



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

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

AGENDA

FEBRUARY 11, 2020

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

Gail L. Coniglio, Mayor
Danielle H. Moore, President
Margaret A. Zeidman, President Pro Tem
Julie Araskog
Lew Crampton
Bobbie Lindsay

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. COMMENTS OF MAYOR GAIL L. CONIGLIO
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
Pat Gayle-Gordon, Acting Town Clerk

pg. 8

 - a. January 14, 2020, Town Council Meeting Minutes
 - b. January 15, 2020, Local Planning Agency Meeting Minutes
 - c. January 15, 2020, Town Council Development Review Meeting Minutes

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pg. 29
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of January 29, 2020.
Wayne Bergman, Acting Director of Planning, Zoning & Building

pg. 44

B. RESOLUTIONS

1. RESOLUTION NO. 02-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Resolution for a Change Order to Address Current Overage of \$39,817 and Close Out Costs of \$46,260 Associated to Construction/Engineering Services with Chen-Moore and Associates for the Worth Avenue Infrastructure Improvements.
H. Paul Brazil, P.E., Director of Public Works

pg. 64
2. RESOLUTION NO. 04-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Construction Service Agreement to Chen-Moore for the D16 and D18 Pump Station Rehabilitation Project in the proposed amount of \$137,846.00, and a project budget of \$158,522.00.
Dean Mealy, Purchasing Manager

pg. 72
3. RESOLUTION NO. 05-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation of Award of RFQ No. 2020-02, Coastal Engineering Services to Applied Technology and Management, Inc., Coastal Protection Engineering LLC., GHD, Inc. and Cummins Cederberg, Inc., and Authorize the Town Manager to Execute Professional Service Agreements with the Selected Firms.
Dean Mealy, Purchasing Manager

pg. 87
4. RESOLUTION NO. 06-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Invitation to Bid No. 2019-21, Roof Replacement for Par 3 Maintenance and Storage Buildings to Certified Roofing Specialists, Inc. in the Amount of \$118,130 and a Project Budget of

pg. 124

\$130,130.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 07-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Invitation to Bid No. 2020-03, for Treatment of Lethal Yellowing Disease, Royal Palm Bug Treatment, and Fertilization of Royal Palms to Hulett Environmental Services, Inc. in the Annual Amount of \$39,996.50 and an Overall five year Contract Value of \$205,983, based on satisfactory Annual Contract Performance and contingent upon budget approval. **pg. 149**

The rebid of this contract resulted in an annual savings of \$6,000, and a potential savings of \$30,000 over the period of the five year award based on budget approval and satisfactory vendor performance.

Dean Mealy, Purchasing Manager

C. OTHER

1. Budget Calendar for FY21 Budget Process **pg. 187**
Jane Le Clainche, Director of Finance
2. Authorization of Lane Closure and Waiver to Town Code for Construction Hours for the Florida Department of Transportation to Construct Revetment Improvements on South Ocean Boulevard at Sloan's Curve **pg. 190**
H. Paul Brazil, P.E., Director of Public Works
3. Approval of Selection Committee Members for Audit Services **pg. 197**
Jane Le Clainche, Director of Finance

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Investment Advisory Committee **pg. 199**
Chris Storkerson, Chair

X. COMMITTEE REPORTS

- A. Report of the Ordinances, Rules and Standards Committee Meeting Held on January 9, 2020 **pg. 252**
Julie Araskog, Chair

XI. PUBLIC HEARINGS

- A. Public Hearing Concerning the Issuance By the Town of Palm Beach, Florida of Not Exceeding \$31,000,000 Public Improvement Revenue Bond, Series 2020 and Related Plan of Financing **pg. 265**
Jane Le Clainche, Director of Finance

XII. REGULAR AGENDA

- A. Old Business

1. Town Marina Project **pg. 268**
TIME CERTAIN: 10:30 A.M.
 - a. Project Update
H. Paul Brazil, P.E., Director of Public Works
 - b. Business Plan Update
Carolyn Stone, Director of Business Development and Operations
 - c. RESOLUTION NO. 08-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida (The "Town"), Approving the Form and Authorizing the Execution and Delivery of a Loan Agreement; Authorizing and Approving the Issuance of a Bond by the Town in Connection with Said Loan Agreement Relative to the Financing of All or a Portion of the Town's Marina Project; And Paying Costs of Issuance of the Bond; Approving the Issuance of the Bond and Related Plan of Financing Within the Meaning of Section 147 (f) of the Internal Revenue Code of 1986, as Amended and Related U.S. Treasury Regulations; Authorizing the Proper Officials of the Town to do all Other Things Deemed Necessary or Advisable in Connection with the Loan Agreement and Said Bond; and Providing for an Effective Date.
Jane Le Clainche, Director of Finance
 2. Town-wide Undergrounding Project: **pg. 320**
 - a. Review of Project and Dashboard, Summary of Project Status
Steve Stern, Project Manager
- B. New Business**
1. Approval of Town Manager Performance Evaluation and FY20 Goals **pg. 366**
 THE BACK-UP WILL BE PROVIDED AT A LATER DATE
Kirk W. Blouin, Town Manager
 2. Appointment of Town Manager Pursuant to Section 4.02(b) of the Town Charter from February 12, 2020 through February 9, 2021 **pg. 367**
Kirk W. Blouin, Town Manager
 3. Consideration of scheduling an Attorney/Client Session immediately following the Town Council meeting on February 11, 2020, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida, to discuss the following matter: 100 Emerald Beach Way LC vs. Town of Palm Beach, Case No. 9:19-CV-80645-Rosenberg/Reinhart Attorney/Client Session Attendees: Mayor Gail L. Coniglio; Town Council President Danielle H. Moore; Town Council President Pro Tem Margaret A. Zeidman; Town Council Members Julie Araskog, Lewis S. W. Crampton, Bobbie Lindsay; Town Manager Kirk Blouin; Town Attorneys John C. Randolph and Joanne M. O'Connor, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters. **pg. 368**
John C. Randolph, Town Attorney

C. Matters Pulled From Consent Agenda: If needed

XIII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 04-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 10 Of The Town Code Of Ordinances, Animals, Article II, Dogs And Cats, At Section 10-43, Running At Large Prohibited; Further Amending Chapter 74 Of The Town Code Of Ordinances, Parks And Recreation, Article II, Beach And Aquatic Activities, Division 3, Regulation Of Use Of Public Beaches; At Sec. 74-191, Animals Prohibited, So As To Add An Exception To Permit Leashed Dogs On Public Beaches Between Sunset Avenue And Wells Road; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. **pg. 369**
Jay Boodheshwar, Deputy Town Manager

B. First Reading

1. ORDINANCE NO. 05-2020 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, 2019, and Providing an Effective Date. **pg. 373**
Jane Le Clainche, Director of Finance

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

PLEASE TAKE NOTE:

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

Note 2: The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information 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 11, 2020

Section of Agenda Minutes

Agenda Title

Town Council Meeting Minutes

Pat Gayle-Gordon, Acting Town Clerk

- a. January 14, 2020, Town Council Meeting Minutes
- b. January 15, 2020, Local Planning Agency Meeting Minutes
- c. January 15, 2020, Town Council Development Review Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **a. January 14, 2020, Town Council Meeting Minutes**
- ▣ **b. January 15, 2020, Local Planning Agency Meeting Minutes**
- ▣ **c. January 15, 2020, Town Council Development Review Meeting Minutes**



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, JANUARY 14, 2020

I. CALL TO ORDER AND ROLL CALL

The regular Town Council Meeting was called to order on Tuesday, January 14, 2020, at 9:30 a.m. in the Town Council Chambers. On roll call, all elected officials were found to be present EXCEPT Council President Danielle H. Moore and Mayor Gail L. Coniglio.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Town Clerk Patricia Gayle-Gordon gave the invocation. Council President Pro Tem Zeidman led the Pledge of Allegiance.

(Clerk's Note: Mayor Gail L. Coniglio took her seat on the dais at this time)

Council President Pro Tem Zeidman announced she was sitting in for Council President Moore who was ill.

MODIFICATIONS TO THE AGENDA

A request by Town Manager Kirk Boulin was made to move Item No. XII Comments of Town Council Members to Item No. VII. in order to be more efficient, he reported Council Members had agreed to keep their comments to under 3 minutes, and asked the Town Clerk to make sure that happened, and that only the President of the Town Council express gratitude for the group in order to save time.

Council Member Araskog asked to place discussion of bufo toads under Other Matters.

III. APPROVAL OF AGENDA

Approved Council Member Araskog's request to add a Discussion About the Effects of Bufo Toads on Dogs under Any Other Matters

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve the agenda, as amended. On roll call, the Motion passed 4-0,

with Council President Moore absent.

IV. PRESENTATIONS

A. Presentation on Royal Poinciana Playhouse

Alexandra Patterson, Up Markets

Alex Patterson reported they were looking for partners for the theater operator. She reported progress with different theater groups and looked forward to accomplishing a lot in 2020.

Mayor Coniglio asked if she would come back in February. She indicated she was willing to come back in February to provide an update.

Council Member Crampton asked how long she had been working on the theater project. She responded she had been leasing spaces for two and a half years and provided details of how her process worked to let the potential operators be unlimited in their creative ideas as to how they could work with the space.

Council Member Araskog recommended having Ms. Patterson return to Town Council in March since she had a prospective operator set to come visit in February. Discussion ensued. Council Member Crampton wanted something to happen soon, and suggested a garden, outdoor restaurant, or something else that would fit.

Ms. Patterson responded she was working very hard and felt they would find the right operator.

B. Annual Report of Palm Beach Island Cats

David Leavitt, President

David Leavitt, 1480 Via Manana, read their mission statement in regard to Island cats. He reported they had re-vaccinated 131 cats which is one-third of the population, with 25 sterilizations, 29 medical treatments, and 11 euthanasias of which several were for cancer. 3 cats were found dead on the road. The population of 770 had dwindled to approximately 470 now. Thirty-four (34) kittens were domesticated and adopted into homes. Twenty-four (24) kittens were from only two mothers. He reported feeding 5,700 pounds of dry cat food and 57,626 cans of wet cat food. They fed according to a route at 3 a.m. then reversed and cleaned up, so that residents woke up the next morning not knowing they had been there. He explained that Palm Beach had cats because someone dumped a cat there years ago. They were receiving donations from residents and were in the best shape ever. He introduced two new board members and announced a fundraiser to be held on January 28th at the Sailfish Club. He showed a video of the late-night feeding, and thanked the Town for their support.

Mayor Coniglio asked how the numbers were confirmed. Mr. Levitt explained they had placed a GPS in the feeder's car. He explained they used the services of three different vets to care for the cats. The Mayor commented each had confirmed Mr. Leavitt took good care of the cats.

V. COMMENTS OF MAYOR GAIL L. CONIGLIO

The Mayor thanked the employees for their service. She mentioned two veterans of 13-year service, Monique Rogers and Jerry Vasquez, and complimented Kathleen Dominguez and to Acting Town Clerk Pat Gayle-Gordon.

She commented there was an agenda item regarding the census, and it would take everyone working to get everyone counted. Each person counted could be worth \$1,600 in federal funds, and would also help in re-districting. There would be a community committee to help.

The Mayor commented that home rule was again under attack by the legislature. Currently she was watching for any changes to vacation rentals and to allowing communications companies to place equipment where they desired.

Mayor Coniglio announced the Florida League of Cities and Palm Beach County League of Cities were celebrating the anniversary of the 13th amendment today, the abolition of slavery.

The Mayor commented plastic bags were being worked on again and thanked prior Town Manager Tom Bradford for his efforts in contacting every municipality in the state to allow banning plastics by each municipality in case the State did not do it.

Mayor Coniglio commented she was in favor having a discussion of the agenda item banning synthetic turf; there was presently an ordinance regulating that, and there might be a few placed where it was appropriate.

She agreed with celebrating women voters, but asked not to spend taxpayer dollars on that celebration, and hoped there would be donations.

VI. COMMUNICATIONS FROM CITIZENS

Diane Buhler, Friends of Palm Beach, reported she had attended the Sol Cite 2020, a conference put on by the national Haitian-American elected officials network. Among others, she reported speaking with the Deputy Mayor of Port-au-Prince, Haiti's capital, and showed her medical waste from our beaches and gave her one of the bags made from recycled trash being made in Haiti. The Deputy Mayor shared that their beaches were so polluted the people could no longer swim there, and fishermen could not fish. Ms. Buhler would be working with the Haitian people to reduce their waste. She reported on the numbers of trash recently collected on our beach, and urged everyone to do their part, and commented they were working to collect plastics ahead of the Public Works tractors. She invited everyone to view their third film in their environmental series.

Andrew Roddy commented that his number one concern was environmental and asked that focus be placed on replacing all gas-powered landscaping equipment with battery-powered equipment.

Warren Belmar, 130 Sunrise Avenue, felt compelled to continue the debate regarding parking on Sunrise Avenue, since no resident had ever appeared before Town Council to ask for the parking plan which had been adopted by the Council for Sunrise Avenue. Since the 240 unit owners had objected to it, he did not understand why the current proposal from the Town Manager to delay and further discuss changes elsewhere in the Town had not been made applicable to the changes proposed and ready for implementation on Sunrise Avenue. He asked the Town Council to treat the residents of Sunrise Avenue the same as the residents on the 100 block of Chilean Avenue, the 100 block of Brazilian Avenue, the 100 block of Peruvian Avenue, and the 100 block of Hammon Avenue regarding parking and extension of hours. He wondered why there was a rush to treat Sunrise Avenue differently and asked to include Sunrise Avenue in their study.

Donald Singer, 2295 South Ocean Boulevard, announced their annual meeting on February 6th at the Tideline Hotel where the re-elected council members, building Presidents, and Town staff will be honored.

Elaine Hirsch, 100/130 Sunrise Avenue made additional comments on the parking issue raised by Mr. Belmar. She and her husband own three apartments at 100 and 130 Sunrise Avenue, and would be affected by the proposed parking. She commented there was no place for construction vehicles to park and contractors did not want to come to Palm Beach, and she did not know if they could be enticed to come at all with stricter parking rules. In addition, there were many older people in the apartments whose caretakers and workers could not find parking. She asked that these items be considered.

Katie Carpenter, 345 Seaspray Avenue, expressed appreciation for the Town Council and staff to plant natives and reduce the amount of lawn and garden chemicals, and applauded the item on the agenda to ban artificial turf.

Simon Taylor, 234 Oleander Avenue, President of the Palm Beach Theater Guild addressed the issue on the Playhouse, and reported a world-class retail partner who owned the plaza had lots of interest in the Playhouse, and they were down to deal making. It was a complicated deal. He cautioned against amending the 1979 agreement which would give rise to a storm of controversy. He commented the 1979 agreement envisioned a multi-use community and social center, and it could be a valuable property and to tear it down and build a park and restaurant would make it become commonplace rather than visionary. He asked to focus on the positives and asked the Town Council to continue to work toward having a mixed-use social community center that would be one of the most exciting venues in the country.

Herb Krause, 100 Sunrise Avenue, asked why not retain that block as a free parking zone and wondered what the reasoning was for changing things. He felt the public beach should have free parking.

Laurel Baker, Palm Beach Chamber of Commerce, sent best wishes to Council and staff as they embarked on changing the code. She reported the Chamber of Commerce had sent her to Nashville to the Congress for New Urbanism conference to get a better understanding on what is being proposed for the Town. She informed that she met many people from all over the country envious of the package presented

by Mr. Josh Martin and for having Mr. Martin as an employee. She urged support for the project.

Fred Mack, long-time resident, backed up Mr. Krause's comments about parking on Sunrise Avenue. He commented the hour limit had never been enforced and asked for further review of the parking regulations.

Bill Metzger, 277 Esplanade Way, expressed continued support for the Playhouse, thanked the Council for cooperating as two days of meetings were live streamed, and stated they would be continuing that in the future when compliance was secured. He wanted to make sure the next *Songbirds* event on February 3rd was announced.

Skip Aldridge, 2295 South Ocean Boulevard, thanked the Mayor and Council for their hard work, he reported as Vice President of the Harbor House that they had done a radical improvement of their apartments which had been accomplished through the staff led by Josh Martin with approval of the Mayor and Town Council to radically change their permitting process which had increased efficiency and reduced costs, and needed to be applied to code reform. He commented Josh Martin was an incredible asset to the Town. He praised Police Chief Caristo and his staff for their work in south Palm Beach to help make it safer with new signs warning drivers to be aware of pedestrians.

VII. COMMENTS OF COUNCIL MEMBERS

Note: This item was moved to Agenda Item #VII under Modifications to the Agenda

Council Member Araskog commented it was important for everyone to know there were Federal laws to keep their census information safe, the money resulting from the census was very important, and the Town's process would be started today. Town Manager Blouin commented the community might get over being bombarded with information about the importance of the census.

VIII. APPROVAL OF CONSENT AGENDA

Mayor Coniglio requested item VIII.C.3, request to close Sunset Avenue, be pulled and placed under Matters Pulled from Consent, to allow Public Safety staff and Building Department staff to comment based on the fact this street had been under so much stress with increased seasonal traffic.

THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA AND PLACED UNDER ITEM NO. XIV.C.:

* VIII.C.1. REQUEST TO PAUSE ON FURTHER DISCUSSIONS REGARDING PARKING MATTERS

* VIII.C.3 USE OF RIGHT-OF-WAY VARIANCE FOR SUNSET AVENUE LANE CLOSURE FOR T3 PROJECT

ACTION: APPROVED AS AMENDED ABOVE

Motion was made by Council Member Lindsay and was seconded by Council Member Crampton to approve the Consent Agenda, as amended. On roll call, the Motion passed 4-0, with Council President Moore absent.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to reconsider the Approval of the Consent Agenda. On roll call the Motion passed 4-0 with Council President Moore absent.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve the Consent Agenda with items VIII.C.1 and VIII.C.3 pulled and placed under item XIV.C. On roll call the Motion passed 4-0 with Council President Moore absent.

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk
 - a. November 12, 2019, Town Council Meeting Minutes
 - b. November 13, 2019, Town Council Development Review Meeting Minutes
Deferred from the December 10, 2019, Town Council Meeting
 - c. December 10, 2019, Town Council Meeting Minutes
 - d. December 11, 2019, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of December 13, 2019.
Josh Martin, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 01-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Creating A Town Of Palm Beach 2020 Census “Complete Count Committee”.
Josh Martin, Director of Planning, Zoning and Building

C. OTHER

1. Request to Pause on Further Discussions Regarding Parking Matters – ***Item was Pulled from Consent***
Jay Boodheshwar, Deputy Town Manager
2. Request to Consider Ordinance No. 1-2020 at a Public Meeting Prior to 5:00 p.m.
Josh Martin, Director of Planning, Zoning and Building
3. Use of Right-of-Way Variance for Sunset Avenue Lane Closure for T3 Project – ***Item was Pulled from Consent***
H. Paul Brazil, P.E., Director of Public Works
4. Review of Request for Additional Testing of Landfill at Okeechobee Boulevard Per Request of Potential Developers of Property for Landlease

IX. BOARD/COMMISSION ANNUAL REPORT

A. Annual Report of the Recreation Advisory Commission

Nicholas Coniglio, Chair

Nicholas Coniglio, Chair of the Recreation Advisory Commission, reported accomplishments during the past year, which included preparation for the Morton and Barbara Mandel Recreation Center complex which opened under budget and on time in December, and was a hugely successful public/private partnership. Friends of Recreation were establishing an endowment for ongoing operations, and thus far had raised nearly \$300,000. He described the Seaview park improvements and announced the athletic field would open this week. The Recreation Department programming had been very successful. The Fitness Center memberships sold were ahead of schedule. An e-newsletter linked to the Town's website listed all classes and programs. The Commission was interested in improvements in 2020 of providing safe access to the Mandel Recreation Center.

Chair Coniglio requested the record show the Recreation Advisory Commission was requesting that the Public Safety and/or Public Works Committees investigate options for safe pathways to the Mandel Recreation Center from bike trails and across all Town arteries, perhaps including flashing signage and a crosswalk system where appropriate.

Chair Coniglio reported the most successful year in history for the Par 3 golf course, with upgrades to the course and amenities and also the launch of a social media marketing campaign. He reported a successful year for the tennis program despite weather and construction challenges. He thanked the Council for their support.

Council Member Lindsay congratulated the Recreation Advisory Commission on their fabulous job, and asked if the great numbers had resulted in a contribution. The Town Manager commented they were at break even, which was a win.

President Pro Tem Zeidman praised the Recreation Advisory Commission and their concern for the safety of children. Chair Coniglio commented on options for improvement for access. Director of Public Works Paul Brazil asked that this matter be sent to the Public Safety Committee and Public Works staff would attend that meeting.

Chair Coniglio praised Director of Business Development and Operations Carolyn Stone for her outstanding work.

Motion was made by Council Member Araskog and was seconded by Council Member Lindsay to accept the Recreation Advisory Commission's Annual Report. On roll call, the Motion passed 4-0, with Council President Moore absent.

X. REGULAR AGENDA

A. Old Business

(Clerk's Note: The Mayor left the dais at 10:45 a.m.)

1. Coastal Update:

a. Shore Line Condition Update

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

Rob Weber, Coastal Program Manager, displayed photographs which showed escarpments and erosion from the recent weather conditions. For the year 2019 they had reached a threshold of over 100,000 cubic yards of sand. He reviewed various photographs and described the sand losses in various areas, and areas that had recently built up. If any escarpments needed to be taken down they would do that before March 1. The area around The Breakers and north had performed very well. That morning he had heard from the Army Corps of Engineers that they would award the midtown project that day, so that work should start in the next few weeks. The south part of the midtown beach was currently very wide with a lot of sand, but farther south the beach was very eroded and would benefit from the sand that would be added. The dunes section had held very well but would soon need new sand. Phipps Ocean Park was eroding over time and would benefit from a FEMA recovery project. The million cubic yards of sand that was placed in 2015 was moving down the beach and benefitting the southern part of Reach 7 and into Reach 8.

Council Member Crampton reported he had met recently with Sloan's Curve residents regarding the borrow areas and asked if that affected the area. Mr. Weber reported experts had determined that was not the case. Council Member Crampton asked about the burrow areas and the scouring in Reach 6, to which Mr. Weber responded he was working closely with DOT and DEP to shore up that potential risk area.

Council Member Araskog asked if the Environmental Impact Statement for Reach 8 was expected this month, to which Mr. Weber responded yes. Council Member Araskog was glad they were going to work on the Gulfstream area because she had seen the water being thrown onto the road and cars. Mr. Weber commented it was great the Army Corps of Engineers was going to work on that area.

Council Member Crampton commented people walking in Reach 6 had asked about ponding. Mr. Weber indicated that had been documented decades ago and had been recommended for the groin replacement report. Council Member Crampton asked when Phipps Park sand would be added. Mr. Weber answered it was dependent on the Midtown project but it would provide relief through Reach 8.

Clerk's Note: A five-minute break was taken at this point. Upon reconvening, the Consent Agenda was discussed and motions were made as listed above

under Approval of Consent Agenda.

2. Town-wide Undergrounding Project

a. Review of Project and Status Summary

Steven Stern, Project Manager

Project Manager Stern reviewed communications related to the undergrounding project, reporting one community meeting was held in January and the next was scheduled for February 3rd. Promotional materials had been revised and widely distributed to encourage attendance. He reported community meetings had been added to the Town calendar through 2020.

Project Manager Stern reported the Underground Utilities Task Force met on January 7th and listed highlights of items discussed at the meeting.

Manager Stern summarized progress on active and completed construction zones which included Phases One and Two in the north and south, Phase Three in the north, and Phase Four in the north and south.

No significant changes had been made to financials since the last report.

Council Member Crampton noted easements had been a problem. He thought homeowners were required to accept a box on their property, but was told it was voluntary. He felt the process should be more strict. The Town Manager explained the process, and advised that once the easement was granted as part of a permitting process that had been approved, then the property owners' cooperation would more likely occur because they had given their word. Council Member Crampton commented he had asked about this for clarification.

Council Member Lindsay commented she was in the north end, which was the strongest advocate for undergrounding and it had seven chicanes. She said it was not a problem easily solved, and residents needed to work together—two homeowners could get together and split it on their property line, and hide it with landscaping as she had done on her own property. Solving the problem of people not wanting it on their property was costing a fortune, making the cost of the project soar. The Town Manager spoke about undesirable alternatives which were to skip that area or put it in an undesirable location.

Council Member Araskog commented she lived in the north end and both she and Council Member Lindsay had taken boxes, and she invited people to come look at how they were well hidden. She reported that with the undergrounding they did not lose power as before, and urged people to take easements because the delays could cost the Town millions. She asked about grant funding which Project Manager Stern advised he was looking at a Hurricane Dorian grant available in the future.

President Pro Tem Zeidman commented that the Town's amazing staff was on top of everything. She asked if the cost of delays when easements were not accepted had been calculated. Project Manager Stern described a minor change which cost \$70,000 added to the project.

President Pro Tem Zeidman commented that Tim Malloy with the Palm Beach Civic Association was willing to work with Mr. Stern and the Town Manager to add this matter to their weekly news.

Council Member Crampton advised this was a community project and would work best if everyone gave a little and not to be so self-centered. He commented the power would come on much sooner after a hurricane if it were underground.

B. New Business

1. Review of Town Sponsored Business Association Special Events Administrative Procedure

Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Jay Boodheshwar recalled there had been questions about Town "sponsorship" of the car show held on Worth Avenue. He commented several years ago the business community approached the Town to see if there was a way to modify the code to create flexibility for them to hold events good for business in their associated commercial districts. The Town Council had felt it would be better to create a policy in accordance with Section 134 of the zoning code allowing the Council to approve Town sponsored events, no more than two per year, which was done and had been in effect since 2015.

Council Member Lindsay pointed out the wording referred to the Recreation Department in the form for proposed business association proposal event, which needed to be changed.

Council Member Araskog asked for a change about the noise ordinance wording.

Council President Pro Tem Zeidman questioned the events being "Town Sponsored" and if that was how it should be worded.

Deputy Town Manager Boodheshwar did not think it should be Town sponsored, but Town approved. Discussion ensued.

Council Member Araskog did not think the Town should be a sponsor but that was the wording in the code. Town Attorney Randolph advised wording would be changed to make everything consistent.

Staff was directed to change the verbiage in the Ordinance and Administrative Procedure from “Town Sponsored Event” to “Town Approved Event”.

2. Request from the Palm Beach County Bar Association Young Lawyers Section (PBCBA YLS) for 5K Run/Walk Event
Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Jay Boodheshwar presented the request for 5K Run/Walk on April 4, 2020 only utilizing the trail in Bradley Park.

Council Member Araskog commented the Young Lawyers had held a walk in the past with no problems, and commented the Council wanted to hold events every other month. She praised the Young Lawyers for their charity work. She asked if parking issues were covered. Robert Bertisch, Director of Legal Aid in Palm Beach County, commented the participants either car pooled or parked in public spaces so there had never been a problem. Rachel Bentley with the Young Lawyers, Section verified there had not been parking problems.

Council Member Lindsay asked for clarification on the route. Staff clarified they would not run through neighborhoods, and the map and verbiage would be corrected. She commented there were already two runs each year that were disruptive and she could not support this.

Council Member Crampton did not like outsiders coming in and using the Palm Beach brand and asked what else tied their organization to Palm Beach. Mr. Bertisch responded that a number of their board members were Palm Beach residents and 15% of the runners were Palm Beach residents or worked in Palm Beach, and one of their former runners had been a member of the Town Council.

Council President Pro Tem Zeidman was not in favor because it was disruptive. The Town Manager offered a compromise to allow this event one more time and give the organization notice it might not be allowed in the future.

Council Member Araskog commented that the quiet enjoyment of residents' property was very important, but this was their fifth year and the proceeds goes towards legal aid.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve the request for this year only. On roll call, the Motion passed 3-1, with Council Member Lindsay dissenting and President Moore absent.

Mr. Bertisch expressed his appreciation and advised all proceeds would go to their veterans' advocacy project to give veterans free legal aid.

3. Discussion of the Town's Role in the 2020 Town-wide Event to

Celebrate the 100th Anniversary of the Ratification of Women's
Right to Vote in America

Bobbie Lindsay, Town Council Member

Council Member Lindsay discussed the Florida history of giving women the right to vote. She felt this would be an enjoyable and unifying event and stressed the celebration would be privately funded. She stated this was an important event that had changed the world. Royal Poinciana Plaza had donated the space free of charge, and this event fell under their special permit for outdoor events. She suggested several ideas to make this a fun event.

Council Member Araskog said she felt this was a great event that did not use taxpayer money. She preferred the date to be April 16th and thanked the Palm Beach Civic Association and the Citizens Association for their participation.

Council Member Crampton suggested another possible partner, The League of Women Voters, and reported his wife belonged to that organization.

Council President Pro Tem Zeidman expressed her support.

Public Comment:

Wendy Rutledge, Palm Beach Civic Association, commented that they supported this event and their Chairman had ordered thirty (30) copies of the book "Votes for Women".

Skip Aldridge representing the Civic Association and the Citizens Association, commented the Citizens Association Board of Directors voted unanimously to be a co-sponsor, this was a great idea, and they were here to help.

Alex Patterson, Royal Poinciana Plaza, commented they were excited to be a partner.

Mr. Warren Belmar commented on the history that the National Women's Party was instrumental in the adoption of the right to vote and their headquarters was in Washington D.C. where memorabilia from the era could be viewed.

It was the consensus to hold the event on April 16, 2020.

4. Discussion Regarding Saturday Quiet Work, As Permitted by

Ordinance No. 03-2018
Julie Araskog, Town Council Member

Council Member Araskog commented on the increase in permits issued from 2017 to 2018 and that the amount of construction since 2013 had substantially increased, disrupting the peace and quiet. She gave numbers of homes demolished in the space of recent years. She felt residents needed to have quiet enjoyment on weekends. She wanted to take a second look at the ordinance because of so many complaints. She asked whether this should be sent to Ordinances, Rules and Standards (ORS) Committee.

Council Member Crampton commented allowing quiet work on Saturday speeded up the projects, and not allowing it would just make the construction last longer. He had not received many complaints. He wanted to stay neutral since he is a member of ORS Committee.

Council Member Lindsay agreed with Council Member Araskog and felt it should go to ORS because Town holidays had not been included. She noted it was hard to find a balance between minor work and major construction.

