ensure that he falls at or around the 75th percentile. As per the attachment, the Town Manager falls 8.43% below the 75th percentile.

It is recommended for this fiscal year, that the Town Manager continues to apply the Performance Pay Chart for Town employees which would make him eligible for a 6% salary increase, applied to his base salary.

GMB:pgg

Town Manager Compensation 2023

Town Manager		Current Rate:	\$272,963
Employer			Current Rate
Boca Raton, City of			\$318,654
Boynton Beach, City of			\$205,000
Delray Beach, City of			\$230,000
Greenacres, City of			\$231,394
Jupiter, Town of			\$225,000
Palm Beach Gardens, City of			\$339,646
Wellington, Village of			\$237,500
West Palm Beach, City of			\$291,240
	75th Percentile	\$298,093.38	-8.43%
	70th Percentile	\$285,866.01	-4.51%
	65th Percentile	\$267,057.05	2.21%

Sec. 4.02. - Qualifications; Appointment; Removal; Compensation; Performance Evaluation.

- (a) *Qualifications.* The Town Manager shall be required to bring, among other things directed by the Town Council, technical competence in public administration, and professional management skills to the task of running the Town.
- (b) *Appointment.* The Town Council shall appoint by a majority vote of all Town Council members, a Town Manager for a period of one year. The Town Manager may be reappointed to an unlimited number of one year terms.
- (c) *Removal.* The Town Council may by majority vote of all Town Council members, suspend or remove the Town Manager at any time with or without cause prior to the expiration of his or her term. During any suspension, the Town Manager shall continue to receive his or her salary until the effective date of a final resolution of removal. In the event of removal other than for good cause shown, the Town Manager's salary shall continue until the end of the term.
- (d) *Compensation.* The compensation of the Town Manager shall be fixed by the Town Council and shall not be reduced during any one term of office.
- (e) *Performance Evaluation.* At least once each year, the Mayor and Town Council shall individually evaluate the Town Manager's performance, in accordance with such procedures as the Town Council shall, from time to time, adopt.

(Ord. No. 18-99, § 1, 12-14-99)

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - New Business

Agenda Title

Discussion Regarding Bert Harris Act

Presenter

John C. Randolph, Town Attorney

ATTACHMENTS:

- ▣ **Letter Dated January 13, 2023, from James K. Green**
- ▣ **Letter Dated January 19, 2023, from John C. Randolph, Town Attorney**

JAMES K. GREEN, P.A.

LAWYERS

JAMES K. GREEN
NINA M. ZOLLO
ANNE F. O'BERRY
NANCY UDELL, OF COUNSEL

FLAGLER CENTER, SUITE 306
501 SOUTH FLAGLER DRIVE
WEST PALM BEACH, FLORIDA 33401
561.659.2029
JKG@JAMESKGREENLAW.COM

January 13, 2023

Via Certified Mail, Return Receipt Requested

Kirk Blouin
Town Manager
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Danielle H. Moore, Mayor
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Re: Compensation Claim Against the Town of Palm Beach, Florida, a political subdivision of the State of Florida (the "Town"), pursuant to the Bert J. Harris, Jr., Private Property Rights Protection Act as set forth in Fla. Stat. §70.001 (the "Bert Harris Act").

Notice of Claim for Compensation or Other Lawful Relief Pursuant to the Bert Harris Act

Dear Mr. Blouin and Mayor Moore:

This firm represents Barbara Susan Stoia.¹ This letter is addressed to the Mayor and Manager of the Town of Palm Beach and is also being sent to John Randolph as counsel for the Town.

As you know, Stoia is the owner of the real property within the town, located at 330 Seaspray Avenue, as identified in Exhibit "A" attached hereto (the "Subject Property"). Stoia is hereby serving this Notice of Claim for Compensation or Other Lawful Relief upon the Town pursuant to §70.001(4)(a) of the Bert Harris Act.

The Town's application of Town Code §134-229 (the "Ordinance") has inordinately burdened both an existing use and a vested right to a specific use of the Subject Property. See §70.001(2) of the Bert Harris Act. Additionally, the adoption and application of the Ordinance to the Subject Property has also left Stoia with existing and vested uses that are unreasonable such that Stoia bears

¹ Ms. Stoia's married name is Meister, but the deed is in her maiden name.

permanently a disproportionate share of a burden imposed and claimed to be for the good of the public, which in fairness should be borne by the public at large. See §70.001(3)(e)(l) of the Bert Harris Act.

The reduction/loss to the fair market value of the Subject Property caused as a direct result of the enactment and application of the Ordinance is set forth in the bona fide appraisal attached hereto as Exhibit "B" prepared by Anderson & Carr, Inc. (the "Appraisal"). Stoia requests that the Town comply with its obligations under §70.001(4)(c) and §70.001(5)(a) of the Bert Harris Act and provide Stoia, within 90 days from the date hereof, with a written settlement offer and a written statement of allowable uses identifying the allowable uses to which the Subject Property may be put.

Stoia desires to resolve this matter amicably and looks forward to working with the Town to explore all options to try and come to a resolution. However, in the event that Stoia and the Town are unable to resolve this dispute within 90 days from the date hereof, then immediately upon the expiration of such time period, Stoia shall be filing a Bert Harris action against the Town to recover the \$828,750.00 damages she has sustained (as set forth in the attached Appraisal) which represents the actual loss to the fair market value of the Subject Property caused by the Town's above-described actions relating to the enactment and application of the Ordinance. Upon prevailing, Stoia shall also be entitled to recover her costs and attorney's fees pursuant to §70.001(6)(c)(l) of the Bert Harris Act.

On behalf of Ms. Stoia, we look forward to hearing back from the Town with its settlement offer.

Very truly yours,

A handwritten signature in blue ink, appearing to read "James K. Green", with a long horizontal flourish extending to the right.

James K. Green

cc: John Randolph, Esq.

EXHIBIT A

MAR-05-1993 4:07pm 93-066971
 ORB 7613 Pg 1881
 Con 10.00 Doc .70

QUIT CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 1st day of March, 1993 by ENRICO CHEVALLARD and BARBARA CHEVALLARD n/k/a BARBARA SUSAN STOIA, first party, to BARBARA SUSAN STOIA, whose post office address is 330 Seaspray Ave., Palm Beach, FL 33480, second party:

(Wherever used herein, the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the said first party, for and in consideration of the sum of \$10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Palm Beach, State of Florida, to wit:

Lots 385, 387, 389 and 391, POINCIANA PARK 2d Addition according to the Plat thereof on file in the office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, recorded in Plat Book 6, Page 86.

And the said party of the first part does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part does hereunto set his hand and seal the day and year first above written.

Signed and sealed and delivered in the presence of:

[Signature]
 Witness to Enrico Chevallard

Enrico Chevallard
 ENRICO CHEVALLARD

[Signature]
 Witness to Enrico Chevallard

STATE OF FLORIDA
 COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me on this 1st day of MARCH 1993 (date) by ENRICO CHEVALLARD (name of affiant deponent or other signer). He is personally known to me or has presented (type of identification) as identification and who did (did not) take an oath.

Betty C. Neel
 (Signature of Notary)
 Betty C. Neel

Page 1 of 2

NOTARY PUBLIC STATE OF FLORIDA
 MY COMMISSION EXPIRES MAY 1, 1994
 SIGNED IN THE GENERAL IN. 1993

ORB 7613 Pg 1882
 RECORD VERIFIED DOROTHY H WILKEN
 CLERK OF THE COURT - PB COUNTY, FL

Betty C. Hill
 (Name of Notary typed, printed or stamped)

NOTARY PUBLIC

(Title or Rank) NOTARY PUBLIC STATE OF FLORIDA
 MY COMMISSION EXP. MAY 1, 1993
 ISSUED IN THE COUNTY OF PALM BEACH, FLA.

(NOTARY'S SEAL)

(Commission Number)

Barbara Chevallard
 Witness to Barbara Chevallard
 n/k/a Barbara Susan Stoia

Barbara Chevallard
 BARBARA CHEVALLARD
 n/k/a BARBARA SUSAN STOIA

Betty Whitehurst
 Witness to Barbara Chevallard
 n/k/a Barbara Susan Stoia

STATE OF FLORIDA
 COUNTY OF PALM BEACH

The foregoing instrument was acknowledged (or affirmed) before me on this 1st
 day of March, 1993 (date) by BARBARA CHEVALLARD n/k/a BARBARA SUSAN STOIA
 (name of affiant deponent or other signer). She is personally known to me or has presented
 (type of identification) as identification and who did (did
 not) take an oath.

Betty C. Hill
 (Signature of Notary)

Betty C. Hill
 (Name of Notary typed, printed or stamped)

NOTARY PUBLIC

(Title or Rank) NOTARY PUBLIC STATE OF FLORIDA
 MY COMMISSION EXP. MAY 1, 1993
 ISSUED IN THE COUNTY OF PALM BEACH, FLA.

(NOTARY'S SEAL)

(Commission Number)

This instrument prepared by and return to: ✓ Lewis Kapner, Esquire, 250 Australian Avenue,
 South, Suite 1402, West Palm Beach, Florida 33401

EXHIBIT B

**MARKET STUDY TO DETERMINE
THE IMPACT ON MARKET VALUE TO
ADJACENT PROPERTY BY
THE REPLACEMENT OF GREEN SPACE
WITH A PAVED PARKING LOT
LOCATED ALONG THE SOUTH PROPERTY LINE OF
330 SEASPRAY AVENUE
PALM BEACH, FLORIDA 33480**

FOR

**MRS. BARBARA STOIA
330 SEASPRAY AVENUE
PALM BEACH, FLORIDA 33480**

BY

**ROBERT B. BANTING, MAI, SRA
CERT GEN RZ4**

AND

**MICHELLE J. MICKLE
CERT GEN RZ3316**

WITH

**ANDERSON & CARR, INC.
521 SOUTH OLIVE AVENUE
WEST PALM BEACH, FLORIDA 33401**

**DATE OF INSPECTION: SEPTEMBER 27, 2022
DATE OF VALUE: SEPTEMBER 27, 2022
DATE OF REPORT: JANUARY 13, 2023**

**FILE NO.: 2220448.000
CLIENT REFERENCE: 330 SEASPRAY AVENUE**

January 13, 2023

Mrs. Barbara Stoia
330 Seaspray Avenue
Palm Beach, FL 33480

Dear Mrs. Stoia:

Pursuant to your request, we have performed a market study to determine the impact on value, if any, caused by the addition of a parking lot located on Seaview Avenue, which will run the length of the southern property line of 330 Seaspray Avenue in Palm Beach. The entrance to the proposed parking lot will be on the north side of Seaview Avenue, between Coconut Row and South County Road. The property address which is the subject of this study is 330 Seaspray Avenue, Palm Beach, FL 33480.

The purpose of this market study is to determine what impact, if any, the addition of a parking lot on Seaview Avenue, will have on the subject property. The effective date of this market study is the inspection date, September 27, 2022.

The intended use of the report is to assist the client and intended user in litigation support. This report has been prepared for no other purpose and for use by no other person or entity than for use by the client for the purpose stated herein. Any other use of this appraisal is considered a misuse and thus the appraisers will not be held responsible for any outcome associated with use by another entity or for another purpose.

The subject property consists of a residential parcel improved with a single-family residence. The subject property has recently completed an extensive renovation. The proposed parking lot is to be constructed on land currently owned by Palm Beach Day Academy and will contain approximately 30 parking spaces. This parking lot will abut the south property line of the entire parcel of 330 Seaspray Avenue, the subject property. Currently, the proposed parking lot site is being utilized as open green space and a playground field for the school. See the aerial map and exhibits on the following pages for more clarification.

The appraisers have appraised the subject property as of September 27, 2022 and arrived at a market value of \$9,750,000. We have utilized this appraisal report along with the data within this market study to arrive at a market value for the subject property, subject to the proposed parking lot, as of September 27, 2022. A copy of this appraisal report has been included in the addendum of this report.

Because the parking lot does not currently exist, we have utilized a hypothetical condition in this analysis.

Hypothetical Condition is defined as:

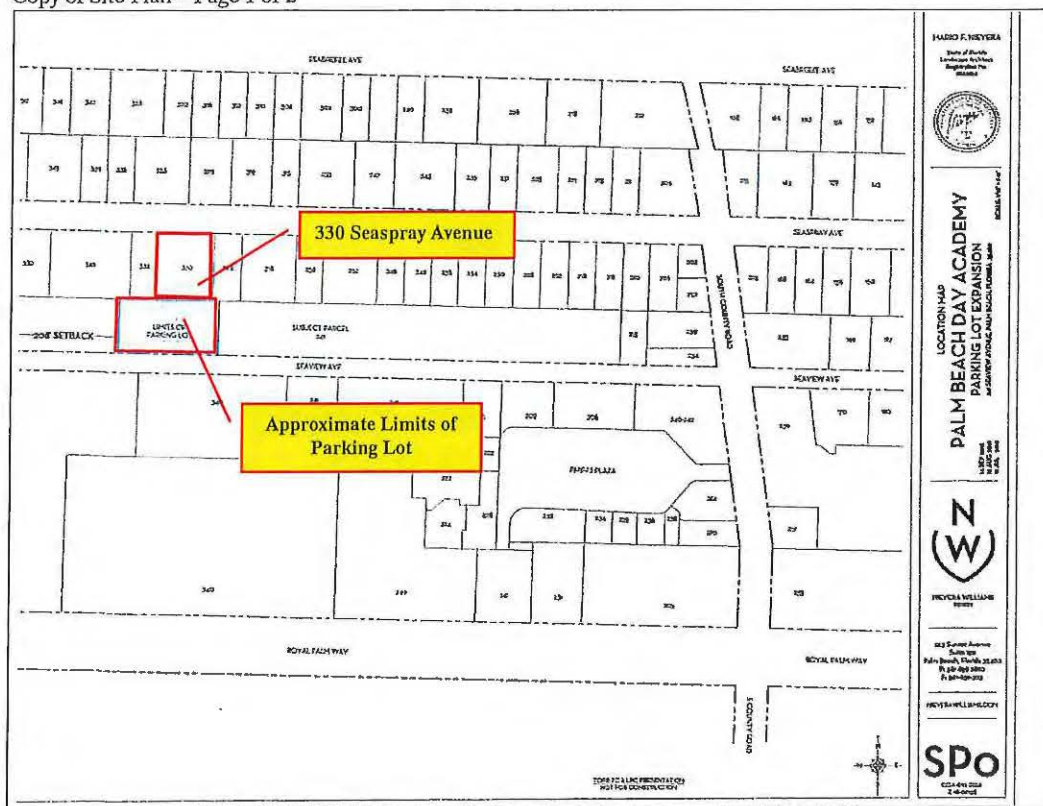
A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results but is used for the purpose of analysis. Comment: Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis (USPAP, 2021-2022 ed.).



Aerial Map

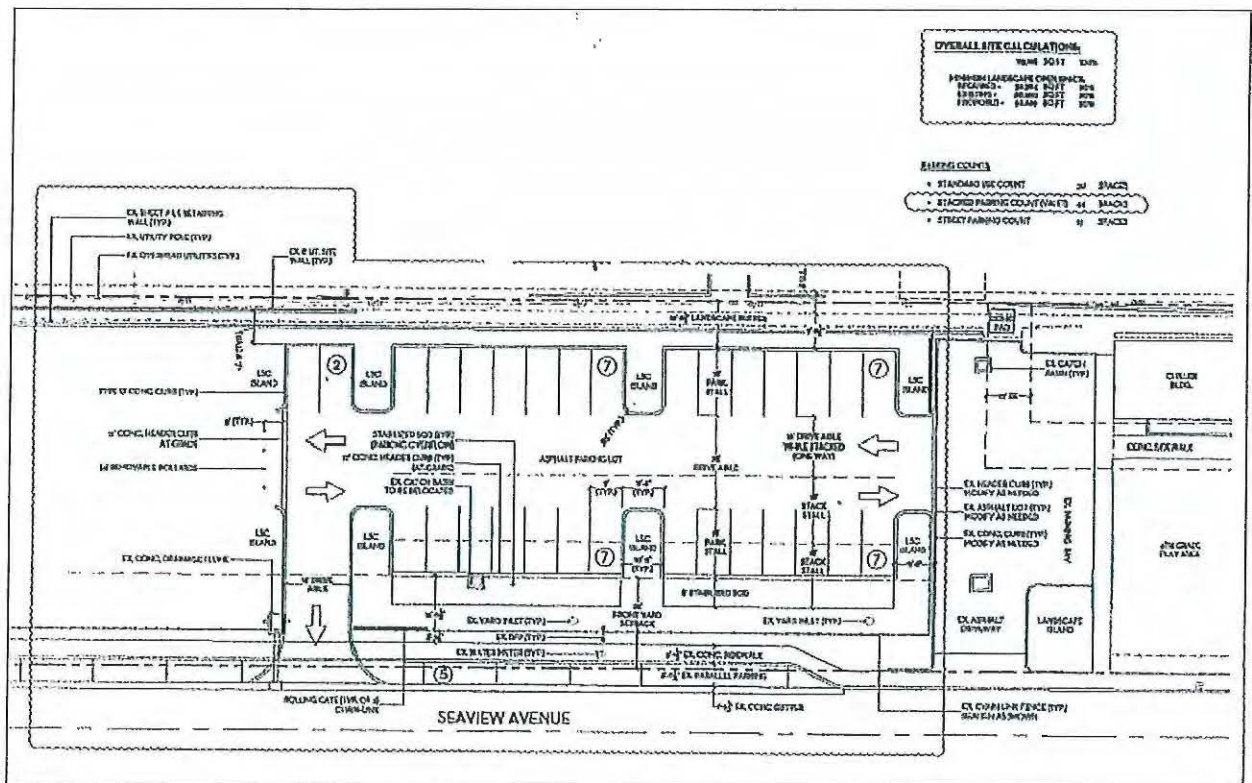


Copy of Site Plan – Page 1 of 2



ANDERSON CARR

Copy of Site Plan – Page 2 of 2



330 Seaspray Avenue

A&C Job No.: 2220448.000

To measure what impact if any there would be to the subject property, the appraisers researched the general Palm Beach County market area to find neighborhoods where a control property could be defined that sold under a similar parking lot influence to the subject property. This control property was then compared to other properties in that particular neighborhood that were not under a parking lot influence. All differences were adjusted for with the exception of the parking lot influence, to arrive at a market value. This market value was then compared to the control property's sale price to arrive at a percentage adjustment for the parking lot influence.