It was the consensus to send this to ORS for consideration.

5. Consideration for ORS Committee to Study Regulations Pertaining to the Use of Synthetic Turf
Bobbie Lindsay, Town Council Member

Council Member Lindsay presented the item. She discussed many of the problems with the plastic material, including that it was not biodegradable. Education on synthetic turf was needed so residents would be informed.

Council Member Crampton commented there were certain areas where the turf was appropriate and presented the other side, and felt a blanket refusal would be going too far.

Council Member Lindsay commented there may be exceptions but not to cover an entire front yard, and that needed to be studied.

Town Attorney Randolph commented people could not cover their yards with the synthetic turf as this was in violation of Town code.

Council Member Araskog agreed with Council Member Lindsay and felt education was important, and by taking it to ORS education could be accomplished.

Council Member Crampton stated he would like to hear from the landscape community about their experience and would like to have the code that the Town

Attorney referred to.

It was the consensus to send this issue to ORS for further study.

Public Comment:

Mr. Kenneth Walker stated he was an architect, and felt a seminar for architects on synthetic turf would be helpful.

Andrew Roddy, 231 Kenlyn Road commented that he favored natural products.

C. Matters Pulled From Consent Agenda: If needed

**1. Request to Pause on Further Discussions Regarding Parking Matters
– *Item was Pulled from Consent***

Jay Boodheshwar, Deputy Town Manager

Council President Pro Tem Zeidman commented that the Town should have a comprehensive parking plan for the Town, and staff was more expert on this subject.

Council Member Crampton commented when one parking problem was solved another came up. He had voted against the action Council took regarding Sunrise Avenue, and the only way it could be discussed again was for the members who made the motion to reverse it.

Council Member Araskog asked if this was really the solution they had been trying to get. Town Attorney Randolph commented the motion could be rescinded. Council Member Araskog indicated she had received many calls about this issue and would like to place it on pause.

Council Member Lindsay commented on parking problems on this street and suggested creating a zone so that they could not move to another space after the one hour limit, which was the only way she could support this. The people living in the condos wanted free parking, something needed to be done, and you only achieved turnover if you had paid parking.

Council President Pro Tem Zeidman commented they listened to the residents and they had to make decisions that were best for the Town. Living in a mixed-use residential and commercial area, things like this came up, and she did not yet know the right thing to do about the parking issues. She wanted to place this on pause until staff had the time to review and recommend changes for the Town as a whole, not piecemeal.

Council Member Crampton wanted to put this on pause. He believed this parking was residential. He felt quality of life and ease of access needed to be balanced against turnover and turnover should be focused first on commercial areas.

Council Member Araskog commented the residents who called her had brought up things she hadn't thought of. She felt only doing the one block was not going to solve the problem. She felt some turnover was good. Paying for the day someone could stay all day, creating less turnover. She favored placing this on pause.

Council Member Lindsay did not want a pause, she wanted to solve the problem. These people had two spaces just like a residential home. She felt anyone there more than an hour should get a ticket, but that would not solve the problem of residents staying all night. She could only vote for this if the one hour limit was enforced.

The Town Manager commented he was not an expert and asked that this be paused and experts consulted. He reported that the kiosks had been purchased. He agreed that a comprehensive Town-wide parking plan should be developed.

Warren Belmar stated he endorsed everything that had been said, and other streets should be studied and treated the same as Sunrise Avenue.

The Town Attorney advised how to proceed with reversing the former decision.

Motion was made by President Pro Tem Zeidman and was seconded by Council Member Crampton to reverse the decision made at the December 10, 2019, Town Council Meeting regarding the implementation of paid parking on the 100 block of Sunrise Avenue and approved a pause on all pending parking matters for further study. On roll call, the Motion passed 3-1, with Council Member Lindsay dissenting and Council President Moore absent.

2. Use of Right-of-Way Variance for Sunset Avenue Lane Closure for T3 Project – ***Item was Pulled from Consent***
H. Paul Brazil, P.E., Director of Public Works

Director of Public Works Brazil presented the item for consideration. He explained the project could not get the certificate of occupancy without installation of a working chimney, which required installation by a crane with supporting outriggers that would extend into a travel lane, and this had not been included in the original approval. The request was for a waiver for a 3-day closure subject to staff working with the contractor. Staff recommends approval of the request.

Council Member Araskog asked the best time for this to be done and recommended starting earlier to avoid noise. Director Brazil indicated early Saturday and early Sunday were the least traffic times and there was not enough time to do it in two days. Council Member Araskog indicated she was okay with the time chosen.

Motion was made by Council Member Crampton and was seconded by Council Member Araskog to approve the Waiver for a three-day closure subject to staff working with the Contractor. On roll call, the Motion passed 4-0, with Council President Moore absent.

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 40-2019 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134, Article X. – On-Street Parking Permits, at Section 134-2296(c) and Section 134-2327(2); Relating to Issuance of Decals and Visitor/Service Permits; Allowing for the Issuance of Eight Decals and Visitor/Service Permits Instead of the Four Currently Allowed; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

Town Attorney Randolph read Ordinance No. 40-2019 on second and final reading by title only.

Motion was made by Council Member Lindsay and was seconded by Council Member Crampton to adopt Ordinance No. 40-2019 on second and final reading. On roll call, the Motion passed 4-0, with Council President Moore absent.

B. First Reading

1. ORDINANCE NO. 04-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 10 Of The Town Code Of Ordinances, Animals, Article II, Dogs And Cats, At Section 10-43, Running At Large Prohibited; Further Amending Chapter 74 Of The Town Code Of Ordinances, Parks And Recreation, Article II, Beach And Aquatic Activities, Division 3, Regulation Of Use Of Public Beaches; At Sec. 74-191, Animals Prohibited, So As To Add AnException To Permit Leashed Dogs On Public Beaches Between Sunset Avenue And Wells Road; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Jay Boodheshwar, Deputy Town Manager

Town Attorney Randolph read Ordinance No. 04-2020 on first reading by title only.

Motion was made by Council Member Lindsay and was seconded by Council Member Crampton to approve Ordinance No. 04-2020 on first reading. On roll call, the

Motion passed 4-0, with Council President Moore absent.

XII. COMMENTS OF TOWN COUNCIL MEMBERS

This item was moved to Item VII.

XIII. ANY OTHER MATTERS

1. Bufo Toads and the Effect on Dogs

Council Member Araskog read aloud a letter from a resident whose dog passed away from contact with a bufo toad. She asked for education to warn people since the toads were not only toxic to dogs but also can cause issues to children. She asked that it be placed on a council meeting agenda.

Council Member Crampton questioned whether staff thought this was enough of a threat for research to be done.

Town Manager Kirk Blouin commented that the Town did not have animal control and did not have the resources to handle all the animals that caused problems. The communities that had animal control did not respond to calls on bufo toads but advised people to call a trapper. He agreed staff could post information on the website.

Council Member Lindsay commented after a person lost a dog to a bufo toad, they took precautions, and people needed to be educated on what could be done.

Council Member Araskog commented education was key.

It was the consensus of Council to direct staff to place educational information regarding bufo toads on the Town's website.

Council President Pro Tem Zeidman commented regarding a person of Iranian descent who had come into Palm Beach which caused fear, and the Police Department response had been outstanding. She informed that a Public Safety Committee meeting would be held sometime in February and protocol would be discussed on how to handle unusual incidents.

XIV. ADJOURNMENT

There being no further business, the Town Council Meeting of January 14, 2020, adjourned at 1:22 p.m.

Margaret A. Zeidman, Council President Pro Tem

Patricia Gayle-Gordon, Acting Town Clerk

Date



TOWN OF PALM BEACH

Minutes of the Local Planning Agency Held on January 15, 2020

I. CALL TO ORDER AND ROLL CALL

The Local Planning Agency was called to order January 15, 2020 at 9:33 a.m. in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Administrative Specialist Churney gave the invocation. Council President Pro Tem Zeidman led the Pledge of Allegiance.

III. COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT PLEASE

There were no communications from citizens.

IV. ORDINANCES

1. ORDINANCE NO. 01-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, As Follows: At Article V, Planned Unit Development Procedure, Section 134-622, Permitted Land Uses In The PUD-A Zoning District, To Allow Hotels As A Permitted Use And Administrative Site Plan Review For Permitted And Accessory Uses That Do Not Exceed 2,500 Square Feet; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Paul Castro, Zoning Manager, introduced Ordinance No. 01-2020 to the LPA members.

Jamie Crowley, Attorney for The Breakers, discussed the request to make the hotel a permitted use rather than an exception, so that minor capital improvements would not need to come before the Council. He requested the change to make the hotel and golf course a permitted use and to give the Director of Planning, Zoning and Building the discretion to approve

site plan review projects under 2,500 square feet. He added that site plan projects would still be reviewed by the Landmarks Committee or ARCOM, depending where they were located on the property.

Administrative Specialist Churney swore in all those intending to give testimony today.

Zoning Manager Castro provided staff comments on the history of the PUD-A. In a rewrite of the code, hotels had been removed from commercial and most residential districts. With this change, the permitted uses within The Breakers Hotel and the Breakers PUD-A also changed. Staff felt it would be a positive approach to allow these permitted uses for The Breakers. Zoning Manager Castro noted there was a caveat regarding the 2,500 square feet, that if the PZB Director determined it might negatively impact either Town facilities or abutting property owners, it would automatically come before the Town Council.

Council Member Araskog found that the permitted use requests were acceptable. She expressed concern for the 2,500 square feet threshold, unless it was an interior space. Jamie Crowley responded to her concern. Council Member Araskog expressed her opinion that 1,000 square feet was a more acceptable request.

Zoning Manager Castro commented on the square footage request.

Council Member Crampton inquired how staff would handle the requests. Zoning Manager Castro responded an administrative site plan would be provided by the applicant. The PZB Director would determine if that specific improvement would impact either Town facilities on The Breakers property or abutting property owners. Zoning Manager Castro confirmed that all of the residential phases previously approved were not impacted by this proposal. Council Member Crampton favored lowering the threshold to 1,500 square feet.

Council Member Lindsay expressed her opinion that 2,500 square feet was small, relative to the size of The Breakers property.

Mayor Gail Coniglio asked staff for their recommendation. Zoning Manager Castro stated that staff recommended the 2,500 square feet.

Josh Martin, Director of Planning, Zoning & Building, discussed the uses of the PUD and thought the request was long overdue. He stated his opinion that 2,500 square feet was an appropriate number.

Mayor Coniglio thought Mr. Martin's recommendation should be followed.

Motion was made by Council Member Lindsay, and seconded by Council Member Araskog, to recommend approval of Ordinance No. 1-2020 to the Town Council. On roll call, the motion carried unanimously.

V. ADJOURNMENT

There being no further business, the Local Planning Agency meeting of January 15, 2020 was adjourned at 9:53 a.m. without the benefit of a roll call.

APPROVED:

Danielle H. Moore, Town Council President

ATTEST:

Kelly Churney, Administrative Specialist



TOWN OF PALM BEACH

Minutes of the Development Review

Town Council Meeting

Held on January 15, 2020

I. CALL TO ORDER AND ROLL CALL

The Development Review Town Council Meeting was called to order January 15, 2020 at 9:53 a.m. in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation and pledge of allegiance took place during the Local Planning Agency Meeting.

III. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio spoke regarding dedication of the Earl E. T. Smith Park. She thanked the Preservation Association for their work in maintaining the park.

Council Member Lindsay commented the previous day Council had approved the Citizens Association of Palm Beach, Palm Beach Civic Association, and Royal Poinciana Plaza ownership to hold a celebration of the 100th anniversary of women's right to vote. They had picked April 16, but learned that was the last day of Passover, so the date had been changed to April 20th from 5 pm – 7 pm.

Clerk's note: This item was moved up in the agenda to this location.

IV. COMMENTS OF TOWN COUNCIL MEMBERS

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

Council Member Lindsay recalled an event held at the Town Hall last year, *Where Have All the Songbirds Gone*, in conjunction with partners the Garden Club, Preservation Foundation, Association of Palm Beach, and the Palm Beach Civic Association. It was very successful, and Part 2 would be held Monday, February 3, 2020 at Town Hall. She explained that speakers would connect what was done on properties with human and pet health, water quality, and how to live with fewer toxins. Katie Carpenter would be the moderator.

Council Member Araskog requested no work be done on Sundays.

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Tim Allen, Local Chapter of the American Heart Association, announced *National Wear Red Day*, February 7th, to bring awareness to heart disease. He asked the Town of Palm Beach to participate by lighting certain civic monuments in red.

Mayor Coniglio asked staff if this has happened before. Zoning Manager Castro responded he was not familiar with lighting civic buildings. Mr. Allen explained the lighting would be only on the 7th from sundown to midnight. Mayor Coniglio stated her support, but expressed concern that many organizations might come forward with the same request. Council Member Lindsay expressed concern for the cost, and as well had the same concern had by the Mayor. Council Member Araskog stated that she had the same concerns. Council Member Crampton also agreed, but his opinion was he thought something small would be acceptable, such as lighting a flag pole. Council President Pro Tem Zeidman thought that while it was such a worthy cause, she did not feel it was appropriate for the Town. Council President Moore commented New York City did this but she thought it was not appropriate in small towns.

The consensus of the members was not to allow the lighting of the monuments.

Daniel Ponton, Resident and Trustee of the Preservation Foundation, reported that the foundation supported Director of Planning, Zoning and Building Martin's effort to lead code reform.

Amanda Skier, Executive Director of the Preservation Foundation, agreed with Mr. Ponton, and stated that she believed Code Reform was critical. They had established an advisory committee that would make recommendations to the Town.

Martin Klein, 1060 N. Ocean Blvd., spoke in favor of Director of Planning, Zoning and Building Josh Martin and Code Reform.

President Pro Tem Zeidman commented on the 3-minute time limit.

Alex Griswold, 274 Orange Grove Rd., agreed with Mr. Klein's comments. He discussed his request on the agenda and stated that it exemplified what was wrong with the Code.

Council Member Crampton stated he was not sure where the Town Council stood in the Code Reform Process, and asked when it would be voted on. Following discussion, it was stated this would be on the February agenda.

Mayor Gail Coniglio talked about her appreciation of the staff in the Town. She also stated that staff should be treated with respect.

VI. APPROVAL OF AGENDA

The following modifications were made to the agenda:

Deferral of Item VII.B.1 (a) to the February 12, 2020 meeting.

Deferral of Item VII.B.2 (a) to the February 12, 2020 meeting.

Deferral of Item VII.B.2 (b) to the March 11, 2020 meeting.

Jamie Crowley, attorney for the project Z-19-00232, stated that he initially requested a deferral to the February 12, 2020 meeting but stated he would like to request the deferral to the March 11, 2020 meeting.

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

VII. RESOLUTIONS

- A. Resolution No. 03-2020 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 155 Hammon Avenue Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

Janet Murphy, Murphy Stillings, reviewed the history of the Colony Hotel, and presented the resolution to ratify the Landmark Status of 155 Hammon Avenue, also known as The Colony Hotel.

Motion made by Council Member Araskog and seconded by Council Member Crampton to move that the Designation Report be made a part of the record. Motion carried unanimously.

Motion made by Council Member Araskog and seconded by Council Member Crampton to move that Resolution 03-2020 be adopted designating the property at 155 Hammon Avenue as a landmark of the Town of Palm Beach on the basis that it meets criteria 1, 3 and 4 of Section 54-161 of the Town of Palm Beach Code and the Landmarks Preservation Ordinance #2-84. Motion carried unanimously.

Council Member Pro Tem Zeidman called for public comment. There were no comments heard at this time.

Clerk's Note: A short break was taken at 10:30 a.m. The meeting resumed at 10:37 a.m.

VIII. DEVELOPMENT REVIEWS

A. Time Extensions and Waivers

1. Time Extension Request for Emergency Roof Repair - 150 Worth Avenue

Wayne Bergman, Assistant Director of the Planning, Zoning and Building Department, introduced the item to the Council Members.

Yvonne Jones, Property Manager, introduced Bud Barton, Construction Manager for the project, who discussed the issues in the work being done at the property, and delays caused by rain.

Council Member Araskog stated she understood the rain issues and she thought the extension should be allowed.

Assistant Director of Planning, Zoning and Building Bergman recommended a time extension to February 29, 2020.

Council Member Pro Tem Zeidman called for public comment. There were no comments heard at this time.

Motion made by Council Member Araskog and seconded by Council Member Crampton to approve the time extension request for emergency roof repair at 150 Worth Avenue to February 29, 2020. Motion carried unanimously.

2. Authorize Waiver to Town Code for Work During Season for the Bradley Park Hotel, 280 Sunset Avenue
H. Paul Brazil, P.E., Director of Public Works

Jamie Crowley, Attorney for the applicant, introduced the item, and also asked to open the restaurant prior to the completion of the hotel.

Ned Grace, on behalf of Bradley Park Hotel, reviewed the work completed, the schedule, and requested to open the restaurant prior to the hotel opening.

Damian Barr reviewed the life safety plan.

Assistant Director of Planning, Zoning and Building Bergman commented Public Works, Police, Fire, and Planning, Zoning and Building would all have to sign off on this, and a hold harmless indemnification agreement reviewed by Town Counsel Randolph would be needed.

Ned Grace commented they would not open before the restaurant and the gallery space (bathrooms) were all complete. He would like to have use of the bathrooms in the hotel space to open the restaurant.

Marty DeLoach, Fire Marshal, commented the plan on paper looked like it would work, but there had been trouble accessing the property as it stood today. He suggested going through the building and making decisions when it was ready, but as it stood today it could not be assessed.

Council Member Crampton stated he would support staff and to have the applicant come back next month. He was okay with hardscape work on Saturday, and continuation with quiet hours. Mr. Grace clarified they would like Town Council to allow staff to allow the restaurant to open if they deemed it was okay.

Marty DeLoach, Fire Marshal, commented if they were ready February 1, it would be appropriate for staff to inspect and allow them to open a couple of weeks before the next meeting.

Nick Caristo, Chief of Police, agreed with the Fire Marshal. His concerns were the valet and emergency exits. He stated he would like to see the valet plan and the emergency exit plans.

Attorney Jamie Crowley stated that the valet plan was submitted when the plan was approved but it could be altered to Police's requests.

Police Chief Caristo commented the valet was supposed to be on Bradley, where there was now scaffolding. Mr. Grace responded it would be removed by January 31. Damian Barr concurred.

President Pro Tem Zeidman asked Assistant Director of Planning, Zoning and Building Bergman if he would be comfortable signing off on this if it were based on all of the signoffs and the indemnification signed. He reminded everyone this plan was only for the ground floor and they did not know what was happening on the other floors.

Director of Planning, Zoning and Building Martin advised he had looked at the site, which was tight, and urged that everything be A+.

Council President Moore asked Mr. Grace the hours of operation proposed for the restaurant, expressing concern patrons would be eating underneath a construction project. Mr. Grace explained all exterior work for all floors needed to be CO'd and suggested possibly not to allow outdoor seating until everything was completed.

Director of Planning, Zoning and Building Martin advised all exterior work needed to be CO'd by Mr. Bergman before opening.

Attorney Crowley commented approved hours were 7-11 p.m. They would like to be open 5-11 p.m. now, and would not do any exterior work.

Council Member Lindsay asked if there was a lot of extra staff work that needed to be completed before the next meeting. Mr. Bergman responded there would be no extra work.

Council Member Araskog asked what was to be approved. Ned Grace reviewed the requests—approval of extending previously approved work hours, potential to work on Saturday to complete landscaping,

Director of Planning, Zoning and Building Martin expressed support for the requests, and wanted to make sure they were coordinating traffic. Mr. Grace indicated they were working on getting the pavers finished.

Mayor Coniglio asked Assistant Director of Planning, Zoning and Building Bergman about the possibility of two separate CO's. He responded when appropriate and safe that construction could be fenced off from the public, but that would be difficult in this case. She had concerns for ingress and egress. Damian Barr showed and explained the ingress and egress on the life safety plan. Ned Grace showed the restrooms on the plan.

Council Member Lindsay was in favor of the Saturday work request since that was the least busy day.

Council Member Araskog asked about the proposed exits. Fire Chief DeLoach stated that the proposed exits met fire codes.

Council Member indicated willingness to allow the restaurant to open prior to completion of the hotel subject to staff approvals and he had no problem with Saturday work.

Council Member Pro Tem Zeidman called for public comment. There were no comments heard at this time.

Motion made by Council Member Crampton and seconded by Council President Moore to move that the requests that had been made by Bradley Park Hotel applicant, soon to become White Elephant Palm Beach, relative to opening the restaurant prior to completion of the hotel be subject to staff approval; extending approval to the work on Saturdays for hardscape and outdoor landscaping work; and extension of the previously approved working hours; and requiring a hold harmless agreement between the owners of the property and the Town, with indoor seating only for dinner from 5-11 p.m. Applicant to return for an update February 12, 2020. Motion carried unanimously.

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **Z-18-00134 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R-A Estate Residential The application of Charles "Rusty" Holzer, Applicant, relative to property located at **977 S OCEAN BLVD**, legal description on file, is described below. 1) Section 134-840 and 134-893(c): Special Exception with Site Plan Review to allow the construction of a 6,546 square foot two story residence on a non-conforming lot that is 76.5 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning district and 12,813 feet in area in lieu of the 20,000 square foot minimum area required in the R-A Zoning district. 2) Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 21.2 feet in lieu of the 35 foot minimum required in the R-A Zoning District. 3) Section 134-843(a)(9): A request for a variance to allow the proposed

residence to have a rear setback of 10 feet in lieu of the 15 feet minimum required in the R-A Zoning District. In addition, to allow the balconies to extend 3 feet from the building in lieu of the 2 feet maximum allowed. 4) Section 134- 1757: A request for a variance to allow the proposed residence to have a swimming pool rear setback of 5.3 feet in lieu of the 10- foot minimum required in the R-A Zoning District. 5) Section 134-843(a)(11): A request for a variance to allow the proposed residence to have a Lot Coverage of 33.32% in lieu of the 25% percent maximum allowed in the R-A Zoning District. 6) Section 134-843(a)(6)b: A request for a variance to allow the proposed residence to have an Angle of Vision of 136 degrees in lieu of the 116 degrees maximum allowed in the R-A Zoning District. 7) Section 134-843(a)(7): A request for a variance to allow the proposed residence to have a Building Height Plane setback range of 21.2' to 29.9' in lieu of the range of 35' to 42' 11 1/4" minimum required in the R-A Zoning District for this proposed house. [Applicant's Representative: Maura Ziska Esq] [The Architectural Commission Deferred the Project at the October 30, 2019 Meeting. Carried 7-0] **Request For Deferral To The February 12, 2020 Meeting Per Letter From Maura Ziska.**

This item was deferred to the February 12, 2020 meeting.

- b. **Z-19-00176 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: C-TS Town-Serving Commercial The application of La Goulue Palm Beach, LLC (Craig Pogson, Its Manager), Applicant, relative to property located at **288 S COUNTY RD**, legal description on file, is described below. This application requests Special Exception approval to authorize a proposed restaurant, which exceeds 3,000 square feet of gross leasable area at the space currently occupied by Chez L'Epicier. The most recent restaurant approval for this location took place in October, 2014, and was modified in 2016. That restaurant, Chez L'Epicier, was approved for 4,454 square feet and 138 seats, and included valet parking. Approved hours of operation were: Dinner Wednesday through Sunday, 3:00 pm to midnight; Brunch and dinner Saturday and Sunday 10:30 am to midnight; Occasional special events weekdays or Monday and Tuesday night, not past midnight. In 2016, the hours of operation were modified to add dinner on Monday and Tuesday. This restaurant, La Goulue, requests the same square footage (4,454), number of seats (138), valet operation, and hours of operation as past approvals except that the request includes modifying the Declaration of Use Agreement to allow lunch on weekdays. A special exception is also requested for 12 outdoor seats, to be located on the north side of the building. The applicant also requests site plan modification to modify the awnings and restore the main restaurant entrance to its historic location on the northeast façade of the building. [Applicant's Representative: James M. Crowley, Esq] *Reconsideration of the condition of approval related to hours of operation.*

Attorney Jamie Crowley discussed the request to extend the hours to

2 a.m. seven days a week. Notice had been given and only one letter of objection was received.

Ex parte disclosed by Council Member Araskog and Council Member Lindsay.

Zoning Manager Castro stated that staff received a letter last night at 7:30 p.m. that he had placed in front of the Town Council members this morning.

Attorney Crowley discussed the issues of working with the sidewalk.

Zoning Manager Castro provided staff comments.

Attorney Crowley stated the seating was still being worked out with staff, and the only modification would be the hours of operation.

Council Member Crampton asked about the hours of operation. Mr. Crowley stated the proposed closing time was 2 a.m.

Council Member Araskog believed that they should mimic the hours of Buccan.

Council Member Lindsay expressed concern due to the new operation, and new customer base and not being an established restaurant. She would rather take the requests in steps. She felt midnight on the weekend was fine, but not during the week.

Council President Pro Tem Zeidman agreed with Council Member Lindsay to be open until midnight on Friday and Saturday, and 11 p.m. on week days.

Mayor Coniglio agreed with Council Member Lindsay and Council President Pro Tem Zeidman.

Director of Planning, Zoning and Building Josh Martin updated the Town Council on the outdoor seating.

Motion made by Council Member Lindsay and seconded by Council Member Araskog to move approval for the restaurant hours to be open until midnight on weekends (Friday and Saturday), and open from 11 a.m. to 11 p.m. the rest of the week, along with Saturday and Sunday brunches. Motion carried unanimously.

2. New Business

- a. **Z-19-00230 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District R-A Estate Residential The application of M. Weldon Rogers, IV and Rebecca Laing Rogers, Trustees of the Angel Revocable Trust Dated October 8, 2019, Applicant, relative to property located at **120 ALGOMA RD**, legal description on file, is described below. 1. Section 134- 843(a) and (b). Special

Exception with Site Plan Review to allow the construction of a 6,207 square foot new residence with a 192 square foot pergola on an unplatted non-conforming lot of 15,273 square feet in lieu of the minimum 20,000 square feet required in the R-A Zoning District. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed special exception and site plan review will not cause negative architectural impact to the subject property. Carried 7-0] [The Architectural Review Commission approved the project at their December meeting. Carried 7-0]

Ex parte communication was disclosed by Council Member Crampton.

Amy Bahl, Attorney for the applicant, explained the zoning requests for the project and advocated for approval.

Mr. Castro provided staff comments and comments from the Public Works Department, most of them regarding circulation on the site.

Jaime Torres, Fairfax and Sammons Architects, stated that he had spoken to Public Works. Mr. Castro stated that Mr. Torres needed to address the comments, especially the truck logistics plan.

Council President Moore stated she believed that the logistics could be worked out. She believed the lot size was the hardship. She stated that she believed that the issues could be worked out, and smaller trucks could be used. Attorney Bahl stated all of the issues would be worked out at the building permit stage.

Council Member Araskog asked staff if they said that these issues should have been worked out prior to the presentation. Mr. Castro responded.

Craig Hauschild, Civil Engineer in the Planning, Zoning and Building Department, explained that staff wanted to make sure everything on the roadways were known so they could make the traveling public aware, that work was done in a safe manner, in accordance with the plan schedule, and so that it did not impact the Town. Since the large trucks would have to back into the site, most of the work should be done out of season.

Julie Araskog asked that any approval include that all large trucks must be approved by Public Works.

Council Member Crampton commented a logistics plan just worked out by Assistant Director of Planning, Zoning and Building Bergman should answer the logistics problems. There were no zoning issues,

only permit issues which could be worked out during the process.

Council Member Araskog stated she wanted to make sure they approved the items that Craig Hauschild had requested. Craig Hauschild responded those could be worked out during the process.

Council Member Pro Tem Zeidman called for public comment. There were no comments heard at this time.

Motion was made by Council Member Crampton, and seconded by Council Member Araskog, that Special Exception Z-19-00230 shall be granted based upon the finding that such grant will not adversely affect the public interest, and that the applicable criteria set forth in Section 134-229 of the Town Code have been met, and providing 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 insures a recorded easement will be granted if necessary to underground utilities in the area. On roll call, the motion carried unanimously 5-0.

Motion was made by Council Member Crampton, and seconded by Council Member Araskog, that Site Plan Z-19-00230 be approved based upon the finding that the approval of the Site Plan will not adversely affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement have been met concerning Section 134-329 items 1 through 11. On roll call, the motion carried unanimously 5-0.

- b. **Z-19-00231 VARIANCE(S)** Zoning District R-B Low Density Residential The application of 1305 N OCEAN WAY LLC, Owner, relative to property located at **1305 N OCEAN WAY**, legal description on file, is described below. The applicant is requesting to construct a 700 square foot second floor addition on the northeast side of the existing house with a side yard setback of 13.58 feet in lieu of 15 feet minimum required. [Applicant's Representative: Tim Hanlon Esq] **Request For Deferral To The February 12, 2020 Meeting Per Letter From M. Timothy Hanlon.**

This item was deferred to the February 12, 2020 meeting.

- c. **Z-19-00232 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-WA Worth Avenue The application of 125 Worth Partners, LLC, Applicant, relative to property located at **125 WORTH AVE**, legal description on file, is described below. The applicant requests Site Plan Review modification approval for revitalization, renovation and expansion of

the 45 year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project: 1. Per Section 134-1163(8)b., a special exception for a two-story and fourth story addition. The existing building is four stories but it is being expanded. 2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis. 3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53' in lieu of the 49'2" existing and the 25' maximum allowed by code. 4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63'4" in lieu of the 53'8" existing and the 35' maximum allowed by current code. 5. Per Section 134-419, variance to allow an expansion of an existing nonconforming building by increasing the existing air conditioned floor area of the fourth story to 13,212.9 square feet from 3,448.75 square feet existing. An open fourth story trellis of 5,433 square feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 Square feet in addition to the existing air conditioned floor area on the fourth story of the building. 6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1'1" for portions of the building in lieu of the 5' existing and the 5' minimum required on the private property. The sidewalk is required to be a minimum of 10' wide and this proposal is a minimum of 8'2" in the area where the sidewalk is only 1'1" wide on private property. 7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable. 8. Per Section 134-1163(9)b., variance for lot coverage of 71% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story. 9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code. 10. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing building length at the east end of the building from 201'8" to 246' in lieu of the 150' permitted as of right in the C-WA zoning district. [Applicant's Representative: James M. Crowley Esq] **Request For Deferral To The February 12, 2020 Meeting Per Letter From James M. Crowley.**

This item was deferred to the March 11, 2020 meeting at the verbal request of Attorney Jamie Crowley.