We found three areas within the Town of Palm Beach and three areas in West Palm Beach, which were under similar parking lot influences. Individual studies were completed on each of these areas. Our findings for each of these studies are discussed on the following pages.



Biltmore Galleria Parking Lot – Palm Beach, FL



BILTMORE GALLERIA PARKING LOT ON SUNRISE AVENUE - SALES SUMMARY TABLE								
Sale No. Date	OR Bk Page	Property Address	Land Area SF Acres	Year Built	Gross Living Area	No. of Bedroom	No. of Bathrooms	Sale Price
1 May-22	33571 1391	149 Root Trail Palm Beach	1,708 0.0392	1925/2020	936	2	2.0	\$2,337,000
2 Jan-22	33222 274	221 Oleander Avenue Palm Beach	4,199 0.0964	2018	2,560	4	4.0	\$6,300,000
3 Oct-21	33002 1798	259 Park Avenue Palm Beach	2,627 0.0603	2021	1,860	4	3.0	\$3,815,600
Control Feb-22	33296 1704	260 Park Avenue Palm Beach	3,498 0.0803	2007	1,838	3	3.1	\$4,300,000

This study is in the Town of Palm Beach, north of Royal Poinciana Way. The control property is located at 260 Park Avenue and backs up to the parking lot for the Biltmore Galleria. All of the sales were adjusted to the control property, not considering any parking/noise effect. After adjustments, the sales ranged from a low of \$4,539,500 to a high of \$4,886,500 with an average of \$4,683,033. The control property was originally listed at \$4,395,000 and was on the market for 4 days prior to contract. Based upon the above discussion, the sale price of the control property and the adjusted mean of the comparable sales reflect a discount of approximately 8.91%.



350 Royal Palm Way Parking Lot – Palm Beach, FL



350 ROYAL PALM WAY PARKING LOT - SALES SUMMARY TABLE								
Sale No. Date	OR Bk Page	Property Address	Land Area SF Acres	Year Built	Gross Living Area	No. of Bedroom	No. of Bathrooms	Sale Price
1 Jun-20	31536 807	328 Australian Avenue Palm Beach	6,251 0.1435	1925	3,420	5	4.1	\$3,000,000
2 Aug-20	31677 167	336 Australian Avenue Palm Beach	6,251 0.1435	1985	2,744	2	3.1	\$3,900,000
3 Nov-20	31931 1087	444 Brazilian Avenue Palm Beach	8,407 0.1930	1999	4,111	3	3.1	\$6,100,000
Control Feb-20	31240 1643	345 Brazilian Avenue Palm Beach	8,999 0.2066	1910	4,038	5	4.1	\$4,170,750

This study is in the Town of Palm Beach, south of Royal Palm Way. The control property is located at 345 Brazilian Avenue and backs up to the parking lot for the office building located at 350 Royal Palm Way. All of the comparable sales were adjusted to the control property, not considering any parking/noise effect. After adjustments the sales ranged from a low of \$4,465,000 to a high of \$4,595,000 with an average of \$4,513,333. The control property was originally listed at \$5,000,000 and was on the market for 139 days prior to contract. Based upon the above discussion, the sale price of the control property and the adjusted mean of the comparable sales reflect a discount of approximately 8.21%.



Everglades Condominium Parking Lot – Palm Beach, FL



EVERGLADES CONDOMINIUM PARKING LOT - SALES SUMMARY TABLE								
Sale No. Date	OR Bk Page	Property Address	Land Area SF Acres	Year Built	Gross Living Area	No. of Bedrooms	No. of Bathrooms	Sale Price
1 Nov-17	29503 124	245 Atlantic Avenue Palm Beach	10,000 0.23	2015	4,402	5	5.0	\$4,600,000
2 Apr-18	29816 1879	205 Atlantic Avenue Palm Beach	6,510 0.15	2001	3,421	3	4.1	\$3,400,000
3 Apr-18	29756 1662	249 Seminole Avenue Palm Beach	5,929 0.14	1995	3,421	3	4.1	\$3,400,000
Control Jun-17	29174 122	240 Atlantic Avenue Palm Beach	5,000 0.11	2016	2,635	4	4.0	\$3,250,000

This study is in the Town of Palm Beach, north of Royal Poinciana Way. The control property is located at 240 Atlantic Avenue and backs up to the parking lot for the Everglades Condominium. All of the sales were adjusted to the control property, not considering any parking/noise effect. After adjustments the sales ranged from a low of \$3,078,750 to a high of \$3,898,550 with an average of \$3,531,567. The control property was originally listed at \$3,999,000 and was reduced to \$3,650,000 prior to its sale in June of 2017 for a recorded price of \$3,250,000. It was on the open market for a total of 237 days. Based upon the above discussion, the sale price of the control property and the adjusted mean of the comparable sales reflect a discount of approximately 8.66%.



South Dixie Highway Parking Lot – West Palm Beach



PARKING LOT ON SOUTH DIXIE HIGHWAY - SALES SUMMARY TABLE								
Sale No. Date	OR Bk Page	Property Address	Land Area SF Acres	Year Built	Gross Living Area	No. of Bedroom	No. of Bathrooms	Sale Price
1 Apr-21	32404 1297	306 Valencia Road West Palm Beach	6,251 0.14	1925	4,092	4	3.0	\$1,795,000
2 Apr-21	32437 15	283 Valencia Road West Palm Beach	9,374 0.22	1930	4,080	4	3.1	\$2,585,000
3 Apr-21	32664 20	230 Valencia Road West Palm Beach	9,871 0.23	1925	3,428	4	2.1	\$3,300,000
Control Jun-21	32699 758	326 Valencia Road West Palm Beach	10,000 0.23	1925	4,142	5	4.1	\$2,400,000

This study is in the West Palm Beach area, south of Okeechobee Boulevard and north of Belvedere Road, east of South Dixie Highway. The neighborhood is known as "El Cid" and has many historic homes. The control property is located at 326 Valencia Road and adjoins a parking lot on its west property line. All of the sales were adjusted to the control property, not considering any parking/noise effect. It is noted that Sales 2 and 3 were located in superior blocks when compared to the subject and were adjusted downward for this factor. After adjustments the sales ranged from a low of \$2,474,500 to a high of \$2,785,000 with an average of \$2,649,500. The control property was originally listed at \$2,795,000 in April of 2021 and sold in June 2021, after 39 days on the market for a recorded price of \$2,400,000. Based upon the above discussion, the sale price of the control property and the adjusted mean of the comparable sales reflect a discount of approximately 10.40%.



South Olive Elementary School Access Drive – West Palm Beach



SOUTH OLIVE ELEMENTARY SCHOOL ACCESS DRIVE - SALES SUMMARY TABLE								
Sale No. Date	OR Bk Page	Property Address	Land Area SF Acres	Year Built	Gross Living Area	No. of Bedroom	No. of Bathrooms	Sale Price
1	29077	311 Winters Road	8,560	1952	1,373	2	1.0	\$275,000
May-17	1323	West Palm Beach	0.20					
2	29106	349 Winters Road	6,956	1950	1,240	3	1.0	\$265,000
May-17	885	West Palm Beach	0.16					
3	29587	371 Winters Road	6,955	1950	937	2	1.0	\$260,000
Jan-18	1110	West Palm Beach	0.16					
Control	29766	322 Maddock Street	7,148	1950	1,604	4	3.0	\$360,000
Apr-18	1033	West Palm Beach	0.16					

This study is in the West Palm Beach area, south of Forest Hill Boulevard and north of Gregory Road, east of South Dixie Highway. The control property is located at 322 Maddock Street and adjoins an access drive for the elementary school along its south property line. All of the sales were adjusted to the control property, not considering any access driveway/parking/noise effect. After adjustments the sales ranged from a low of \$379,500 to a high of \$411,900 with an average of \$397,900. The control property was originally listed at \$378,900 and was reduced to \$375,000 prior to its sale in April of 2018 for a recorded price of \$360,000. It was on the open market for a total of 102 days. Based upon the above discussion, the sale price of the control property and the adjusted mean of the comparable sales reflect a discount of approximately 10.53%.



Commercial Parking Lot – West Palm Beach



COMMERCIAL PARKING LOT - SALES SUMMARY TABLE								
Sale No. Date	OR Bk Page	Property Address	Land Area SF Acres	Year Built	Gross Living Area	No. of Bedrooms	No. of Bathrooms	Sale Price
1 May-15	29474 34	336 Rilyn Drive West Palm Beach	6,419 0.15	1951	1,179	2	2.1	\$270,000
2 Feb-16	29239 1343	332 Russlyn Drive West Palm Beach	7,099 0.16	1950	923	3	1.0	\$231,000
3 Feb-16	28129 425	345 Ruslyn Drive West Palm Beach	7,186 0.16	1949	1,082	2	2.0	\$295,000
Control Sep-15	27777 1860	349 Rilyn Drive West Palm Beach	8,316 0.19	1947	1,612	3	2.0	\$285,000

This study is in the West Palm Beach area, south of Southern Boulevard and north of Palmetto Street, east of South Dixie Highway. The control property is located at 349 Rilyn Drive and adjoins a commercial parking lot along its rear property line. All of the sales were adjusted to the control property, not considering any parking/noise effect. After adjustments the sales ranged from a low of \$321,400 to a high of \$354,500 with an average of \$333,067. The control property was originally listed at \$329,000 until its sale in September of 2015 for a recorded price of \$285,000. It was on the open market for a total of 6 days. Based upon the above discussion, the sale price of the control property and the adjusted mean of the comparable sales reflect a discount of approximately 16%.



Conclusion

The data in our market study clearly indicates that the close proximity to a parking lot has a negative impact on the property values of the real estate that adjoin the parking lot. The study produced a range in discounts from 8.21% to 16% with a median of 9.69%. The market studies in the Town of Palm Beach had a range from 8.21% to 8.91% with a mean of 8.60%. The remaining studies, located in West Palm Beach, indicate a higher discount range from 10.46% to 16%; however, are overall supportive of the market study data within the Town of Palm Beach. Giving most weight to the market studies within the Town of Palm Beach, and also taking into consideration the very good location of the subject property, we have concluded that the negative impact to the market value of the subject property would be approximately 8.50%.

The adjusted market value is calculated as follows:

Current Market Value of the Fee Simple Estate of the Subject Property, as of September 27, 2022:	\$9,750,000
Less Discount for Negative Impact From The Proposed Parking Lot (\$9,750,000 x 8.50% = \$828,750)	-\$ 828,750
Total	\$8,921,250

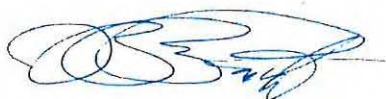
Rounded to:

Market Value of the Subject Property Subject To The Proposed Parking Lot As of September 27, 2022:	\$8,920,000
---	--------------------

Supporting documentation for the previous analysis is maintained within our work file. This letter should be considered only a summary of our research and analysis and should be attached to our limiting conditions and exhibits, which contains 18 pages plus related exhibits, in order for the opinion set forth to be considered valid. Your attention is directed to the Assumptions and Limiting Conditions contained within this report.

Respectfully submitted,

ANDERSON & CARR, INC.



Robert B. Banting, MAI, SRA
Cert Gen RZ4



Michelle J. Mickle
Cert Gen RZ3316

RBB/MJM:cmp

CERTIFICATION

I certify that, to the best of my knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, conclusions, and recommendations.

I have performed appraisal services, as an appraiser, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.

I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved.

I have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results. This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

Michelle J. Mickle have made a personal inspection of the property that is the subject of this report. Robert B. Banting, MAI, SRA has not made an interior inspection of the property that is the subject of this report; since its renovation was completed, however, has completed an exterior inspection.

As of the date of this report, Robert B. Banting, MAI, SRA has completed the continuing education program of the Appraisal Institute. As of the date of this report, Michelle J. Mickle has completed the Standards and Ethics Education Requirements for Candidates of the Appraisal Institute.

No one provided significant real property appraisal or appraisal consulting assistance to the person signing this certification.



Robert B. Banting, MAI, SRA
Cert Gen RZ4
rbanting@andersoncarr.com
561-833-1661



Michelle J. Mickle
Cert Gen RZ3316
mmickle@andersoncarr.com
561-833-1661



ASSUMPTIONS AND LIMITING CONDITIONS

1. Unless otherwise stated, the value appearing in this appraisal represents our opinion of the market value or the value defined as of the date specified. Values of real estate are affected by national and local economic conditions and consequently will vary with future changes in such conditions.
2. Possession of this report or any copy thereof does not carry with it the right of publication nor may it be used for other than its intended use. The physical report(s) remains the property of the appraiser for the use of the client. The fee being for the analytical services only. The report may not be copied or used for any purpose by any person or corporation other than the client or the party to whom it is addressed, without the written consent of an officer of the appraisal firm of Anderson & Carr, Inc. and then only in its entirety.
3. Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations efforts, news, sales or other media without written consent and approval of an officer of Anderson & Carr, Inc. nor may any reference be made in such public communication to the Appraisal Institute or the MAI, SRA or SRPA designations.
4. The appraiser may not divulge the material contents of the report, analytical findings or conclusions, or give a copy of the report to anyone other than the client or his designee, as specified in writing except as may be required by the Appraisal Institute, as they may request in confidence for ethics enforcement or by a court of law or body with the power of subpoena.
5. Liability of Anderson & Carr, Inc. and its employees is limited to the fee collected for the appraisal. There is no accountability or liability to any third party.
6. It is assumed that there are no hidden or unapparent conditions of the property, sub-soil, or structures which make it more or less valuable. The appraiser assumes no responsibility for such conditions or the engineering which might be required to discover these facts.
7. This report is to be used only in its entirety. All conclusions and opinions concerning the analysis which are set forth in the report were prepared by the appraisers whose signatures appear on the appraisal report. No change of any item in the report shall be made by anyone other than the appraiser and the appraiser and firm shall have no responsibility if any such unauthorized change is made.
8. No responsibility is assumed for the legal description provided or other matters legal in character or nature, or matters of survey, nor of any architectural, structural, mechanical, or engineering in nature. No opinion is rendered as to the title which is presumed to be good and merchantable. The property is valued as if free and clear of any and all liens and encumbrances and under responsible ownership and competent property management unless otherwise stated in particular parts of the report.



9. No responsibility is assumed for accuracy of information furnished by or from others, the clients, their designee, or public records. We are not liable for such information or the work of subcontractors. The comparable data relied upon in this report has been confirmed with one or more parties familiar with the transaction or from affidavit when possible. All are considered appropriate for inclusion to the best of our knowledge and belief.
10. The contract for appraisal, consultation or analytical service is fulfilled and the total fee payable upon completion of the report. The appraiser or those assisting the preparation of the report will not be asked or required to give testimony in court or hearing because of having made the appraisal in full or in part; nor engaged in post-appraisal consultation with client or third parties, except under separate and special arrangement and at an additional fee.
11. The sketches and maps in this report are included to assist the reader and are not necessarily to scale. Various photos, if any, are included for the same purpose and are not intended to represent the property in other than actual status as of the date of the photos.
12. Unless otherwise stated in this report, the appraisers have no reason to believe that there may be hazardous materials stored and used at the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.
13. If applicable, the distribution of the total valuation of this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal, no matter how similar and are invalid if so used.
14. No environmental or impact studies, special market studies or analysis, highest and best use analysis study or feasibility study has been requested or made unless otherwise specified in an agreement for services or in the report. Anderson & Carr, Inc. reserves the unlimited right to alter, amend, revise or rescind any of the statements, findings, opinions, values, estimates or conclusions upon any previous or subsequent study or analysis becoming known to the appraiser.
15. It is assumed that the property is in full compliance with all applicable federal, state, and local environmental regulations and laws unless the lack of compliance is stated, described, and considered in this appraisal report.
16. The value estimated in this appraisal report is gross without consideration given to any encumbrance, lien, restriction, or question of title, unless specifically defined. The estimate of value in the appraisal report is not based in whole or in part upon the race, color, or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.



17. It is assumed that the property conforms to all applicable zoning, use regulations, and restrictions unless a nonconformity has been identified, described, and considered in this appraisal report.
18. It is assumed that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in this report is based.
19. It is assumed that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
20. The Americans with Disabilities Act (ADA) became effective January 26, 1992. The appraisers have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since the appraisers have no direct evidence relating to this issue, possible non-compliance with the requirements of the ADA in estimating the value of the property has not been considered.
21. ACCEPTANCE OF, AND/OR USE OF THIS APPRAISAL REPORT CONSTITUTES ACCEPTANCE OF THE PRECEDING CONDITIONS.



ADDENDUM

ANDERSON CARR



ANDERSON CARR



January 19, 2023

SENT VIA U.S. MAIL

Department of Legal Affairs
Collins Building
107 W. Gaines Street L66
Tallahassee, FL 32399

Re: *Compensation Claim Against the Town of Palm Beach, Florida, a political division of the State of Florida (the "Town"), pursuant to the Bert J. Harris, Jr., Private Property Rights Protection Act as set forth in Fla.Stat. § 70.001 (the "Bert Harris Act").*

Ladies and Gentlemen,

I am the attorney for the Town of Palm Beach, Florida. Pursuant to Florida Statute Section 70.001 (4)(b), please see the attached claim. The name of the employee with whom additional information may be obtained is Wayne Bergman, the director of planning, zoning and building. Mr. Bergman's phone number is (561) 227-6426 and his address is 360 S. County Road, Palm Beach, FL 33480. You may also contact the undersigned who can provide information from a legal standpoint relating to this matter.

For your information, I have advised the attorney for the claimant as well as my client that this is not a valid Bert Harris claim as it was filed by an adjacent property owner, not the property against which the ordinance was applied.

Please see *Hardee County v. FINRII, Inc.*, 221 So. 3d 1162, 1163 (Fla. 2017) and *Vale v. Palm Beach County*, 259 So. 3d, 951, 953 (Fla. 4th DCA 2018).

Thank you.

JONES FOSTER P.A.