- d. **Z-19-00233 VARIANCE(S)** Zoning District: C-TS Town-Serving Commercial The application of GenRock Capital Management, L.P. (Matt Ailey, Principal), Applicant, relative to property located at **214 BRAZILIAN AVE**, legal description on file, is described below. Request for a variance to allow a 1,557 square foot private equity office (GenRock Capital Management, L.P.) in suite 212 (previously The Private View Gallery) which is on the first floor of the building where office use is only allowed on the second floor in the C-TS Zoning District. [Applicant's Representative: Maura Ziska Esq]

Amy Bahl, Attorney for the applicant, explained the zoning requests for the project and advocated for approval.

There were no ex parte communications disclosed.

Mr. Castro provided staff comments in support of the request.

Council Member Pro Tem Zeidman called for public comment. There were no comments heard at this time.

Motion was made by Council Member Lindsay, and seconded by Council Member Araskog, that Variance Z-19-00233 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. On roll call, the motion carried unanimously 5-0.

IX. ORDINANCES

A First Reading

1. **ORDINANCE NO. 01-2020** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, As Follows: At Article V, Planned Unit Development Procedure, Section 134-622, Permitted Land Uses In The PUD-A Zoning District, To Allow Hotels As A Permitted Use And Administrative Site Plan Review For Permitted And Accessory Uses That Do Not Exceed 2,500 Square Feet; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Town Attorney John Randolph read the proposed ordinance.

Council Member Pro Tem Zeidman called for public comment. There were

no comments heard at this time.

Mr. Castro requested that his comments from the LPA meeting be incorporated into this Ordinance.

Motion was made by Council Member Crampton, and seconded by Council President Moore, to approve Ordinance 01-2020 on first reading. On roll call, the motion carried 4-1 with Council Member Araskog opposed.

2. ORDINANCE NO. 02-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings And Building Regulations, Town Code Of Ordinances, By Adding Article VI, Historic Buildings; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney John Randolph read the proposed ordinance on first reading by title only.

Assistant Director of Planning, Zoning and Building Bergman provided staff comments and explained this would be another method of preserving homes 50 years old or older in Palm Beach that were not landmarked. This category was called historic buildings.

Council Member Pro Tem Zeidman called for public comment.

Anne Pepper, 333 Seaspray Avenue, thanked staff for working to preserve historic homes in Palm Beach. Mr. Castro explained the FEMA flood variance requirement. Director of Planning, Zoning and Building Josh Martin, reported he had worked with Ms. Pepper and thanked her for her interest. He commented this could be the most important decision made by Town Council in terms of the built environment of this Town, to add another option for preservation. Ms. Pepper stated she fully supported the ordinance.

Steven Greenwald, 128 Seaspray Avenue, thought the ordinance was acceptable and requested to see the final ordinance, and after review he said was fine.

Anita Seltzer, 44 Cocoanut Row, was sworn in by Administrative Specialist Churney. Ms. Seltzer questioned the day-to-day implementation of the ordinance. She asked if there had been a review of other municipalities that had done this. She felt this needed to be done, but believed critical questions may not have not been asked. She asked if there would be liability the individual property owners if they were in a flood plain area and there was flood damage to an improved home. Director Martin responded to the concerns of Ms. Seltzer. He stated for the record this had nothing to do with insurance but was for preservation.

Council Member Lindsay she believed this was the single biggest reason for demolition, and now there was an option. She knew this was the right thing to do for the Town.

Council Member Araskog commended staff for finding a resolution to a large issue. She believed many homes would be saved, and thanked staff for their work. She supported the ordinance.

Mayor Coniglio wanted to make sure comments from citizens were incorporated. Staff confirmed they were.

Director Martin commented this only affected the building code, and the next step would be to consider complimentary zoning incentives.

Council Member Crampton asked if this ordinance was unique, if there were any others like it, and what they had experienced. Director of Planning, Zoning and Building Martin responded that it was not unique and many other communities that he had worked in had something similar. He commented it was very common to consider buildings 50 years and older historic. He commented if FEMA had a problem with this they would not have created a policy that addressed it.

Town Attorney Randolph asked Director Martin to comment on the code section in Chapter 12 Historic Buildings exception stating the program had to be approved by the Department of the Interior. Director Martin responded he believed the program cited in the code was a Certified Local Government program, which had already been approved; that the Town of Palm Beach was a CLG.

Council Member Araskog stated that they decided not to send this to Landmarks because this was only building, code 134. Director Martin advised presentations would be made at this month's Landmarks Preservation Commission and ARCOM meetings to provide updates._

Motion was made by Council Member Lindsay, and seconded by Council Member Araskog, to approve Ordinance 02-2020 on first reading. On roll call, the motion carried unanimously 5-0.

3. ORDINANCE NO. 03-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 50, Floods, Town Code Of Ordinances, By Amending Article III, Definitions, Division 2, Definitions, Section 50-137.5, Definitions; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Attorney John Randolph read the proposed ordinance on first reading by title only.

Assistant Director of Planning, Zoning and Building Bergman presented staff comments.

Council Member Pro Tem Zeidman called for public comment. There

were no comments heard at this time.

Motion was made by Council Member Araskog, and seconded by Council Member Crampton, to approve Ordinance 03-2020 on first reading by title only. On roll call, the motion carried unanimously 5-0.

X. COMMENTS OF TOWN COUNCIL MEMBERS

Clerk's note: This item was moved up in the agenda under Item III, Comments of the Mayor.

XI. ADJOURNMENT

The meeting was adjourned at 12:24 p.m. without the benefit of a motion and roll call.

APPROVED:

Danielle H. Moore, Town Council President

ATTEST:

Kelly Churney, Administrative Specialist

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of January 29, 2020.

Presenter

Wayne Bergman, Acting Director of Planning, Zoning & Building

ATTACHMENTS:

- **Memorandum Dated February 5, 2020 from Wayne Bergman, Acting Director of Planning, Zoning and Building**
- **Minutes of the Architectural Review Commission Meeting of January 29, 2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 11, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: Approval of the Architectural Commission Meeting Minutes of January 29, 2020

Date: February 5, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of January 29, 2020.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items that were considered at the regularly scheduled meeting of January 29, 2020.

GENERAL INFORMATION

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

Attachment

kmc



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, JANUARY 29, 2020

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

I. **CALL TO ORDER**

Mr. Vila called the meeting to order at 9:00 a.m.

II. **ROLL CALL**

Robert J. Vila, Chairman	PRESENT
Michael B. Small, Vice Chairman	PRESENT
Robert N. Garrison, Member	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT
John David Corey, Member	PRESENT
Nikita Zukov, Member	PRESENT
Betsy Shiverick, Alternate Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT

Staff Members present were:

Josh Martin, Director of Planning, Zoning and Building

Kelly Churney, Secretary to the Architectural Review Commission

III. **PLEDGE OF ALLEGIANCE**

Chair Vila led the Pledge of Allegiance.

IV. **APPROVAL OF THE MINUTES FROM THE DECEMBER 13, 2019 MEETING**

Motion made by Mr. Small and seconded by Mr. Garrison to approve the minutes from the December 13, 2019 meeting. Motion carried unanimously.

V. **APPROVAL OF THE AGENDA**

Motion made by Mr. Ives and seconded by Mr. Corey to approve the agenda as presented. Motion carried unanimously.

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

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

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

Harvey Kinzelberg, 260 N. Ocean Blvd., expressed his concerns and frustrations regarding the elimination of the fence and wall between his property and 111 Atlantic Avenue. Mr. Kinzelberg also expressed frustrations for the many staff approvals that had been granted but were not reviewed by the Commission, particularly since they affected his property.

Mr. Martin stated staff had been working with both neighbors on a compromise and recommended that the Commission allow staff to continue the discussions to find a resolution. Mr. Martin stated that staff would update the Commission at their February meeting.

Mr. Garrison sympathized with Mr. Kinzelberg and stated he is living between two construction sites. He questioned why the construction continued when the item had been eliminated from the approved ARCOM plan. Mr. Martin responded. Mr. Garrison inquired why the changes were staff approved and did not return to the Commission. Mr. Martin stated all changes are reviewed on a case by case basis. Mr. Garrison stated he firmly believed a wall between two properties should return to the Commission for review.

Mr. Vila agreed with Mr. Garrison.

Motion made by Mr. Small and seconded by Mr. Garrison that staff will thoroughly review this item and will report back to the Commission, with the item on the agenda for action at the February 26, 2020 meeting.

Mr. Kinzelberg disagreed with Mr. Martin's assessment. Mr. Martin stated he would be happy to review the plans with Mr. Kinzelberg.

Motion carried unanimously.

VIII. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**

Mr. Ives requested staff look into the different colored street lights on Royal Poinciana Way.

Mr. Small thanked Mr. Martin for his service to the Town and wished him the best in his new position.

Mr. Floersheimer expressed concern for sight visibility leaving Seabreeze Avenue onto S. County Road and requested that staff look into this issue.

IX. **PROJECT REVIEW**

A. DEMOLITIONS AND TIME EXTENSIONS

B-005-2020 Demolition

Address: 425 Seabreeze Avenue

Applicant: Henry and Mary Wulsin

Professional: Roger Hansrote

Project Description: Demolition of single family residence.

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

Mr. Hansrote presented the demolition plans for the existing residence.

Mr. Vila inquired if a new replacement home had been designed. Mr. Hansrote stated the owners were still considering their options but nothing had been finalized.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Jamie Crowley, attorney for the applicant, agreed to the easement.

Mr. Small asked if the applicant was aware of the screening requirements during demolition. Mr. Crowley stated they would comply with the requirements.

Adam Mills, Environment Design Group, discussed the landscape and hardscape plans proposed for demolition.

Mr. Vila asked about the tree on the southeast corner of the property. Mr. Mills stated he did not know the species of the tree. Mr. Vila suggested keeping the tree.

Mr. Corey agreed with Mr. Vila and thought the tree should remain. He added that the tree was mislabeled on the plans. Mr. Corey suggested speaking to the University of Florida to determine the species of the tree.

Mr. Floersheimer inquired about the addition of fill proposed. Mr. Mills provided an explanation for the fill.

Mr. Ives asked for the percentage of lot coverage of the existing home. Mr. Hansrote responded.

Mr. Corey suggested adding a nicer landscaped border if the lot would sit empty for several months. Mr. Crowley stated there was no plans for immediate demolition but he would consider Mr. Corey's suggestion.

Mr. Vila expressed concern for the loss of the older homes with gardens in which they are replaced with large homes that cover the majority of the lot.

Ms. Catlin expressed a sadness for the loss of the home.

Mr. Floersheimer pointed out that with the demolition, the owner would lose the ability to build the guest house in the same location without a variance.

Motion made by Mr. Corey and seconded by Mr. Garrison to defer the project for one month to allow the professionals to return with a landscape plan that shows a nice, vegetated border.

Mr. Crowley stated that he believed that they met all of the requirements for the demolition application. He added that he did not believe the application should be deferred.

Motion carried 6-1, with Mr. Vila opposed.

A discussion ensued about the motion.

Mr. Vila stated he would like to change his vote and vote in favor of the motion.

Motion carried 7-0.

B. MAJOR PROJECTS – OLD BUSINESS

B-063-2019 New Construction

Address: 220 Brazilian Avenue

Applicant: PBROC Limited Partnership

Professional: Patrick Ryan O'Connell Architect, LLC

Project Description: Proposed construction of a new two-story, two-family residential structure, including new pools, hardscape and landscape.

At the September 25, 2019 ARCOM, meeting the project was deferred for one month to October 30, 2019 for restudy. At the October 30, 2019 meeting, the project was deferred to the November 22, 2019 meeting, for a restudy in accordance with the comments of the Commissioners, specifically the comments relating to the mass of the structure. A motion carried at the November 22, 2019 meeting to approve the project with the caveat that the following items would return to the January 29, 2020 meeting: the colors for the residences, the lanterns, the front site walls and vehicular gates.

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

Mr. O'Connell presented the colors and materials that were requested to return at the November meeting.

Ms. Grace stated she preferred a gate that allowed more interaction with the street. She also thought the colors were drab and unfriendly and thought a brighter color would add to the overall look of the home.

Mr. Corey agreed with Ms. Grace wholeheartedly. He expressed concern with the gates and thought they vehicular gates were too wide. He added the only new item that he could support were the new lanterns.

Ms. Shiverick agreed with Ms. Grace and Mr. Corey. She recommended a pale pink for the body of the building. She also was not in favor of the gate.

Mr. Vila agreed with all of the other Commissioners. He thought the street could use some color.

Motion made by Mr. Corey and seconded by Mr. Small to approve the new lanterns proposed but to defer the gate and color of the home for one month, to the February 26, 2020 meeting. Motion carried unanimously.

B-069-2019 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 977 South Ocean Boulevard

Applicant: 195 PHESTEN ASSOCIATES, LLC (RUSTY & ASHLEY HOLZER)

Professional: Studio SR Architecture

Project Description: Demolition of existing 1-story wood frame house, and construction of a contemporary 1 & 2-story residence.

ZONING INFORMATION: A request for Special Exception with Site Plan Review to allow the construction of a 6,546 square foot two-story residence on a non-conforming lot that is 76.5 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning district and 12,813 feet in area in lieu of the 20,000 square foot minimum area required in the R-A Zoning district (Section 134-840 & 134-893(c)). The following variances are also being requested:

1. Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 21.2 feet in lieu of the 35-foot minimum required in the R-A Zoning District.
2. Section 134-843(a)(5) and (9): A request for a variance to allow the proposed residence to have a rear setback of 9 feet in lieu of the 15 foot minimum required in the R-A Zoning District which includes the balconies which extend 3 feet from the building in lieu of the 2' foot maximum allowed.
3. Section 134-1757: A request for a variance to allow the proposed residence to have a swimming pool rear setback of 5.3 feet in lieu of the 10-foot minimum required in the R-A Zoning District.
4. Section 134-843(a)(11): A request for a variance to allow the proposed residence to have a Lot Coverage of 33.32% in lieu of the 25% percent maximum allowed in the R-A Zoning District.
5. Section 134-843(a)(6)b: A request for a variance to allow the proposed residence to have an Angle of Vision of 136 degrees in lieu of the 116 degrees maximum allowed in the R-A Zoning District.
6. Section 134-843(a)(7): A request for a variance to allow the proposed residence to have a Building Height Plane setback range of 21.2' to 29.9' in lieu of the range of 35' to 42' 11 1/4" minimum required in the R-A Zoning District for this proposed house.

At the October 30, 2019 ARCOM meeting, the demolition of the existing home was approved; however, the proposed new home was deferred to the December 13, 2019 meeting with direction to restudy the project per the comments made by the Commission members. A motion carried at the December meeting to defer the project to the January 29, 2020 meeting at the request of the applicant.

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

Maura Ziska, attorney for the owners, stated that many of the variances had been eliminated or reduced and thought that was important to note. She stated that the architects would review these changes during their presentation.

Rafael Saladrigas, Studio SR Architecture, presented the architectural changes proposed for the new residence. He presented alternate renderings on the overhead projector.

Ms. Ziska further addressed the changes to the zoning requests and how they had worked to address the concerns of all of the neighbors. She advocated for an approval of the project.

Mr. Vila inquired about the approach to the garage. Mr. Saladrigas asked Keith Williams respond to the question.

Keith Williams, Nievera Williams Design, presented the modified plans for the landscape and hardscape. He presented alternate plans and renderings on the overhead projector.

Frank Lynch, attorney for the owners at 1020 S. Ocean Blvd., expressed concerns and objections to the proposed new residence.

John Eubanks, attorney for Bill Koch at 960 S. Ocean Blvd., acknowledged that the revised plans were substantially improved. However, he discussed some remaining concerns for the proposed new residence.

Bill Rollnick, 980 S. Ocean Blvd., stated that they had not seen any of the new plans proposed for the new residence.

Stephanie Conrad, 995 S. Ocean Blvd., requested to see the new plans but had not seen anything before the meeting. She also requested that the palms on the beach side were saved.

Mr. Saladrigas stated that he tried on three occasions to reach out to Ms. Conrad but was unsuccessful. Mr. Saladrigas stated Mr. and Mrs. Rollnick had retained Attorney Harvey Oyer, who had been updated with all of the changes.

Mr. Vila inquired about the plan for the palms raised by Ms. Conrad. Mr. Williams stated he would keep and relocate them on the property.

Mr. Corey inquired about Mr. Saladrigas' statement that they would build the house to Code. Mr. Saladrigas stated that statement applied to the finished floor. Mr. Corey thought the proposed home did not look like a beach house. He thought the home was too tall, too wide, too close to the road and water. He added that the home should be built without any variances.

Mr. Small thought with more time, some of the issues raised by the neighbors could be resolved. Mr. Small stated he had problems with the loggia. He also agreed with Mr. Corey that a beach house style would be more appropriate. He thought the house would appear too tall from both the ocean and the street. Mr. Small also expressed concern with the driveway layout.

Mr. Garrison's concerns were the driveway entrance and exit. He asked for clarification on the two motor courts proposed. He stated he was also troubled by the number of variances requested.

Ms. Shiverick agreed with Mr. Corey and thought the application should be denied. She thought the owner and architect should comply with the restrictions of the lot.

Mr. Saladrigas was startled that the Commission did not acknowledge that the existing lot was non-conforming.

Ms. Catlin was in favor of the house but not on the proposed lot. She also expressed concern for the number of variances proposed. She thought the new home should be designed for the lot, with minimal variances if any.

Ms. Grace appreciated the changes that had been made. She requested more changes to comply with the zoning restrictions.

Mr. Floersheimer agreed with Mr. Corey and Ms. Shiverick. He appreciated the changes that had been made but thought the variances requested were too substantial.

Mr. Saladrigas stated he wished these comments had been raised at the last meeting in November before considerable work on the project had been completed.

Motion made by Mr. Small to defer the project for two months, to the March 25, 2020 meeting, for significant restudy with consideration of the comments from the Commissioners.

Mr. Vila suggested that the architect consider a possible remodel of the existing home since it would potentially offer different circumstances and possibilities.

Motion restated by Mr. Small and seconded by Ms. Grace to defer the project for two months, to the March 25, 2020 meeting, for significant restudy with consideration of the comments from the Commissioners and to work with the neighbors and their concerns. Motion carried 6-1, with Mr. Corey opposed.

Mr. Saladrigas asked for clarification on the motion. Mr. Small stated that he should review all of the comments stated in the record.

Clerk's note: A short break was taken at 10:39 a.m. The meeting resumed at 10:54 a.m.

B-076-2019 Additions & Modifications

ARCOM TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 1305 North Ocean Way

Applicant: 1305 N Ocean Way LLC

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Approximately 700 square-foot master bedroom second-story addition and 200 square-foot first floor loggia. Some fenestration changes. Final landscape and hardscape to be included. All other associated changes.

ZONING INFORMATION: A request for variance approval to construct a 700 square-foot second floor addition on the northeast side of the existing house with a side yard setback of 13.58 feet in lieu of the 15 feet minimum required.

A motion carried at the December 13, 2019 meeting to defer the project to the January 29, 2020 meeting for restudy.

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

Mr. Segraves presented the architectural changes proposed for the existing residence. Mr. Segraves presented samples of the proposed materials.

Che Wei Kuo, Fernando Wong Outdoor Living Design, presented the proposed landscape and hardscape plans for the existing residence. He presented a sample of the proposed materials.

Ms. Shiverick inquired about the interior stairs leading to the master bedroom and wondered if the bedroom could be on one level. Mr. Segraves explained the multiple levels in the existing home and explained the design.

Mr. Small inquired if the area had underground utilities. Mr. Segraves indicated there was a designated spot for the transformer on the plans.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Segraves agreed to the easement.

Mr. Corey stated he thought a cross section through the garage and kitchen of the addition as well as a 3D image of the addition would have been helpful to the Commission. He added that he believed the variance was minor and could support the request. Mr. Corey suggested cleaning up the windows on second floor but added he could support the project.

Ms. Grace was thankful the owner was renovating the home rather than building a new home. She thought the changes were positive.

Ms. Catlin thought the changes were nice and was also in favor of the renovation rather than demolishing the home. She thought the proposal had charm and the beach house feel remained.

Motion made by Mr. Garrison and seconded by Ms. Grace to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

A second motion made by Mr. Small and seconded by Mr. Garrison that implementation of the proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously.

Mr. Corey added that he was very in favor of the landscape and hardscape plan.

C. MAJOR PROJECTS – NEW BUSINESS

B-002-2020 Demolition/New Construction

Address: 217 Mockingbird Trail

Applicant: Kathleen Carbonara & John Verbockel

Professional: Donald Stanley Dixon/S. Stanley Dixon Architect

Project Description: Demolition of existing one-story residence, pool and hardscape. Construction of a new two-story residence and pool. Final landscape and hardscape.

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

Mr. Dixon presented the plans and photos of the existing residence proposed for demolition.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Dixon agreed to the easement.

Motion made Mr. Small and seconded by Mr. Garrison to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire perimeter during demolition and the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Dixon presented the architectural plans proposed for the new residence. He presented material samples proposed for the new residence.

Mr. Zukov expressed concern with the number of items proposed for the front façade. Mr. Dixon explained the reason for the design. Mr. Zukov inquired about the balcony design on the second floor, north elevation. Mr. Dixon confirmed it would meet Code.

Ms. Catlin was happy to see that the charming, existing home would be replaced with a new home that had whimsy and charm as well. She was in favor of the proposal.

Mr. Floersheimer inquired about the door on the second floor (art room). Mr. Dixon explained the reason for the design.

Mr. Vila thought the home was charming and a great scale.

Mario Nievera, Nievera Williams Design, presented the proposed landscape and hardscape plans for the new residence.

Mr. Small asked about the amount of landscaping to be saved and inquired about the plan for the existing landscape. Mr. Nievera explained his plan to save the existing vegetation.

Ms. Grace stated that the home was very charming. She inquired about the native landscaping proposed. Mr. Nievera confirmed that they were meeting the native requirement. Ms. Grace thought that the stone wall detracted from the beauty of the home. She also recommended using ground cover that did not require fertilizer.

Mr. Floersheimer thought the coral wall would be appropriate.

Mr. Corey asked to see the location of the native plant locations. Matt Jackman, Nievera Williams Design, explained how the native plants were calculated. A

discussion ensued on the native plants and their locations. Mr. Corey stated he could not support the landscape plan without reconsideration of the native component.

Ms. Shiverick thought the project was very successful and a wonderful collaborative effort.

Mr. Vila agreed with Ms. Shiverick. He thought the landscaped trellis proposed on the chimney on the front wall of the home was superfluous. He requested more clarification on the native landscaping.

Mr. Garrison commended the architect on the project on a great project. He agreed with Mr. Vila that the trellis proposed on the front façade chimney detracted from the design.

A second motion made by Mr. Garrison and seconded by Mr. Small to approve the project as presented with the following caveats: the native landscape list is submitted to staff who will verify that the native requirement will be met and that the trellis proposed for the front façade chimney is removed. Motion carried unanimously.

B-004-2020 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 137 Dunbar Road

Applicant: Cheryl and Ken Endelson

Professional: Roger Janssen/Dailey Jansen Architects

Project Description: Demolition of a two-story residence, guest house, pool, landscape and hardscape. New construction of a two-story residence, pool, hardscape and landscape.

ZONING INFORMATION: A request to build a 7,873 square foot (under air) two (2) story single family home with a variance to allow the point of measurement for calculating the maximum cubic content ratio (CCR) to be at 12.7' NAVD in lieu of 11.7' NAVD required by code.

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

Mr. Janssen explained the proposed plans for the demolition of the existing residence, guest house, landscape and hardscape.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Janssen agreed to the easement.

Motion made by Mr. Small and seconded by Mr. Garrison to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire

perimeter during demolition and the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Janssen explained the proposed variance and the reason for the request.

Mr. Small requested to see the architectural plans proposed for the new residence before any motion was made on the variance request.

Mr. Janssen presented the proposed architectural plans for the new residence.

Ms. Grace thought the style proposed for the new home did not fit into the neighborhood. She expressed concerns for some of the design elements, such as the windows and roof. She inquired about the lot coverage proposed. Mr. Janssen responded. She thought the proposed home was boxy and did not fit into the neighborhood.

Ms. Shiverick stated she liked much of the design but suggested adding more perforation in the front entrance design. She also suggested using a lighter roof color and a lighter trim.

Mr. Ives agreed with Ms. Shiverick and was in favor of much of the design. He questioned the overhangs proposed in the Newell Jacobsen style chosen. Mr. Janssen further explained his design.

Mr. Garrison was in favor of the home but agreed with Mr. Shiverick on the colors for the roof and thought it should be lighter.

Ms. Catlin also agreed with Ms. Shiverick and added that she was in favor of the way the home was positioned on the site.

Mr. Corey thought many elements of the home were successful but expressed concern for the front façade and front door, which he believed were too heavy. He expressed concern for the dark metal roof and glass railings. He stated he wished the home had some of the details from the surrounding homes and thought the colors were cold for the area.

Mr. Small agreed with Mr. Corey and Ms. Grace. He questioned whether the home was in harmony and in character with the other homes in the area.

Mr. Floersheimer was in favor of the design. He asked for clarification on the pergola design. Mr. Janssen provided clarification on the design.

Mr. Vila thought the design was too dissimilar for the area. He was not in favor of the black roof proposed and thought the home was stark. He did not feel the design was befitting in Palm Beach.

Mr. Janssen provided further explanation for the design style proposed.

Ms. Grace thought the proposed overhangs detracted from the style and questioned whether some of the design elements were befitting of the area.

A discussion ensued about whether the style would fit in the area and what style was appropriate for the area.

Robert Harvey, 160 Dunbar Rd. and speaking on behalf of some of the neighbors on Dunbar Road, expressed concern that the proposed home was dissimilar to the others on the street. He also requested that the home would not increase in size.

Motion made by Mr. Zukov to approve the project as presented with the caveat that the roof and gate color is lighter than the proposed.

Mario Nievera, Nievera Williams Design, presented the proposed landscape and hardscape plans for the new residence.

Mr. Corey thought the architecture should be deferred as well as the landscape plan. Mr. Corey suggested adding variety to the landscape plan.

Mr. Zukov thought the landscaping added to the uniqueness of the architecture and was in favor of both of the plans.

Motion seconded by Mr. Garrison. Motion failed 2-5, with Messrs. Small, Vila, Ives, Corey and Ms. Grace opposed.

Mr. Corey added that the gate design should be restudied.

Motion made by Mr. Corey and seconded by Mr. Small to defer the project for one month, to the February 26, 2020, for restudy. Motion carried unanimously.

Mr. Janssen inquired if the variance request could be addressed. Mr. Vila stated that it would be addressed next month.

D. MINOR PROJECTS – OLD BUSINESS

A-031-2019 Signage

Address: 221-231 Royal Poinciana Way & 216 Sunset Avenue

Applicant: Flagler Holdings North Carolina, Inc.

Professional: RGE Associates/Breakers

Project Description: Plaza directional and wayfinding signage for Via Flagler at The Breakers, including building signage for building 3 restaurant.

A motion carried at the December 13, 2019 meeting to defer the project to the January 29, 2020 meeting for restudy.

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

Paul Leone, Chief Executive for The Breakers, presented the modifications made to the proposed signage for Via Flagler. He stated that Mr. Zukov suggested changes to the Henry's signage, which he agreed with and added he would follow through with those changes.

Ms. Grace inquired if the number of signs were reduced. Mr. Leone stated that one of the signs had been eliminated. Ms. Grace was not in favor of the back lighting.

Ms. Catlin thanked Mr. Leone for the changes to the signage. She agreed with Mr. Zukov's suggested. She appreciated most of the changes but stated she was not in favor of the wrought iron signage that connected the buildings.

Mr. Ives asked for clarification on the lighting proposed for the signage.

Rebecca Porter, RGE Associates, explained the proposed lighting for the signage.

Mr. Ives was in favor of the project.

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

Mr. Corey asked for clarification of the lighting. Ms. Porter responded.

Motion seconded by Mr. Small. Motion carried unanimously.

Mr. Leone requested approval of the temporary signage. He showed the Commission the temporary signage proposed.

A second motion made by Mr. Garrison and seconded by Mr. Ives to approve the temporary signage proposed. Motion carried unanimously.

Ms. Shiverick asked Mr. Leone for further clarification on the directional signage. Mr. Leone responded.

A-033-2019 Statue with Lighting

Address: 1960 South Ocean Boulevard

Applicant: 1960, LLC

Professional: Daniel Downey Architect

Project Description: To install a stature of a horse 8'-0" and 9'-0" long on the east lawn 35 feet behind the existing east property line.

A motion carried at the December 13, 2019 meeting to defer the project to the January 29, 2020 meeting to restudy the placement of the statue.

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

Maura Ziska, attorney for the owner, explained the project, including the installation of the horse statue, the increase in the site wall, the exterior lighting and the Padel court.

Mr. Small expressed concern that the horse statue would be a distraction for the public as they drive past the residence.

Mr. Downey stated that the owner was willing to make the necessary changes to allow the statue while accommodating the Commissions' wishes.

Ms. Catlin stated she had the same concern for the distraction that the statue may cause. She asked about the location of the Padel court and the setbacks. Mr. Downey explained the location of the Padel ball court. Ms. Catlin thought the site was tight in the proposed location of the court. Ms. Catlin inquired if the Commission was willing to approve faux turf. She questioned whether the lighting would be a distraction for the public as well as the turtles.

Mr. Martin stated that the Code was silent on Padel courts but the Commissioners could follow the standards of tennis courts. He also stated that if the Commission would like to apply new standards to Padel courts, they should do so with this proposal.

Ron Rickert, Intelae Architecture, explained the design of the Padel court. He also stated an additional hedge could be added in front of the court to provide a buffer to the street.

Mr. Ives shared the concerns of Ms. Catlin regarding the tightness of the location with the addition of the proposed Padel court. Mr. Ives expressed some concern with the location of the proposed statue. He inquired about the lighting scheme proposed. Mr. Downey responded.

Mr. Vila clarified the exterior lighting proposal.

Mr. Corey thought the exterior lighting and horse statue were acceptable. He stated he would like to see a landscape plan, screening plan and setback plan for the Padel court brought back.

Ms. Shiverick stated she agreed with Mr. Corey and would like more information on the Padel court.

Ms. Grace suggested moving the statue on the lake side of the home. Mr. Downey stated the owner preferred the statue in the proposed location.

Mr. Floersheimer thought if the wall was raised by one foot and additional planting was installed, the screening would be acceptable.

Ms. Catlin stated she would like the Commission to weigh in on the proposed faux turf for the Padel court. Mr. Vila questioned if the Commission had a right to weigh in on the issue since the Padel court was an enclosed space.

Ms. Ziska stated that they would review other options and locations for the Padel court.

Motion made by Mr. Small and seconded by Mr. Garrison to approve the installation of the proposed horse statue, subject to the statue being completely screened from the roadway with an elevated wall and/or hedge, with the material to be maintained while the statue is in place, and with any changes returning to the Commission, approval of the proposed lighting and a deferral of the Padel court to the February 26, 2020 meeting. Motion carried 5-2, with Mr. Ives and Ms. Grace opposed.

E. MINOR PROJECTS – NEW BUSINESS

A-001-2020 Modifications

Address: 221 Ocean Terrace

Applicant: Amin Khoury

Professional: Rex Nichols/Rex Nichols Architects Inc.

Project Description: 183 square feet is being added to the master bedroom. The summer kitchen is being updated. Some new doors and windows will be replaced. The roof over the garage shall be converted to a flat roof deck.

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

Mr. Nichols explained the proposed architectural changes to the existing residence.

Mr. Corey thought that the character was being removed from the home with the proposed changes. Mr. Nichols responded.

Ms. Shiverick wished the architect brought photographs of the existing home and thought the changes were dramatic. She stated she could not make a decision without seeing the existing home.

Mr. Vila said the existing home had no defining features and he was in favor of modernizing the home.

Ms. Catlin stated she preferred the existing over what was being proposed. She was in favor of updating the home but liked the charm of the existing home. She added that the changes removed the detail from the home. Mr. Nichols responded. Ms. Catlin stated there was not enough information on the changes to make a determination.

Mr. Vila stated that he could support the fenestration changes but took issue with the redwood stained fencing around the proposed.

Mr. Zukov thought the presentation was a schematically preliminary presentation. He stated that there was not enough details in the presentation to make a decision.

Mr. Nichols stated that the fencing had been staff approved. He was only seeking an approval of the renovation of the home.

Mr. Martin recommended bringing all of the items back as a major project so that the neighbors were served notice of the project. The Commission agreed with Mr. Martin's recommendation.

Motion made by Mr. Small and seconded by Mr. Corey to defer the project for restudy and that all of the aspects of the renovation, to include more details, were brought back as a major project. Motion carried unanimously.

Ms. Grace stated she liked the direction that of the changes.

X. **DISCUSSION ITEM**

1. Historic Building Ordinances – Wayne Bergman

Mr. Martin stated that staff would like to defer this item to the February 26, 2020 meeting.

XI. **ADDITIONAL COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

There were no comments heard at this time.

XII. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

Mr. Martin stated that Ms. Shiverick declared a conflict for the project B-075-2019, 120 Algoma Road at the December 13, 2019 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Vila thanked Mr. Martin and expressed regret that he would no longer be working in the Town.

Mr. Small planned a luncheon during the February 26, 2020 meeting to honor the outgoing Architectural Review Commissioners.

Ms. Catlin discussed some upcoming changes in the ICC 2020 Code. She also announced some upcoming CEU opportunities on February 27, 2020.

XIII. **ADJOURNMENT**

Motion made by Mr. Ives and seconded by Mr. Small to adjourn the meeting at 1:25 p.m. Motion carried unanimously.

The next meeting will be held on Wednesday, February 26, 2020 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

Robert J. Vila, Chairman
ARCHITECTURAL COMMISSION

kmc

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 02-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Resolution for a Change Order to Address Current Overage of \$39,817 and Close Out Costs of \$46,260 Associated to Construction/Engineering Services with Chen-Moore and Associates for the Worth Avenue Infrastructure Improvements.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum Dated February 3, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 02-2020**
- ▣ **Close Out Proposal**

Information for Town Council Meeting on February 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, Director of Public Works

RE: Resolution Approving a Change Order to Address Current Overage of \$39,817 and Close out Costs of \$46,260 Associated to Construction/Engineering Services with Chen-Moore for the Worth Avenue Infrastructure Improvements - Resolution No. 02-2020

DATE: 3 February 2020

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 02-2020, for a change order to address current overage of \$39,817 and close out costs of \$46,260 associated to construction/engineering services with Chen-Moore and Associates for the Worth Avenue Infrastructure Improvements.

SUMMARY EXPLANATION/BACKGROUND

On September 10, 2019, Resolution No. 2019-08 was presented to Town Council for approval to terminate the Construction Contract with C&W Pipeline and Award to Johnson-Davis to complete the project for the Worth Avenue Infrastructure Improvements.

When the resolution was approved to terminate the original contractor, and award to Johnson-Davis Construction to complete the project, a formal request to extend the award for Construction/Engineering Management Services to Chen-Moore was not put forth, which was an oversight.

The Town had additional costs associated to oversight of the original contractor, documentation of the short comings associated to the construction project which were used in the settlement discussions with the terminated contractor and the Town Attorney.

Due to the change of contractors, the Worth Avenue Infrastructure Project has taken an additional six months to complete. This has required additional oversight from Chen-Moore and Associates to allow the Infrastructure Project to be completed to the expectations of the Town.

FISCAL IMPACT/FUNDING SOURCE

The current project budget has existing funding.

FINANCE REVIEW

The Finance Director has reviewed the Fiscal Impact/Funding Source and is in full concurrence with this recommendation.

TOWN ATTORNEY REVIEW

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

CC: Jay Boodheshwar, Deputy Town Manager
 Jane LeClainche, CPA, Finance Director
 Patricia Strayer, P.E., Town Engineer
 Jason Debrincat, P.E., Town Engineer
 Dean Mealy, II Town Purchasing Manager

RESOLUTION NO. 02-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A RESOLUTION FOR A CHANGE ORDER TO
ADDRESS CURRENT OVERAGE OF \$39,817 AND CLOSE OUT
COSTS OF \$46,260 ASSOCIATED TO
CONSTRUCTION/ENGINEERING SERVICES WITH CHEN-
MOORE AND ASSOCIATES FOR THE WORTH AVENUE
INFRASTRUCTURE IMPROVEMENTS.**

WHEREAS; Town Council authorization is sought to approve a change order to address current overage of \$39,817 and close out costs of \$46,260 associated to Construction/Engineering Services with Chen-Moore for the Worth Avenue Infrastructure Improvements.

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The approval of a resolution for a change order to address current overage of \$39,817 and close out costs of \$46,260 associated to the Construction/Engineering Services with Chen-Moore and Associates for the Worth Avenue Infrastructure Improvements is hereby approved.

Section 2. The Town Manager, or his designee, is hereby authorized to take such further action as may be necessary.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of February, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk



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Approved
DKS
1-31-2022

January 31, 2020

SENT VIA EMAIL
(DBasha@TownofPalmBeach.com)

Duke Basha
Assistant Purchasing Manager
Town of Palm Beach
Purchasing Division
360 S. County Road
Palm Beach, FL 33480

**Subject: WORTH AVENUE - CONSTRUCTION SERVICES
POST-UTILITY CONSTRUCTION PHASE SERVICES
CMA Proposal: P20.431**

Dear Mr. Basha:

Chen Moore and Associates (CMA) is pleased to submit the attached Agreement for Professional Services and Scope to provide construction oversight associated with the Worth Avenue Infrastructure Improvements Project supporting the asphalt paving, concrete flatwork and other restoration activities that remain since Johnson-Davis completed the installation of the underground utilities throughout the corridor. The previous construction services proposal assumed that the effort to construct the underground utilities and to perform all restoration would be completed by the end of calendar year 2019. However, due to failures in the water main constructed by a non-performing Contractor, the duration of the schedule lengthened and the need for additional oversight was evident. This proposal defines the scope of work, schedule, and compensation for the construction services associated the post-utility construction phase.

I. SCOPE OF SERVICES

The Scope of Services is comprised of the following tasks:

- Task 13.1 – Post-Utility Construction Progress Meetings**
- Task 13.2 – Post-Utility Construction Inspections and Oversight**
- Task 13.3 – Substantial and Final Walk-Through and Project Close-out**

Below is a description of the services included with each of these essential tasks:

Task 13.1 – Post-Utility Construction Progress Meetings

During post-utility construction and restoration CMA will facilitate progress meetings to review project progress and discuss any concerns. All meetings are assumed to be one hour in length. CMA will provide a sign-in sheet, agenda and summary for each meeting. Progress Meetings will be attended by one (1) staff members from CMA: the Project Director (Engineer of Record). Given the predicted eight (8) week construction duration and ten (10) week closeout duration, it is assumed that meetings will be weekly during construction and as needed during close-out for a total of twelve (12) progress meetings. It is assumed that no separate or additional meetings beyond progress meetings will be required with other residents, stakeholders or utility providers.

Task 13.2 – Post-Utility Construction On-Site Inspections and Oversight

During the construction of the project, a designate of the Engineer of Record will be routinely on-site to perform inspections and observation of the post-utility restoration work in progress. The objective of the site inspection is to assure the Engineer that the construction is being completed in substantial accordance with the contract documents. Additionally, there will be coordination between the Project Director and the Contractor's Project Manager and Construction Superintendent to assure field decisions follow the plans, specifications and overall project intent. This task is directly related to the ultimate Certification of Construction at the conclusion of the project and is only intended to provide information to the Engineer of Record.

For scoping purposes, it is assumed there will be three categories of CMA staff members performing site visits: Associate Engineer and Project Director (Engineer of Record). During construction activities it is assumed that the Associate Engineer will be on-site as often as twice per day to observe the Contractor, the Project Engineer will be on-site as often as once a day and the Project Director will be on-site or responding to calls and emails as needed. The hours assumed for CMA staff will be as follows:

- Associate Engineer (3 hours per day / 15 hours per week)
- Project Director (2 hours per day / 10 hours per week)

In addition to observing daily construction activities, 2 hours of Project Director and 6 hours of Associate Engineer per month will be allocated to the review and approval of Pay Requests from the Contractor. It is assumed that no more than four (4) payment applications will be submitted.

Task 13.3 – Substantial and Final Walk-Through and Project Close-Out

Near the conclusion of the construction phase, CMA will attend one Substantial Completion Inspection in order allow for Certification of Construction. The Engineer of Record, Project Engineer and Associate Engineer will attend the site meeting. Any punch-lists or correspondence related to the Substantial Completion Inspection will be forwarded to the Engineer of Record. One Final Completion walk-through will be held including the Engineer of Record, or his designate.

CMA will review as-built drawings prepared by others and provide comments and/or recommended corrections. The intent of this sub-task is to allow the Engineer of Record to assure himself that all aspects of the project were constructed in substantial conformance to the Plans and Specifications thereby allowing the certification of construction.

Upon completion of the Final Inspection CMA will issue a certificate that the project was completed in substantial accordance with the plans. The certificate will be signed and sealed by the Engineer of Record and delivered to the TOWN five (5) working days after the final set of as-builts are completed. In addition, the certification task will incorporate permit certification with PBCHD and close-out of water main related documentation with the City of West Palm Beach.

II. SCHEDULE

Construction is slated for January 20, 2020 to March 13, 2020
Close-out is anticipated from March 16, 2020 to May 1, 2020

III. EXCLUSIONS

The services outlined below are not included as part of the scope of work, although additional service agreements can be executed to assist the TOWN with these services if necessary:

- Topographic Surveys
- Underground investigations
- Community workshops
- Public Information Mailings
- Contract Interpretation
- Construction Document Reproduction
- Preparation of As-Built Plans

IV. COMPENSATION

CMA will be compensated for the services described on a time and material basis in an amount of **\$46,260** per attached Exhibit A.

Should you have any questions, please do not hesitate to contact me at my office at (561) 746-6900 x 1160, my cell phone at (561) 329-1797 or send me an electronic message at bwhitfield@chenmoore.com.

Respectfully submitted,



CHEN MOORE AND ASSOCIATES
Brent Whitfield
Director of Water Resources

Attachment(s): Exhibit A
Cc. Mike Roach - Town of Palm Beach

EXHIBIT A - FEE PROPOSAL
Town of Palm Beach
North Avenue - Construction Services: Post-Utility Construction Phase Services

Chen Moore and Associates Project # P20.431

	Senior CAD Technician	Clerical	Senior Designer	Associate Engineer	Project Engineer	Senior Project Manager	Project Director	Total
Hourly Rate	\$85.00	\$60.00	\$105.00	\$115.00	\$125.00	\$170.00	\$190.00	
TASK 13.1 – Post-Utility Construction Progress Meetings								
13.1.1 Progress Meetings (Up to 12)				24			12	\$5,040.00
Task 10 Total	\$0	\$0	\$0	\$2,760	\$0	\$0	\$2,280	\$5,040.00
TASK 13.2 – Post-Utility Construction Inspections and Oversight								
13.2.1 Onsite Inspections (Assume 8 weeks)				120			80	\$29,000.00
13.2.2 Review of Pay Applications (Assume 4)				24			8	\$4,280.00
Task 11 Total	\$0	\$0	\$0	\$16,560	\$0	\$0	\$16,720	\$33,280.00
TASK 13.3 – Substantial and Final Walk-Through and Project Close-Out								
13.3.1 Substantial and Final Completion Walk-Throughs				24			12	\$5,040.00
13.3.2 As-Built Review				8			4	\$1,680.00
13.3.3 Certification (Water/Sewer/Drainage/Paving)				4			4	\$1,220.00
Task 12 Total	\$0	\$0	\$0	\$4,140	\$0	\$0	\$3,800	\$7,940.00
TOTAL FEE								\$46,260.00

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 04-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Construction Service Agreement to Chen-Moore for the D16 and D18 Pump Station Rehabilitation Project in the proposed amount of \$137,846.00, and a project budget of \$158,522.00.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 30, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 04-2020**
- ▣ **Cost Proposal**

Information for Town Council Meeting on February 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution awarding a Construction Services Agreement to Chen-Moore for the D16/D18 Pump Station Rehabilitation Project in the proposed amount of \$137,846.00, and a project budget of \$158,522.00 - Resolution No. **04-2020**

DATE: 30 January 2020

STAFF RECOMMENDATION

Staff recommends Town Council approval of Resolution No. 04-2020, awarding a Construction Services Agreement to Chen-Moore for the D16/D18 Pump Station Rehabilitation Project in the proposed amount of \$137,846.00, and a project budget of \$158,522.00.

SUMMARY EXPLANATION/BACKGROUND

The Town identified the need for the rehabilitation of the D-16 and D-18 Pump Stations due to stations and equipment utilized to operate beyond their useful life. It was the intent of staff to recommend both an award of a contractor to perform the rehabilitation work, which included materials and the award of the Construction Service Agreement to Chen-Moore at the same time.

Invitation to Bid No. 2020-04 was issued for the rehabilitation of both stations. The low responsive, responsible bidder exceeded the engineer's opinion of cost for the project. Purchasing did request a Best and Final Offer which did not meet the expectations for an award recommendation.

An additional review of the original scope was completed and noted that the standardized pump manufacturer was not identified as part of the solicitation package. Public Works made a business decision to standardize to flygt pumps. Purchasing had approved the request to standardize based on service contracts and parts and the ability for mechanical staff to fully understand one pump for maintenance and station operations.

Based on the fact that bids exceeded the cost estimate, specific pump manufacturer was not clear, Purchasing recommended to Public Works that all bids be rejected.

The engineering staff in addition to the consultant, Chen-Moore, are exploring options for purchasing all pumps and control panels separate from a bid for the rehabilitation of the two

stations will enable the Town to leverage some value engineering and secure best pricing directly from the pump and control panel manufacturers.

The requirement to have the Construction Service Contract ahead of actual construction will aid in the scope of value engineering and the preparation for purchase of materials and a solid scope for the construction of the two stations.

USER DEPARTMENT CONCURRENCE

The Public Works Department has reviewed and is in full agreement with the Selection Committee Recommendation.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues.

TOWN ATTORNEY REVIEW

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

CC: Jay Boodheshwar, Deputy Town Manager
H. Paul Brazil, P.E., Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Brett Madison, Water Resource Division Manager
Mike Roach, P.E., Project Engineer
Duke Basha, Assistant Purchasing Manager

RESOLUTION NO. 04-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF A CONSTRUCTION SERVICE
AGREEMENT TO CHEN-MOORE FOR THE D-16 AND D-18
PUMP STATION REHABILITATION PROJECT IN THE
PROPOSED AMOUNT OF \$137,846.00 AND A PROJECT
BUDGET OF \$158,522.00.**

WHEREAS; Town Council authorization is sought to approve the award of a Construction Service Agreement to Chen-Moore for the D-16 and D-18 pump station rehabilitation project in the proposed amount of \$137,846.00 and a project budget of \$158,522.00.

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The award of the Construction Service Agreement to Chen-Moore for the D-16 and D-18 pump station rehabilitation project in the proposed amount of \$137,846.00 and a project budget of \$158,522.00 is hereby approved.

Section 2. The Town Manager, or his designee, is hereby authorized to take such further action as may be necessary.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of February, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

January 23, 2020

SENT VIA EMAIL
(DBasha@TownofPalmBeach.com)

Duke Basha
Assistant Purchasing Manager
Town of Palm Beach
Purchasing Division
360 S. County Road
Palm Beach, FL 33480

Subject: D16/D18 PUMP STATION REHABILITATION CONSTRUCTION SERVICES
CMA Proposal No. P19.431-006

Dear Duke:

Chen Moore and Associates (CMA) is pleased to submit the attached Agreement for Professional Services and Scope of Services to provide construction services associated with the D16/D18 Pump Station Rehabilitation Project. This proposal defines the scope of work, schedule, and compensation for the construction services associated with this project.

I. SCOPE OF SERVICES

The Scope of Services is comprised of the following tasks:

- Task 1.1** – Review and Approval of Shop Drawings and Technical Submittals
- Task 1.2** – Respond to Contractor Requests for Information (RFI's)
- Task 1.3** – Pre-Construction and Progress Meetings
- Task 2.1** – Onsite Inspections and Oversight
- Task 3.1** – As-Built Review
- Task 3.2** – Material Testing Review
- Task 3.3** – Certification
- Task 4.1** – Structural Construction Services (Reimbursable)
- Task 4.2** – Electrical Construction Services (Reimbursable)

Below is a description of the services included with each of these essential tasks:

TASK 1 – PRE-CONSTRUCTION SERVICES AND COORDINATION

- **Task 1.1 – Review and Approval of Shop Drawings and Technical Submittals.** For scoping purposes, it is assumed there will be up to 20 shop drawings and technical submittals by the CONTRACTOR that will require review by CMA. In addition, Structural, Electrical and Instrumentation and Controls (I&C) submittals will be reviewed by CMA's sub-consultants under Task 4, Reimbursables. The review will include comparison of the CONTRACTOR's submitted documents to the requirements of the Contract Documents. The review also includes up to one re-submittal review for correction and revision by the CONTRACTOR per submittal package. In addition, any substantial deviation from the project requirements will be documented and returned to the TOWN with instructions on how to proceed based on the severity and nature of the deficiencies encountered.
- **Task 1.2 – Respond to CONTRACTOR Requests for Information (RFIs).** CMA will answer and address the CONTRACTOR's Requests for Information (RFI) which requires interpretation of the plans. This task includes only those RFIs that are directly related to any original products prepared by CMA for the construction of this project and excludes interpretation of any documents originally created by the TOWN, the Contractor, or their sub-contractors and suppliers.
- **Task 1.3 – Pre-Construction and Progress Meetings.** At the outset of the project, CMA will facilitate and conduct a Pre-Construction Meeting with the TOWN and the CONTRACTOR to review critical elements of the project and review considerations with respect to schedule, working hours, maintenance of traffic, staging and communication. Once NTP has been issued, CMA will facilitate progress meetings twice a month to review project progress and discuss any concerns. All meetings are assumed to be one hour in length. CMA will provide a sign-in sheet, agenda and summary for each meeting. The Pre-Construction Meeting will be attended by two (2) staff members from CMA: the Project Director (Engineer of Record), Project Manager, and the Project Engineer. Depending on the content of the meeting, the Progress Meetings will be attended by up to two (2) staff members from CMA, the Project Manager and the Project Engineer. Given the predicted five (5) month construction duration, it is assumed that ten (10) meetings will be conducted biweekly. It is assumed that no separate or additional meetings beyond progress meetings will be required with other residents, stakeholders or utility providers.

TASK 2 – ONSITE INSPECTIONS AND OVERSIGHT

- **Task 2.1 – On-Site Inspections and Oversight.** During the construction of the project, a designate of the Engineer of Record will be routinely on-site to perform inspections and observation of the work in progress. The objective of the site inspection is to assure the Engineer that the construction is being completed in substantial accordance of the contract documents. This task is directly related to

the ultimate Certification of Construction at the conclusion of the project is only intended to provide information to the Engineer of Record.

For scoping purposes, it is assumed there will be three categories of CMA staff members performing site visits: Associate Engineer, Project Engineer, and Project Manager (Engineer of Record). This task does not include construction management services for the Structural and Electrical disciplines which are included under Task 4, Reimbursables. Construction activities for this work will likely be somewhat intermittent based on material deliveries and will include some weeks of mobilization and demobilization. Assumed hours per week for staff to observe the Contractor or respond to calls and emails are based on an average over assuming 20 weeks of inspections over a 5 month construction period. Actual inspection hours are likely to vary considerably based on the Contractors schedule. The hours assumed will be as follows:

- o Associate Engineer (9 hours per week)
- o Project Engineer (15 hours per week)
- o Project Manager (9 hour per week)

It is assumed that the time allocated for on-site inspections and oversight will also encompass several non-construction related coordination items, including the following:

- o Resident coordination
 - o Updates for TOWN Staff to include on the Town website
 - o Coordination with utility companies during construction
-
- **Task 2.2 – Review of Pay Applications.** The construction duration is anticipated to be 5 months. Additionally, 4 hours per month will be allocated to the review and approval of five (5) Pay Requests from the CONTRACTOR plus one (1) additional Pay Request for final completion and release of retainage.

This time allocation assumes work progresses on week days and during normal working hours.
 - **Task 2.3 – Substantial and Final Completion Walk-Throughs.** Near the conclusion of the construction phase, CMA will attend two (2) Substantial Completion Inspections (one for each site) in order to allow for Certification of Construction. The Engineer of Record, Project Engineer and Associate Engineer will attend the site meeting. Any punch-lists or correspondence related to the Substantial Completion Inspection will be forwarded to the Engineer of Record. Two (2) Final Completion walk-throughs (one for each site) will be held including the Engineer of Record, or his designate.

TASK 3 – PROJECT CLOSE-OUT

- **Task 3.1 – As-Built Review.** CMA will review as-built drawings prepared by others and provide comments and/or recommended corrections. The intent of this sub-task is to allow the Engineer of Record to assure himself that all aspects of the project were constructed in substantial conformance to the Plans and Specifications thereby allowing him to certify the construction.
- **Task 3.2 – Material Testing Review.** CMA will review material testing performed by the CONTRACTOR.
- **Task 3.3 – Certification.** Upon completion of the Final Inspection CMA will issue a certificate that the project was completed in substantial accordance with the plans. The certificate will be signed and sealed by the Engineer of Record and delivered to the TOWN five (5) working days after the final set of as-builts are completed.

TASK 4 – REIMBURSABLES

To assist CMA in construction management services, the sub-consultants who performed the structural design (Stanley Engineers) and the electrical and I&C design (C&W Engineers) have been included on the project team. These consultants will perform the services and fees included as Exhibits B and C.

II. SCHEDULE

Construction is slated for May 1, 2020 – October 31, 2020.

III. EXCLUSIONS

The services outlined below are not included as part of the scope of work, although additional service agreements can be executed to assist the TOWN with these services if necessary:

- Topographic Surveys
- Underground investigations
- Community workshops
- Public Information Mailings
- Contract Interpretation
- Construction Document Reproduction
- Preparation of As-Built Plans

IV. COMPENSATION

CMA will be compensated for the services described on a time and material basis in an amount of **\$137,846.00** per attached Exhibits A, B and C.

Mr. Duke Basha
RE: D16/18 Construction Services
Page 5 of 5

Should you have any questions, please do not hesitate to contact me at my office at (561) 746-6900 x 1160, my cell phone at (561) 329-1797 or send me an electronic message at bwhitfield@chenmoore.com.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Brent Whitfield", is positioned above the printed name.

CHEN MOORE AND ASSOCIATES
Brent Whitfield/ Senior Project Manager

Attachment(s): Exhibits A, B and C

Cc. Mike Roach - Town of Palm Beach

EXHIBIT A - FEE PROPOSAL
Town of Palm Beach
D16/D18 Pump Station Improvement, Construction Services

Chen Moore and Associates Project # P19.431-006

81

	Professional Staffing						Total
	Senior CAD Technician	Clerical	Senior Designer	Associate Engineer	Project Engineer	Senior Project Manager	Project Director
Hourly Rate	\$85.00	\$60.00	\$105.00	\$115.00	\$125.00	\$170.00	\$190.00

TASK 1 – Pre-Construction Services and Coordination

1.1 Review and Approval of Shop Drawings and Submittals (Up to 20)				20	10	4		\$4,230.00
1.2 Contractor RFI Responses				20	10	4		\$4,230.00
1.3 Pre-Construction and Progress Meetings					48	24	4	\$10,840.00

Task 1 Total	\$0	\$0	\$0	\$4,600	\$8,500	\$5,440	\$760	\$19,300.00
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TASK 2 – Onsite Inspections and Oversight

2.1 Onsite Inspections (Assume 20 weeks)				180	300	180		\$88,800.00
2.2 Review of Pay Applications (Assume 6)				6	12	6		\$3,210.00
2.3 Substantial and Final Completion Walk-Throughs (One Each Site)					32	16		\$6,720.00

Task 2 Total	\$0	\$0	\$0	\$21,390	\$39,000	\$31,620	\$0	\$98,730.00
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TASK 3 – Project Close-Out

3.1 As-Built Review				8	4		2	\$1,800.00
3.2 Material Testing Review				8	4		2	\$1,800.00
3.3 Certification				8	6		2	\$2,050.00

Task 3 Total	\$0	\$0	\$0	\$2,760	\$1,750	\$0	\$1,140	\$5,650.00
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TASK 4 – Reimbursables

4.1 Structural Construction Services (Stanley)								\$7,166.00
4.2 Electrical Construction Services (C&W)								\$7,000.00

Task 4 Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$14,166.00
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SUMMARY		Cost
TASK 1 – Pre-Construction Services and Coordination		\$19,300.00
TASK 2 – Onsite Inspections and Oversight		\$98,730.00
TASK 3 – Project Close-Out		\$5,650.00
TASK 4 - Reimbursables		\$14,166.00
TOTAL		\$137,846.00

EXHIBIT B

October 16, 2019

Michael Albert, PE
Senior Engineer
Chen-Moore & Associates
500 Australian Ave South, Suite 850
West Palm Beach, FL 33401

Town of Palm Beach - Pump Station D-16 & D-18 Retrofit – Post Design Services (Part 2)

Stanley Consultants Inc. is glad to submit to you this scope of work (SOW) and fee proposal for the Post Design Services of D-16 and D-18 Pump Station Retrofit Project for the Town of Palm Beach. It is our understanding that the Town of Palm Beach had shelved the project and now has brought back the project and is ready to go to construction. As part of the design phase of the project, Stanley Consultants provided the structural design. As part of this new work, Stanley Consultants will provide the structural post design services. At the request of the Town, this work will be split up into two parts. For Part 1, Stanley Consultants will provide the structural responds to pre-bid questions for the post design services (See Part 1 Proposal for details). For Part 2, Stanley Consultants will provide the remaining structural post design services as indicated in this proposal.

The SOW includes:

This task will include attend the pre-construction meeting, review and approve shop drawings and RFI's, attend one mid-construction meeting, and attend substantial completion/ walkthrough meeting. In addition, this task will include preparation of as-built drawings. As part of this task, it is assumed that there will be up to 3 shop drawing reviews, and 8 RFI reviews. This task will not include any work regarding permitting. If permitting assistance is required, this work will be considered as optional services. Any additional RFIs, bid questions, shop drawing reviews, or meetings outside of Part 1 and Part 2 Proposals will be considered additional services and will not be completed until a signed request is provided by Chen-Moore & Associates.

Deliverables to be Provided:

Shop Drawing reviews, RFI reviews and responses shall be delivered by PDF (electronic via e-mail) within 2 days of receipt. As-built drawings shall be delivered by (electronic via e-mail) within 5 days Chen-Moore & Associates request and after the contractor has submitted all construction variances.

Schedule:

Work on the project will begin upon receipt of Notice to Proceed (NTP) from the Chen-Moore & Associates. The above tasks will be delivered by Stanley Consultants within 120 Calendar days after NTP and at the time when Chen-Moore & Associates releases bid information.

Client to Provide:

- Any available information from the Town of Palm Beach and/ or the Contractor, including the all construction variances and manufactures product information. This information is needed for the development of the as-built drawings.

Method of Compensation:

The method of compensation shall be Time and Materials. See attachment for Basic Services. The total compensation for the Basic Services shall not exceed \$7,166.00. If you have any questions or require additional information, please feel free to contact us.

We look forward to working with you on this project.