John C. Randolph, Esq.

enclosure

cc: Wayne Bergman
 Kirk Blouin

E S T .
1 9 2 4

jrandolph@
jonesfoster.com
561-650-0457 T
561-650-5300 F

505 S. Flagler Drive
Suite 1100
West Palm Beach
Florida 33401

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - New Business

Agenda Title

Update of FDOT Project on SR A1A from Emerald Way to Royal Palm Way

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum Dated February 9, 2023, from H. Paul Brazil, P.E.,
Director of Public Works**
- ▣ **FDOT Presentation**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

TO: Mayor and Town Council

VIA: Kirk. W. Blouin, Town Manager

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

RE: Update of FDOT Project on State Road A1A from Emerald Way to Royal Palm Way

DATE: February 9, 2023

STAFF RECOMMENDATION

Town staff will provide a brief description of the Florida Department of Transportation (FDOT) State Road A1A project and project status.

GENERAL INFORMATION

At the July 22, 2022 Town Council meeting, Town staff provided an update on several projects that FDOT has in the planning and design stages within the Town limits. One of these projects is the road improvements of South County Road from Emerald Beach Road to Royal Palm Way.

FDOT has been working with Town staff for the last year on this project. The project is a maintenance project, and the limits of the project are from just south of Southern Boulevard (Emerald Beach Road) to Royal Palm Way, which includes several improvements along with standard milling and resurfacing of the FDOT roadway.

- Replacement of the sidewalk from Brazilian Avenue to Royal Palm Way, which will include the privately owned sidewalk, as long as property owners sign agreements with FDOT. The Town has long sought FDOT to replace this sidewalk. Former Mayor, Gail Coniglio, met on site several times over the last six (6) years requesting FDOT replace these sidewalks. FDOT is requesting the Town pay for the portion of the sidewalk outside of the right-of-way.
- Replacement of mast arms at the intersection of Royal Palm Way and South County Road.
- Replacement of mast arms at Worth Avenue, Hammond Avenue, and Peruvian Avenue will be replaced with decorative mast arms. At the appropriate time, staff will present renderings of the intersections for Town Council review.
- Streetlights will be modified to LED lights using existing poles.
- Lane widths are being modified to allow for additional buffer along street parking.
- Pavement markings are being proposed by FDOT to better accommodate bicyclists throughout the corridor.

Staff reported in July that FDOT had requested the use of Town Council Chambers in November for a Public Meeting to present 60 percent plans to the residents and address questions. This public meeting was delayed to February 7, 2023. The presentation is attached. The present schedule for this work is to begin construction in April of 2024. Due to long lead times for acquisition of mast arms, staff believes this schedule is likely to slip.

FUNDING/FISCAL IMPACT

If approved by Town Council, funding for upgrades such as decorative mast arms in place of FDOT standard mast arms will come from the Capital Improvement Plan Budget as part of the Pavement Management Program. These will be limited to cost difference of standard FDOT mast arms and decorative mast arms. The cost will also include the additional private sidewalk between Brazilian Avenue and Royal Palm Way.

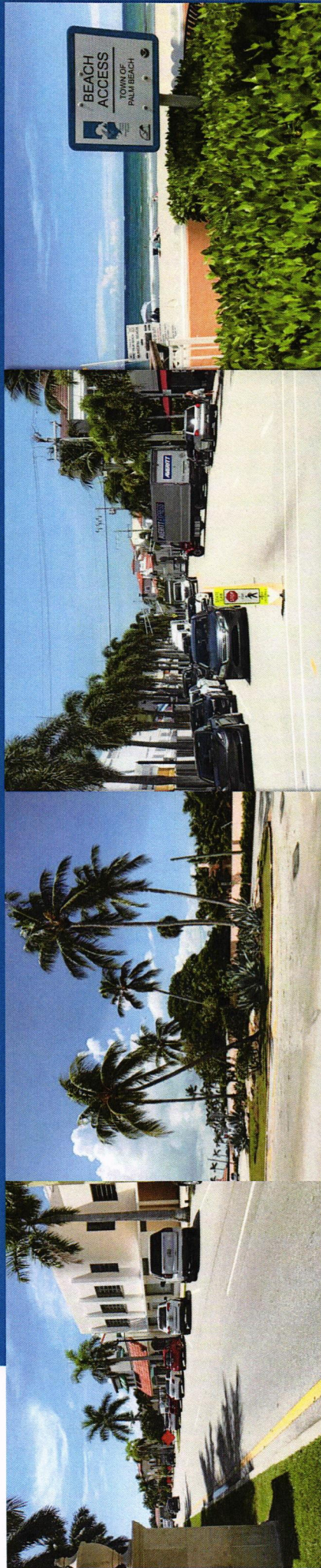
Attachment

cc: Bob Miracle, Assistant Town Manager
Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer



WELCOME

**The State Road (S.R.) A1A Resurfacing Design
Presentation will begin at 5:30 p.m.**



February 7, 2023

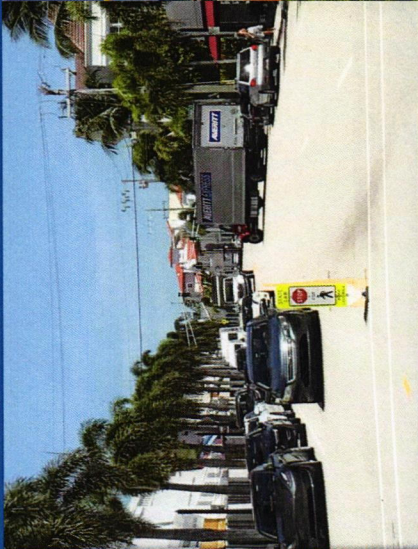
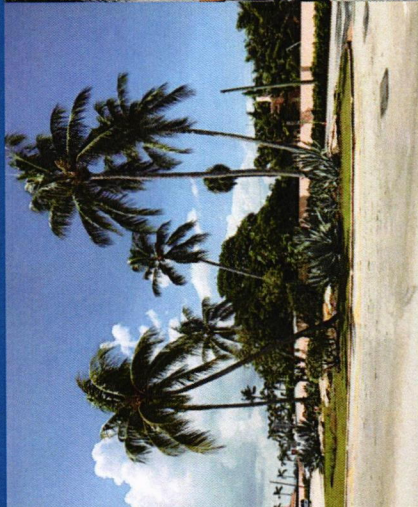
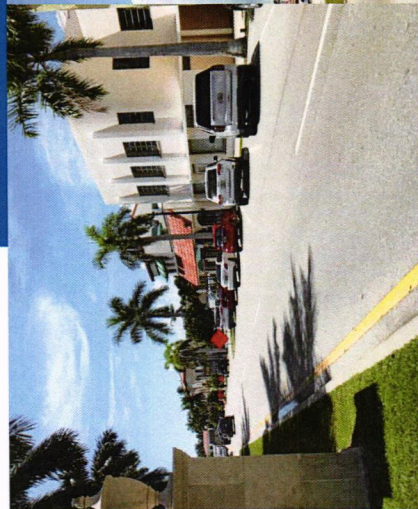
Page 1



PUBLIC MEETING

State Road (S.R.) A1A Resurfacing Design

From North of Emerald Beach Way to South of S.R. 704/Royal Palm Way
Palm Beach County - Project Identification Number: 446175-1-52-01

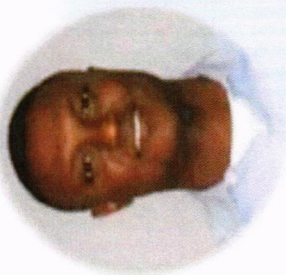


February 7, 2023

Page 2



MEET THE TEAM



Kenzot Jasmin, P.E.
FDOT Project Manager
FDOT District Four
Consultant Management Office



Md Rahman, P.E.
Consultant Project Manager
CORE Engineering Group, LLC

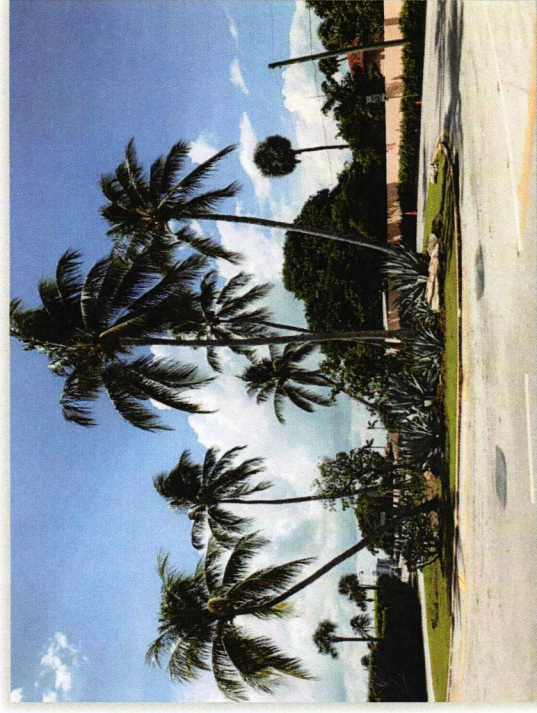


Navon Wallace, P.E.
Consultant Project Manager
AECOM
FDOT District Four
Consultant Management Office



Eileen LaSeur
Public Information Officer
CORE Engineering Group, LLC

- 1. Technical Information**
- 2. Non-Discrimination Policy and Rules of Engagement**
- 3. Project Location and Overview**
- 4. Proposed Improvements**
- 5. Temporary Traffic Control Plan**
- 6. Project Schedule and Costs**
- 7. Closing and Contact Information**
- 8. Questions and Answers**



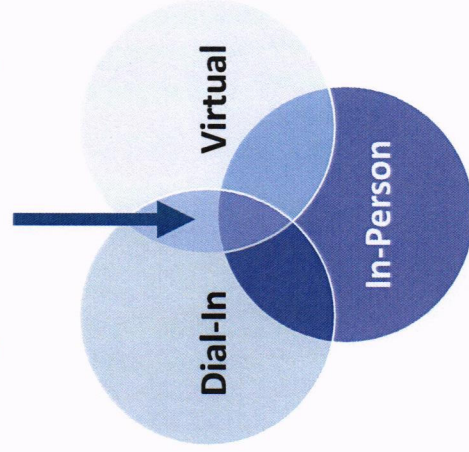


TECHNICAL INFORMATION

This public meeting is being conducted in a hybrid format:

- In-Person
- Virtual
- Dial-in

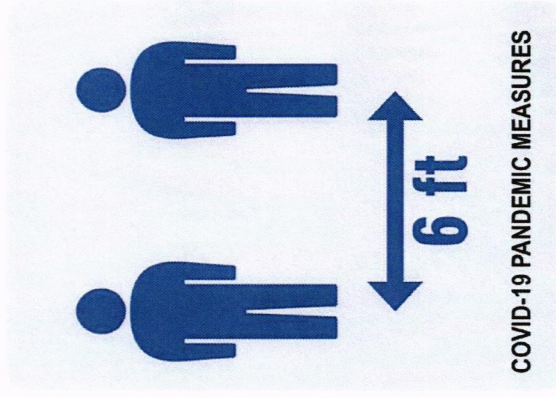
Hybrid Meeting



Dial-in attendees are “listen only”.

A copy of the presentation is available at:

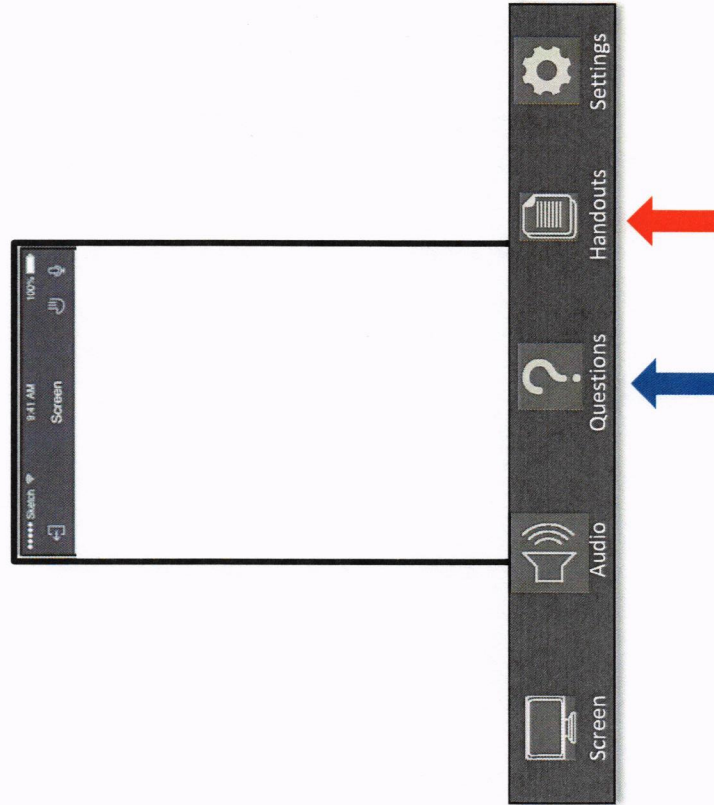
https://www.d4fdot.com/pbfgdot/state_road_a1a_from_north_of_emerald_beach_way_to_south_of_sr_704_royal_palm_way.asp



TECHNICAL INFORMATION

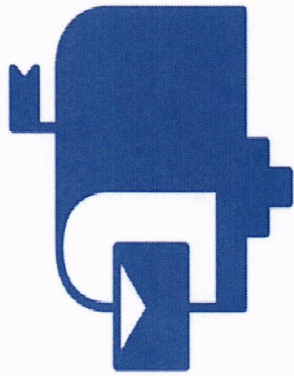


Mobile





PUBLIC MEETING – PUBLIC NOTICE



Property Owner/Tenant Letters

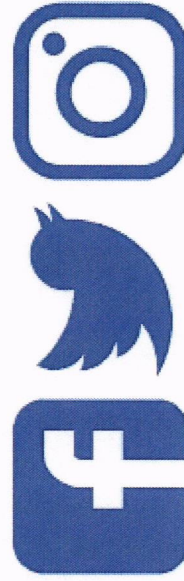


Email to Project Contact List

Florida Department of State

FLORIDA ADMINISTRATIVE CODE &
FLORIDA ADMINISTRATIVE REGISTER

Florida Administrative Register



Social Media



Non-Discrimination Policy and Rules of Engagement



NON-DISCRIMINATION POLICY

The Florida Department of Transportation complies with various non-discrimination laws and regulations, including:

Title VI of the Civil Rights Act of 1964

This meeting is being held without regard to race, color, national origin age, sex, religion, disability, or family status.

For questions or concerns, you may contact either:

District Four

Florida Department of Transportation
District 4 Title VI Coordinator

Sharon SinghHagyan

3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309
(944) 777-4190



Sharon.SinghHagyan@dot.state.fl.us

Tallahassee Office

Equal Opportunity Office Civil Rights Manager
Florida Department of Transportation

Stefan Kulakowski

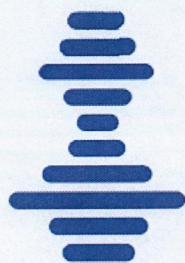
605 Suwannee Street, MS 65
Tallahassee, Florida 32399-0450
(850) 414-4753



Stefan.Kulakowski@dot.state.fl.us



RULES OF ENGAGEMENT



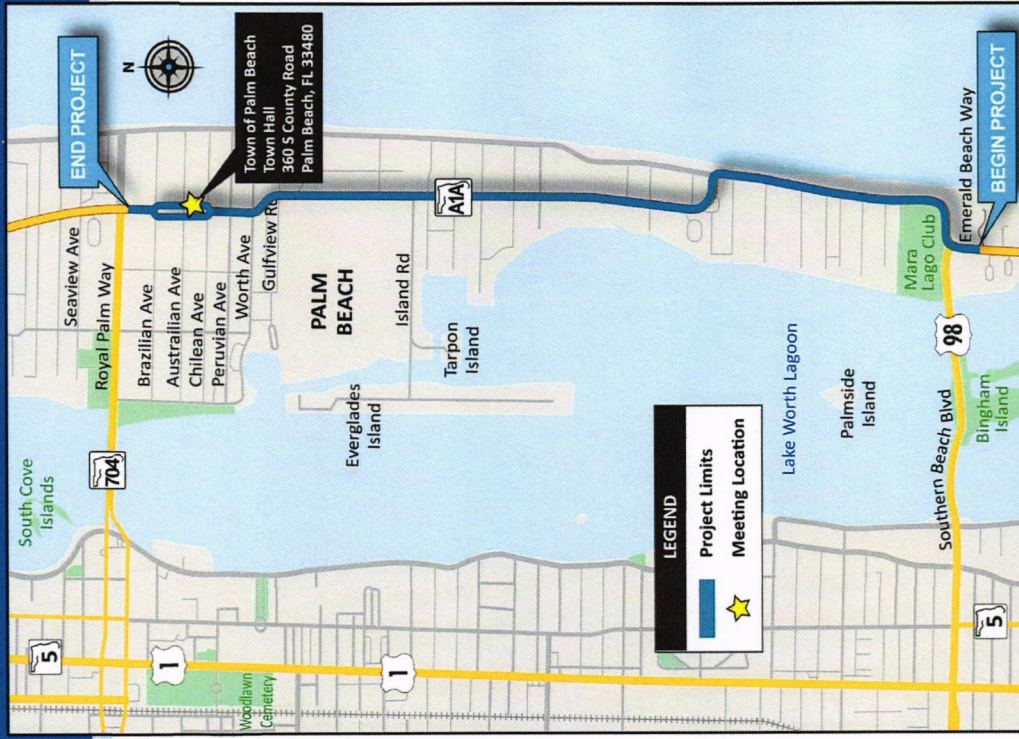
- This Virtual Public Meeting is being recorded
- If you experience technical difficulties, please contact **GoToWebinar Support at +1(833) 851-8340**
- All attendees will remain muted throughout the meeting
- Attendees are welcome to submit questions/comments using the GoToWebinar Question Panel
- A member of the team will respond during the question-and-answer portion of the meeting