Sincerely,



Luis J. Santana II, PE
Sr. Structural Engineer
Stanley Consultants, Inc.
1641 Worthington Road, Suite 400
West Palm Beach, FL 33409

santanaluis@stanleygroup.com
Office Ph: 561-584-8717

cc: Michael Penn (Stanley) and Brent Whitfield (CMA)

Fee Proposal Estimate - Town of Palm Beach - Pump Station Retrofit Fee Estimate for Post Design Services (Part 2)

Client: Chen-Moore & Associates - PM: Michael Albert

Task No.	Description	Santana, Luis		Smyth, Scott		Expenses	Total		Notes
		Senior Project Manager		Senior Designer					
		Rate	\$ 172	Rate	\$ 136		Hours	Fees	
		Hours	Subtotal	Hours	Subtotal				
1.0	Post Design Services								This task will include attend the pre-construction meeting, review and approve shop drawings and RFI's, approve contractor's pay apps, attend Mid construction meeting, and attend substantial completion walkthrough. In addition, this task will include preparation of As-built drawings a Min of 3 trips.
	Attend Pre-Construction Meeting	2	\$ 344		\$ -	\$ -	2	\$ 344	Assumes one trip, two hour meeting
	Review and Approve Shop drawings	6	\$ 1,032		\$ -	\$ -	6	\$ 1,032	Assumes 3 SD, 2 hrs each
	Review and Respond to RFIs	16	\$ 2,752		\$ -	\$ -	16	\$ 2,752	Assumes 8 RFI, 2 hrs each
	Attend Mid construction meeting	2	\$ 344		\$ -	\$ -	2	\$ 344	Assumes one trip, two hour meeting
	Attend substantial completion walkthrough	2	\$ 344		\$ -	\$ -	2	\$ 344	Assumes one trip, two hour meeting
	Prepare As-built Drawings	4	\$ 688	12	\$ 1,632	\$ 30	16	\$ 2,350	4 sheets. Expenses Includes transportation to the site for field visits and meetings, and printing.
		32	\$ 5,504	12	\$ 1,632	\$ 30	44	\$ 7,166	

Total Stanley Consultants Hours44

Total Stanley Consultants Fees\$7,136

Expenses\$30

Total Estimated PDS Fee\$7,166

C & W engineering

Electrical Consultants

2775 Vista Parkway, G-6
West Palm Beach, FL 33411
(561) 642-5333

EXHIBIT C

October 17, 2019

Mr. Michael Albert, P.E.
Chen & Associates
500 Australian Avenue, Suite 850
West Palm Beach FL 33401

Subject: Town of Palm Beach Storm Water Pump Stations D16, and D18 Rehabilitation
Project, Electrical Construction Services Proposal, Rev 2
C&W Ref. 77077.CS

Dear Michael:

I am pleased to submit this revised proposal for your consideration to provide Electrical Engineering Services during construction for the Town of Palm Beach storm water Project to pump stations D16 and D18. The proposal is based on the following:

1. Attend a Pre-construction meeting and respond to questions.
2. Review shop drawings.
3. Respond to Contractor RFIs.
4. Provide a field progress inspection to each site during construction, provide a report.
5. Provide a Startup and testing inspection and provide a punch list To each site.
6. Review O&M manuals and confirm spare parts.
7. Provide as-built drawings based on Contractor provided redlines to each station.

CONSTRUCTION SERVICES

Coordination

Chen Moore and Associates

Owner

Contractor

1 Progress Field Meeting at each site

During construction
Review and approve shop drawings
Electrical equipment, raceways, wire

Prepare response to Contractor RFI requests
Attend a startup and testing field visit and provide a punch list to each station site
Provide review of O&M manuals and confirm spare parts.
Provide as-built drawings based on redlines from the Contractor.

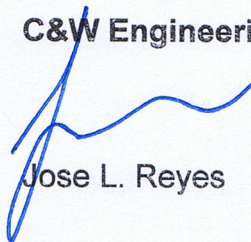
CONSTRUCTION SERVICES FEE:

\$7,000 hourly, not to exceed, time and expense.

I trust the scope and fee are in agreement with your needs and expectations.
Please contact me with questions or comments. Thanks for this opportunity.

Very truly yours,

C&W Engineering



Jose L. Reyes

JLR/nl
MAG/File

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 05-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation of Award of RFQ No. 2020-02, Coastal Engineering Services to Applied Technology and Management, Inc., Coastal Protection Engineering LLC., GHD, Inc. and Cummins Cederberg, Inc., and Authorize the Town Manager to Execute Professional Service Agreements with the Selected Firms.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 30, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 05-2020**
- ▣ **Rankings by Selection Committee Members**
- ▣ **Ranking of Proposers**
- ▣ **Scope of Work Issued for RFQ**

Information for Town Council Meeting on February 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving the Selection Committee Recommendation of Award of RFQ No. 2020-02, Coastal Engineering Services to Applied Technology and Management, Inc., Coastal Protection Engineering LLC, GHD, Inc., and Cummins Cederberg, Inc. - Resolution No. **05-2020**

DATE: 30 January 2020

STAFF RECOMMENDATION

Staff recommends Town Council approval of Resolution No. 05-2020, approving the Selection Committee Recommendation of Award of RFQ No. 2020-02, Coastal Engineering Services to Applied Technology and Management, Inc., Coastal Protection Engineering LLC, GHD, Inc., and Cummins Cederberg, Inc. and authorize the Town Manager to execute Professional Service Agreements with the selected firms.

SUMMARY EXPLANATION/BACKGROUND

The Town experiences erosion of our beaches due to both the interruption of the natural north to south sand movement from the Lake Worth Inlet as well as storm impacts. Coastal Engineering Services are necessary to assist with implementation of the Town's Comprehensive Coastal Management Program and the current 10-Year Coastal Management Plan as adopted and approved by Town Council. These services include, but are not limited to, developing coastal protection alternatives, feasibility studies, coastal strategic planning, engineering and permitting, physical monitoring, and construction management of our storm protective and erosion-control projects.

The Town had previously issued a solicitation for Coastal Engineering Services September 2017. Town staff determined during the initial two (2) year period that there have been significant changes within the selected firms that had been awarded under RFQ No. 2017-35. These changes, ranging from significant personnel changes to company acquisitions, had altered the capabilities of the firms from the time they were reviewed by the Request for Qualifications.

PURCHASING METHODOLOGY

Purchasing issued RFQ No. 2020-02 for Coastal Engineering Services. The solicitation was broadcast to 779 firms through Demand Star, Public Purchase, Negometrix and outreach to known

qualified firms.

Six (6) firms responded to the solicitation. The approved Selection Committee consisted of Jennifer Bistyga, Coastal Program Manager for Boca Raton, Jason Debrincat, Senior Project Engineer, Robert Weber, Coastal Program Manager and Amy Wood, Assistant Finance Director. Duke Basha, Assistant Purchasing Manager and Eric Shibley, Buyer facilitated the Selection Committee Consensus Meeting.

The Selection Committee determined four firms met the qualifications set forth in the solicitation as follows:

- Applied Technology and Management Inc.
- Coastal Protection Engineering LLC
- GHD, Inc.
- Cummins Cederberg, Inc.

The award of the four firms will be for an initial three year period, with an option for an additional two year extension contingent upon satisfactory performance and market place stability.

USER DEPARTMENT CONCURRENCE

The Public Works Department has reviewed and is in full agreement with the Selection Committee Recommendation.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues.

TOWN ATTORNEY REVIEW

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

CC: Jay Boodheshwar, Deputy Town Manager
H. Paul Brazil, P.E., Director of Public Works
Patricia Strayer, P.E., Town Engineer
Robert Weber, Coastal Program Manager
Duke Basha, Assistant Purchasing Manager

RESOLUTION NO. 05-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE SELECTION COMMITTEE
RECOMMENDATION OF AWARD OF RFQ NO. 2020-02,
COASTAL ENGINEERING SERVICES TO APPLIED
TECHNOLOGY AND MANAGEMENT, INC., COASTAL
PROTECTION ENGINEERING LLC, GHD, INC., AND
CUMMINS CEDERBERG, INC. AND AUTHORIZE THE TOWN
MANAGER TO EXECUTE PROFESSIONAL SERVICE
AGREEMENTS WITH THE SELECTED FIRMS.**

WHEREAS; RFQ No. 2020-02 was issued for Coastal Protection Engineering Services,
and;

WHEREAS; Town Council authorization is sought to approve the Selection Committee
Recommendation of Award to Applied Technology and Management, Inc., Coastal Protection
Engineering LLC, GHD, Inc., and Cummins Cederberg, Inc.

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The award of the Selection Committee Recommendation for RFQ No. 2020-
02, Coastal Engineering Services to Applied Technology and Management, Inc., Coastal
Protection Engineering LLC, GHD, Inc., and Cummins Cederberg, Inc. is hereby approved.

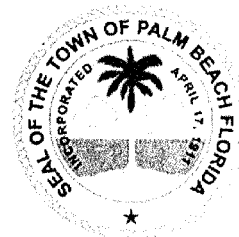
Section 2. The Town Manager, or his designee, is hereby authorized to take such further
action as may be necessary.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of
Palm Beach assembled this 11th day of February, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle Gordon, Acting Town Clerk



2319 RFQ No. 2020-02 - Coastal Engineering Services

BAFO-evaluation phase Ends on **Jan 31 2020 3:00 PM**

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Applied Technology & Management Inc.

1. SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS Questionnaire

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1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 82.25%

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Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

Please provide following information by uploading a document(s):

- Company Credentials
- Current Related Projects (ie. Design, Engineering, Permitting, Construction Management, Monitoring), with emphasizes in Florida
- Completed Commercial and/or Governmental Coastal Projects over \$5,000,000 (ie. Storm Protection, Erosion Control, Inlet Maintenance)
- Schedule/Budget Compliance of Previous Work
- Understanding of the Town's needs
- Technical soundness of the proposal
- References

Note: weight of this criteria is 25 points

Answer

Attached documents by supplier:

13_Experience and Past Performance_Final_Combined with Min Quals.pdf 1101 Kb

[Download](#) | [Preview](#)

Score: 22.5%

[View evaluation method](#)

Jennifer Bistyga (25%) [4](#)

Score Comment

5%

Jason Debrincat (25%) [5](#)

6.25%

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		Score	Comment
Robert Weber (25%)	4 	5%	Successfully completed two beach nourishment projects in Palm Beach. Local firm. Long-term positive relationship. Not a 5 due to recent challenges with two projects (lagoon dredging and TAC).
Amy Wood (25%)	5	6.25%	35 years in business, Town contractor since 1993, extensive list of construction projects supported
Total score: 22.5%			

Experience / Ability of Personnel

1.3.2. evaluated Knockout question

Weight: 30%

Please attach detailed requirements, but not limited to:

- Organizational Chart
- Management's Credentials
- Project Personnel Credentials assigned to the Town
- High quality level of services to be provided to Town

Note: weight of this criteria is 30 points**Answer**

Attached documents by supplier:

 14_Experience and Ability of Personnel_Final.pdf 359 Kb [Download](#) | [Preview](#)

Score: 27%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	4	6%	
Jason Debrincat (25%)	5	7.5%	
Robert Weber (25%)	5 	7.5%	Listed as a reference. Work is consistent. Relationships with regulatory agencies are exceptional.
Amy Wood (25%)	4	6%	
Total score: 27%			

Financial Information

1.3.3. evaluated Knockout question

Weight: 10%

- Financial resources and capabilities information: An indication of the resources and the necessary working capital available and how it will relate to the firm's financial stability through the completion of the project should be included in the response
- Evidence of insurance capability
- Annual Report submitted and determined adequate by Town
- Town will request from short listed firms Financial Statement certified or reviewed by a CPA for last two year period

Note: The Town may request a Dun & Bradstreet report from all short listed finalists.

Note: weight of this criteria is 10 points

Answer

Attached documents by supplier:

 15_Financial_Final.pdf 163 Kb	Download		Preview
 Balance Sheet Nov 19 2019.pdf 78 Kb	Download		Preview
 COI_For Proposal Purposes Only.pdf 175 Kb	Download		Preview

Score: 6%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>3</u> 	1.5%	
Jason Debrincat (25%) <u>3</u> 	1.5%	
Robert Weber (25%) <u>3</u> 	1.5%	
Amy Wood (25%) <u>3</u> 	1.5%	

Total score: 6%

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Schedule will accommodate this project
- Applicability of the services offered
- Meeting the Town's operational and administrative requirements

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

 16_Workload and Scheduling_Final.pdf 207 Kb	Download		Preview
---	--------------------------	--	-------------------------

Score: 12%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>3</u>	2.25%	
Jason Debrincat (25%) <u>5</u>	3.75%	

		Score	Comment
Robert Weber (25%)	4	3%	Always available. Treat the Town as their flagship client. Some projects have slipped; however, ATM is not entirely at-fault.
Amy Wood (25%)	4	3%	
Total score: 12%			

Volume of Previous Work

1.3.5. evaluated

Weight: 5%

Points awarded based upon past award made by the Town.

Points will be awarded based upon the percentage of past awards made by the Town. At the closing of the Request for Qualifications the total of all purchase orders issued (for the past three-year period) will be determined for each proposer. The highest proposer total will become the basis for evaluation point distribution.

The point distribution will be as follows:

Proposers whose past awards have totaled less than 5% of the basis will receive 5 points.

Proposers whose past awards have totaled over 5%, but less than 25% will receive 4 points.

Proposers whose past awards have totaled over 25%, but less than 50% will receive 3 points.

Proposers whose past awards have totaled over 50%, but less than 85% will receive 2 points.

Proposers whose past awards have totaled over 85% will receive 1 point.

No need for proposers to submit any information.

Note: weight of this criteria is max 5 points

Answer

Score: 2%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	2	0.5%	Duke Basha on behalf of Jennifer.
Jason Debrincat (25%)	2	0.5%	
Robert Weber (25%)	2	0.5%	Duke Basha on behalf of Rob.
Amy Wood (25%)	2	0.5%	
Total score: 2%			

Other

1.3.6. evaluated Knockout question

Weight: 15%

- Overall completeness, clarity and quality of proposal
- Accessibility of firm

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

 17_Other_Final.pdf 121 Kb [Download](#) | [Preview](#)

Score: 12.75%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	<u>3.5</u>	2.63%	
Jason Debrincat (25%)	<u>4.5</u>	3.38%	
Robert Weber (25%)	<u>5</u> 	3.75%	Concise and complete. No noticed spelling errors. This firm has been very timely and helpful with hurricane response of the past few years.
Amy Wood (25%)	<u>4</u>	3%	

Total score: 12.75%

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1.3. EVALUATION FACTOR! ▼

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2319 RFQ No. 2020-02 - Coastal Engineering Services

BAFO-evaluation phase Ends on Jan 31 2020 3:00 PM

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Coastal Protection Engineering LLC

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1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 79.5%

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Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

Please provide following information by uploading a document(s):

- Company Credentials
- Current Related Projects (ie. Design, Engineering, Permitting, Construction Management, Monitoring), with emphasizes in Florida
- Completed Commercial and/or Governmental Coastal Projects over \$5,000,000 (ie. Storm Protection, Erosion Control, Inlet Maintenance)
- Schedule/Budget Compliance of Previous Work
- Understanding of the Town's needs
- Technical soundness of the proposal
- References

Note: weight of this criteria is 25 points

Answer

Attached documents by supplier:

1.3.1 Experience of Firm CPE.pdf 4047 Kb [Download](#) | [Preview](#)

Score: 18.75%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) 3	3.75%	
Jason Debrincat (25%) 5	6.25%	
Robert Weber (25%) 3	3.75%	New firm as prime. Same capable personnel. Same collaboration and support from larger legacy firm APTIM. Limited experience as "CPE".

		Score	Comment
Amy Wood (25%)	<u>4</u>	5%	

Total score: 18.75%

Experience / Ability of Personnel

1.3.2. evaluated Knockout question

Weight: 30%

Please attach detailed requirements, but not limited to:

- Organizational Chart
- Management's Credentials
- Project Personnel Credentials assigned to the Town
- High quality level of services to be provided to Town

Note: weight of this criteria is 30 points**Answer**

Attached documents by supplier:

 1.3.2 Experience of Personnel_CPE.pdf 851 Kb [Download](#) | [Preview](#)

Score: 27%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	<u>4</u>	6%	
Jason Debrincat (25%)	<u>5</u>	7.5%	
Robert Weber (25%)	<u>5</u> ↺	7.5%	Primary staff at CPE, and support staff from APTIM, have intimate knowledge of Palm Beach and the Town's shoreline.
Amy Wood (25%)	<u>4</u>	6%	

Total score: 27%

Financial Information

1.3.3. evaluated Knockout question

Weight: 10%

- Financial resources and capabilities information: An indication of the resources and the necessary working capital available and how it will relate to the firm's financial stability through the completion of the project should be included in the response
- Evidence of insurance capability
- Annual Report submitted and determined adequate by Town
- Town will request from short listed firms Financial Statement certified or reviewed by a CPA for last two year period

Note: The Town may request a Dun & Bradstreet report from all short listed finalists.

Note: weight of this criteria is 10 points**Answer**

Attached documents by supplier:

 1.3.3 Financial Information CPE.pdf 223 Kb [Download](#) | [Preview](#)

Score: 4%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	<u>2</u>	1%	
Jason Debrincat (25%)	<u>2</u>	1%	
Robert Weber (25%)	<u>2</u>	1%	
Amy Wood (25%)	<u>2</u> 	1%	

Total score: 4%

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Schedule will accommodate this project
- Applicability of the services offered
- Meeting the Town's operational and administrative requirements

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

 1.3.4 Workload and Scheduling CPE.pdf 73 Kb [Download](#) | [Preview](#)

Score: 12.38%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	<u>2.5</u>	1.88%	
Jason Debrincat (25%)	<u>5</u>	3.75%	
Robert Weber (25%)	<u>5</u> 	3.75%	Staff have each shown a willingness to be available on short notice. Long-term positive professional relationships with staff members.
Amy Wood (25%)	<u>4</u>	3%	

Total score: 12.38%

Volume of Previous Work

1.3.5. evaluated

Weight: 5%

Points awarded based upon past award made by the Town.

Points will be awarded based upon the percentage of past awards made by the Town. At the closing of the Request for Qualifications the total of all purchase orders issued (for the past three-year period) will be determined for each proposer. The highest proposer total will become the basis for evaluation point distribution.

The point distribution will be as follows:

No need for proposers to submit any information.

Note: weight of this criteria is max 5 points

Answer

Score: 5%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%)	<u>5</u>	1.25%
Jason Debrincat (25%)	<u>5</u>	1.25%
Robert Weber (25%)	<u>5</u> 	1.25% Rely on Purchasing.
Amy Wood (25%)	5	1.25%

Total score: 5%

Other

1.3.6. evaluated Knockout question

Weight: 15%

- Overall completeness, clarity and quality of proposal
- Accessibility of firm
- Present and future litigation or dispute and resolutions

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

1.3.6 Other CPE.pdf 76 Kb Download | Preview

Score: 12.38%

[View evaluation method](#)

Author	Score	Comment
Jennifer Bistyga (25%)	<u>4</u>	3%
Jason Debrincat (25%)	<u>4.5</u>	3.38%
Robert Weber (25%)	<u>5</u> 	3.75% Good document. No noticeable errors. ("Clarke")
Amy Wood (25%)	3	2.25%

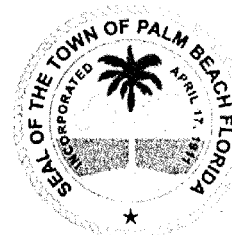
Total score: 12.38%

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Cummins Cederberg, Inc.

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solicitations@townofpalmbeach



Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

Please provide following information by uploading a document(s):

- Company Credentials
- Current Related Projects (ie. Design, Engineering, Permitting, Construction Management, Monitoring), with emphasizes in Florida
- Completed Commercial and/or Governmental Coastal Projects over \$5,000,000 (ie. Storm Protection, Erosion Control, Inlet Maintenance)
- Schedule/Budget Compliance of Previous Work
- Understanding of the Town's needs
- Technical soundness of the proposal
- References

Note: weight of this criteria is 25 points

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Answer

Attached documents by supplier:

 1.3.1 Experience and Approach.pdf 4339 Kb [Download](#) | [Preview](#)

Score: 15.63%

[View evaluation method](#)

	Score	Comment
Jennifer Bistya (25%) 2.5 	3.13%	
Jason Debrincat (25%) 4	5%	
Robert Weber (25%) 3 	3.75%	Limited beach nourishment experience. Experience with groin restoration. Recently added professionals.

		Score	Comment
Amy Wood (25%)	3	3.75%	Only project with the requested \$5mm value is one that is listed as ongoing, not completed.
		Total score:	15.63%

Experience / Ability of Personnel

1.3.2. evaluated Knockout question

Weight: 30%

Please attach detailed requirements, but not limited to:

- Organizational Chart
- Management's Credentials
- Project Personnel Credentials assigned to the Town
- High quality level of services to be provided to Town

Note: weight of this criteria is 30 points

Answer

Attached documents by supplier:

1.3.2 Personnel.pdf 15736 Kb Download Preview

Score: 24%

View evaluation method

		Score	Comment
Jennifer Bistyga (25%)	4	6%	
Jason Debrincat (25%)	4	6%	
Robert Weber (25%)	4	6%	Hiring of both Danielle Irwin and Jordon Cheifet has improved the firm.
Amy Wood (25%)	4	6%	Staff that has worked on TOPB projects with previous firms and staff member that was with FDEP Bureau of Beaches
		Total score:	24%

Financial Information

1.3.3. evaluated Knockout question

Weight: 10%

- Financial resources and capabilities information: An indication of the resources and the necessary working capital available and how it will relate to the firm's financial ability through

- the completion of the project should be included in the response
- Evidence of insurance capability
 - Annual Report submitted and determined adequate by Town
 - Town will request from short listed firms Financial Statement certified or reviewed by a CPA for last two year period

Note: The Town may request a Dun & Bradstreet report from all short listed finalists.

Note: weight of this criteria is 10 points

Answer

Attached documents by supplier:

 1.3.3 Financial Info.pdf 312 Kb [Download](#) | [Preview](#)

Score: 4%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>2</u>	1%	
Jason Debrincat (25%) <u>2</u>	1%	
Robert Weber (25%) <u>2</u>	1%	
Amy Wood (25%) <u>2</u> 	1%	
Total score: 4%		

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Schedule will accommodate this project
- Applicability of the services offered
- Meeting the Town's operational and administrative requirements

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

 1.3.4 Workload and scheduling.pdf 201 Kb [Download](#) | [Preview](#)

Score: 9.38%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>1.5</u> 	1.13%	
Jason Debrincat (25%) <u>4</u> 	3%	
Robert Weber (25%) <u>4</u> 	3%	Could be a good firm to consider for vulnerability efforts once WHG completes the implementation plan.
Amy Wood (25%) <u>3</u> 	2.25%	
Total score: 9.38%		

Volume of Previous Work

1.3.5. evaluated

Weight: 5%

Points awarded based upon past award made by the Town.

Points will be awarded based upon the percentage of past awards made by the Town. At the closing of the Request for Qualifications the total of all purchase orders issued (for the past three-year period) will be determined for each proposer. The highest proposer total will become the basis for evaluation point distribution.

The point distribution will be as follows:

Proposers whose past awards have totaled less than 5% of the basis will receive 5 points.

Proposers whose past awards have totaled over 5%, but less than 25% will receive 4 points.

Proposers whose past awards have totaled over 25%, but less than 50% will receive 3 points.

Proposers whose past awards have totaled over 50%, but less than 85% will receive 2 points.

Proposers whose past awards have totaled over 85% will receive 1 point.

No need for proposers to submit any information.

Note: weight of this criteria is max 5 points

Answer

Score: 5%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	<u>5</u>	1.25%	Duke Basha on behalf of Jennifer.
Jason Debrincat (25%)	<u>5</u>	1.25%	
Robert Weber (25%)	<u>5</u> 	1.25%	Rely on Purchasing.
Amy Wood (25%)	<u>5</u>	1.25%	

Total score: 5%

Other

1.3.6. evaluated Knockout question

Weight: 15%

- Overall completeness, clarity and quality of proposal
- Accessibility of firm
- Present and future litigation or dispute and resolutions

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

 1.3.6 Litigation.pdf 109 Kb [Download](#) | [Preview](#)

Score: 10.13%

[View evaluation method](#)

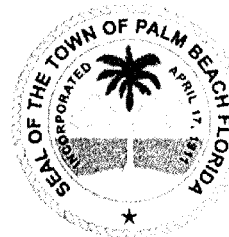
		Score	Comment
Jennifer Bistyga (25%)	<u>4.5</u>	3.38%	
Jason Debrincat (25%)	<u>4</u>	3%	

		Score	Comment
Robert Weber (25%)	1	0.75%	This firm has improved in experiences and personnel over the past few years. However, many spelling errors in the submittal (incorrect reaches, etc.). Approach seems unnecessary. Despite the score for this criterion, they are still in my top 4 for this evaluation.
Amy Wood (25%)	4	3%	
		Total score: 10.13%	

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2319 RFQ No. 2020-02 - Coastal Engineering Services

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GHD, Inc.

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1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 72.13%

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Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

Please provide following information by uploading a document(s):

- Company Credentials
- Current Related Projects (ie. Design, Engineering, Permitting, Construction Management, Monitoring), with emphasizes in Florida
- Completed Commercial and/or Governmental Coastal Projects over \$5,000,000 (ie. Storm Protection, Erosion Control, Inlet Maintenance)
- Schedule/Budget Compliance of Previous Work
- Understanding of the Town's needs
- Technical soundness of the proposal
- References

Note: weight of this criteria is 25 points

Answer

Attached documents by supplier:

11201998 1.3.1 Exp of Firm.pdf 4188 Kb [Download](#) | [Preview](#)

Score: 13.75%

[View evaluation method](#)

Jennifer Bistya (25%) [2](#)

Jason Debrincat (25%) [4](#)

Robert Weber (25%) [2](#)

Score Comment

2.5%

5%

2.5%

GHD does not have a lot of coastal engineering experience as a firm. They make up for it with personnel experience.

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Support

		Score	Comment
Amy Wood (25%)	3	3.75%	Doesn't include a list of projects completed that exceed \$5mm as requested
Total score: 13.75%			

Experience / Ability of Personnel

1.3.2. evaluated Knockout question

Weight: 30%

Please attach detailed requirements, but not limited to:

- Organizational Chart
- Management's Credentials
- Project Personnel Credentials assigned to the Town
- High quality level of services to be provided to Town

Note: weight of this criteria is 30 points

Answer

Attached documents by supplier:

11201998 1.3.2 Exp of Personnel.pdf 17186 Kb [Download](#) | [Preview](#)

Score: 23.25%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	2.5	3.75%	
Jason Debrincat (25%)	4	6%	
Robert Weber (25%)	5	7.5%	Large amount of personnel. The staff members that will perform the majority of the work have an exceptional relationship with the Town and the regulatory agencies.
Amy Wood (25%)	4	6%	

Total score: 23.25%

Financial Information

1.3.3. evaluated Knockout question

Weight: 10%

- Financial resources and capabilities information: An indication of the resources and the necessary working capital available and how it will relate to the firm's financial stability through the completion of the project should be included in the response
- Evidence of insurance capability
- Annual Report submitted and determined adequate by Town
- Town will request from short listed firms Financial Statement certified or reviewed by a CPA for last two year period

Note: The Town may request a Dun & Bradstreet report from all short listed finalists.

Note: weight of this criteria is 10 points

Answer

Attached documents by supplier:

 11201998 1.3.3 Financial Information.pdf 6995 Kb [Download](#) | [Preview](#)

Score: 8%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>4</u>	2%	
Jason Debrincat (25%) <u>4</u>	2%	
Robert Weber (25%) <u>4</u>	2%	
Amy Wood (25%) <u>4</u>	2%	
Total score: 8%		

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Schedule will accommodate this project
- Applicability of the services offered
- Meeting the Town's operational and administrative requirements

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

 11201998 1.3.4 Workload and Schedule.pdf 3845 Kb [Download](#) | [Preview](#)

Score: 12.38%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>3.5</u>	2.63%	
Jason Debrincat (25%) <u>4</u>	3%	
Robert Weber (25%) <u>5</u> 	3.75%	Staff have demonstrated an ability and willingness to work successfully for the Town.
Amy Wood (25%) <u>4</u>	3%	
Total score: 12.38%		

Volume of Previous Work

1.3.5. evaluated

Weight: 5%

Points will be awarded based upon the percentage of past awards made by the Town. At the closing of the Request for Qualifications the total of all purchase orders issued (for the past three-year period) will be determined for each proposer. The highest proposer total will become the basis for evaluation point distribution.

The point distribution will be as follows:

Proposers whose past awards have totaled less than 5% of the basis will receive 5 points.

Proposers whose past awards have totaled over 5%, but less than 25% will receive 4 points.

Proposers whose past awards have totaled over 25%, but less than 50% will receive 3 points.

Proposers whose past awards have totaled over 50%, but less than 85% will receive 2 points.

Proposers whose past awards have totaled over 85% will receive 1 point.

No need for proposers to submit any information.

Note: weight of this criteria is max 5 points

Answer

Score: 5%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>5</u>	1.25%	
Jason Debrincat (25%) <u>5</u>	1.25%	
Robert Weber (25%) <u>5</u>	1.25%	Rely on Purchasing.
Amy Wood (25%) <u>5</u>	1.25%	
Total score: 5%		

Other

1.3.6. evaluated Knockout question

Weight: 15%

- Overall completeness, clarity and quality of proposal
- Accessibility of firm
- Present and future litigation or dispute and resolutions

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

GHD_1.3.6 Other.pdf 10900 Kb [Download](#) | [Preview](#)

Score: 9.75%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>2</u>	1.5%	
Jason Debrincat (25%) <u>4</u>	3%	
Robert Weber (25%) <u>4</u>	3%	Good understanding of what the task/scope will be for this work. Good understanding of what the Town is looking for. Emphasis on SPB approved program.

		Score	Comment
Amy Wood (25%)	<u>3</u>	2.25%	
		Total score:	9.75%

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1.3. EVALUATION FACTOR: ▼

Next group

2319 RFQ No. 2020-02 - Coastal Engineering Services

BAFO-evaluation phase Ends on Jan 31 2020 3:00 PM

Settings Participants Schedule Pricing sheets Questionnaires Question & Answer
 Offers/Applications Evaluate Compare & Select 0

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Jacobs

1. SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS

Questionnaire

24 Questions

[Help](#)

1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 60.63%

[Back to question groups](#)

Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

Please provide following information by uploading a document(s):

- Company Credentials
- Current Related Projects (ie. Design, Engineering, Permitting, Construction Management, Monitoring), with emphasizes in Florida
- Completed Commercial and/or Governmental Coastal Projects over \$5,000,000 (ie. Storm Protection, Erosion Control, Inlet Maintenance)
- Schedule/Budget Compliance of Previous Work
- Understanding of the Town's needs
- Technical soundness of the proposal
- References

Note: weight of this criteria is 25 points

Answer

Attached documents by supplier:

 Section 2. Experience of Firm and Past Performance.pdf 4000 Kb [Download](#) | [Preview](#)

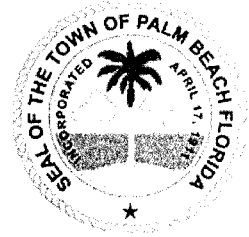
Score: 14.38%

[View evaluation method](#)Jennifer Bistyga (25%) 2Jason Debrincat (25%) 3.5

Score Comment

2.5%

4.38%



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		Score	Comment
Robert Weber (25%)	<u>2</u>	2.5%	Large firm. Subs have better experience. No beach nourishment in Florida (or USA) with prime. Efforts centric on habitat restoration and topics other than beach nourishment.
Amy Wood (25%)	<u>4</u>	5%	
Total score: 14.38%			

Experience / Ability of Personnel

1.3.2. evaluated Knockout question

Weight: 30%

Please attach detailed requirements, but not limited to:

- Organizational Chart
- Management's Credentials
- Project Personnel Credentials assigned to the Town
- High quality level of services to be provided to Town

Note: weight of this criteria is 30 points

Answer

Attached documents by supplier:

Section 3. Experience and Ability of Personnel.pdf 3862 Kb [Download](#) | [Preview](#)

Score: 16.5%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	<u>2</u>	3%	
Jason Debrincat (25%)	<u>3</u>	4.5%	
Robert Weber (25%)	<u>2</u>	3%	Personnel have focuses on studies, not necessarily design, permitting, and construction observations for beach nourishment. Taylor probably better suited as a prime as most related experiences are within the subs.
Amy Wood (25%)	<u>4</u>	6%	

Total score: 16.5%

Financial Information

1.3.3. evaluated Knockout question

Weight: 10%

- Financial resources and capabilities information: An indication of the resources and the necessary working capital available and how it will relate to the firm's financial stability through the completion of the project should be included in the response
- Evidence of insurance capability
- Annual Report submitted and determined adequate by Town
- Town will request from short listed firms Financial Statement certified or reviewed by a CPA for last two year period

Note: The Town may request a Dun & Bradstreet report from all short listed finalists.

Note: weight of this criteria is 10 points

Answer

Attached documents by supplier:

 Section 4. Financial Information.pdf 655 Kb [Download](#) | [Preview](#)

Score: 6%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>3</u>	1.5%	
Jason Debrincat (25%) <u>3</u>	1.5%	
Robert Weber (25%) <u>3</u>	1.5%	
Amy Wood (25%) <u>3</u>	1.5%	

Total score: 6%

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Schedule will accommodate this project
- Applicability of the services offered
- Meeting the Town's operational and administrative requirements

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

 Section 5. Workload and Scheduling.pdf 317 Kb [Download](#) | [Preview](#)

Score: 9.75%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>3</u> 	2.25%	
Jason Debrincat (25%) <u>3</u>	2.25%	

		Score	Comment
Robert Weber (25%)	<u>3</u> ↻	2.25%	Feels like the work horses are the subs and that the contract is more of a pass-through.
Amy Wood (25%)	<u>4</u>	3%	

Total score: 9.75%

Volume of Previous Work

1.3.5. evaluated

Weight: 5%

Points awarded based upon past award made by the Town.

Points will be awarded based upon the percentage of past awards made by the Town. At the closing of the Request for Qualifications the total of all purchase orders issued (for the past three-year period) will be determined for each proposer. The highest proposer total will become the basis for evaluation point distribution.

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Proposers whose past awards have totaled over 5%, but less than 25% will receive 4 points.

Proposers whose past awards have totaled over 25%, but less than 50% will receive 3 points.

Proposers whose past awards have totaled over 50%, but less than 85% will receive 2 points.

Proposers whose past awards have totaled over 85% will receive 1 point.

No need for proposers to submit any information.

Note: weight of this criteria is max 5 points**Answer**

Score: 5%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	<u>5</u>	1.25%	
Jason Debrincat (25%)	<u>5</u>	1.25%	
Robert Weber (25%)	<u>5</u> ↻	1.25%	Rely on Purchasing.
Amy Wood (25%)	<u>5</u>	1.25%	

Total score: 5%

Other

1.3.6. evaluated Knockout question

Weight: 15%

- Overall completeness, clarity and quality of proposal
- Accessibility of firm
- Present and future litigation or dispute and resolutions

Note: weight of this criteria is 15 points**Answer**

Attached documents by supplier:

 Other.pdf 205 Kb [Download](#) | [Preview](#)

Score: 9%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	<u>3</u>	2.25%	
Jason Debrincat (25%)	<u>3</u>	2.25%	
Robert Weber (25%)	<u>2</u> 	1.5%	Spelling errors.
Amy Wood (25%)	<u>4</u>	3%	

Total score: 9%

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1.3. EVALUATION FACTOR! ▼

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2319 RFQ No. 2020-02 - Coastal Engineering Services

BAFO-evaluation phase Ends on Jan 31 2020 3:00 PM

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W.F. Baird & Associates Ltd

1. SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS

Questionnaire

24 Questions

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1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 58.13%

[Back to question groups](#)

Experience of Firm / Past Performance

1.3.1. evaluated Knockout question

Weight: 25%

Please provide following information by uploading a document(s):

- Company Credentials
- Current Related Projects (ie. Design, Engineering, Permitting, Construction Management, Monitoring), with emphasizes in Florida
- Completed Commercial and/or Governmental Coastal Projects over \$5,000,000 (ie. Storm Protection, Erosion Control, Inlet Maintenance)
- Schedule/Budget Compliance of Previous Work
- Understanding of the Town's needs
- Technical soundness of the proposal
- References

Note: weight of this criteria is 25 points

Answer

Attached documents by supplier:

 Baird - Experience of Firm - Past Performance.pdf 3189 Kb [Download](#) | [Preview](#)

Score: 13.13%

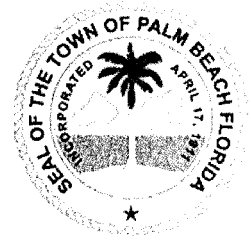
[View evaluation method](#)Jennifer Bistyga (25%) 3

Score Comment

3.75%

Jason Debrincat (25%) 2

2.5%



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solicitations@townofpalmbeach.com

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		Score	Comment
Robert Weber (25%)	2	2.5%	Beach nourishment experience. Limited Florida experience. Tetra Tech is currently on the Town's roster. No outreach to the Town. Hurricane Dorian response by WGI (through ATM) was a challenge.
Amy Wood (25%)	3.5	4.38%	Did not show a concentration of experience in Florida
Total score: 13.13%			

Experience / Ability of Personnel

1.3.2. evaluated Knockout question

Weight: 30%

Please attach detailed requirements, but not limited to:

- Organizational Chart
- Management's Credentials
- Project Personnel Credentials assigned to the Town
- High quality level of services to be provided to Town

Note: weight of this criteria is 30 points

Answer

Attached documents by supplier:

Baird - Experience-Ability of Personnel.pdf 2323 Kb [Download](#) | [Preview](#)

Score: 18.75%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	3.5	5.25%	
Jason Debrincat (25%)	2	3%	
Robert Weber (25%)	3	4.5%	Gordon Thomson and David Swigler have good experiences. Work on the Breakers T-heads are touted as a highlight. Concerns with construction observations.
Amy Wood (25%)	4	6%	
Total score: 18.75%			

Financial Information

1.3.3. evaluated Knockout question

Weight: 10%

- Financial resources and capabilities information: An indication of the resources and the necessary working capital available and how it will relate to the firm's financial stability through the completion of the project should be included in the response
- Evidence of insurance capability
- Annual Report submitted and determined adequate by Town
- Town will request from short listed firms Financial Statement certified or reviewed by a CPA for last two year period

Note: The Town may request a Dun & Bradstreet report from all short listed finalists.

Note: weight of this criteria is 10 points

Answer

Attached documents by supplier:

 Baird - Financial Information.pdf 1451 Kb [Download](#) | [Preview](#)

Score: 8%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>4</u>	2%	
Jason Debrincat (25%) <u>4</u>	2%	
Robert Weber (25%) <u>4</u>	2%	
Amy Wood (25%) <u>4</u>	2%	

Total score: 8%

Workload and Scheduling

1.3.4. evaluated Knockout question

Weight: 15%

- Over-all workload of the company
- Project scheduling ability/timely completion of work
- Schedule will accommodate this project
- Applicability of the services offered
- Meeting the Town's operational and administrative requirements

Note: weight of this criteria is 15 points

Answer

Attached documents by supplier:

 Baird - Workload and Scheduling.pdf 136 Kb [Download](#) | [Preview](#)

Score: 9%

[View evaluation method](#)

	Score	Comment
Jennifer Bistyga (25%) <u>3</u>	2.25%	
Jason Debrincat (25%) <u>2</u>	1.5%	

		Score	Comment
Robert Weber (25%)	<u>3</u> ↻	2.25%	Concerns with WGI for their response and data collection with Hurricane Dorian. The marina will take a lot of time from the pertinent staff members at Baird during the next 2 years.
Amy Wood (25%)	<u>4</u>	3%	
Total score: 9%			

Volume of Previous Work

1.3.5. evaluated

Weight: 5%

Points awarded based upon past award made by the Town.

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Proposers whose past awards have totaled over 25%, but less than 50% will receive 3 points.

Proposers whose past awards have totaled over 50%, but less than 85% will receive 2 points.

Proposers whose past awards have totaled over 85% will receive 1 point.

No need for proposers to submit any information.

Note: weight of this criteria is max 5 points

Answer

Score: 1%

[View evaluation method](#)

		Score	Comment
Jennifer Bistya (25%)	<u>1</u>	0.25%	
Jason Debrincat (25%)	<u>1</u>	0.25%	
Robert Weber (25%)	<u>1</u> ↻	0.25%	Rely on Purchasing.
Amy Wood (25%)	<u>1</u>	0.25%	
Total score: 1%			

Other

1.3.6. evaluated Knockout question

Weight: 15%

- Overall completeness, clarity and quality of proposal
- Accessibility of firm
- Present and future litigation or dispute and resolutions

Answer

Attached documents by supplier:

 Baird - Other.pdf 105 Kb [Download](#) | [Preview](#)

Score: 8.25%

[View evaluation method](#)

		Score	Comment
Jennifer Bistyga (25%)	<u>3</u>	2.25%	
Jason Debrincat (25%)	<u>3</u>	2.25%	
Robert Weber (25%)	<u>1</u> 	0.75%	Some misunderstandings in the submittal. Many typos. Looking to reinvent the wheel with some of the permitted activities. We have a program in place that just needs implementation. No redo of analytical approach at this time.
Amy Wood (25%)	<u>4</u>	3%	

Total score: 8.25%

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1.3. EVALUATION FACTOR! ▼

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2319 RFQ No. 2020-02 - Coastal Engineering Services

BAFO-phase  Ends on **Jan 24 2020 10:00 AM**

Compare & Select

Offer phase (6) > Evaluation (6) > Offer-verification (0) > BAFO-phase > BAFO-evaluation

BAFO-verification phase > Awarding

1. SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS

6 of 6 Complete offers

24 Questions

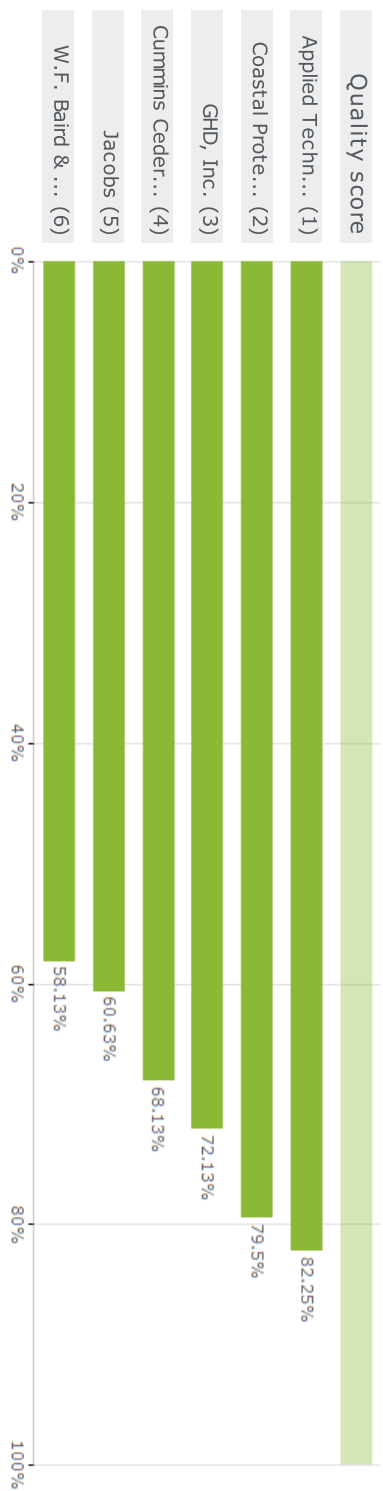
Comparison table

Sort by: Rank

Offers/Applications	Rank	Knockouts of 22	unanswered question(s) of 23	Uploads missed of 19	Incomplete evaluations of 14	Quality score	Invited to phase
 Applied Technology & Management Inc. Applied Technology & Management Inc. Dec 3 2019 9:54:58 AM	1	-	-	<u>1</u>	-	82.25%	Evaluation
 Coastal Protection Engineering LLC Coastal Protection Engineering LLC Dec 3 2019 12:13:55 PM	2	-	-	-	-	79.5%	Evaluation
 GHD, Inc. GHD, Inc. Dec 3 2019 12:29:11 PM	3	-	-	<u>3</u>	-	72.13%	Evaluation
 Cummins Cederberg, Inc. Cummins Cederberg, Inc. Dec 3 2019 11:04:15 AM	4	-	-	<u>1</u>	-	68.13%	Evaluation
 Jacobs Jacobs Dec 2 2019 10:39:21 PM	5	-	-	-	-	60.63%	Evaluation
 W.F. Baird & Associates Ltd W.F. Baird & Associates Ltd Dec 3 2019 12:49:10 PM	6	-	-	<u>1</u>	-	58.13%	Evaluation

Compare by: ☒ Question groups ☐ Questions

Sort by: Rank



Question groups:

- ☒ 1.1. SOLICITATION PACKAGE DOCUMENTS (0%)
- ☐ 1.2. SUPPLIER RESPONSE & ACKNOWLEDGEMENTS (0%)
- ☐ 1.3. EVALUATION FACTORS (100%)
- ☐ 1.4. ADDENDUM - If issued will be posted here. (0%)

SCOPE OF WORK

Services shall include, but will not be limited to developing coastal protection alternatives, feasibility studies, coastal strategic planning, engineering and permitting, construction management, physical monitoring, provide advisory information, and act as expert witnesses for the Town. The following is an overview of the work that may be required:

1. Design of coastal protection and resiliency projects, including but not limited to, beach nourishment, storm protective and erosion control structures, inlet maintenance, and innovative technologies.
2. Perform coastal modeling for beach erosion, wave hydrodynamics, storm recession, shoreline change, inlet bypassing, and sediment transport, using the most advanced and diverse modeling suites available.
3. Provide permitting assistance for both State and Federal approval/authorization of coastal protection projects.
4. Conduct and evaluate topographic and bathymetric surveying.
5. Perform offshore sand search/geotechnical investigations including but not limited to sediment sampling, data collection, evaluation, and reporting.
6. Prepare construction cost estimates and assist in bidding processes, including pre-construction conferences.
7. Perform construction management activities such as field observations, project oversight, construction progress meetings, contract administration, permit compliance, monitoring, and project certification.
8. Provide public outreach assistance regarding coastal protection projects.
9. Develop or assist the TOWN with annual state funding requests.
10. Provide emergency storm damage response including beach condition inspections, monitoring, and reporting, as needed.
11. Assist the Town with inter-governmental coordination.
12. Provide capabilities for administering coastal data within Geographic Information Systems, conduct website development, perform database design and manage document records.
13. Develop estuarine enhancement projects within the Lake Worth Lagoon.

14. Participate in Shore Protection Board and Town Council meetings as deemed necessary by staff or board members.

15. Perform all other coastal engineering duties, as deemed necessary by the Town.

TOWN CONTRACT COORDINATOR

The Town will assign a Contract Coordinator for this project. After the Notice to Proceed/Purchase Order is issued, all communications and correspondence shall be directed to the Contract Coordinator at Town of Palm Beach, 951 Okeechobee Road, West Palm Beach, FL 33401 with copies of the correspondence to the Purchasing Division at 951 Old Okeechobee Road, Suite "D", West Palm Beach, FL 33401.

DESIGNATED PERSONNEL

The Applicant Firm shall designate the personnel to be assigned specifically to the performance of this work. At the time of negotiation for entry into a formal contract, the Town shall have the right to specify those key project personnel for whom the Applicant Firm shall not be allowed to substitute other personnel without prior written permission of the Town.

SUBCONSULTANTS

The Town encourages the use of sub-consultants in various fields of expertise and experience in order to establish the team(s) with the most comprehensive resources to provide all of the services discussed herein. All proposed sub-consultants shall be included in the submittal and their qualifications and utilization presented in detail. The Town reserves the right to approve all sub-consultants hired by the Consultant and/or to require the Consultant to dismiss a sub-consultant, upon request.

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 06-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Invitation to Bid No. 2019-21, Roof Replacement for Par 3 Maintenance and Storage Buildings to Certified Roofing Specialists, Inc. in the Amount of \$118,130 and a Project Budget of \$130,130.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 30, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 06-2020**
- ▣ **Bid Tabulation**
- ▣ **Maintenance Building Information & Photos**
- ▣ **Club House Information & Photos**

Information for Town Council Meeting on February 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving the Award of Invitation to Bid No. 2019-21, Roof Replacement for PAR 3 Maintenance and Storage Buildings to Certified Roofing Specialists, Inc. in the Amount of \$118,130 and Project Budget of \$159,000 - Resolution **No. 06-2020**

DATE: 30 January 2020

STAFF RECOMMENDATION

Staff recommends Town Council approval of Resolution No. 06-2020, a Resolution Approving the Award of Invitation to Bid No. 2019-21, Roof Replacement for PAR 3 Maintenance and Storage Buildings to Certified Roofing Specialists, Inc. in the Amount of \$118,130 and Project Budget of \$159,000.

Staff also recommends an allocation of funds from the Par 3 Contingency in the amount of \$69,000.

SUMMARY EXPLANATION/BACKGROUND

The Par 3 Maintenance and Storage Buildings have outlived their useful life. The buildings are essential to the golf and restaurant operations. The roofs are original and are well beyond the normal replacement cycle of 20-25 years. The project was budgeted in the FY19 budget cycle, but the estimates for the work were not sufficient and therefore the project was delayed. The project was rebid in FY20 and new quotes were obtained.

PURCHASING METHODOLOGY

Purchasing issued Invitation to Bid 2019-21 to the three pre-qualified roofing contractors. Two of the pre-qualified vendors submitted bids.

FISCAL IMPACT/FUNDING SOURCE

The fiscal impact for the purchase will be not greater than \$159,000. Funds had been budgeted in FY19 for this purpose, but were not rolled into the FY20 budget. Staff recommends reallocating the funds from the following FY20 Par 3 Capital Improvement Projects list to cover these

necessary repairs and we are requesting an allocation from the Par 3 Contingency of \$69,000 for the balance:

- \$10,000 budgeted for high-hat replacements at the pro shop
- \$15,000 budgeted for maintenance area parking lot resurfacing
- \$65,000 cover shots canopy

These projects will be reconsidered during the FY21 budget process.

USER DEPARTMENT CONCURRENCE

The Recreation Department has reviewed the bid tabulation and is in full agreement.

FINANCE REVIEW

The Finance Director has reviewed the Fiscal Impact/Funding Source and is in full concurrence with this recommendation.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues.

TOWN ATTORNEY REVIEW

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

CC: Jay Boodheshwar, Deputy Town Manager
Carolyn S. Stone, Director of Business Development and Operations
Duke Basha, Assistant Purchasing Manager

RESOLUTION NO. 06-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF INVITATION TO BID NO. 2019-
21, ROOF REPLACEMENT FOR PAR 3 MAINTENANCE AND
STORAGE BUILDINGS TO CERTIFIED ROOFING
SPECIALISTS, INC. IN THE AMOUNT OF \$118,130 AND A
PROJECT BUDGET OF \$130,130.**

WHEREAS; Invitation to Bid No. 2019-21 was issued for the replacement of the PAR 3 Maintenance and Storage Buildings, and;

WHEREAS; Town Council approval is sought to approve the Bid Award Recommendation for ITB No. 2019-21 to Certified Roofing Specialists, Inc. and;

WHEREAS; Town Council approval is sought for an allocation of funds from the PAR 3 Contingency in the amount of \$69,000.

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The award of Invitation to Bid No. 2019-21 to Certified Roofing Specialists, Inc. is hereby approved.

Section 2. The allocation of funds from the PAR 3 Contingency in the amount of \$69,000 is hereby approved.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further action as may be necessary.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of February, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

2737 Bid 2019-21 - Roof Replacement - Par 3 Maintenance and Cart Storage Buildings

Evaluation phase  Ends on **Feb 11 2020 2:00 PM**

Compare & Select

Offer phase (3)

Evaluation (2)

Awarding

[PROPOSAL PAGE - ROOFING SYSTEM 1 \(PRIMARY\)](#)

Comparison table

Sort by: Rank

Offers/Applications	Rank	Price	Invited to phase
 Certified Roofing specialists, Inc. Jan 7 2020 1:18:05 PM	1	\$118,130	Evaluation
 Hi-Tech Roofing & Sheet Metal Inc Jan 3 2020 2:59:17 PM	2	\$135,130	Evaluation

KNOPF & ASSOCIATES, INC.

Emailed 11/28/16
ROOFING CONSULTANTS

November 28, 2016

Town of Palm Beach Public Works
Mr. Brett Madison
951 Old Okeechobee Road, Suite D
West Palm Beach, FL 33401
bmadison@townofpalmbeach.com

Re: 2016 Roof Condition Evaluation Report
Bid #2016-27, Town of Palm Beach item #13
Par 3 Golf Course Maintenance Bldg., 2345 S. Ocean Blvd.

Dear Mr. Madison,

Pursuant to Bid No2016-27 I visited the above site on Wednesday November 22, 2016 to perform a review of the roof specifically and roof areas from the ground. The purpose of this inspection was to evaluate the current condition of the existing roof system, to verify if repairs or replacement is needed.

My inspection was performed in a visual non-destructive manner and my report is supported with captioned photos, site evaluation form and roof plan showing general locations of deficient items found.

My report is as follows:

The building is a long one story structure with moderately sloped wood trusses, plywood decking, a #30/90 organic felt membrane underlayment and a white paint topped, 9" cement shingle tile, "nailed-on". A search of the town permit records, found no record, so the actual age is unknown.

My walk around the building at ground level found the seamless gutter system heavily damaged, at the southeast corner and west end of the north side. Both areas suffer from equipment impact damage.

Access to the roof immediately noted loose and sliding tile on all four of the sloped sides, with the worst areas being the long south side. Closer examination found the tile to be "nailed-on" using what I will guess was an electro-plated pneumatic type gun nail, which is now in various stages of sever rust to total failure.

Knopf & Associates, Inc.

November 28, 2016

Re: 2016 Roof Condition Evaluation Report

Bid #2016-27, Town of Palm Beach item #13

Par 3 Golf Course Maintenance Bldg., 2345 S. Ocean Blvd

Pg ~ 2 ~

Additionally there appears to have been 4-5 areas of various size repairs, to the south and west sides, an indicator of a roof failure in process. Within these repairs I noted fractured membrane, with some minor deck wood decay, along the south side eave, towards the west end (photo 12).

My real concern here is the large quantity of loose tile, which can become airborne missiles in a high wind event, posing a "life safety" risk to persons and property.

Conclusion

Given the present roof condition it is my opinion this roof needs to be replaced as soon as possible.

Recommendations:

- 1) The new tile system should be a #30/SBS Hot Asphalt applied Modified membrane, with the tile set in a large Pad of Polyfoam adhesive, to provide the best wind resistance values available today.
- 2) The new gutters should stop short of the two overhead doors, then be supplemented by installing sloped water diverters over each door, to direct the water to the gutters. This will prevent future impact damage, in the concrete ramp areas.

This concludes my report, should you have any questions or concerns, please feel free to contact me.

Respectfully,



Leslie G. Knopf, CPRC

President 16-071

Enc:

- | | |
|---|--------|
| 1) Google Earth Roof View | 1 pg. |
| 2) Roof Maintenance Inspection Checklist Form | 3 pgs. |
| 3) Knopf Photos | 5 pgs. |



KNOPF & ASSOCIATES, INC.

ROOFING CONSULTANTS

Roof Maintenance Inspection Checklist

General Roof Information		
Type of Roof: Flat <u>Sloped</u> <u>Par 3 Maintenance Bldg.</u>		
Today's Date: <u>11/22/16</u> Date Installed: _____ Date of Last Maintenance: _____		
Reason for Inspection: _____		
Name of Inspector/ Maintenance Personnel: <u>LES KNOPF</u>		
Roofing Material	Composition Concrete Engineered Environmentally Friendly Hot Mopped Metal Slate <u>Tile</u> Wood Shingles/Shakes Other: _____ _____ _____	
Physical, Visible Damage/ Structural Deformation	<u>WOOD DECAY, LOOSE SLIDING TILES MULTIPLE REPAIRS.</u>	
Dirt, Rocks, Branches, Other Debris on Roof		
Water Damage, Drainage, Gutter Problems	<u>YES</u>	
Additional Notes/ Roof Damage	_____ _____	
For Flat Roofs	Action: Repair/Replace	Comments/Notes
Roof Surface: Good, Fair, Poor		
Coating: Good, Fair, Poor		<u>N/A</u>
Deformations: Holes, Punctures, Cracks, Active Leaks, Visible Weathering		
Other Notable Problems	_____	

For Sloped Roofs	Action: Repair/Replace	Comments/Notes
Roof Surface: Good, Fair, <u>Poor</u>	<u>REPLACE</u>	
Asphalt Shingle/ <u>Tile</u> /Shake, Slate: Missing/Curled/Bent/Worn/ Cracked		
Metal Roofs: Bent, Worn, Rusted, Corroded, Missing Panels/ <u>Fasteners</u>	<u>RUSTING</u>	
Other Notable Problems		

Exterior Roofing			
Structural Component	Condition: Good, Fair, Poor	Repair/Replace	Comments/Notes
Chimneys			
Decking			SOME DECAY
Dormers			
Drip Edges			DAMAGED, MISSING
Fascia			DECAYED
Gutters and Downspouts			DAMAGED
Hips			
Ridges			
Sheathing			
Skylights			

Soffit			
Starter Strips			
Underlayment			
Valleys			
Vents			
Other Components			
Interior Roofing			
Structural Component	Condition: Good, Fair, Poor	Repair/Replace	Comments/Notes
Ceiling Tiles			
Drywall			
Evidence of Leaks/Staining			
Insulation			
Rafters			
Roof Trusses			
Additional Notes/Comments			

Town of Palm Beach
Re: Golf Maintenance
November 22, 2016
16-071

#1 Front view



#2 Damaged gutter at overhead door, east side.



#3 Missing (deteriorated) copper eave drip south side, east end.



Town of Palm Beach
Re: Golf Maintenance
November 22, 2016
16-071

#4 Example of numerous areas
where eave tile course is dam-
aged and missing.



#5 Damaged gutter and down-
spout, north side, west end.



#6 Example of "rusted" failing
nails, for tile system.



Town of Palm Beach
Re: Golf Maintenance
November 22, 2016
16-071

#7 Tile row, which does not
even cover previous tile row,
nails.



#8 Example of loose sliding
tile, throughout roof.



#9 Overview of similar sliding
tile.



Town of Palm Beach
Re: Golf Maintenance
November 22, 2016
16-071

#10 Example of recent large
repair area, at south side, east
end of roof.



#11 Same caption as photo 10.



#12 Exposed organic mem-
brane split open and wood de-
cay beneath. (red circle)



Town of Palm Beach
Re: Golf Maintenance
November 22, 2016
16-071

#13 Water diverter above rear
entry door.



#14 Long eave repair at west
end.



KNOPF & ASSOCIATES, INC.

Emailed 11/29/16

ROOFING CONSULTANTS

November 29, 2016

Town of Palm Beach Public Works
Mr. Brett Madison
951 Old Okeechobee Road, Suite D
West Palm Beach, FL 33401
bmadison@townofpalmbeach.com

Re: 2016 Roof Condition Evaluation Report
Bid #2016-27, Town of Palm Beach, Item #16
Par 3 Cart Storage (Old Clubhouse)

Dear Mr. Madison,

Pursuant to Bid No 2016-27, I visited the above site on Tuesday November 22, 2016 to perform a review of the roof specifically and roof areas from the ground. The purpose of this inspection was to evaluate the current condition of the existing roof systems (2), to verify if repair or replacement is needed.

My inspection was performed in a visual non-destructive manner and my report is supported with captioned photos, site evaluation form and roof plan showing general locations of deficient items found.

My report is as follows:

A walk around the facility at ground level found two (2) pockets of entrapped water in the paint coating on the east side wood fascia. These water pockets were punctured to relieve the water and reduce the chances of accelerated wood decay (photo 2). Moving around to the west side there is obvious wood decay and water stains on the same fascia, indicating possibly active leak areas from the low slope roof (photos 3 & 4).

This structure has two (2) roof systems, a main low slope roof, fully surrounding a steep sloped cement tile roof.

The main low slope roof is a gravel surfaced built-up asphalt roof membrane, which is not commonly used anymore. A search of the Town of Palm Beach permit file did not produce any viable records to determine the roof age, installing contractor, or system manufacturer.

Knopf & Associates, Inc.

November 29, 2016

Re: 2016 Roof Condition Evaluation Report
Bid #2016-27, Town of Palm Beach, Item #16
Par 3 Cart Storage (Old Clubhouse)

Pg ~ 2 ~

There is one decent size incomplete repair spanning between the low and steep sloped roofs at the east side (photo 5). Whomever started this repair should complete same to protect the area from UV degradation.