Project Location and Scope of Services



PROJECT LOCATION

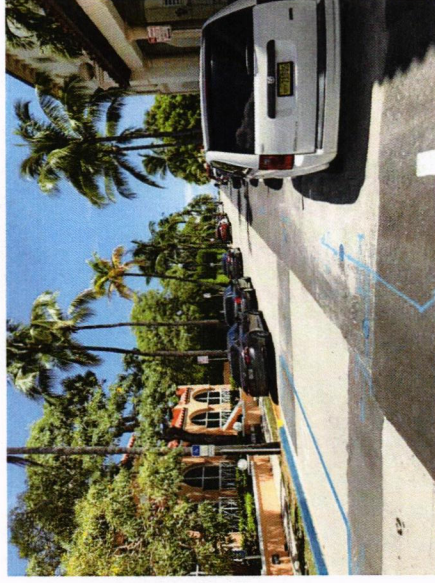
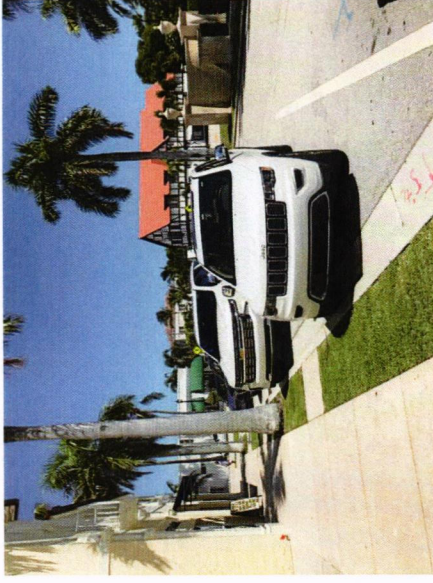
- Project is in the Town of Palm Beach in Palm Beach County
- Project limits are from North of Emerald Beach Way to South of Emerald Beach Way





PROJECT SCOPE OF SERVICES

- Repaving the existing roadway
- Upgrading Americans with Disabilities Act (ADA) issues
- Improving drainage to avoid ponding
- Sidewalk improvements and shared lane pavement markings
- Preserving and protecting existing vegetation
- Upgrading lighting
- Replacing signal heads and emergency signals

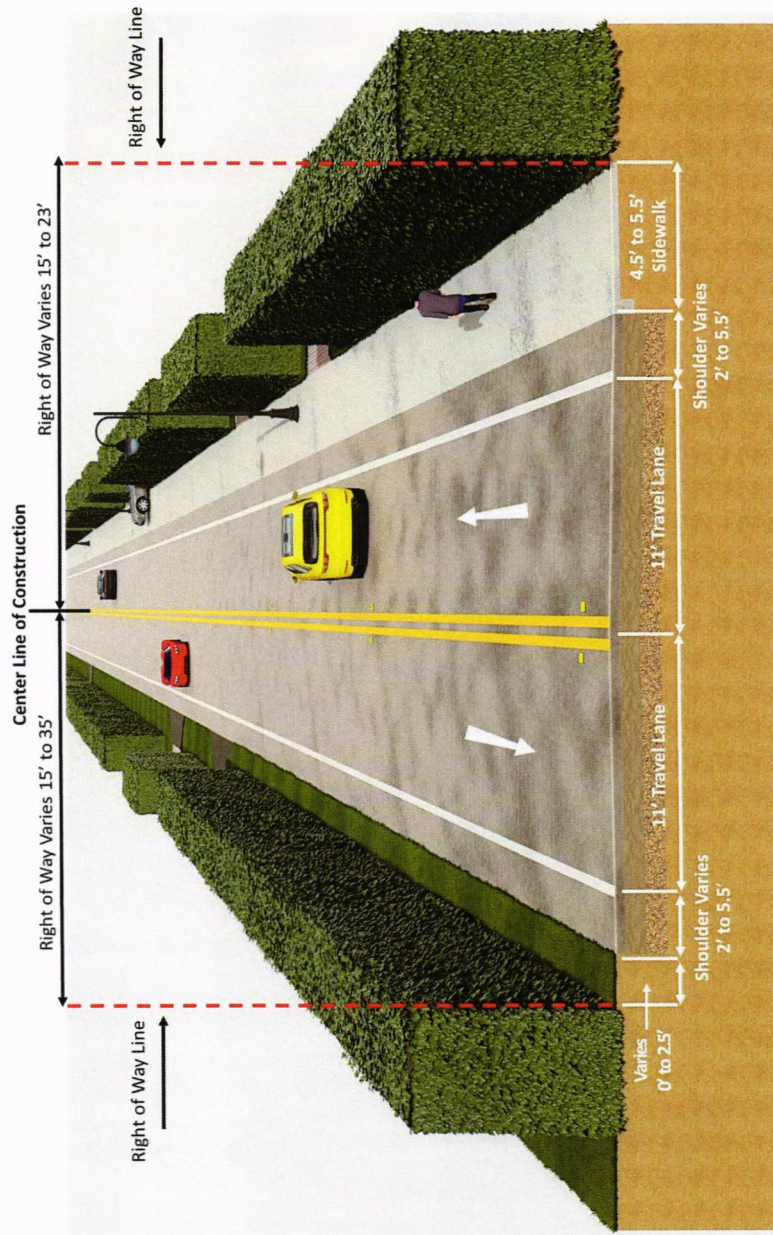




DESIGN PLANS

Existing Typical Section 1 from North of Emerald Beach Way to Hammon Avenue:

- Two-lane, two-way urban collector with 11-foot travel lanes
- Shoulder varying from 2 feet to 5.5 feet
- A minimum 4.5-foot concrete sidewalk runs along the northbound lane starting north of Ocean Boulevard

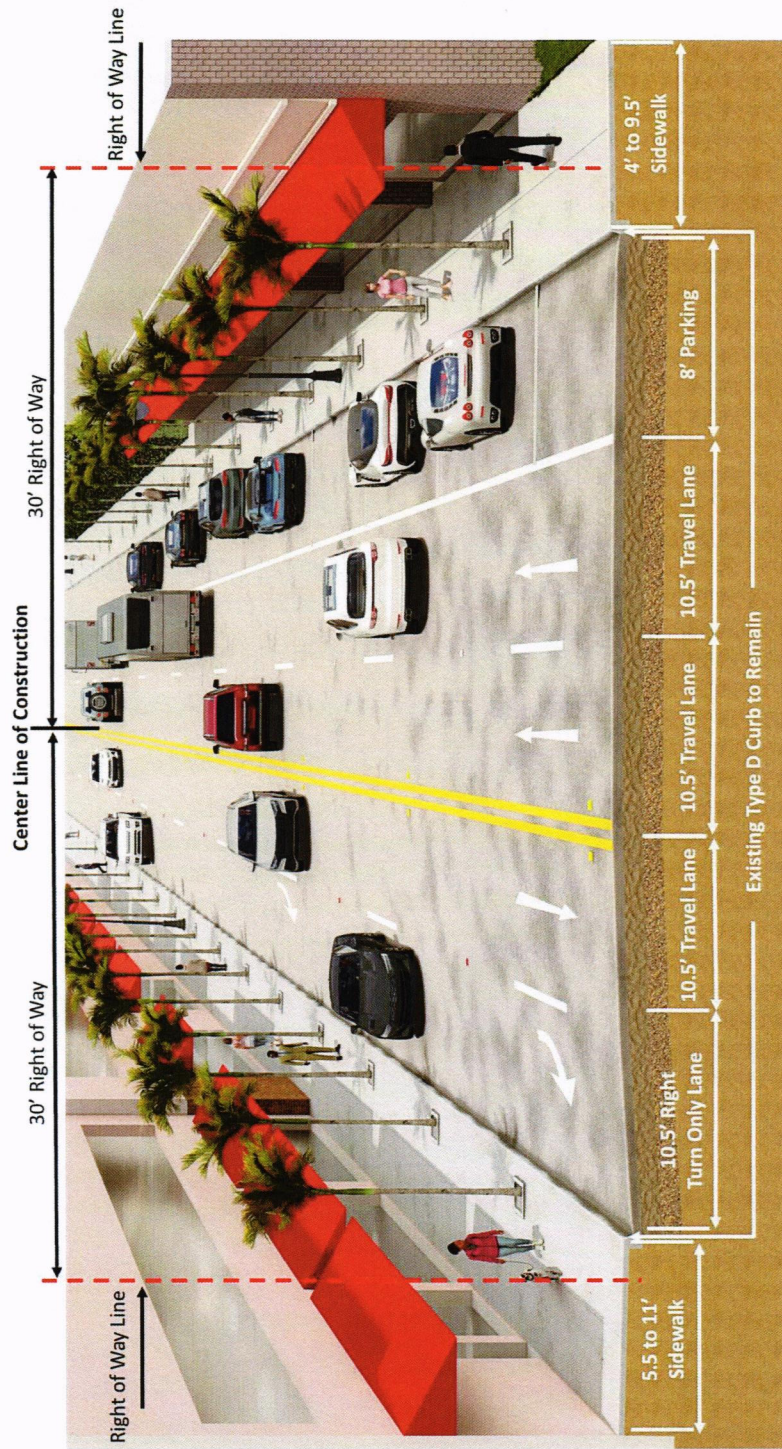




EXISTING CONDITIONS

Existing Typical Section 2 from Hammon Avenue to Chilean Avenue:

- Four-lane undivided section with 10.5-foot travel lanes
- 8-foot parallel parking along the northbound lanes
- Type D Curb on the outside with varying width sidewalk on both sides

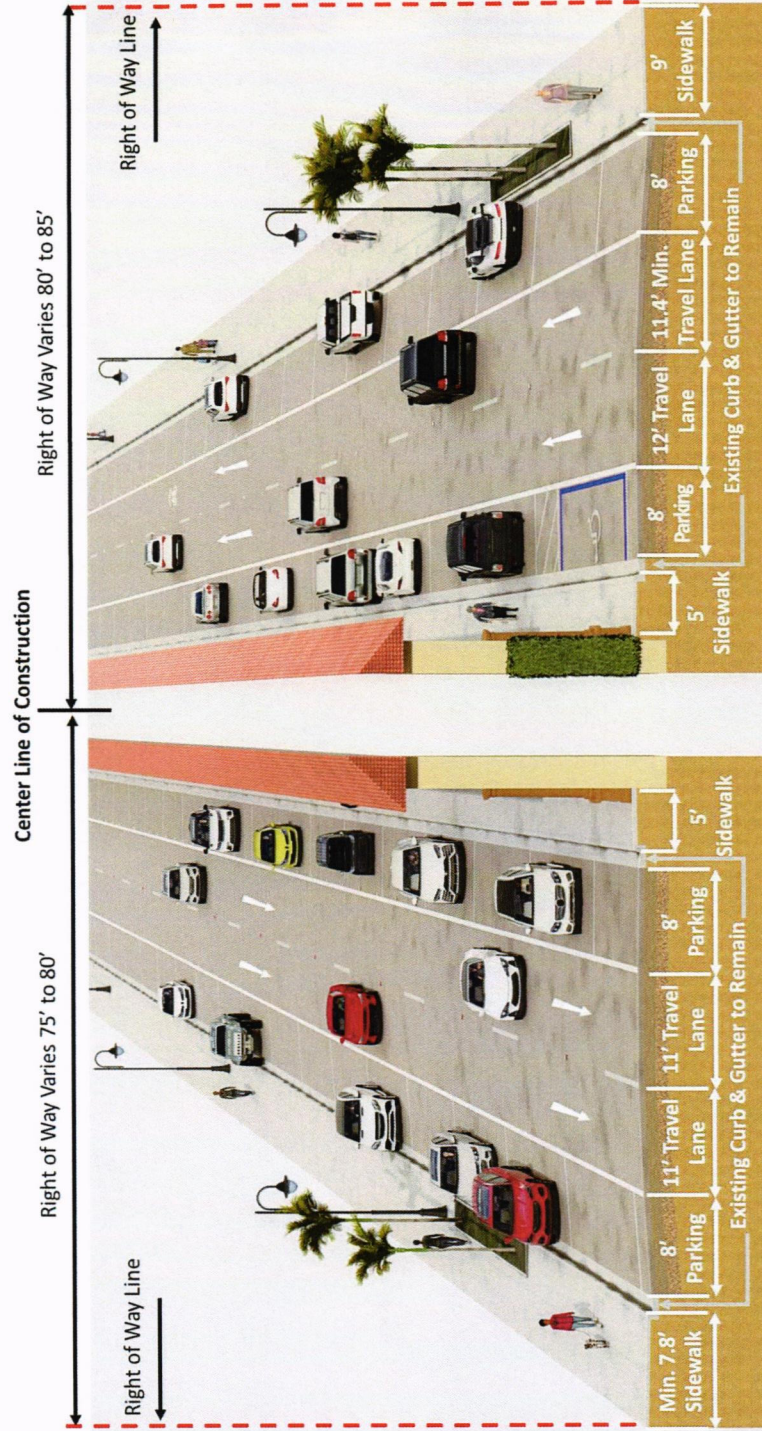




EXISTING CONDITIONS

Existing Typical Section 3 from Chilean Avenue to Brazilian Avenue:

- Two-way pair, each pair consisting of a two-lane section with 11 to 12-foot travel lanes
- 8-foot on-street parking
- Type F Curb with varying width sidewalk on both sides

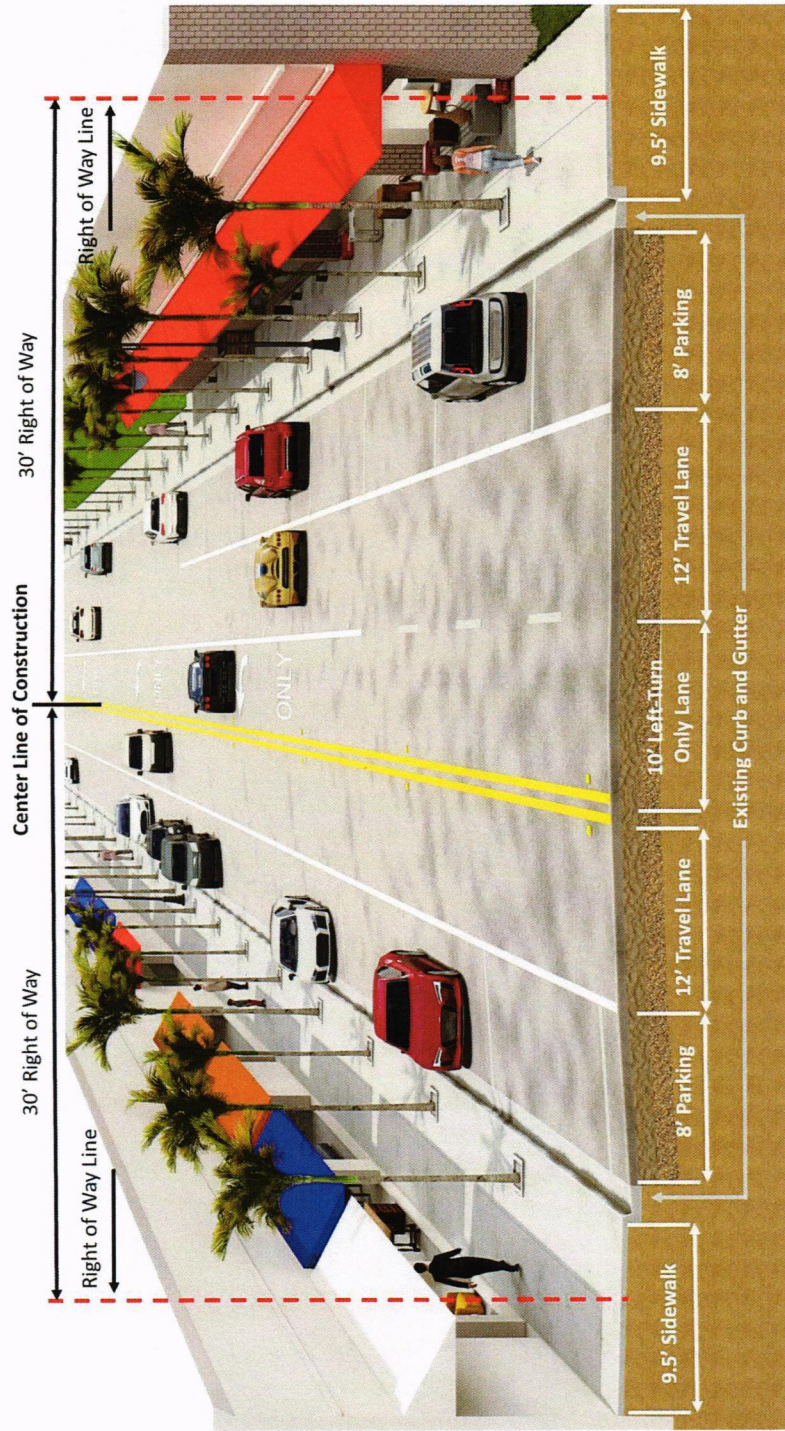




EXISTING CONDITIONS

Existing Typical Section 4 from Brazilian Avenue to South of Royal Palm Way:

- Three-lane undivided section with two 12-foot travel lanes
- 8-foot on-street parking
- Type F Curb and 9.5-foot sidewalk on both sides





PROPOSED DESIGN PLANS

Proposed Typical Section 1 from North of Emerald Beach Way to Hammon Avenue:

- Two-lane, two-way urban collector with 12-foot travel lanes
- Shoulder varying from 1 to 4.5 feet in both directions
- 4.5 to 5.5-foot concrete sidewalk along the northbound lane starting north of Ocean Boulevard