The cement tile roof is a 9" width Bermuda tile, mortar set over a #30/90 organic felt and from its appearance is the same age as the low slope roof. There are a few cracked tile, which remain in place and the white paint topping is discolored and peeling. These tile should be replaced.

Conclusion

Having completed my review of the site conditions, I am of the opinion, with proper repairs, of both roofs, cleaning and painting of the tile areas, the Town can expect four (4) perhaps five (5) years more service life.

Recommendation

Thought should be given to replacing the decayed fascia section, then proper preparation and painting of the fascia and soffit areas.

This completes my report, should you have any questions, please feel free to contact me.

Respectfully,



Leslie G. Knopf, CPRC
President 16-074

Enc:

- | | |
|---|--------|
| 1) Google Earth Aerial Photo | 1 pg. |
| 2) Roof Maintenance Inspection Checklist Form | 3 pgs. |
| 3) Knopf Photos | 3 pgs. |

Note: The original photos were lost, so they were re-taken 11/29/16.



KNOPF & ASSOCIATES, INC.

ROOFING CONSULTANTS

Roof Maintenance Inspection Checklist

General Roof Information		
Type of Roof: <u>Flat</u> <u>Sloped</u> PAC 3 CART STORAGE (OLD CLUBHOUSE)		
Today's Date: <u>11/22/16</u> Date Installed: _____ Date of Last Maintenance: _____		
Reason for Inspection: _____		
Name of Inspector/ Maintenance Personnel: _____		
Roofing Material	Composition Concrete Engineered Environmentally Friendly <u>Hot Mopped</u> Metal Slate <u>Tile</u> Wood Shingles/Shakes Other: _____ _____ _____	
Physical, Visible Damage/ Structural Deformation		
Dirt, Rocks, Branches, Other Debris on Roof	GOLF BALLS	
Water Damage, Drainage, Gutter Problems		
Additional Notes/ Roof Damage	ACTIVE LEAKS _____ _____	
For Flat Roofs	Action: Repair/Replace	Comments/Notes
Roof Surface: Good, Fair, <u>Poor</u>	REPLACE	ADD SLOPE TO DRAIN
Coating: Good, Fair, Poor		
Deformations: Holes, Punctures, Cracks, Active Leaks, Visible Weathering		LEAKS, WEST EAVE PAINT AT FASCIA FAILING
Other Notable Problems	_____	

For Sloped Roofs	Action: Repair/Replace	Comments/Notes
Roof Surface: Good, <u>Fair</u> , Poor	REPLACE	
Asphalt Shingle/Tile/Shake, Slate: Missing/Curled/Bent/Worn/ Cracked		
Metal Roofs: Bent, Worn, Rusted, Corroded, Missing Panels/Fasteners		
Other Notable Problems		

Exterior Roofing			
Structural Component	Condition: Good, Fair, Poor	Repair/Replace	Comments/Notes
Chimneys			
Decking			
Dormers			
Drip Edges			
Fascia	FAIR		PAINT FAILING
Gutters and Downspouts			
Hips			
Ridges			
Sheathing			
Skylights			

Soffit			
Starter Strips			
Underlayment			
Valleys			
Vents			
Other Components			
Interior Roofing			
Structural Component	Condition: Good, Fair, Poor	Repair/Replace	Comments/Notes
Ceiling Tiles			
Drywall			
Evidence of Leaks/Staining			
Insulation			
Rafters			
Roof Trusses			
Additional Notes/Comments			

Town of Palm Beach
Re: Par 3 Cart Storage
11/29/16
16-074

#1 Front view



#2 Example of water blister in paint at fascia, east side, typical of 2.



#3 Possible roof leak area at west side. Water stains from fascia.



Town of Palm Beach
Re: Par 3 Cart Storage
11/29/16
16-074

#4 Decayed fascia west side.



#5 Incomplete repair at east side, between roof levels.



#6 Overview of failing paint on tile



Town of Palm Beach
Re: Par 3 Cart Storage
11/29/16
16-074

#7 Example of random cracked
tile.



#8 Overview of tile, looking
east.



TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda Resolutions

Agenda Title

RESOLUTION NO. 07-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of Invitation to Bid No. 2020-03, for Treatment of Lethal Yellowing Disease, Royal Palm Bug Treatment, and Fertilization of Royal Palms to Hulett Environmental Services, Inc. in the Annual Amount of \$39,996.50 and an Overall five year Contract Value of \$205,983, based on satisfactory Annual Contract Performance and contingent upon budget approval.

The rebid of this contract resulted in an annual savings of \$6,000, and a potential savings of \$30,000 over the period of the five year award based on budget approval and satisfactory vendor performance.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 30, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 07-2020**
- ▣ **Bid Tabulation**
- ▣ **Bid Solicitation Summary**
- ▣ **Hulett Bid**

Information for Town Council Meeting on February 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving the Award of Invitation to Bid No. 2020-03, for Treatment of Lethal Yellowing Disease, Royal Palm Bug Treatment and Fertilization of Royal Palms to Hulett Environmental Services, Inc. in the annual amount of \$39,996.50 and an overall five year contract value of \$205,983 based on satisfactory annual contract performance and contingent upon budget approval - Resolution **No. 07-2020**

DATE: 30 January 2020

STAFF RECOMMENDATION

Staff recommends Town Council approval of Resolution No. 07-2020, a Resolution Approving the Award of Invitation to Bid No. 2020-03, for Treatment of Lethal Yellowing Disease, Royal Palm Bug Treatment and Fertilization of Royal Palms to Hulett Environmental Services, Inc. in the annual amount of \$39,996.50, and an overall five year contract value of \$205,983 based on satisfactory annual contract performance and contingent upon budget approval

SUMMARY EXPLANATION/BACKGROUND

Public Works identified the requirement to issue a new solicitation for Treatment of Lethal Yellowing Disease, Royal Palm Bug Treatment and Fertilization of Royal Palms. The previous contract, 2014-18 had no additional extensions.

Public Works and the Town Arborist recommends treatment for all Town owned coconut palm trees. The Town has 2,800 coconut trees and 550 royal palms.

Lethal Yellowing (LY) is a fatal but preventable disease caused by bacteria. LY currently affects 40% of palm species, most common is Coconut and Date Palms. This disease affects the vascular system of the palms by clogging its vessels, not allowing nutrients to migrate through the tree. It is spread by a palm sap feeding leafhopper.

Treatment for LY consists of drilling a small hole in the tree and inserting a valve. The valve is then penetrated with a syringe. The chemical injected is a water-soluble antibiotic, oxytetracycline hydrochloride (OTC). Because it is water based, as is the palm, it dissipates over a short time, requiring treatment 3x/year to maintain effective control. An average size coconut palm would be

injected with 4 grams of OTC/tree/year.

PURCHASING METHODOLOGY

Purchasing issued Invitation to Bid 2020-03 for Treatment of Lethal Yellowing Disease, Royal Palm Bug Treatment and Fertilization of Royal Palms. The solicitation was issued to 589 firms in Demand Star, 10 firms in Public Purchase and 195 firms in Negometrix for a total of 794 recipients of notification for an upcoming bid.

Twelve firms replied to the solicitation, of which six actually submitted a formal bid. Bid submittals ranged from \$39,996.50 to \$91,213.60 annually.

Purchasing verified the low bid for responsiveness and responsibility to the scope and all requirements. Hulett Environmental Services, Inc. was determined meet all requirements.

The result in the new solicitation provided a cost savings to the Town of \$6,000 during the first year of the new contract award and a potential five year cost savings of \$30,000.

PREVIOUS AWARDED VENDOR

The previous contract for Treatment of Lethal Yellowing Disease, Royal Palm Bug Treatment and Fertilization of Royal Palms was awarded in 2014 to Hulett Environmental Services, Inc. During the contract period from 2014 to 2019, Hulett Environmental Services, Inc. provided above satisfactory performance. There was no vendor performance issues.

FISCAL IMPACT/FUNDING SOURCE

Funding for award of Bid No. 2020-03, for Treatment of Lethal Yellowing Disease, Royal Palm Bug Treatment and Fertilization of Royal Palms will be from the Public Works Operational Budget.

USER DEPARTMENT CONCURRENCE

The Public Works Department has reviewed the bid tabulation and vendor recommendations and is in full agreement.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues.

TOWN ATTORNEY REVIEW

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

CC: Jay Boodheshwar, Deputy Town Manager
Paul Brazil, Director, Public Works
Paul Colby, Facilities Maintenance Manager
Duke Basha, Assistant Purchasing Manager

RESOLUTION NO. 07-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF INVITATION TO BID NO. 2020-
03, FOR TREATMENT OF LETHAL YELLOWING DISEASE,
ROYAL PALM BUG TREATMENT AND FERTILIZATION OF
ROYAL PALMS TO HULETT ENVIRONMENTAL SERVICES,
INC. IN THE ANNUAL AMOUNT OF \$39,996.50 AND AN
OVERALL FIVE YEAR CONTRACT VALUE OF \$205,983
BASED ON SATISFACTORY ANNUAL CONTRACT
PERFORMANCE AND CONTINGENT UPON BUDGET
APPROVAL.**

WHEREAS; Invitation to Bid No. 2020-03 was issued for treatment of Lethal Yellowing Disease, Royal Palm Bug Treatment and Fertilization of Royal Palms, and;

WHEREAS; Town Council approval is sought to approve the Bid Award Recommendation for ITB No. 2020-03 to Hulett Environmental Services Inc.

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The award of Invitation to Bid No. 2020-03 to Hulett Environmental Services, Inc. in the annual amount of \$39,996.50 and an overall five year contract value of \$205,983, is hereby approved.

Section 2. The Town Manager, or his designee, is hereby authorized to take such further action as may be necessary.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of February, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk



TOWN OF PALM BEACH

BID		Bid No. 2020-03 LY Injections, RP Bug and RP Fertilization													
		COMPANY NAME:		Hulett		Property Works		Zimmerman		Enviroscapes		Florida Environmental		PowerX	
Line	DESCRIPTION	QTY	UNIT	UNIT AMOUNT	TOTAL AMOUNT	UNIT AMOUNT	TOTAL AMOUNT	UNIT AMOUNT	TOTAL AMOUNT	UNIT AMOUNT	TOTAL AMOUNT	UNIT AMOUNT	TOTAL AMOUNT	UNIT AMOUNT	TOTAL AMOUNT
1	Lethal Yellowing Treatment (Oxytetracycline Hydrochloride Injections) - 3 Times Per Year	7146	EA	\$4.00	\$28,584.00	\$5.05	\$36,087.30	\$7.85	\$56,096.10	\$4.50	\$32,157.00	\$3.75	\$26,797.50	\$4.40	\$31,442.40
2	Royal Palm Bug Treatment with Imidicloprid Insecticide - 2 Times Per Year	1100	EA	\$4.00	\$4,400.00	\$10.01	\$11,014.85	\$9.65	\$10,615.00	\$11.50	\$12,650.00	\$6.15	\$6,765.00	\$4.00	\$4,400.00
3	Royal Palm Fertilization with a Granular Mixture of 8-2-12 per University of Florida specifications - 3 Times Per Year	1650	EA	\$4.25	\$7,012.50	\$6.30	\$10,393.35	\$14.85	\$24,502.50	\$3.00	\$4,950.00	\$4.25	\$7,012.50	\$3.50	\$5,775.00
TOTAL BID AMOUNT:				\$39,996.50		\$57,495.50		\$91,213.60		\$49,757.00		\$40,575.00		\$41,617.40	

Solicitation summary (1852)

Details

Reference number: 2020-03

Procedure: Sealed without Preselection

Description:

BID DOCUMENTS

To see the full details of this solicitation you will need to select the '**PARTICIPATE**' below. You will be prompted to login to your Negometrix account. If you do not have an account you can create one at no cost. If you select '**PARTICIPATE**' you are not obligated to submit an offer to this solicitation. However, you will need to participate in order to access all bid documents.

GENERAL INFORMATION

The Town of Palm Beach is seeking proposals from qualified contractors for the Treatment for Lethal Yellowing Disease, Royal Palm Bug Treatment and Fertilization of Royal Palms.

The awarded contractor shall provide all necessary labor, management, supervision, trucks, gas, oil, safety equipment, and any other materials and equipment necessary to inject each of the estimated 2,382 Town-owned coconut palms and single-trunked date palm varieties three times per year, and apply an Imidicloprid-based insecticide for control of Royal Palm Bug twice per year & fertilizer applications three-times per year to each of the estimated 550 Royal Palms on Town-owned properties and Right-of-Ways.

All treatments may occur concurrent or sequentially to one another without more than two-days stoppage between normally scheduled working days and hours. Each treatment series shall be performed and completed within the specific months indicated. The Town desires that all services are performed in February, June and October of each year.

PRE-PROPOSAL CONFERENCE

A "**NON-MANDATORY**" pre-proposal meeting/site visit will be held on:

Date/Time:

Tuesday, November 26, 2019 at 2:00 PM

Location:

Public Works Building

Meeting Room

951 Okeechobee Road

West Palm Beach, Florida 33401

QUESTION DEADLINE

The deadline for questions is SEVEN (7) CALENDAR DAYS before the end of the Offer Phase (due date).

Questions should be submitted through this software platform using the Question & Answer feature.

The Town may provide written addenda up to FIVE (5) calendar days before the date fixed for receiving the bid proposals. Any oral explanation(s) given before the bid opening will not be binding.

DESIGNATED PROCUREMENT REPRESENTATIVE

The Designated Procurement Representative for this Solicitation is:

Eric Shibley

eshibley@townofpalmbeach.com

(561) 227-7009

ALL communications regarding this solicitation will be handled by this Town representative.

ASSISTANCE & SUPPORT

Attached below is a file titled 'Getting Started in Negometrix - Supplier Guide'. This file will provide useful information on how Suppliers use the system to obtain the solicitation information and submit their own Solicitation Response. Suppliers may also contact the Negometrix support desk at the number provided.

NEGOMETRIX SUPPORT

(Technical) Assistance (Mon - Fri: 8 am to 6 pm)

Negometrix Service Desk

Telephone: (724) 888-5294

Email: servicedesk@negometrix.com

Awarded supplier(s)

Offers/Applications from suppliers

- **Suppliers** (Number of suppliers: 12)
 - PowerX
 - Participant since : Dec 9 2019 10:41:41 AM
 - Florida Environmental Pest Management
 - Participant since : Dec 3 2019 10:58:25 AM
 - Town Demo
 - Participant since : Nov 26 2019 2:13:20 PM
 - Envirosapes Plus Inc.
 - Participant since : Nov 26 2019 8:08:42 AM
 - Beach Environmental
 - Participant since : Nov 26 2019 7:59:04 AM
 - Bass Property Maintenance, Inc.
 - Participant since : Nov 22 2019 9:35:40 AM
 - Samco Pest Solutions
 - Participant since : Nov 22 2019 8:29:33 AM
 - Bartlett Tree Experts
 - Participant since : Nov 22 2019 8:23:53 AM
 - 1965
 - Participant since : Nov 21 2019 6:36:23 AM
 - Hulett Environmental Services
 - Participant since : Nov 19 2019 1:00:15 PM
 - Zimmerman Tree Service
 - Participant since : Nov 19 2019 8:47:43 AM
 - Batallan Enterprises Inc. dba Property Works
 - Participant since : Nov 19 2019 8:26:00 AM
- **Offer phase** (Number of offers in phase: 6)
 - Batallan Enterprises Inc. dba Property Works (Batallan Enterprises Inc. dba Property Works) Time and date of submitting: Dec 19 2019 6:46:46 AM
 - Zimmerman Tree Service (Zimmerman Tree Service) Time and date of submitting: Dec 18 2019 11:22:38 AM
 - Hulett Environmental Services (Hulett Environmental Services) Time and date of submitting: Dec 19 2019 11:26:31 AM
 - Envirosapes Plus Inc. (Envirosapes Plus Inc.) Time and date of submitting: Dec 19 2019 11:53:38 AM
 - Florida Environmental Pest Management (Florida Environmental Pest Management) Time and date of submitting: Dec 18 2019 10:31:50 AM
 - PowerX (PowerX) Time and date of submitting: Dec 19 2019 8:29:11 AM
- **Evaluation** (Number of offers in phase: 6)
 - Batallan Enterprises Inc. dba Property Works (Batallan Enterprises Inc. dba Property Works)
 - Zimmerman Tree Service (Zimmerman Tree Service)
 - Hulett Environmental Services (Hulett Environmental Services)
 - Envirosapes Plus Inc. (Envirosapes Plus Inc.)
 - Florida Environmental Pest Management (Florida Environmental Pest Management)
 - PowerX (PowerX)

- **Awarding** (Number of offers in phase: 0)

Schedule

Name	Type	Start date	End date	Responsible person
Creation date	Date	Jul 26 2019 10:08 AM	—	Public Works Palm Beach
Preparation	Phase	Jul 26 2019 10:08 AM	Nov 19 2019 7:00 AM	
Offer phase	Phase	Nov 19 2019 7:00 AM	Dec 19 2019 2:00 PM	
Evaluation	Phase	Dec 19 2019 2:00 PM	Jan 14 2020 2:00 PM	
Award phase	Date	Jan 14 2020 2:00 PM	—	

Results

• Offer phase (Nov 19 2019 - Dec 19 2019)

Result		Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price	Quality score	Allowed to next phase
Rank	Name								
1	Hulett Environmental Services	–	–	–	–	–	\$39,996.50	0%	Yes
2	Florida Environmental Pest Management	–	–	–	–	–	\$40,575	0%	Yes
3	PowerX	–	–	–	–	–	\$41,617.40	0%	Yes
4	Enviroscapes Plus Inc.	–	–	–	–	–	\$49,757	0%	Yes
5	Batallan Enterprises Inc. dba Property Works	–	–	–	–	–	\$57,495.50	0%	Yes
6	Zimmerman Tree Service	–	–	–	–	–	\$91,213.60	0%	Yes

• Evaluation

Result		Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price	Quality score	Allowed to next phase
Rank	Name								
1	Hulett Environmental Services	–	–	–	–	–	\$39,996.50	0%	No
2	Florida Environmental Pest Management	–	–	–	–	–	\$40,575	0%	No
3	PowerX	–	–	–	–	–	\$41,617.40	0%	No
4	Enviroscapes Plus Inc.	–	–	–	–	–	\$49,757	0%	No
5	Batallan Enterprises Inc. dba Property Works	–	–	–	–	–	\$57,495.50	0%	No
6	Zimmerman Tree Service	–	–	–	–	–	\$91,213.60	0%	No

• Awarding

Contracts

There are no contracts added



TOWN OF PALM BEACH

Contract Information Form

Purchasing Division
951 Okeechobee Rd.
West Palm Beach, FL 33401
Phone: 561-838-5406
Fax: 561-835-4688
Web: www.townofpalmbeach.com

Please Take a Moment to Provide the following Company Information

Part 1 | Company Information

Company Name: Hulett Environmental Services, Inc.

DBA Name (If Applicable):

Physical Address (No P.O. Boxes): 7670 Okeechobee Blvd.

Mailing Address (If Different than Above):

City: West Palm Beach

State: Florida

Zip: 33411

Owner's Name(s): Tim Hulett

Part 2 | Contact Information

Main Office Phone: 561-686-7171

Office Fax: 561-684-0562

Web Site: www.bugs.com

Primary Contact: Ryan Howard

Alternate Contact: Tharon Woods

Primary Contact Phone: 561-686-7171

Alternate Phone: 561-718-8950

Primary Contact Cell Phone: 561-242-1537

Alternate Contact Cell Phone: 561-517-6658

Primary Contact Email: RHoward@bugs.com

Alternate Email: TWoods@bugs.com

Emergency After Hours Contact: Ryan Howard

Emergency After Hours Email: CustomerService@bugs.com

Emergency After Hours Phone: 561-301-5080

Part 3 | Purchase Orders

Contact for Issuing Purchase Orders: Ryan Howard

Contact Phone: 561-686-7171

Contact Email: LawnDept@bugs.com

Part 4 | Accounts Receivable

Accounts Receivable Contact: Ryan Howard

Contact Phone: 561-686-7171

Contact Email: ARBUGS@Bugs.com

1852 Bid No. 2020-03 - LY Injections, RP Bug and RP Fertilization

Hulett Environmental Services

BASIS OF AWARD

#	Name	Unit	Quantity	Price Per Unit	Annual Cost
1	Lethal Yellowing Treatment (Oxytetracycline Hydrochloride Injections) - 3 Times Per Year	EA	7146	\$4	\$28,584
2	Royal Palm Bug Treatment with Imidicloprid Insecticide - 2 Times Per Year	EA	1100	\$4	\$4,400
3	Royal Palm Fertilization with a Granular Mixture of 8-2-12 per University of Florida specifications - 3 Times Per Year	EA	1650	\$4.25	\$7,012.50
Total					\$39,996.50



TOWN OF PALM BEACH

PURCHASING DIVISION

951 Okeechobee Road Suite D

West Palm Beach, Florida 33401

Telephone: (561) 838-5406

Scrutinized Company Certification

I hereby swear or affirm that as of the date below this company is not listed on a Scrutinized Companies list created pursuant to 215.4725, 215.473, or 287.135, Florida Statutes. Pursuant to 287.135, Florida Statutes I further affirm that:

1. This company is not participating in a boycott of Israel such that it is not refusing to deal, terminating business activities, or taking other actions to limit commercial relations with Israel, or persons or entities doing business in Israel or in Israeli-controlled territories, in a discriminatory manner.
2. This Company does not appear on the Scrutinized Companies with Activities in Sudan List where the State Board of Administration has established the following criteria:
 - a. Have a material business relationship with the government of Sudan or a government-created project involving oil related, mineral extraction, or power generation activities, or
 - b. Have a material business relationship involving the supply of military equipment, or
 - c. Impart minimal benefit to disadvantaged citizens that are typically located in the geographic periphery of Sudan, or
 - d. Have been complicit in the genocidal campaign in Darfur.
3. This Company does not appear on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List where the State Board of Administration has established the following criteria:
 - a. Have a material business relationship with the government of Iran or a government-created project involving oil related or mineral extraction activities, or
 - b. Have made material investments with the effect of significantly enhancing Iran's petroleum sector.
4. This Company is not engaged in business operations in Cuba or Syria.

VENDOR/COMPANY NAME: Hulett Environmental Services

NAME: Benjamin Gillenwaters

TITLE: Training Manager

SIGNATURE: _____

DATE: _____

12/17/2019

PURCHASING DIVISION

951 Okeechobee Road Suite D

West Palm Beach, Florida 33401

Telephone: (561) 838-5406 Facsimile: (561) 835-4688

Website: www.townofpalmbeach.com

11/16/18

STATE OF FLORIDA
Department of Agriculture and Consumer Services
BUREAU OF LICENSING AND ENFORCEMENT

Date
October 23, 2019
File No.
JB614
Expires
November 30, 2020

THE PEST CONTROL COMPANY FIRM NAMED BELOW HAS
REGISTERED UNDER THE PROVISIONS OF CHAPTER 482 FOR THE
PERIOD EXPIRING: November 30, 2020

AT

7670 OKEECHOBEE BLVD
WEST PALM BEACH, FL 33411

HULETT ENVIRONMENTAL SERVICES, INC.
PO BOX 220928
WEST PALM BEACH, FL 33422

Fumigation
General Household Pest and
Rodent Control
Lawn and Ornamental
Termite and Other WDO
Control

Nicole Fried
NICOLE "NIKKI" FRIED, COMMISSIONER

STATE OF FLORIDA
Department of Agriculture and Consumer Services
BUREAU OF LICENSING AND ENFORCEMENT

HULETT ENVIRONMENTAL SERVICES, INC.
7670 OKEECHOBEE BLVD
PEST CONTROL COMPANY FIRM

JB614

HAS PAID THE FEE REQUIRED BY CHAPTER 482 FOR THE PERIOD
EXPIRING November 30, 2020

Nicole Fried Signature
COMMISSIONER

Wallet Card - Fold Here

BUREAU OF LICENSING & ENFORCEMENT
3125 CONNER BLVD, BLDG. 8
TALLAHASSEE, FLORIDA 32399-1650



ANNE M. GANNON
CONSTITUTIONAL TAX COLLECTOR
Serving Palm Beach County

Serving you.

P.O. Box 3353, West Palm Beach, FL 33402-3353
www.pbctax.com Tel: (561) 355-2264

****LOCATED AT****

**7670 OKEECHOBEE BLVD
WEST PALM BEACH, FL 33411-
0000**

TYPE OF BUSINESS	OWNER	CERTIFICATION #	RECEIPT #/DATE PAID	AMT PAID	BILL #
56-0017 PEST CONTROL FIRM	HULETT TIMOTHY M	JB614	B19.559066 - 07/19/19	\$66.00	B40113380

This document is valid only when receipted by the Tax Collector's Office.

HULETT ENVIRONMENTAL SERVICES INC
HULETT ENVIRONMENTAL SERVICES INC
7670 OKEECHOBEE BLVD
WEST PALM BEACH, FL 33411-2100

B3 - 101

**STATE OF FLORIDA
PALM BEACH COUNTY
2019/2020 LOCAL BUSINESS TAX RECEIPT**

**LBTR Number: 200501828
EXPIRES: SEPTEMBER 30, 2020**

This receipt grants the privilege of engaging in or managing any business profession or occupation within its jurisdiction and **MUST** be conspicuously displayed at the place of business and in such a manner as to be open to the view of the public.

Attached is your 2019-2020 Business Receipt evidencing payment of fees for your Local Business Tax; Certificate of Use (if applicable); Sidewalk Café Permit (if applicable); and/or Extended Hours Alcohol Permit (if applicable).

Business Tax Receipt: This document, based on the business category codes listed below, is your Business Tax Receipt. THIS BUSINESS TAX RECEIPT MUST BE DISPLAYED ON THE PREMISES IN A PLACE WHERE IT MAY BE SEEN AT ALL TIMES (Sec. 82-160 City Code).

Certificate of Use: A certificate of use may be suspended or revoked in accordance with Sec. 22-39 of the City Code.

Sidewalk Café Permit: A sidewalk café permit requires compliance with the conditions in Secs. 78-345 and 78-347 of the City Code. A sidewalk café permit may be suspended or revoked pursuant to Sec. 78-348 of the City Code.

Extended Hours Alcohol Permit: An extended hours alcohol permit requires compliance with the conditions in Sec. 6-8 of the City Code and may be suspended or revoked as provided in said section.

FOR INFORMATION CALL (561) 805-6700 EMAIL business-tax@wpb.org HOURS 8:00 AM - 5:00 PM — MONDAY - FRIDAY

INSTRUCTIONS: PLEASE POST IN A CONSPICUOUS PLACE AT YOUR PLACE OF BUSINESS.



CITY OF WEST PALM BEACH

NOT TRANSFERABLE

WEST PALM BEACH

2019 to 2020 BUSINESS RECEIPT

CITY OF WEST PALM BEACH
P.O. BOX 3147, WEST PALM BEACH, FL 33402

Development Services

0000017139

HULETT ENVIRONMENTAL SVCS INC
7670 OKEECHOBEE BLVD

PEST CONTROL

BUS. TAX ID.	CATEGORY	DESCRIPTION	FEE
40312	561710	EXTERMINATING & PEST CONTROL SERVICE	86.81
TOTAL			86.81
** PAID			86.81
			** BAL **
			0.00

EXPIRES
SEPTEMBER 30,
2020

THIS DOCUMENT NOT VALID
UNTIL FUNDS ARE COLLECTED

Lawn Division Technicians

Tech Name	JE Number	LF Number
Martin Azanza	JE 165245	LF 214586
Douglas Blackwood	JE 33087	LF 214587
Curtis Bunche	JE 120609	LF 256734
Gianni Cioffi	JE 291515	LF 288817
Mark Clugston	JE 70282	LF 214593
Edwin Collazos	JE 277738	LF 278538
Keving Costello	JE 205020	LF 214595
Neal Ham	JE 192313	LF 214737
Carlos Huertas	JE 147213	LF 214605
Jamian Lovett	JE 91795	LF 214608
George Marchese	JE 49374	LF 214609
David Murray	JE 239583	LF 280227
Jonathan Piche	JE 275857	LF 275992
Eric Saulter	JE 36102	LF 214619
Robert Sholander	JE 69609	LF 214621
Jhernadrika Young	JE 132633	LF 214628

Service Manager	JE Number	LF Number
Tharon Woods	JE 43213	LF 214626

Certified Operator	JF Number	LF Number
Ryan Howard	JF126740	LF214600

STATE OF FLORIDA
Department of Agriculture and Consumer Services
BUREAU OF LICENSING AND ENFORCEMENT

Date
October 23, 2019

File No.
JE62846

Expires
November 30, 2020

THE ID CARD HOLDER NAMED BELOW HAS REGISTERED UNDER THE PROVISIONS OF CHAPTER 482 FOR THE PERIOD EXPIRING:
November 30, 2020 AT

HULETT ENVIRONMENTAL SERVICES, INC.
WEST PALM BEACH, FL 33411

RYAN BRADLEY HOWARD
HULETT ENVIRONMENTAL SERVICES, INC.
PO BOX 220928
WEST PALM BEACH, FL 33422

Certified Operator
Certified Operator -
Fumigation

Nicole Fried
NICOLE "NIKKI" FRIED, COMMISSIONER

STATE OF FLORIDA
Department of Agriculture and Consumer Services
BUREAU OF LICENSING AND ENFORCEMENT

Date
November 27, 2017

File No.
LF214600

Expires
February 4, 2022

THE LTD COMMERCIAL FERTILIZER APPLICATOR HOLDER NAMED BELOW HAS REGISTERED UNDER THE PROVISIONS OF CHAPTER 482 FOR THE PERIOD EXPIRING: February 4, 2022

RYAN BRADLEY HOWARD
9116 GREEN MEADOWS WAY
PALM BEACH GARDENS, FL 33418

Adam H. Putnam
ADAM H. PUTNAM, COMMISSIONER

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Hulett Environmental Services, Inc.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.) See instructions. 7670 Okeechobee Boulevard	Requester's name and address (optional)
6 City, state, and ZIP code West Palm Beach, FL 33411	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

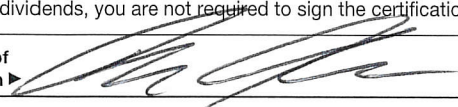
Social security number									
				-			-		
or									
Employer identification number									
5	9	-	2	2	8	2	3	5	2

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► 	Date ► 12/17/19
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. Individual. Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. Sole proprietor or single-member LLC. Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. Partnership, LLC that is not a single-member LLC, C corporation, or S corporation. Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. Other entities. Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. Disregarded entity. For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)

2—The United States or any of its agencies or instrumentalities

3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

4—A foreign government or any of its political subdivisions, agencies, or instrumentalities

5—A corporation

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession

7—A futures commission merchant registered with the Commodity Futures Trading Commission

8—A real estate investment trust

9—An entity registered at all times during the tax year under the Investment Company Act of 1940

10—A common trust fund operated by a bank under section 584(a)

11—A financial institution

12—A middleman known in the investment community as a nominee or custodian

13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/3/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. Park 7 12750 Merit Drive, Suite 1000 Dallas TX 75251	CONTACT NAME: PESTSURE CERTIFICATES	
	PHONE (A/C, No, Ext): 800-326-6203	FAX (A/C, No): 972-663-6258
INSURED HULETT ENVIRONMENTAL SERVICES, INC 7670 OKEECHOBEE BLVD. West Palm Beach, FL 33411-2100	E-MAIL ADDRESS: PESTSURECERTS@AJG.COM	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Old Republic Insurance Company	
	INSURER B:	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		
NAIC #		
24147		

COVERAGES

CERTIFICATE NUMBER: 1112622212

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:			MWZY313739-19	10/1/2019	10/1/2020	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COM/OP AGG \$4,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☒ OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			MWVTB313759-19	10/1/2019	10/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				☐ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
ALL LOCATIONS & OPERATIONS.