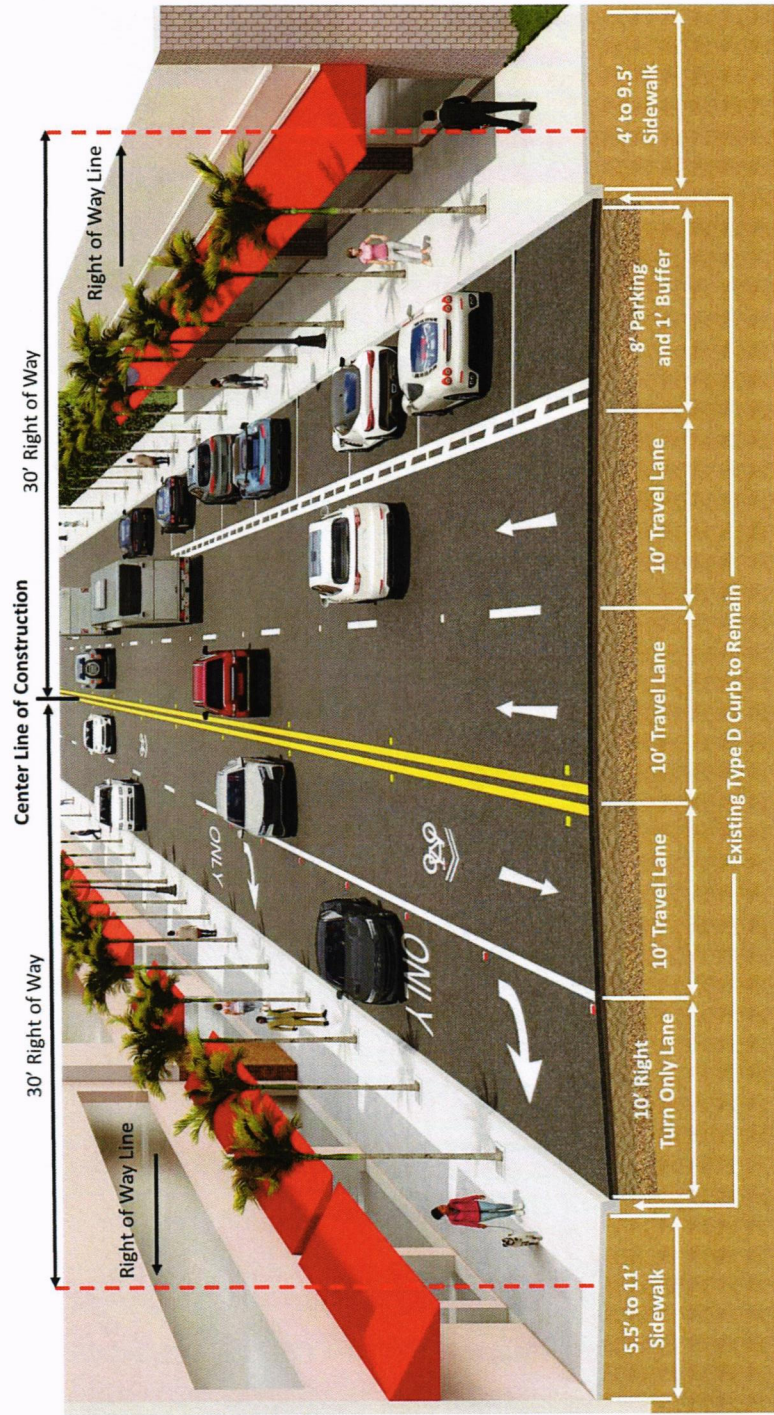




PROPOSED DESIGN PLANS

Proposed Typical Section 2 from Hammon Avenue to Chilean Avenue:

- Four-lane undivided section with 10-foot travel lanes
- 8-foot on-street parking with buffer along northbound lanes
- Type D Curb on the outside, and 4 to 11-foot sidewalk on both sides of the roadway

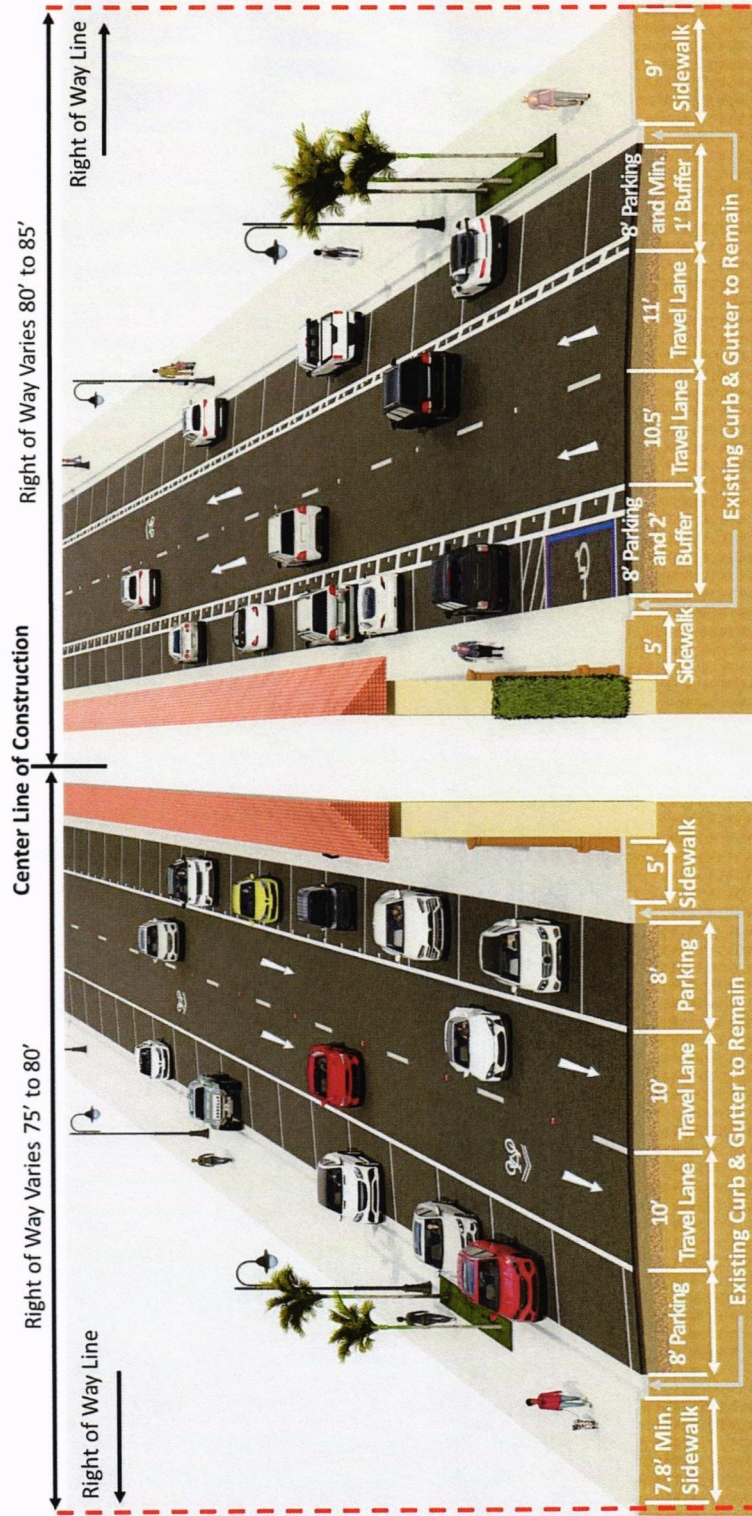




PROPOSED DESIGN PLANS

Proposed Typical Section 3 from Chilean Avenue to Brazilian Avenue:

- Two-way pair, each pair consisting of a 2-lane section with 10 to 11-foot travel lanes
- 8-foot on-street parking with a buffer
- Type F Curb and varying width sidewalk on both sides

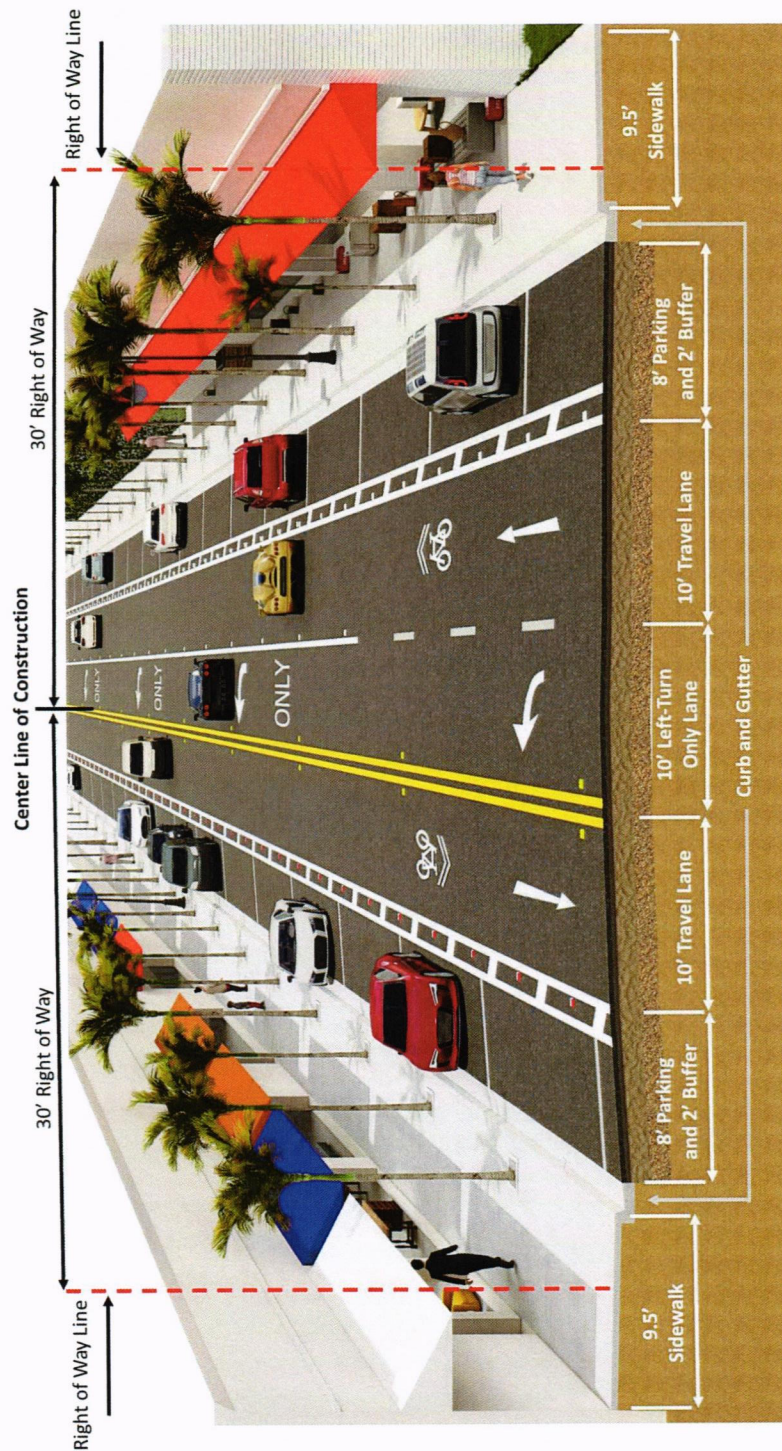




PROPOSED DESIGN PLANS

Proposed Typical Section 4 from Brazilian Avenue to South of SR 704/Royal Palm Way:

- Three-lane undivided section with two 10-foot travel lanes
- 8-foot on-street parking with buffer
- Type F Curb and 9.5-foot sidewalk on both sides





MAINTENANCE OF TRAFFIC

MAINTENANCE OF TRAFFIC

- During construction, single lane closures will be used to construct the proposed improvements
- Vehicle detours or full road/intersection closures for drainage and signal improvements
- Temporary impacts to pedestrian traffic will be addressed by temporary pedestrian detours/diversions, as needed

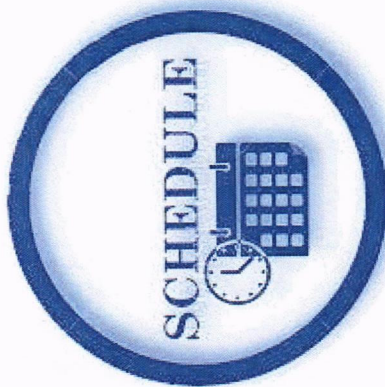
**UNDER
CONSTRUCTION**



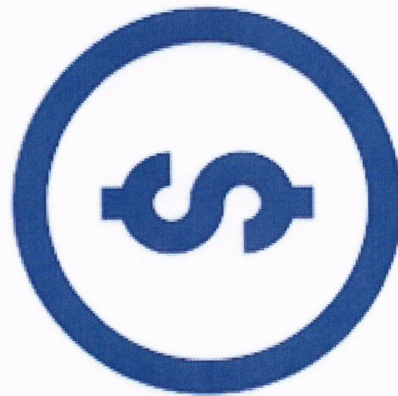


PROJECT SCHEDULE AND COST

PROJECT SCHEDULE AND COST



- Estimated construction start date: April 2024
- Anticipated completion date: December 2025



- Estimated construction cost: \$3.5 Million



QUESTIONS AND COMMENTS

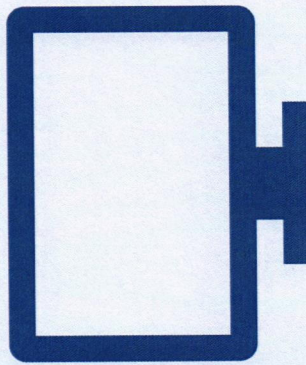


ADDITIONAL COMMENTS AND QUESTIONS

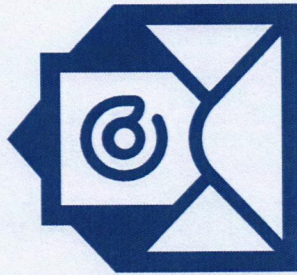
In-person



Virtually



Mail



By phone

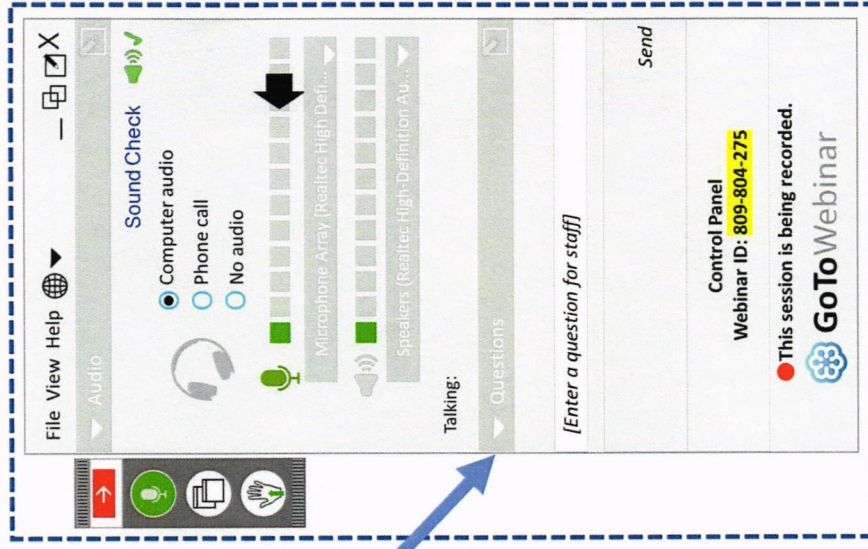




ADDITIONAL COMMENTS AND QUESTIONS

- In-person
Submit Comment Form
- Virtually
GoToWebinar: Type your comment in the Questions box
- Contact the FDOT Project Manager directly

To download presentation slides, use the link below:
https://www.d4fdot.com/pbfgdot/state_road_a1a_from_north_of_emerald_beach_way_to_south_of_sr_704_royal_palm_way.asp.





FDOT PM CONTACT INFORMATION

If you have additional comments or questions, please contact Kenzot Jasmin, P.E., FDOT Project Manager at:

Kenzot.Jasmin@dot.state.fl.us



Florida Department of Transportation, District Four
3400 W Commercial Boulevard, Ft. Lauderdale, Florida 33309



(954) 777-4462

Toll Free: +1(866) 336-8435 ext. 4462



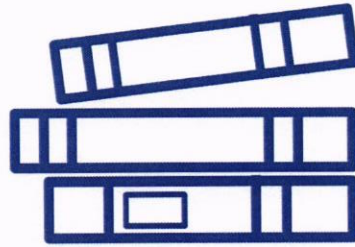


ADDITIONAL COMMENTS AND QUESTIONS

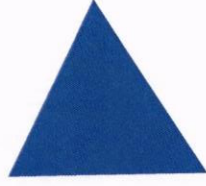
Please submit your comments by February 21, 2023



If your question was not responded to during the meeting,
a response will be provided later by mail or email



All comments and questions are part of the **Public Record**

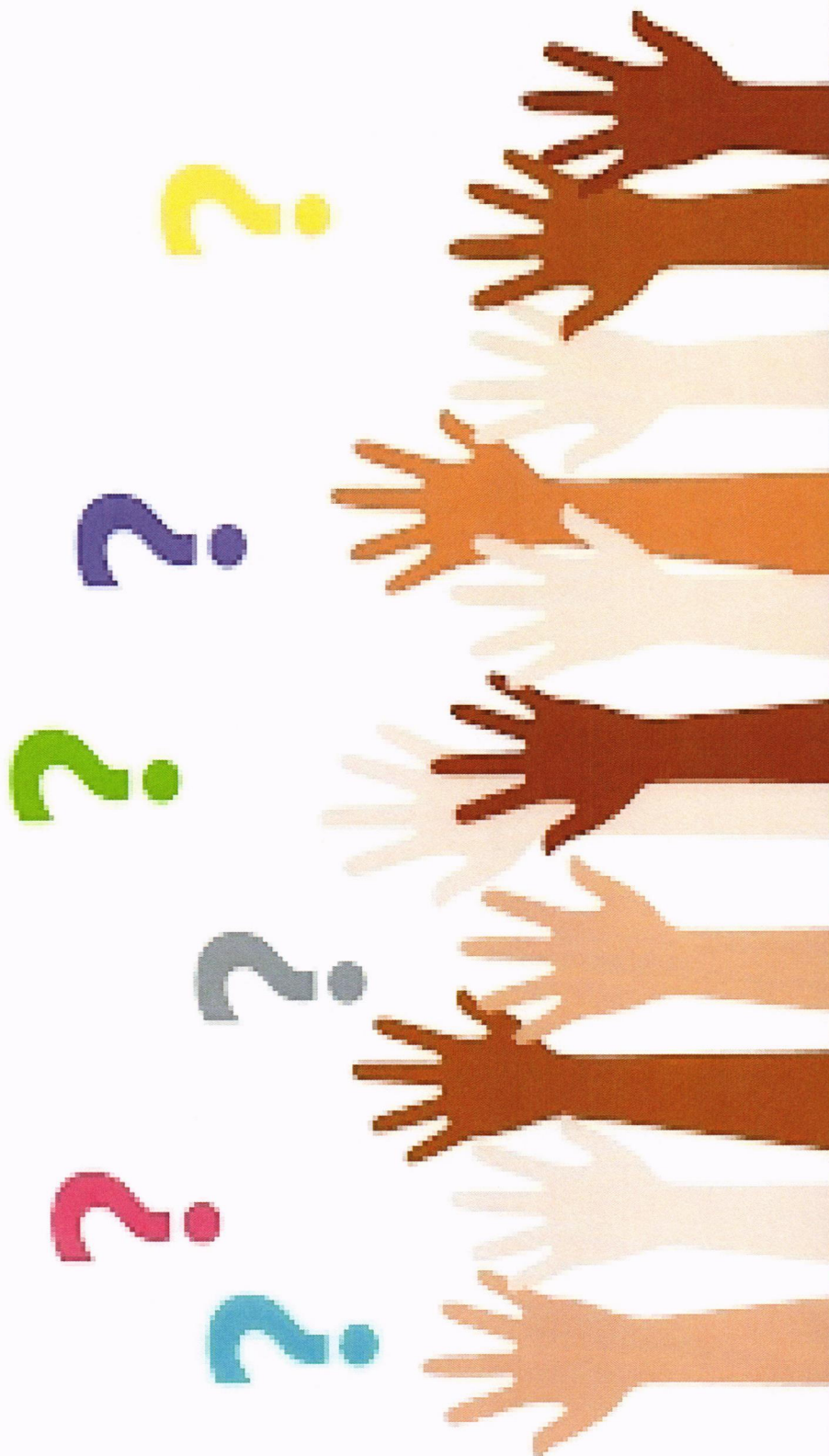


All registrants will receive a link to the **meeting recording and presentation slides**



Thank You for Participating in This Public Meeting

QUESTIONS AND ANSWERS



TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Regular Agenda - New Business

Agenda Title

Review of a Stop Work Order Due to the Three-Strike Rule at 236 Pendleton Avenue

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated February 2, 2023, from Wayne Bergman, Director of Planning, Zoning and Building**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: 236 Pendleton Avenue – Three Strikes & Stop Work Order

Date: February 2, 2023

FYI - This Memo is provided as Information 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 November 8, 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.

236 Pendleton Avenue recently reached the level of three (3) Strikes for construction-related violations. The prime contractor is Shoreline Building Group, LLC. The initial Warning Notice and the Stop Work Order Pending Notice (attached) were sent to the property owner and contractor. Please refer to the attached letter dated January 30, 2023 for the details of the Three Strikes.

The regulations allow a time frame for the violator to appeal the ticket(s). In this case, since the third violation was issued by Police, the appeal was filed with the Chief Nicholas Caristo. 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 Strike. This decision occurred on February 1, 2023. The Planning, Zoning & Building Department will issue a STOP WORK ORDER for the construction project on or about February 6, 2023.

The contractor owes the Town \$750.00 in fees, plus any unpaid fines, at this time.

This is the first time that Shoreline Building Group, LLC has been before you with Three Strike projects. Copies of all violations are attached.

The Town Council's process for this matter is contained within the Public Works "Right of Way Manual", as follows:

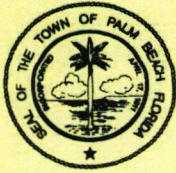
"When the Town Council receives a written request to lift a stop work order the Town Council shall have the power to admonish the contractor; take such action as deemed necessary to effect the stop work order on a permanent basis by nullifying the existing building permit; cause the contractor and/or 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 fine as outlined below, 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) strike shall be \$500; the fine and penalty for a fourth (4th) strike shall be a fine of \$2,500 and a mandatory thirty (30) day shutdown of the construction project; the fine and penalty for a fifth strike shall be a fine of \$5,000 and a mandatory thirty (30) day shutdown of the construction project, 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."

Any motion to resolve this matter should include "waiving the third strike" and "granting the ability for the contractor to apply for future right of way permits".

Attachments: Copies of the Violations
Copy of Warning Notice
Copy of the Stop Work Order Pending Notice
Copy of the Appeal Letter
Copy of the Appeal Decision

Cc: Paul Brazil, Director of Public Works
Police Chief Nicholas Caristo
Debby Moody



Dry wall stacked in R.O.W

PW- **6179**

PUBLIC WORKS DEPARTMENT
(561) 838-5440

R.O.W. VIOLATION NOTICE

NAME: Shoreline Building DATE: 8.29.22

JOB ADDRESS: 236 Reddleton

- | | |
|---|--------------------------------|
| ☒ Working in right-of-way without permit | \$ 150 X <u>1</u> = <u>150</u> |
| ☐ Failure to have permit on job | \$ 150 X _____ = _____ |
| ☐ Construction parking without permit*
1 st = \$150 2 nd = \$250 and thereafter = \$500 | \$ 150 X _____ = _____ |
| ☒ Inadequate Maintenance of Traffic | \$ 150 X <u>1</u> = <u>150</u> |
| ☐ Right-of-way littered by site dirt or debris | \$ 150 X _____ = _____ |
| ☐ Failure to maintain safe sidewalk | \$ 150 X _____ = _____ |
| ☐ Failure to carry-out permit terms/conditions | \$ 150 X _____ = _____ |
| ☒ Storage of materials in right-of-way | \$ 150 X <u>1</u> = <u>150</u> |
| ☐ Use of right-of-way as work area | \$ 150 X _____ = _____ |
| ☐ Damage to infrastructure in right-of-way | \$ 150 X _____ = _____ |
| ☐ Dewatering without a permit | \$ 150 X _____ = _____ |
| ☐ Illegal discharges to Town sewers** | \$ 500 X _____ = _____ |
| ☐ Other _____ | \$ _____ X _____ = _____ |
| ☐ 2nd and added days of violation, double fine | \$ _____ X _____ = _____ |

*margin unload/load drywall
from R.O.W.*

TOTAL FINE: 450

Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept., PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Public Works Office at 561-838-5440.

* Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

** Fine plus clean-up cost.

*** Includes but not limited to:

Dumpster in Right of Way - \$100 per incident.

Right of Way restoration - \$30 per day until restored.

ISSUER *[Signature]*

white/violator

yellow/PW

pink/issuer



PW- 6955

PUBLIC WORKS DEPARTMENT
(561) 838-5440

R.O.W. VIOLATION NOTICE

NAME: Shoreline Building DATE: 10-11-22JOB ADDRESS: 236 Pendleton

- | | |
|--|--------------------------------|
| ☐ Working in right-of-way without permit | \$ 150 X _____ = _____ |
| ☐ Failure to have permit on job | \$ 150 X _____ = _____ |
| ☒ Construction parking without permit*
1 st = \$150 2 nd = \$250 and thereafter = \$500 | \$ 150 X <u>1</u> = <u>150</u> |
| ☐ Inadequate Maintenance of Traffic | \$ 150 X _____ = _____ |
| ☐ Right-of-way littered by site dirt or debris | \$ 150 X _____ = _____ |
| ☐ Failure to maintain safe sidewalk | \$ 150 X _____ = _____ |
| ☐ Failure to carry-out permit terms/conditions | \$ 150 X _____ = _____ |
| ☐ Storage of materials in right-of-way | \$ 150 X _____ = _____ |
| ☐ Use of right-of-way as work area | \$ 150 X _____ = _____ |
| ☐ Damage to infrastructure in right-of-way | \$ 150 X _____ = _____ |
| ☐ Dewatering without a permit | \$ 150 X _____ = _____ |
| ☐ Illegal discharges to Town sewers** | \$ 500 X _____ = _____ |
| ☐ Other _____ | \$ _____ X _____ = _____ |
| ☐ 2nd and added days of violation, double fine | \$ _____ X _____ = _____ |

*Shoreline truck using expired
Tag / Flipped it backwards*

TOTAL FINE: 150

Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept., PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Public Works Office at 561-838-5440.

* Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

** Fine plus clean-up cost.

*** Includes but not limited to:

Dumpster in Right of Way - \$100 per incident.

Right of Way restoration - \$30 per day until restored.

ISSUER: *[Signature]*

white/violator

yellow/PW

pink/issuer



TOWN OF PALM BEACH
Finance Department
360 South County Road
PO Box 2029
Palm Beach, FL 33480
(561) 838-5444

INVOICE

81120

Page 1 of 1

DATE	10/12/2022
ACCOUNT	MI-000313
AMT DUE	250.00

SHORELINE BUILDING GROUP LLC
2500 BROADWAY
WEST PALM BEACH, FL 33407

AMOUNT PAID _____



PAY YOUR STATEMENT ONLINE AT: [HTTPS://TOWNOFPALMBEACH.COM/EDENAR](https://TOWNOFPALMBEACH.COM/EDENAR)

TOWN OF PALM BEACH

MAKE CHECKS PAYABLE TO TOWN OF PALM BEACH
PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

DESCRIPTION	AMOUNT
FINE 3-STRIKE RULE STRIKE 2 236 Pendleton Ave, Fine for Strike 2	250.00
Total Amount Due:	250.00

ACCOUNT NO. MI-000313

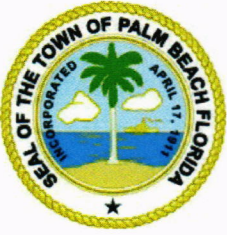
PAYABLE UPON RECEIPT

250.00

Please Remit to: TOWN OF PALM BEACH
Finance Department
360 South County Road
PO Box 2029
Palm Beach, FL 33480

02-14-2023 TCM Backup

Pay your Statement online at: <https://TownofPalmBeach.com/EDENAR>
Log in or Register as a New User and connect to your account by entering your Account No and Invoice number.



TOWN OF PALM BEACH

Planning, Zoning & Building Department

October 12, 2022 Via email & mail: CHRISTINA@SHORELINEBUILDINGGROUP.COM; dleiva@shorelinebuildinggroup.com; bijonmemar100@gmail.com

Shoreline Building Group LLC
% Daniel Leiva
2500 Broadway
West Palm Beach, FL 33407

Re: **Warning Notice** Construction Parking & Construction Site Management Citations – 236 Pendleton Ave, B-21-91953

On October 11, 2022, you received a citation for violations of the “3-Strike Rule”, which regulates the number of construction-related vehicles that can be parked on Town streets and construction site management. These regulations are contained in the Town of Palm Beach Standards Applicable to Public Rights-Of-Way And Easements Within The Town Of Palm Beach and information regarding these regulations is attached to all construction permits issued to a job site.

If three citations are received, the Chief of Police or the Director of Public Works may notify the Planning, Zoning & Building Department of these violations, and request that a “**Stop Work**” order be issued as allowed by Section 18-204 of Town Code (referred to as the “3-strike” rule).

Your project has received **two citations, constituting two strikes**:

Strike 2 October 11, 2022 (PW-6955 – Construction Parking without a permit)

Strike 1 August 29, 2022 (PW-6179 – Working in right-of-way without permit, inadequate maintenance of traffic, storage of materials in right-of-way)

Also, per Town Resolution No. 001-2022, because you have received two strikes, fines in the amount of \$250.00 are being imposed and is payable immediately to the Town of Palm Beach. This fine is in addition to all right-of-way fines referenced above. See attached Invoice # 81120.

This is to notify you that if you receive another citation, under the Town’s rules a “Stop Work” order will be issued by this Department and additional fines shall be imposed. Please note that if a “Stop Work” order is issued by the Building Official, no work may be performed at the site under any permits issued by the Town of Palm Beach, until the Town Council determines if and under what conditions the work may proceed.

Your cooperation in observing the construction regulations of the Town will assist in ensuring that your job proceeds without disruption.

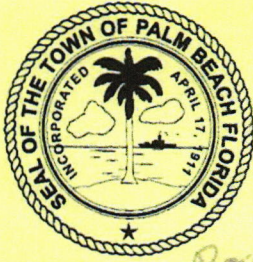
Sincerely,

Wayne Bergman

Wayne Berman
Director, Planning, Zoning & Building Department

cc: 236 Pendleton Ave LLC, 308 North Main Street Trust, Kevin A Daigh, 2870 Peachtree Park Dr NE #218, Atlanta, GA 30309
Kirk Blouin, Town Manager
H. Paul Brazil, Public Works Director
Nicholas Caristo, Police Chief
Benjamin Alma, Support Services Manager

Post Office Box 2029 * 360 South County Road * Palm Beach, FL 33480 * (561) 838-5431



PD- 00638

POLICE DEPARTMENT
(561) 838-5454**R.O.W. VIOLATION NOTICE**NAME: Res. Joseph Shoreline Building Group DATE: Jan 28, 2023
JOB ADDRESS: 236 Pendleton Ave

- | | |
|---|---------------------------------------|
| ☐ Working in right-of-way without permit | \$ 150 X _____ = _____ |
| ☐ Failure to have permit on job | \$ 150 X _____ = _____ |
| ☐ Construction parking without permit*
1 st = \$150 2 nd = \$250 and thereafter = \$500 | \$ 150 X _____ = _____ |
| ☐ Inadequate Maintenance of Traffic | \$ 150 X _____ = _____ |
| ☐ Right-of-way littered by site dirt or debris | \$ 150 X _____ = _____ |
| ☐ Failure to maintain safe sidewalk | \$ 150 X _____ = _____ |
| ☐ Failure to carry-out permit terms/conditions | \$ 150 X _____ = _____ |
| ☐ Storage of materials in right-of-way | \$ 150 X _____ = _____ |
| ☐ Use of right-of-way as work area | \$ 150 X _____ = _____ |
| ☐ Damage to infrastructure in right-of-way | \$ 150 X _____ = _____ |
| ☐ Dewatering without a permit | \$ 150 X _____ = _____ |
| ☐ Illegal discharges to Town sewers** | \$ 500 X _____ = _____ |
| ☒ Other <u>Construction hours</u> | \$ <u>250</u> X <u>1</u> = <u>250</u> |
| ☐ 2nd and added days of violation, double fine | \$ _____ X _____ = _____ |

*working during winter hrs
(Saturday) (8-22 93261)
TOTAL FINE: 250.00

Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept., P.O. Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Police Department at 561-838-5454.

*Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

**Fine plus clean-up cost.

***Includes but not limited to:

Dumpster in Right of Way \$100 per incident.

Right of Way restoration - \$30 per day until restored.

ISSUER T. OLIVERES 10272 2023-028-065

white/violator

yellow/PW

pink/issuer



TOWN OF PALM BEACH
Finance Department
360 South County Road
PO Box 2029
Palm Beach, FL 33480
(561) 838-5444

INVOICE

82200

Page 1 of 1

DATE	01/30/2023
ACCOUNT	MI-000313
AMT DUE	500.00

SHORELINE BUILDING GROUP LLC
2500 BROADWAY
WEST PALM BEACH, FL 33407

AMOUNT PAID _____



PAY YOUR STATEMENT ONLINE AT: [HTTPS://TOWNOFPALMBEACH.COM/EDENAR](https://TOWNOFPALMBEACH.COM/EDENAR)

TOWN OF PALM BEACH

MAKE CHECKS PAYABLE TO TOWN OF PALM BEACH
PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

DESCRIPTION	AMOUNT
FINE 3-STRIKE RULE STRIKE 3 Fine for Strike 3 236 Pendleton Ave	500.00
Total Amount Due:	500.00

ACCOUNT NO. MI-000313

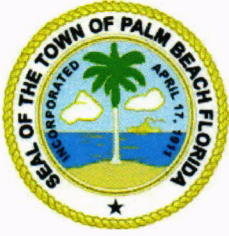
PAYABLE UPON RECEIPT

500.00

Please Remit to: TOWN OF PALM BEACH
Finance Department
360 South County Road
PO Box 2029
Palm Beach, FL 33480

02-14-2023 TCM Backup

Pay your Statement online at: <https://TownofPalmBeach.com/EDENAR>
Log in or Register as a New User and connect to your account by entering your Account No and Invoice number.



TOWN OF PALM BEACH

Planning, Zoning & Building Department

January 30, 2023

Via email & mail: invoices@shorelinebuildinggroup.com;
pbeans@shorelinebuildinggroup.com; dleiva@shorelinebuildinggroup.com;
bijonmemar100@gmail.com

Shoreline Building Group LLC
% Daniel Leiva
2500 Broadway
West Palm Beach, FL 33407

Re: **STOP WORK ORDER PENDING** - 3-Strike Rule Citations – 236 Pendleton Ave, B-21-91953

As you know, the Town of Palm Beach Standards Applicable to Public Rights-Of-Way And Easements Within The Town Of Palm Beach regulates the number of construction-related vehicles that can be parked on Town streets in conjunction with building project sites within the Town. Attached to all construction permits issued to a job is information regarding these regulations.

This letter is to serve as notice that on **THREE** separate occasions you have received citations:
Strike 3 January 28, 2023 (PD-000638 – Construction Hours, Working During Winter Hours on Saturday)
Strike 2 October 11, 2022 (PW-6955 – Construction Parking without a permit)
Strike 1 August 29, 2022 (PW-6179 – Working in right-of-way without permit, inadequate maintenance of traffic, storage of materials in right-of-way)

Therefore, under the Town's rules (referred to as the "3-strike" rule), the Director of Public Works and Police Chief have notified the Planning, Zoning & Building Department of these violations, and requested that a "Stop Work" order be issued as allowed by Section 18-204 of Town Code.

Per Town Resolution No 001-2022, because you have received these strikes, a fine in the amount of \$500.00 is being imposed and is also payable immediate to the Town of Palm Beach. This fine is in addition to all right-of-way fines referenced above. Invoice # 82200 is attached.

An appeal to the Police Chief needs to be submitted in writing within 7 days. If an appeal is denied or is not filed in a timely fashion, a "Stop Work" order will be issued by the Building Official effective the end of the working day February 6, 2023. After that date, no work may be performed at the site under any permits issued by the Town of Palm Beach.

All requests to lift a "Stop Work" order would need to be decided by the Town Council. The next Town Council meeting date is Tuesday, February 14, 2023. In order for this item to be considered at that meeting, you would need to submit a written request to me no later than **Wednesday, February 8, 2023, prior to 5:00 PM.**

Post Office Box 2029 * 360 South County Road * Palm Beach, FL 33480 * (561) 838-5430

Truly yours,

Wayne Bergman

Wayne Bergman
Director, Planning, Zoning & Building Department

cc: 236 Pendleton Ave LLC, 308 N Main St Tr, Kevin A Daigh, 2870 Peachtree Pk Dr NE 218, Atlanta, GA 30309
K. Blouin, Town Manager
H. Paul Brazil, Public Works Director
Nicholas Caristo, Police Chief
Benjamin Alma, Parking and Code Enforcement Manager

Post Office Box 2029 * 360 South County Road * Palm Beach, FL 33480 * (561) 838-5430



3 STRIKE APPEAL – 236 PENDLETON AVE

Project: 236 Pendleton Ave – Permit# B-21-91953

Date: Tuesday, January 31, 2023

To Nicholas Caristo & Wayne Bergman:

We are writing to appeal the stop work order that is issued per 3-Strike Rule Citations for Permit #B-21-91953.

The first strike we received was for expired parking permit. This was a clerical error on our end in not re-applying for the pass and has not happened since.

The next strike is when our drywaller went to the jobsite to delivery drywall without a right-of-way permit. This was a lesson learned for us.

The last strike was this last Saturday. As we are roughly 30 days or less from finishing the house to list on market, our Owner asked us to install hardware for access on the weekend for showings. Our superintendent Paul Beans met the installer for one hour to show him the door, the installer fixed the door, then left. We know working on Saturday is not permitted; however, this was for the Owner and his ability to the sell the home.

We try very diligently to be great neighbors while we build our clients home and feel responsibility for not meeting the mark.

We hope you will allow us the opportunity to finish the Owners home in the next 30 days to not limit any future disturbance to the Town or 236 neighbors.

Sincerely,

Daniel Leiva & Paul Beans
Owner of Shoreline Building Group



TOWN OF PALM BEACH POLICE DEPARTMENT

DEDICATED TO EXCELLENCE



February 1, 2023

Shoreline Building Group
Mr. Paul Clippinger, Senior Project Manager
2500 Broadway
West Palm Beach, FL 33407

Re: Code Violation – 236 Pendleton Avenue, Palm Beach

Dear Mr. Clippinger,

I am in receipt of your appeal request.

Town Ordinance allows ten days after each violation to contest the violation. The last strike issued on January 28, 2023, was for construction hour violation for work being conducted on a Saturday, which is prohibited. Additionally, on March 3, 2022, Code Enforcement issued a field warning for the same violation; working on a Saturday.

After thorough review of the Town Ordinances and the Town's Right-of Way Manual, the request for dismissal of the violation is denied.

With the recent changes in Town ordinances and the Town's commitment to strongly enforce construction site violations, I have an obligation to ensure consistencies in the enforcement and appeal process. You may contact the Planning, Zoning, and Building Department for any next steps in appearing before Town Council or restarting work.

Sincerely,

Nicholas Caristo
Chief of Police

cc: Paul Brazil, Director of Public Works
Wayne Bergman, Director of Planning, Zoning and Building

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Ordinances - Second Reading

Agenda Title

Proposed Ordinance to Amend Chapter 82 of the Town Code, Relative to Personnel

ORDINANCE NO. 002-2023 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 of the Town Code of Ordinances Relating to Personnel, at Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision I, in General, by Adding a New Section 82-77, Reemployment After Retirement; Amending Subdivision V, General Employees and Lifeguards, By Amending Section 82-147, Worker's Compensation Benefits Offset; Return of Retirant to Town Employment; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Presenter

Gillian Barth, Director of People & Culture

ATTACHMENTS:

- ▣ **Ordinance 002-2023 Amendment to Chapter 82, Personnel**

ORDINANCE NO. 002-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 82 OF THE TOWN CODE OF ORDINANCES RELATING TO PERSONNEL, AT ARTICLE II, EMPLOYEE BENEFITS, DIVISION 2, RETIREMENT SYSTEM; AMENDING SUBDIVISION I, IN GENERAL, BY ADDING A NEW SECTION 82-77, REEMPLOYMENT AFTER RETIREMENT; AMENDING SUBDIVISION V, GENERAL EMPLOYEES AND LIFEGUARDS, BY AMENDING SECTION 82-147, WORKER'S COMPENSATION BENEFITS OFFSET; RETURN OF RETIRANT TO TOWN EMPLOYMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision I. – In General; by adding a new Section 82-77 to read as follows:

Sec. 82-77. – Reemployment After Retirement

Notwithstanding any other provision in this Plan to the contrary, effective [effective date of ordinance], any retirant who is re-employed by the Town on a full-time or part-time basis after normal retirement and separation from Town employment may receive an in-service distribution of their retirement benefits, including their DROP distribution, during their period of re-employment, as permitted by the Internal Revenue Code and applicable Treasury Regulations. A retirant who is receiving an in-service distribution in accordance with this section shall not be eligible to participate in this Plan and shall not accrue any additional retirement benefit under this Plan during their period of re-employment. Notwithstanding the foregoing, the provisions of this section shall not apply to participants who are employed in positions included in a bargaining unit on [effective date of ordinance] until such time as the provisions of this section are implemented through the collective bargaining process.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision V – General Employees and Lifeguards; by amending Section 82-147 to read as follows:

Sec. 82-147. Worker's compensation benefits offset; ~~return of retirant to town employment.~~

(a) The amount of pension paid a retirant or beneficiary shall be reduced by the amount of any worker's compensation benefit, except medical expense benefits, paid on account of a retirant's or a deceased member's employment with the town. In no case shall the amount of reduced pension be less than the amount of pension supported by the retirant's or the deceased member's accumulated contributions at time of retirement or death.

~~(b) If a retirant is re-employed by the town on other than a contractual or a fee basis, payment of the pension shall be suspended during the period of re-employment.~~

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 10th day of January, 2023, and for second and final reading on this 14th day of February, 2023.

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: February 14, 2023

Section of Agenda

Ordinances - First Reading

Agenda Title

Proposed Ordinance to Amend the Town's Budgets

ORDINANCE NO. 001-2023 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2022, and Providing an Effective Date.

Presenter

Robert Miracle, Deputy Town Manager, Finance & Administration

ATTACHMENTS:

- ▣ **Memorandum Dated February 3, 2023, from Robert Miracle, Deputy Town Manager, Finance & Administration**
- ▣ **Ordinance No. 001-2023**
- ▣ **Exhibit A**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Robert Miracle, Deputy Town Manager Finance and Administration

Re: Amendment to the General Fund FY23 Budget
Ordinance No. 001-2023

Date: February 3, 2023

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Ordinance No. 001-2023, which amends the FY23 General Fund budget.

GENERAL INFORMATION

A budget amendment is required to appropriate additional funds in the General Fund for the balance of the estimated costs related to the Zoning Code Review including charrettes, drafting the code changes and meetings to present the updates to the stakeholders. The total budget is estimated to be around \$1,050,000 including the traffic study. The traffic study is on the Town Council meeting agenda to be awarded in January including a contingency allocation of \$200,000. The remaining project balance of \$850,000 is partially funded with FY22 encumbered funds and the balance of \$605,000 is included in the attached budget amendment.

FUNDING/FISCAL IMPACT

The Ordinance will amend the General Fund budget (001) by \$605,000 using unassigned reserves.

TOWN ATTORNEY REVIEW

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

Attachments

Jll

cc: Carolyn Stone, Deputy Town Manager – Business Enterprise and Culture
Wayne Bergman, Planning, Zoning and Building Director
John C. Randolph, Town Attorney

ORDINANCE NO. 001-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE TOWN'S BUDGETS ADOPTED FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it was necessary for the Town of Palm Beach to adopt budgets for the fiscal year commencing October 1, 2022; and

WHEREAS, the Town Council of the Town of Palm Beach, Florida, deems it necessary and appropriate to amend said budgets to provide appropriations adequate for the authorization of expenditures necessary for conducting Town operations for the fiscal year ending September 30, 2023; and

WHEREAS, the budget amendment is necessary for the General Fund; and

WHEREAS, said budget amendments are required to be approved by ordinance.

NOW, THEREFORE, BE IT ORDAINED 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 General Fund budgets for the fiscal year commencing October 1, 2022, is hereby amended, and adopted pursuant to Exhibits "A" attached hereto and made a part of this ordinance.

Section 3. Effective Date. This ordinance shall take effect immediately upon passage and approval as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of the Palm Beach on first reading this 14th day of February, 2023, and for second and final reading on this 14th day of March, 2023.

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, Florida
General Fund
Budget Amendment

	Budget FY2022	Budget FY2023	Ordinance No. 001-2023 Amendment	FY2023 Amended Budget
Revenues				
Ad Valorem Taxes	\$59,663,700	\$62,919,808		\$62,919,808
Non Ad Valorem Taxes	6,710,500	6,672,100		\$6,672,100
Licenses & Permits	4,419,233	5,054,400		\$5,054,400
Intergovernmental	1,121,700	1,181,000		\$1,181,000
Charges for Services	6,172,500	7,823,200		\$7,823,200
Fines and Forfeitures	1,025,500	943,200		\$943,200
Investment Earnings	359,811	235,000		\$235,000
Miscellaneous Revenues	499,500	290,700		\$290,700
Interfund Transfers	536,665	645,465		\$645,465
Transfer From Fund Balance	5,431,464	3,429,500	605,000	\$4,034,500
Transfer from Building Fund	3,200,000	5,519,456		\$5,519,456
Total Revenues	\$89,140,573	\$94,713,829	\$605,000	\$95,318,829
Expenditures				
Department				
Legislative	\$152,500	\$152,500		\$152,500
General Government	1,004,050	1,029,904		\$1,029,904
Town Manager	947,587	1,102,989		\$1,102,989
Town Clerk	357,145	448,522		\$448,522
Advice and Litigation	365,000	365,000		\$365,000
Human Resources	729,523	849,784		\$849,784
Information Systems	3,072,318	3,846,137		\$3,846,137
Finance	1,865,675	2,002,342		\$2,002,342
Recreation and Tennis	2,049,732	2,268,079		\$2,268,079
Planning/Building/Zoning	1,579,265	1,806,275	\$605,000	\$2,411,275
Library	363,230	374,127		\$374,127
Fire-Rescue	15,346,841	16,205,680		\$16,205,680
Police	16,877,684	18,525,478		\$18,525,478
Public Works	16,700,542	19,104,155		\$19,104,155
Contingency	600,000	600,000		\$600,000
Transfer to Other Funds				\$0
Transfer to CIP	8,428,200	6,871,020		\$6,871,020
Transfer to Coastal	4,920,310	5,264,732		\$5,264,732
Transfer to UU Fund	176,550	191,116		\$191,116
Transfer to Debt Service	5,676,719	5,680,666		\$5,680,666
Transfer to Risk Fund	2,173,487	2,274,106		\$2,274,106
Transfer to OPEB Trust Fund	334,215	331,217		\$331,217
Extraordinary Transfer to Retirement Fund	5,420,000	5,420,000		\$5,420,000
Total General Fund Expenditures	\$89,140,573	\$94,713,829	\$605,000	\$95,318,829
Revenues Over/(Under) Expenditures	\$0	\$0	\$0	\$0

TOWN OF PALM BEACH

Town Council Meeting on: February 14, 2023

Section of Agenda

Ordinances - First Reading

Agenda Title

Proposed Ordinance to Amend Chapter 134 of the Town Code Relative to On-Street Parking Permits

ORDINANCE NO. 004-2023 An Ordinance of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134-Zoning, Article X. On-Street Parking Permits, Division 2., Residential Districts at Section 134-2291. Findings; Section 134-2292. Definitions; Section 134-2296. Issuance of Special Parking Permits Upon Application; Section 134-2298. Unlawful Acts and Section 134-2302. Revocation Of Decal/Permit. Also Amending Division 3., Residential Districts Adjacent to Commercial Districts at Section 134-2327. Issuance; Section 134-2334. Unlawful Acts; And Section 134-2336; All Providing That Visitor/Service Permits May Not Be Used on A Continual Basis; Providing A Definition of Continual Use; And Providing for Revocation of Decal/Permit by Chief of Police for Violations; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▣ **Memorandum Dated February 3, 2023, from Nicholas Caristo, Chief of Police**
- ▣ **Attachment A**
- ▣ **Ordinance No. 004-2023**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 14, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Residential Visitor/Service Parking Permits

Date: February 3, 2023

STAFF RECOMMENDATION

Staff recommends that the Mayor and Town Council approve Ordinance No. 004-2023. Staff will also welcome separate direction if the Mayor & Town Council develop a consensus on an alternative solution.

GENERAL INFORMATION

The Police Department has recently been receiving concerns from residents regarding the amount of visitor/service parking permits allowed to be issued to residents in controlled residential parking areas and the negative impacts it can have on space availability. Currently, Town Ordinances allows up to eight total residential and visitor/service hangtag parking permits for areas controlled by residential parking permits. There also exists a provision for temporary group permits as well as an exemption from the permit regulations for delivery and service vehicles (e.g. landscapers, pool cleaners).

In some cases, this allows one residence in an area to occupy enough parking spaces to negatively impact other residents from locating an available parking space. While infrequent usage of issued permits is valuable to residents and an intended part of the program, continual usage is not. Current ordinance language does not provide for a limitation on continual usage and abuse.

Staff has provided a proposed solution through this Ordinance change that would allow enforcement through refining the purposes of the ordinance, defining continual usage and abuse, and adding an offense (Attachment A).

FUNDING / FISCAL IMPACT

None noted.

TOWN ATTORNEY REVIEW

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

Attachment

cc: Carolyn Stone, Deputy Town Manager
Robert Miracle, Deputy Town Manager

PART II - CODE OF ORDINANCES
Chapter 134 - ZONING
ARTICLE X. ON-STREET PARKING PERMITS

ARTICLE X. ON-STREET PARKING PERMITS¹

DIVISION 1. GENERALLY

Secs. 134-2266—134-2290. Reserved.

DIVISION 2. RESIDENTIAL DISTRICTS

Sec. 134-2291. Findings.

For the purpose of this division, the town council finds and declares as follows:

- (1) It is in the best interests of the residents of the town to reduce vehicular congestion on residential streets and to facilitate the efficient movement of traffic by providing for residential parking preference during certain hours of the day within certain areas meeting the criteria set forth in this article;
- (2) Residential permit parking regulation is necessary to promote the health, safety and welfare of the residents of the town by providing adequate parking spaces adjacent to or close by their places of residence [for temporary use](#);
- (3) It is in the public interest to:
 - a. Reduce hazardous traffic conditions resulting from the use of streets located within congested residential areas for the parking of vehicles by persons using such residential areas to gain access to other places;
 - b. Protect those areas from excessive noise;
 - c. Protect the residents of those areas from unreasonable burdens in gaining access to their residences;
 - d. Preserve the character of those areas as residential districts;
 - e. Promote efficiency in the maintenance of these streets in a clean and safe condition;
 - f. Preserve the value of the property in those areas;
 - g. Preserve the safety of children and other pedestrians; and
 - h. Promote traffic safety, clean air and the comfort, health, convenience and welfare of the inhabitants of the town;
 - i. [Ensure that residential permit parking regulation provides temporary and infrequent use of on-street parking spaces so that adequate parking availability is maintained for all participating residents.](#)

¹Cross reference(s)—Parking, stopping and standing generally, § 118-86 et seq.

(Ord. No. 2-74, § 6.64(1), 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94)

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.

Calendar year means the period beginning January 1 and ending 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.

Continual basis means the usage of permits (both residential and visitor/service) in a manner that avoids primary parking on private property on a regular basis and instead utilizes on-street permit parking. The use of a permit for a vehicle for two or more consecutive days or for four days or more in any seven-day period constitutes prime facie evidence of continual usage.

(Ord. No. 2-74, § 6.64(2), 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94; Ord. No. 001-2022, § 1, 3-8-22)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 134-2293. Reserved.

Editor's note(s)—Ord. No. 2-2014, § 1, adopted May 14, 2014, repealed § 134-2293, which pertained to designation of controlled parking residential areas, and derived from Ord. No. 2-74, § 6.64(3), 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94.

Sec. 134-2294. Eligibility and criteria for establishing controlled parking residential areas.

- (a) A residentially zoned area shall be deemed eligible for designation as a controlled parking residential area for residential permit parking if parking therein is impacted by commuter vehicles between 8:00 a.m. and 5:30 p.m. of any day.
- (b) The following objective criteria are established to be used in evaluating the need for restricted parking in a residentially zoned area in accordance with this division. For an area, however big or small, to be eligible for residential permit parking, that area must meet the following criteria:
 - (1) During any period between the hours of 8:00 a.m. and 5:30 p.m., the number of vehicles parked or standing, legally or illegally, on the streets in the area is equal to 50 percent or more of the legal on-street parking capacity of the area. For purposes of this criterion, a legal parking space shall be 20 linear feet measured parallel to the curb or pavement edge.

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- (2) During the same period as in subsection (b)(1) of this section, 25 percent or more of the vehicles parking or standing on the streets in the area are not registered in the name of a person residing in the area. For purposes of this criterion, the latest available information from the state department of motor vehicles regarding registration of motor vehicles shall be used.
 - (3) In determining whether an area identified as impacted and eligible for residential permit parking shall be designated as a controlled parking residential area, the following factors shall be considered:
 - a. The local needs with respect to clean air and environment in residential areas.
 - b. The possibility of a reduction in total vehicle miles driven in the town.
 - c. The likelihood of alleviating traffic congestion, illegal parking and related health and safety hazards.
 - d. The proximity of public transportation to the residential area.
 - e. The desire and need of the residents for residential permit parking.
 - f. The need for parking regulation to maintain the residential character of neighborhoods.

(Ord. No. 2-74, § 6.64(4), 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94)

Sec. 134-2295. Procedure for determining controlled parking residential areas.

- (a) In order to determine whether a particular area should be designated as a controlled parking residential area, the town council can request or the town manager may conduct, upon his own initiative or upon a petition of a majority of the households on a proposed residential block addressed to the town manager, a study to determine if the proposed area meets the criteria set forth in section 134-2294. Following the study, the town manager shall determine whether to designate the proposed area under consideration as a controlled parking residential area or to remove the designation of a previously established controlled parking residential area. The town council may also request the town manager to designate an area as a controlled parking residential area based upon a study previously conducted, if the criteria set forth in section 134-2294 are met.
- (b) When the town manager finds the criteria to designate have been met in a controlled parking residential area, he shall cause the regulation to be recorded upon an appropriate map of the town and retained permanently in the office of the town clerk. The town clerk shall also keep an updated residential area parking map, or reasonable facsimile thereof, in an appropriate location on the town's website. In addition, the town manager shall cause parking signs to be erected upon public streets in the area, indicating the times, locations and conditions upon which parking shall be by permit only. When an area has been approved, designated and posted as a controlled parking residential area, it shall be unlawful and a violation of this division to park a commuter vehicle in an area restricted to residential permit parking only without having a valid residential parking permit affixed on the left rear bumper of the vehicle, or in the case of a residential visitor parking permit, appropriately displayed within the vehicle.

(Ord. No. 2-74, § 6.64(5), 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94; Ord. No. 2-2014, § 2, 5-14-14)

Sec. 134-2296. Issuance of special parking permits upon application.

- (a) Following the official designation of a controlled parking residential area, the finance department shall issue appropriate residential parking permits. Upon application a permit shall be issued only to the owner or operator of a motor vehicle who resides in the controlled parking residential area in which he resides.

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- (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 calendar year, as defined in section 134-2292, and shall be renewed for each successive 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 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. Visitor/service permits are intended for infrequent and temporary use and may not be utilized on a continual basis. The use of a visitor/service permit for a vehicle for two or more consecutive days or for four days or more in any seven-day period constitutes prime facie evidence of continual usage. 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 calendar year as defined in section 134-2292 and may be renewed each successive 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.

- (d) *Temporary group permits.* A temporary group permit may be issued on application of any resident of the district for only one day and for no more than four hours on that day upon a showing by the applicant that during the hours for which the permits are to be issued his or her residence will be used for an assemblage of persons in a way consistent with its residential character and other provisions of law and that such visitors would not be able to park their vehicles without violating the law. However such permits for such an assemblage of persons shall only be issued upon a finding of the facts stated in this section and a further finding that the issuance of such permits will not impair public safety during the time of their validity, and in this connection such permits may be limited as to the streets or portions of streets on which they shall be valid. Finally, the number of such permits issued shall not at any time exceed 50 percent of the number of spaces available in the area in which they are valid.

The application for a temporary group permit shall be filed by the resident seeking the permit. A fee as determined by resolution of the town council shall be charged for each temporary group permit. The permits shall not be affixed to the vehicle, but shall be placed in a clearly visible place on the inside of the visitor's vehicle observable through the front windshield of the vehicle.

(Ord. No. 2-74, § 6.64(6), 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94; Ord. No. 9-08, § 1, 5-12-08; Ord. No. 26-10, § 29, 12-15-10; Ord. No. 1-2014, § 1, 5-14-14; Ord. No. 13-2019, § 1, 4-9-19; Ord. No. 40-2019, § 1, 1-14-20; Ord. No. 001-2022, § 1, 3-8-22)

Sec. 134-2297. Privileges and restrictions.

- (a) The holder of a residential parking permit shall be permitted to stand or park a motor vehicle displaying the permit and operated by him in any designated residential controlled parking area during such times and places as the parking of motor vehicles therein is permitted. While a vehicle for which a residential parking permit has been issued is so parked, such permit shall be permanently affixed on the left rear bumper of the vehicle. A residential parking permit shall not guarantee or reserve to the holder of the permit a parking space within a designated controlled parking residential area.
- (b) A residential parking permit shall not authorize the holder thereof to stand or park a motor vehicle in such places or during such times as the stopping, standing or parking a motor vehicle is prohibited or set aside for specified types of vehicles, nor shall it exempt the holder from the observance of any traffic regulation within the controlled parking residential area.
- (c) No person other than the permittee named thereon shall use the residential parking permit or display it on a vehicle operated or parked, and any such use or display by a person other than the permittee shall constitute a violation of this division by the permittee and by the person who so uses or displays such parking permit.
- (d) Any permit issued hereunder is nontransferable to another person or another vehicle.

(Ord. No. 2-74, § 6.64(7), 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94)

Sec. 134-2298. Unlawful acts.

Under this division, it shall be unlawful for any person to:

- (1) Represent that he is entitled to a permit under this division when he is not so entitled;
- (2) To furnish any false information in an application to the finance department to obtain a residential parking permit;
- (3) Fail to surrender a permit to which he is no longer entitled; or
- (4) Park a vehicle displaying such a permit at any time when the holder of such permit is not entitled to hold it.
- (5) Park a vehicle without a properly displayed and valid residential parking permit issued pursuant to this division.
- (6) Park a vehicle displaying a counterfeit residential parking permit.
- (7) Modify or alter in any way a current or previously issued residential parking permit.
- (8) Give to another person or sale to another person a residential parking permit. Temporarily providing a visitor permit to a person legally entitled to use such under this division shall not be construed as being unlawful.
- (9) Provide a residential parking permit to any person or vehicle not legally entitled to possess or display such permit.

(10) Utilize residential parking permits or visitor/service permits on a continual basis. The use of a permit for a vehicle for two or more consecutive days or for four days or more in any seven-day period constitutes prime facie evidence of continual usage.

(Ord. No. 2-74, § 6.64(7)d, 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94; Ord. No. 9-08, § 2, 5-12-08; Ord. No. 3-2014, § 1, 5-14-14)

Editor's note(s)—Ord. No. 3-2014, § 1, adopted May 14, 2014, changed the title of § 134-2298 from "False representation" to "Unlawful acts."

Sec. 134-2299. Revocation.

The finance department is authorized to revoke the residential parking permit of any permittee found to be in violation of this division and, upon written notification thereof, the permittee shall surrender such permit to the finance department. Failure, when so requested, to surrender a residential parking permit so revoked shall constitute a violation of this division.

(Ord. No. 2-74, § 6.64(7)e, 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94; Ord. No. 9-08, § 3, 5-12-08)

Sec. 134-2300. Reserved.

Editor's note(s)—Ord. No. 9-08, § 4, adopted May 12, 2008, repealed § 134-2300 in its entirety, which pertained to temporary visitor permits, and derived from Ord. No. 2-74, § 6.64(7)g, adopted March 26, 1974; Ord. No. 1-88, § 3, adopted February 8, 1988, and Ord. No. 1-94, § 4(e), adopted February 7, 1994.

Sec. 134-2301. Penalties.

Any person illegally parked pursuant to this division shall be fined in the manner provided for illegal parking and his/her vehicle may be towed and stored at his/her expense.

(Ord. No. 2-74, § 6.64(8), 3-26-74; Ord. No. 1-88, § 3, 2-8-88; Ord. No. 1-94, § 4(e), 2-7-94; Ord. No. 3-2014, § 2, 5-14-14)

Sec. 134-2302. Revocation of decal/permit.

- (a) The ~~public safety director~~ Chief of Police or his/her designee is authorized to revoke the residential parking area decal/permits of any decal/permit holder based upon evidence that the decal/permit holder has violated the provisions of this article. The holder shall be served notice by certified mail or hand delivery of the proposed revocation and, upon request, shall have an opportunity to present to the town council evidence as to why the decal/permit should not be revoked. The decal/permit holder must request such a hearing in writing and pay an appeal fee set by resolution of the town council within ten days after the notice of proposed revocation is delivered or mailed. If the town council finds in favor of the decal/permit holder, the appeal fee shall be refunded. The holder of revoked decal/permits must return the decal/permits to the town manager or his/her designee and shall not be allowed to reapply for another decal/permit for one year from the date of revocation.
- (b) Revocation under subsection (a) is in addition to any other available remedy provided by this Code for violations of this article.

(Ord. No. 3-2014, § 3, 5-14-14)

Secs. 134-2303—134-2325. Reserved.

DIVISION 3. RESIDENTIAL DISTRICTS ADJACENT TO COMMERCIAL DISTRICTS

Sec. 134-2326. Restrictions on parking.

Whenever the town manager or his designee, which may include the building official and the chief of police or their subordinates, shall determine that the streets of a particular district or discrete portion of the district in which residential uses are permitted and commercial uses are not permitted are being used for parking by the operators of vehicles while the operators of those vehicles are using districts in which commercial uses are permitted and the average number of vehicles parking in such a manner is in excess of 25 percent of the number of parking spaces on such streets and the total number of spaces actually occupied by any vehicles exceeds 75 percent of the number of spaces on such streets on the weekdays of any month, as disclosed by an engineering study, the town manager or his designee shall prohibit parking during the hours when such use has been found on these streets of those districts or portions of districts found by the study or survey to have been so affected. In such cases the town manager shall cause appropriate signs giving notice of the prohibition to be posted on those streets or portions of those streets restricting all parking, except parking by the holders of permits, to be granted only under the conditions in this division.

(Ord. No. 2-74, § 6.63(1), 3-26-74; Ord. No. 6-78, § 1, 3-31-78; Ord. No. 6-81, § 5(b), 3-31-81; Ord. No. 7-82, § 5(e), 3-31-82; Ord. No. 1-89, § 4(g), 2-6-89)

Sec. 134-2327. Issuance.

Under this division, parking permits may be granted to persons as follows:

- (1) *Resident permits.* To persons who are residents of any particular area in which parking is so restricted, to be limited to that particular area in which parking is so restricted for every vehicle owned by those persons.
- (2) *Visitor/service permits.* In addition to the Resident permits provided under (1) 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. These 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. Visitor/service permits are intended for infrequent and temporary use and may not be utilized on a continual basis. The use of a visitor/service permit for a vehicle for two or more consecutive days or for four days or more in any seven-day period constitutes prime facie evidence of continual usage. 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. A fee is hereby authorized for issuance of said permit payable to the finance department for each visitor/service permit. The amount of the fee shall be established by resolution of the town council and may be amended from time to time by resolution of the town council. 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.

- (3) *Temporary group permits.* To residents as provided in section 134-2328.
- (4) *Adjacent resident permits.* To persons who are residential users in a commercially zoned area immediately adjacent and contiguous to the residential area in which parking is restricted, to be limited to that particular area in which parking is so restricted, for not more than two vehicles owned by that

person and upon proof shown that on-site parking is not available to that person on the property in which he resides within the commercially zoned area.

(Ord. No. 2-74, § 6.63(1)a—c, f, 3-26-74; Ord. No. 6-78, § 1, 3-31-78; Ord. No. 6-81, § 5(b), 3-31-81; Ord. No. 7-82, § 5(e), 3-31-82; Ord. No. 1-89, § 4(g), 2-6-89; Ord. No. 16-09, § 12, 11-12-09; Ord. No. 16-2016, § 9, 12-14-16; Ord. No. 13-2019, § 1, 4-9-19; Ord. No. 40-2019, § 1, 1-14-20)

Sec. 134-2328. Temporary group permits.

Under this division, on application of any resident of the district, permits, to be valid for only one day and for no more than four hours on that day, may be issued upon a showing by the applicant that during the hours for which the permits are to be issued his residence will be used for an assemblage of persons in a way consistent with its residential character and other provisions of law, and that such visitors would not be able to park their vehicles without violating the law. However, such permits for such an assemblage of persons shall only be issued upon a finding of the facts stated in this section and a further finding that the issuance of such permits will not impair public safety during the time of their validity, and in this connection such permits may be limited as to the streets or portions of streets on which they shall be valid. Finally, the number of such permits issued shall not at any time exceed 50 percent of the number of spaces available in the area in which they are valid.

The application for a temporary group permit shall be filed by the resident seeking the permit. A fee as determined by resolution of the town council shall be charged for each temporary group permit. The permits shall not be affixed to the vehicle, but shall be placed in a clearly visible place on the inside of the visitor's vehicle observable through the front windshield of the vehicle.

(Ord. No. 2-74, § 6.63(1)e, 3-26-74; Ord. No. 6-78, § 1, 3-31-78; Ord. No. 6-81, § 5(b), 3-31-81; Ord. No. 7-82, § 5(e), 3-31-82; Ord. No. 1-89, § 4(g), 2-6-89; Ord. No. 1-2014, § 2, 5-14-14)

Sec. 134-2329. Fees.

- (a) *Annual parking permit fees.* An annual fee is hereby authorized for issuance of said permit, payable at the town finance department, for each annual permit issued under this division. The amount of the annual fee shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.
- (b) *Visitor/service permits.* An annual fee is hereby authorized for issuance of said permit, payable to the finance department each visitor/service permit. The amount of the annual fee shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.

(Ord. No. 2-74, § 6.63(1)g, h, 3-26-74; Ord. No. 6-78, § 1, 3-31-78; Ord. No. 6-81, § 5(b), 3-31-81; Ord. No. 7-82, § 5(e), 3-31-82; Ord. No. 1-89, § 4(g), 2-6-89; Ord. No. 16-09, § 13, 11-12-09; Ord. No. 26-10, § 30, 12-15-10)

Sec. 134-2330. Issuance criteria; surrender on termination of conditions.

All permits issued under this division shall be based on satisfactory evidence that the applicant fulfills all the required conditions for such permit. Whenever the required conditions no longer exist, a person holding a permit issued under subsection 134-2327(1) or (3) shall surrender it to the town manager or his authorized representative.

(Ord. No. 2-74, § 6.63(2), 3-26-74; Ord. No. 6-78, § 1, 3-31-78; Ord. No. 6-81, § 5(b), 3-31-81; Ord. No. 7-82, § 5(e), 3-31-82; Ord. No. 1-89, § 4(g), 2-6-89)

Sec. 134-2331. Term.

No parking permit issued under this division shall be valid for more than one year but may be renewed upon expiration, provided the condition for issuance exists. The special limited permits issued under such sections 134-2327(2) and 134-2328, being limited on their face to a short period of time, are not required to be surrendered upon expiration but may be turned in by the holder.

(Ord. No. 2-74, § 6.63(2), 3-26-74; Ord. No. 6-78, § 1, 3-31-78; Ord. No. 6-81, § 5(b), 3-31-81; Ord. No. 7-82, § 5(e), 3-31-82; Ord. No. 1-89, § 4(g), 2-6-89)

Sec. 134-2332. Exceptions.

- (a) *Service vehicles.* The parking limitation or prohibition of this division shall not apply to service or delivery vehicles being used to provide services or to make deliveries to dwellings in the affected district or area.
- (b) *Metered parking areas.* Wherever metered parking is in effect in any portion of a district that becomes subject to the restrictions of this division, the parking spaces controlled by meters may be excepted from this division so long as the control by meters continues.

(Ord. No. 2-74, § 6.63(1)d, (4), 3-26-74; Ord. No. 6-78, § 1, 3-31-78; Ord. No. 6-81, § 5(b), 3-31-81; Ord. No. 7-82, § 5(e), 3-31-82; Ord. No. 1-89, § 4(g), 2-6-89)

Sec. 134-2333. Signs.

The signs placed in parking areas subject to this division shall be of such character as to inform readily an ordinarily observant person of the existence of the rules and regulations imposing the restrictions of this division. It shall be unlawful for any person to violate such rules or regulations.

(Ord. No. 2-74, § 6.63(3), 3-26-74; Ord. No. 6-78, § 1, 3-31-78; Ord. No. 6-81, § 5(b), 3-31-81; Ord. No. 7-82, § 5(e), 3-31-82; Ord. No. 1-89, § 4(g), 2-6-89)

Sec. 134-2334. Unlawful acts.

Under this division, it shall be unlawful for any person to:

- (1) Represent that he is entitled to a permit under this division when he is not so entitled;
- (2) To furnish any false information in an application to the finance department to obtain a residential parking permit;
- (3) Fail to surrender a permit to which he is no longer entitled; or
- (4) Park a vehicle displaying such a permit at any time when the holder of such permit is not entitled to hold it.
- (5) Park a vehicle without a properly displayed and valid residential parking permit issued pursuant to this division.
- (6) Park a vehicle displaying a counterfeit residential parking permit.
- (7) Modify or alter in any way a current or previously issued residential parking permit.

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- (8) Give to another person or sale to another person a residential parking permit. Temporarily providing a visitor permit to a person legally entitled to use such under this division shall not be construed as being unlawful.
 - (9) Provide a residential parking permit to any person or vehicle not legally entitled to possess or display such permit.

(10) Utilize residential parking permits or visitor/service permits on a continual basis. The use of a permit for a vehicle for two or more consecutive days or for four days or more in any seven-day period constitutes prime facie evidence of continual usage.

(Ord. No. 2-74, § 6.63(2), 3-26-74; Ord. No. 6-78, § 1, 3-31-78; Ord. No. 6-81, § 5(b), 3-31-81; Ord. No. 7-82, § 5(e), 3-31-82; Ord. No. 1-89, § 4(g), 2-6-89; Ord. No. 3-2014, § 4, 5-14-14)

Sec. 134-2335. Penalties.

Any person illegally parked pursuant to this division shall be fined in the manner provided for illegal parking and his/her vehicle may be towed and stored at his/her expense.

(Ord. No. 3-2014, § 5, 5-14-14)

Sec. 134-2336. Revocation of decal/permit.

- (a) The ~~public safety director~~Chief of Police or his/her designee is authorized to revoke the residential parking area decal/permits of any decal/permit holder based upon evidence that the decal/permit holder has violated the provisions of this article. The holder shall be served notice by certified mail or hand delivery of the proposed revocation and, upon request, shall have an opportunity to present to the town council evidence as to why the decal/permit should not be revoked. The decal/permit holder must request such a hearing in writing and pay an appeal fee set by resolution of the town council within ten days after the notice of proposed revocation is delivered or mailed. If the town council finds in favor of the decal/permit holder, the appeal fee shall be refunded. The holder of revoked decal/permits must return the decal/permits to the town manager or his/her designee and shall not be allowed to reapply for another decal/permit for one year from the date of revocation.
- (b) Revocation under subsection (a) is in addition to any other available remedy provided by this Code for violations of this article.

(Ord. No. 3-2014, § 6, 5-14-14)

Secs. 134-2337—134-2370. Reserved.

ORDINANCE NO. 004-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134-ZONING, ARTICLE X. ON-STREET PARKING PERMITS, DIVISION 2., RESIDENTIAL DISTRICTS AT SECTION 134-2291. FINDINGS; SECTION 134-2292. DEFINITIONS; SECTION 134-2296. ISSUANCE OF SPECIAL PARKING PERMITS UPON APPLICATION; SECTION 134-2298. UNLAWFUL ACTS AND SECTION 134-2302. REVOCATION OF DECAL/PERMIT. ALSO AMENDING DIVISION 3., RESIDENTIAL DISTRICTS ADJACENT TO COMMERCIAL DISTRICTS AT SECTION 134-2327. ISSUANCE; SECTION 134-2334. UNLAWFUL ACTS; AND SECTION 134-2336; ALL PROVIDING THAT VISITOR/SERVICE PERMITS MAY NOT BE USED ON A CONTINUAL BASIS; PROVIDING A DEFINITION OF CONTINUAL USE; AND PROVIDING FOR REVOCATION OF DECAL/PERMIT BY CHIEF OF POLICE FOR VIOLATIONS; 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 134-Zoning, Article X. On-Street Parking Permits is hereby amended at Division 2., Residential Districts, Sections 134-2291, 134-2292, 134-2296, 134-2298 and 134-2302 and at Division 3., Residential Districts Adjacent to Commercial Districts at Section 134-2327, 134-2334 and 134-2336 in the manner and form attached.

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 14th day of February, 2023, and for second and final reading on this 14th day of March, 2023

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