CERTIFICATE HOLDER

CANCELLATION

Evidence of Coverage

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Todd Burke

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HULEENV-02

MMCINTOSH

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/29/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Evergreen Insurance Agency 583 105th Ave, N Suite 2 Royal Palm Beach, FL 33411	CONTACT NAME:	
	PHONE (A/C, No, Ext): (561) 966-8883	FAX (A/C, No): (561) 964-8885
	E-MAIL ADDRESS: info@evergreeninsurance.com	
INSURED Hulett Environmental Svcs., Inc 7670 Okeechobee Blvd. West Palm Beach, FL 33411	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Michigan Commercial Ins. Mutual	
	INSURER B: Evanston Insurance Company	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	
	NAIC # 35378	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COM/OP AGG \$ \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y N/A	WC100-0014887-2019A	11/1/2019	11/1/2020	X PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
B	Worker's Compensation		3EV7104	11/1/2019	11/1/2020	See descr

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Excess Employer's Liability \$900,000 XS \$100,000 Each Accident, \$900,000 XS \$100,000 Each Employee, \$500,000 XS \$500,000 Disease-Policy Limits

CERTIFICATE HOLDER

CANCELLATION

INSURED'S COPY

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



TOWN OF PALM BEACH

LIST OF CURRENT & PERTINENT PROFESSIONAL REFERENCE FORM

The following is a list of **at least FIVE (5)** current (within last two years) and pertinent professional references that the Town can contact in relation to Bidder's qualifications, financial stability, and experience. Failure to furnish this information may be grounds for rejection of the proposal.

1. Name and Address of Firm, City, County, or Agency	Scope of Work:	Palm, Turf, Orna. - Full Service
Riverwalk of the Palm Beaches HOA	Date(s):	2016 - Current
7459 Riverwalk Cir	Amount:	> \$100,000
West Palm Beach, FL 33411-5795	Contact:	Allen Hunter
	Telephone No:	561-697-7712
	Email:	allen.hunter@fsresidential.com
For Town Use Only: Comments:		
Reference Verified: Yes ☐ No ☐		

2. Name and Address of Firm, City, County, or Agency	Scope of Work:	Whitefly and Palm, Turf, Orna. - Full Service
Palms at Atlantis HOA, Inc.	Date(s):	2010 - Current
Palm Circle, Lake Worth, FL 33462-6627	Amount:	\$10,500
	Contact:	Edwardo; Bill Gravette
	Telephone No:	561-641-1016; 561-385-7746; 705-645-8494
	Email:	Prefer Telephone
For Town Use Only: Comments:		
Reference Verified: Yes ☐ No ☐		

3. Name and Address of Firm, City, County, or Agency	Scope of Work:	Whitefly and Palm, Turf, Orna. - Full Service
Jonathans Cove	Date(s):	2017 - Current
4925 N Military Trail	Amount:	\$25,000
West Palm Beach, FL 33417-7536	Contact:	Michael Cheney
	Telephone No:	561-649-8585
	Email:	mcheney@grsmgt.com
For Town Use Only: Comments:		
Reference Verified: Yes ☐ No ☐		

4. Name and Address of Firm, City, County, or Agency	Scope of Work:	Insects, Fungus and Weeds in Turf and Ornam.
Evergrene HOA	Date(s):	2012 - Current
Vintner Blvd	Amount:	\$81,000
Palm Beach Gardens, FL 33410-1522	Contact:	Mark Latham
shawn@pbclandscape.com	Telephone No:	561-626-1981 ; 561-225-3117
AaronS@ouevergrene.com	Email:	mlatham@pbclandscape.com
For Town Use Only: Comments:		
Reference Verified: Yes ☐ No ☐		

5. Name and Address of Firm, City, County, or Agency	Scope of Work:	Palm Fertilization and Whitefly
Journey's End HOA	Date(s):	10/17 - Current
6400 Journeys End Blvd	Amount:	\$11,000
Lake Worth, FL 33467	Contact:	Tammy Tomlinson
	Telephone No:	561-966-1642
	Email:	ttomlinson@castlegroup.com
For Town Use Only: Comments:		
Reference Verified: Yes ☐ No ☐		

Contact References:

Hulett Environmental Services

Project Number 1

Project Name: The School District of Palm Beach County

Description: Pesticide Application to the schools of Palm Beach County

Location: 3300 Summit Boulevard, West Palm Beach, FL 33406

Date Completed: Current

Client Name, Email and Phone Number: Stacey Marshall,
Stacey.Marshall@palmbeachschools.org, 561-687-7199

Value of Total Contract: \$81,000.00

Project Number 2

Project Name: The City of Miami Beach

Description: Pesticide Application to city buildings of Miami Beach

Location: 1833 Bay Road, Miami Beach, FL 33139

Date Completed: Current

Client Name, Email and Phone Number: Adrian Morales,
AdrianMorales@miamibeachfl.gov, 305-673-7000 x2932

Value of Total Contract: \$18,000.00

Project Number 3

Project Name: The City of Oakland Park

Description: Pesticide Application to city buildings of Oakland Park

Location: 3801 NE 5th Avenue, Oakland Park, FL 33334

Date Completed: Current

Client Name, Email and Phone Number: Robert Jones, RobertJ@oaklandparkfl.gov,
954-630-4454

Value of Total Contract: \$4,500.00

Additional References:
Hulett Environmental Services

Name of Firm:	Town of Palm Beach
Scope of Work:	Lethal yellowing injection of palms, insecticide treatments and fertilization of palms within the Town limits
Cost of Service:	\$43,969.50
Date of Service:	07/01/2014
Contact Person:	Andy Sorrow, Parks Supervisor
Email:	andrew.sorrow@townofpalmbeach.com
Phone #:	561-227-7038
Address:	951 Okeechobee Road, West Palm Beach, FL 33401

Name of Firm:	Palm Beach County Health Department
Scope of Work:	Integrated pest management for all county Health Department facilities
Cost of Service:	\$13,620.00
Date of Service:	07/01/2007 - 06/01/2014
Contact Person:	Lynn McCullough, Facilities Manager
Email:	
Phone #:	561-840-4522
Address:	(Multiple Addresses)

Name of Firm:	Florida Atlantic University
Scope of Work:	Integrated pest management for buildings on campus, including dormitories
Cost of Service:	\$37,777.92
Date of Service:	10/01/2005 - Present
Contact Person:	Joni Daminato, Account Coordinator
Email:	jdaminato@capstoneoncampus.com
Phone #:	561-297-2154
Address:	777 Glades Road, Boca Raton, FL 33431

Name of Firm:	Palm Beach County - Lots 4 & 5
Scope of Work:	Integrated pest management on all county buildings in lots 4 and 5
Cost of Service:	\$25,850.04
Date of Service:	09/01/2012 - Present
Contact Person:	Lynn Moore, Facilities Contract Coordinator
Email:	
Phone #:	561-276-1354
Address:	(Multiple Addresses)

Name of Firm:	City of Palm Beach Gardens
Scope of Work:	Integrated pest management on all city-owned buildings and parks
Cost of Service:	\$14,526.84
Date of Service:	12/01/2009 - Present
Contact Person:	Michael Morrow, Operations Director
Email:	mmorrow@pbgfl.com
Phone #:	561-804-7013
Address:	10500 N. Military Trail, Palm Beach Gardens, FL 33410



TOWN OF PALM BEACH

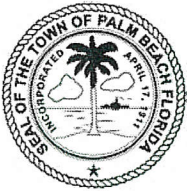
EQUIPMENT LIST FORM

ITEM	USE	MANUFACTURER	AGE AND CONDITION	OWNER
Drills	To drill holes into Palms	Ryobi Model # P1813	1 year old	Hulett
Hammer pliers	To Remove and Tap Casings	Field Guardian Model # 670605	2 years old	Hulett
Spray Trucks	To Drench Royal Palms	Chevrolet	1-3 year old	Hulett

Notes:

In preparing the above tabulation, the Bidder shall insert the following information under the appropriate heading, using a separate line for each major item and an additional page, if necessary.

- (a) ITEM: Description of equipment.
 - (b) USE: Description of what the equipment will be used for in the project.
 - (c) MANUFACTURER: Manufacturer of equipment and model number.
 - (d) AGE AND CONDITION: Original model year of equipment - if equipment has been rebuilt, year of last overhaul.
 - (e) OWNER: Owner of equipment.
-



TOWN OF PALM BEACH

BIDDER'S QUALIFICATION FORM

The Vendor, as a result of this bid proposal, must hold a County and/or Municipal Tax Receipt (Occupational License) in the area of their fixed business location. Each proposer must complete the following information and submit with their proposal in order to be considered:

1. Legal Name and Address:

Name: Hulett Environmental Services, Inc.

Address: 7670 Okeechobee Blvd.

Email: BGillenwaters@bugs.com

City, State, Zip: West Palm Beach, FL 33411

Phone/Fax: 561-242-1537

2. Check One: Corporation (☒) Partnership (☐) Individual (☐)

3. If Corporation, state: Date of Incorporation: April 11th 1983 State in which Incorporated: Florida

4. If an out-of-state Corporation, currently authorized to do business in Florida, give date of such authorization: N/A

5. Name and Title of Principal Officers

Tim Hulett

Date Elected:

April 11th 1983

Liz Hulett

April 11th 1983

6. The Vendor's length of time in business: 51 years

7. The Vendor's length of time (continuous) in business as a service organization in Florida: 51 years

8. All bidders must disclose with their bid the name of any officer, director or agent who is also an employee of the Town. Further, all bidders must disclose the name of any Town employee who owns, directly or indirectly, an interest in the bidder's firm or any of its branches.

Name None Percentage of Interest: 0%

9. A copy of County and/or Municipal Tax Receipt (Occupational License) in the area of their fixed business location.

10. A current, signed copy of your firm's IRS form W-9.

Note: Information requested herein and submitted by the proposers will be analyzed by the Town of Palm Beach and will be a factor considered in awarding any resulting contract. The purpose is to insure that the Proposers, in the sole opinion of the Town of Palm Beach, can sufficiently and efficiently perform all the required services in a timely and satisfactory manner as will be required by the subject contract. If there are any terms and/or conditions that are in conflict, the most stringent requirement shall apply.



TOWN OF PALM BEACH

LIST OF PROPOSED SUBCONTRACTORS FORM

The undersigned bidder hereby designates, as follows, all major subcontractors whom he/she proposes to utilize for the major areas of work for the project. The bidder is further notified that all subcontractors shall be properly licensed, bondable and shall be required to furnish the TOWN with a Certificate of Insurance in accordance with the contract general conditions. Failure to furnish this information shall be grounds for rejection of the bidder's proposal. (If no subcontractors are proposed, state "None" on first line below.)

Name and Address of Subcontractor	Scope of Work	License #
1. None		
2.		
3.		
4.		
5.		

Signature and Date 

Title/Company Benjamin Gillenwaters / Training Manager for Hulett Environmental Services



TOWN OF PALM BEACH

DRUG-FREE WORKPLACE CERTIFICATION FORM

Whenever two (2) or more bids/proposals, which are equal with respect to price, quality, and service, are received by the Town of Palm Beach for the procurement of commodities or contractual services, a bid/proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

- (1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- (2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- (3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in number (1).
- (4) In the statement specified in number (1), notify the employees that as a condition for working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction on or plea of guilty or nolo contendere to any violation of Chapter 893, Florida Statutes or of any controlled substance law of the United States or any singular state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- (5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by any employee who is so convicted.
- (6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of Section 287.087, Florida Statutes.

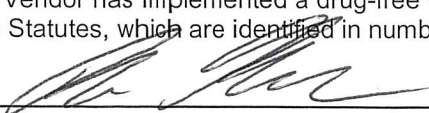
This Certification is submitted by Benjamin Gillenwaters the
(Individual's Name)

Training Manager of Hulett Environmental Services
(Title/Position with Company/Vendor) (Name of Company/Vendor)

Who does hereby certify that said Company/Vendor has implemented a drug-free workplace program, which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

12/17/2019

Date


Signature



HULETT ENVIRONMENTAL SERVICES

Prepared For:



**The Town of Palm Beach
Lethal Yellowing, Royal Palm Bug and Fertilization**



Thank you for the opportunity to propose Lethal Yellowing Injections, Royal Palm Bug Treatment and Palm Fertilization for the Town of Palm Beach. Our goal is to systematically organize and complete Lethal Yellowing Injections, and Royal Palm Bug Treatment and Fertilization to the Town's palms, per the bid specifications, resulting in a green and healthy landscape to be enjoyed by all visitors, residence, and employees, without causing a disruption to the Town. Hulett Environmental Services is dedicated to achieve this goal, and is eager for the opportunity to continue services for the Town of Palm Beach.

To help you see the value in the investment you will be making, we have provided an overview of our company history. Hulett Environmental Services has been providing complete lawn, ornamental, and palm services, pest and rodent control, termite and other wood destroying organism control, and structural fumigation services for all of South Florida since 1968, equipped with management and staff with decades of experience. Hulett not only specializes in servicing residences, but also specializes in the service of both small and large municipalities and commercial accounts with service requirements very similar to those described by the Town of Palm Beach.

As a full service pest and lawn control company, Hulett's reputation is unrivaled and our customer service is superior, which is how Hulett is able to compete with the larger, national or international companies, while still maintaining a family-owned and operated feel. Hulett Environmental Services has eight locations, all across South Florida. The Town of Palm Beach will be serviced by our original location, and headquarters, located in West Palm Beach. This location is fully licensed and insured, per the bid specifications, and maintains all of the required materials, machinery, qualified, trained and experienced personnel, and financial standing to furnish and fulfill the requirements as described in the bid herein. This includes at least fourteen trained service technicians and three supervisors, each with the proper equipment and training that would allow them to be available to oversee and complete the scope of service. Also, each of our service personnel are trained in lawn and ornamental application and Integrated Pest Management (IPM) by our nationally recognized Board Certified Entomologist through the Entomological Society of America, and a Masters Entomologist from the University of Florida. Our technicians are able to identify pests,

indicators of pests, recognize conducive conditions or landscape deficiencies, and communicate any recommendations to relieve pest or disease pressures to the Town's Representatives. Hulett Environmental Services only uses the most advanced products, all registered and approved by the EPA, local and state governments, and there is no conflict of interest between the Town and Hulett Environmental Services.

If at any time during your decision period you have any questions regarding this proposal, or any of our other services, please do not hesitate to contact us by telephone at 561-686-7171, by visiting our office located at 7670 Okeechobee Blvd. West Palm Beach, FL 33411, or through our web-chat on our website, www.bugs.com. Thank you for choosing Hulett Environmental Services, and we are excited for the opportunity to continue our service with the Town of Palm Beach.

Contact Representatives

General Manager of Lawn and Ornamental Division:

Ryan Howard

561-301-5080

RHoward@bugs.com

7670 Okeechobee Blvd. West Palm Beach, FL 33411

Service Manager of Lawn and Ornamental Division:

Tharon Woods

561-718-8950

TWoods@bugs.com

7670 Okeechobee Blvd. West Palm Beach, FL 33411

Entomologist:

Benjamin Gillenwaters, B.C.E., M.S.

561-242-1537

BGillenwaters@bugs.com

7670 Okeechobee Blvd. West Palm Beach, FL 33411

Thank You

Again, Thank you for the opportunity to propose Lethal Yellowing Injections, Royal Palm Bug Treatment and Palm Fertilization for the Town of Palm Beach. If you have any questions, please feel free to contact us.

Thank you!

Team Hulett



TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Consent - Other

Agenda Title

Budget Calendar for FY21 Budget Process

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Memorandum Dated January 31, 2020, from Jane Le Clainche, Finance Director**
- ▣ **FY2021 Proposed Budget Calendar**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 11, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Finance Director

Re: Budget Calendar for FY21 Budget Process

Date: January 31, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the proposed FY21 budget calendar.

GENERAL INFORMATION

The attached budget calendar for FY21 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 (e.g. the Town Council meeting in April to review the Long Term Financial Plan). 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:

- **April 14, 2020** – Review of Long Term Financial Plan and discussion of the FY21 budget, process and priorities.
- **July 15, 2020** – Town Council meeting to review Town staff's proposed FY21 budget and Initial Resolutions Adopting Special Non-Ad Valorem Assessments.
- **September 8, 2020 at 5:01pm** – First public hearing on tentative budget and proposed tax rate.
- **September 16, 2020 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 FY21 budget.

Attachment

jll

cc: Department Directors
Jay Boodheshwar, Deputy Town Manager
John C. Randolph, Town Attorney

FY2021 Proposed Budget Calendar

Task	Date	Task	Date
Finance to distribute FY21 Budget instructions	2/3/2020	Town Manager's Review of Initial Town Manager, Finance, and ERF Budgets	04/02/2020
Town Council Meeting - Adoption of the Town Manager's Goals for FY21	02/11/2020	Additional Review of Departmental Budgets, Capital, Coastal and Health/OPEB	April and May
Submit initial CJP Request forms to Public Works, IT Requests to IT, and Reorganization/Reclassification requests, to HR	02/17/2020	Property Appraiser Issues Preliminary Property Values	05/29/2020
Town Council Meeting - Discussion of FY21 LTFP	04/14/2020	Final Budget Document Pages Returned to Finance	06/08/2020
All Budget Information submitted to Finance	03/16/2020	Notice from Property Appraiser of Preliminary Certification of Taxable Value	06/29/2020
Town Manager's Initial Review of IT Budget	03/19/2020	Distribution of Proposed FY21 Budget Document	Week of July 1
Town Manager's Initial Review of Fire-Rescue Budget and Police Budgets	03/20 & 23/2020	Town Council Meeting to Consider Proposed FY21 Budget and Initial Resolutions(s) Adopting Special Non-Ad Valorem Assessments	07/15/2020
Town Manager's Initial Review of Recreation Budget and Marina and Golf Enterprise Fund budgets	03/25/2020	Notice of Proposed Property Taxes is mailed from Palm Beach Property Appraiser	Week of August 12
Town Manager's Initial Review of Planning, Zoning and Building Budget	03/26/2020	Town Council Meeting - First Public Hearing to Approve Tentative Budget and Proposed Tax Rate for FY21 and Final Resolution(s) Adopting Special Non-Ad Valorem Assessments	09/08/2020 5:01PM
Town Manager's Initial Review of Public Works Budgets	04/01/2020	Town Council Meeting - Second Public Hearing to Adopt FY21 Budget and Tax Rate	09/16/2020 5:01PM
Town Manager's Review of Initial Human Resources and Risk Budget	04/03/2020	Resolution Adopting Final Millage Rate is Forwarded to Property Appraiser and Tax Collector and Certificate of Compliance sent to Department of Revenue	10/01/2020
January 2020	February 2020	March 2020	April 2020
S M T W TH 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	S M T W TH 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	S M T W TH 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	S M T W TH 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
May 2020	June 2020		
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July 2020	August 2020	September 2020	October 2020
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November 2020	December 2020		
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TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Consent - Other

Agenda Title

Authorization of Lane Closure and Waiver to Town Code for Construction Hours for the Florida Department of Transportation to Construct Revetment Improvements on South Ocean Boulevard at Sloan's Curve

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated January 22, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **FDOT Revetment Improvement**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 11, 2020

TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

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

RE: Authorization of Lane Closure and Waiver to Town Code for Construction Hours for the Florida Department of Transportation to Construct Revetment Improvements on South Ocean Boulevard at Sloan's Curve

DATE: January 22, 2020

STAFF RECOMMENDATION

Town staff recommends that the Town Council approve the authorization for lane closure and waiver of the Town Code of Ordinances 42-196 through 199 and 42-226 through 229, restrictions for construction hours, work during season, and lane closure, for the Florida Department of Transportation (FDOT) and their contractor to construct a revetment improvement on South Ocean Boulevard at Sloan's Curve.

GENERAL INFORMATION

FDOT, and their contractors, will construct an extension of the existing revetment south beyond Sloan's Curve to address erosion of that section of roadway. FDOT is requesting the waivers due to the location and permitting conditions. A permit from the Florida Department of Environmental Protection (FDEP) is required as the work is within the Coastal Construction Control Line (CCCL). A requirement of the FDEP permit is the work must be outside of turtle nesting season, March 1 to October 31. To be able to construct the revetment outside the turtle nesting season, a ninety (90) day contract time has been specified, with a mandatory start date of November 1, 2020. To meet the contract time, FDOT's contractor will also need additional work crews, equipment, work 12-hour days and/or seven (7) days a week.

Staff recommends a waiver to Section 42-196 through Section 42-199 of the Town Code of Ordinances to allow for extended work hours and night-time work hours as necessary, and approved by Public Works. FDOT, with the assistance of their contractors and Public Works staff, will notify residents in the immediate area prior to any night-time activities, and issue a press release for the week.

Staff also recommends a waiver to the Noise Ordinance for those same night-time activities from Section 42-226 through Section 42-229 of the Town Code of Ordinances.

Attachment

cc: Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Michael Roach, P.E., Project Engineer
Steven Stern, Underground Utilities Manager



Florida Department of Transportation

RON DESANTIS
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

KEVIN J. THIBAUT, P.E.
SECRETARY

January 14, 2020

Michael A. Roach, P.E.
Project Engineer - Town of Palm Beach - Public Works
951 Old Okeechobee Road Suite "A"
West Palm Beach, FL 33401

Subject: FPID 440009-1-52-01 — SR A1A @ Sloan's Curve Revetment Improvement

The primary objective of this project is to address erosion along a section of roadway embankment adjacent to Sloan's Curve along SR A1A (Ocean Boulevard) in Palm Beach County by installing Rubble Rip Rap revetment in accordance with FDOT Design Manual (FDM), Drainage Design Guide Guidelines and the SR A1A Erosion Protection Feasibility Study dated May 2014.

Due to the location of the project, a Coastal Construction Control Line (CCCL) Permit from the Florida Department of Environmental Protection (FDEP) is required. As part of the CCCL permit, FDEP requires that all construction take place outside of Turtle Nesting Season, which is from March 1st to October 31st. Furthermore, to be able to complete construction outside of Turtle Nesting season, a 90 day contract time is specified, with a mandatory beginning work start date of November 1, 2020. Meeting the contract time may require additional crews and equipment, to extend construction to a 12 hour day, and/or to work seven days a week.

In order to meet both FDEP requirement to work outside of Turtle Nesting season, and complete construction in 90 days, the Florida Department of Transportation seeks exception from the following Town of Palm Beach Code of Ordinances Sections:

- **Sec. 42-196.** – *Prohibited noise*
(Code 1982, § 12-48; Ord. No. 23-09, § 1, 1-12-10)

Sec. 42-197. – *Specific acts prohibited*
(Code 1982, § 12-49; Ord. No. 8-00, § 1, 6-13-00; Ord. No. 11-2017, § 1, 4-13-17)
- **Sec. 42-198.** – *Operation of certain machinery during winter, Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving.*
(Code 1982, § 12-50; Ord. No. 10-05, § 3, 7-12-05; Ord. No. 18-05, § 1, 1-10-06; Ord. No. 03-2018, § 1, 2-13-18)
- **Sec. 42-199.** – *Hours of Construction work.*

(Code 1982, § 12-51; Ord. No. 12-99, § 1, 11-9-99; Ord. No. 3-00, § 1, 4-11-00; Ord. No. 23-00, § 1, 10-10-00; Ord. No. 22-01, § 1, 11-13-01; Ord. No. 26-02, § 1, 11-12-02; Ord. No. 17-03, § 1, 10-14-03; Ord. No. 23-04, § 1, 2-15-05; Ord. No. 10-05, § 4, 7-12-05; Ord. No. 18-05, § 2, 1-10-06; Ord. No. 18-10, § 1, 7-13-10; Ord. No. 1-2013, § 1, 4-9-13; Ord. No. 03-2018, § 1, 2-13-18)

If you require further information, please do not hesitate to contact me at (954) 777-4061 or toll free at (866) 336-8435, ext. 4061, via email at Raul.Dominguez@dot.state.fl.us.

Sincerely,

Raul Dominguez, P.E.

Project Manager

District Four

cc: Robert B. Weber – Town of Palm Beach - Coastal Program Manager
John Olson P.E. - District Design Engineer
Paul Lampley P.E. - District Construction Engineer
Emilio Corrales P.E. – HDR – Engineer of Record

Sec. 42-196. - Prohibited noise.

It shall be unlawful for any person to make, continue, or cause to be made or continued:

- (1) Any loud or raucous noise;
- (2) Any noise that tends to annoy the community or injure the health of the citizens in general; or
- (3) Any noise that annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of any considerable number of persons. A considerable number of persons, for this section, shall mean three or more unrelated persons in separate households.

(Code 1982, § 12-48; Ord. No. 23-09, § 1, 1-12-10)

Sec. 42-197. - Specific acts prohibited.

The following acts shall be unlawful whether or not such acts constitute a violation of section 42-196:

(1) Keeping of animals. The keeping of any animal or bird that causes loud and raucous noise, or frequent noise audible within any receiving dwelling, hotel or other type of residence. (2) Playing of radio, television, phonograph, similar device. The playing of any radio, television, phonograph, compact disc player, tape player, musical instrument, or other sound-making device audible within any receiving dwelling, hotel or other type of residence between the hours of 12:00 midnight and 7:00 a.m. or at any such time so that the sound created by such device violates the standards set forth in section 42-196. (3) Loudspeakers, amplifiers for advertising. The using, operating or permitting the playing, using or operating of any radio or television receiving sets, musical instrument, phonograph, compact disc player, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure. (4) Noises near churches, schools. The creation of any noise on any street or other public way adjacent to any church, school or institution of learning while the same is in session that unreasonably interferes with the workings of such institution. (5) Loading and unloading operations. The creation at any time of loud and raucous noise in connection with loading or unloading any vehicle, or the opening and destruction of bales, crates or containers. (6) Noises to attract attention. The use of any drum, pan, pail, bell, horn, trumpet, loudspeaker or other instrument or sound-making device for the purpose of attracting attention to any performance, show, sale, display or merchandise. (7) Yelling, shouting, similar noises. Yelling, shouting, hooting, whistling or singing on the public streets between the hours of 12:00 midnight and 7:00 a.m., or at any time or place in a manner violating the standards set forth in section 42-196. (8) Blowers. The operation of any noise-creating blower or power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise. (9) Operation of car radios. The operation of radios or other mechanical sound making devices or instruments in vehicles as hereby regulated and controlled by F.S. § 316.3045. (10) Operation of sound making devices in public areas. The operation of radios or tapeplayers or other mechanical sound making devices or instruments in or upon a public street, highway, building, sidewalk, park, thoroughfare or other public area or located in or upon a public access area, such as a parking lot, etc., if such sound can be heard from more than 50 feet, measured in a straight line from its source. (11) Commercial loading and unloading operations, certain times prohibited for locations in or adjacent to residentially zoned areas. The commercial loading and unloading of any vehicle, or the opening, destruction and/or disposal of bales, crates, containers, or any other item for businesses located in or adjacent to residentially zoned areas, shall be prohibited between the hours of 8:00 p.m. and 8:00 a.m. (12) Gasoline powered leaf blowers. (a) Definition. Leaf blowers shall mean any air blowing machine that uses a concentrated stream of air to push, propel or blow dirt, dust, leaves, grass clippings, trimmings, cuttings, refuse or debris. (b) The use of gasoline powered leaf blowers is prohibited on any property within the town which is less than one acre in size. This prohibition shall be effective as of October 1, 2017.

(Code 1982, § 12-49; Ord. No. 8-00, § 1, 6-13-00; Ord. No. 11-2017, § 1, 4-13-17)

Sec. 42-198. - Operation of certain machinery during winter, Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving.

- (a) *Prohibited.* During the period of the year commencing on the Monday prior to Thanksgiving of each year and ending April 30, no person shall operate or cause to be operated the following machinery or equipment within the town:
- (1) Dredges, whether used in making hydraulic fills, dry fills, piledriving or any other purpose.
 - (2) Hammer-driven piledrivers, whether operated from water or land, or from motor truck or tractor, and whether stationary or moveable.
 - (3) Gasoline, diesel and/or steam engines, operated in such a manner as to emit odors or noises offensive or disagreeable to the inhabitants of the town.
 - (4) Dry sandblasting machines and jackhammers.
 - (5) Any other class of machinery or appliance that in its operation would render the enjoyment of property within the town less agreeable than if such appliances or machinery were not operated.
- (b) *Exceptions.*
- (1) It shall be within the discretion of the town council when, in its opinion, the operation of any of the prohibited machinery or appliances mentioned in subsection (a) of this section shall not be overly offensive to the residents or inhabitants of the town, in the vicinity of the equipment's operation, to grant an exception to this section.
 - (2) The operation of equipment relating to essential services of the town and equipment operation during emergency conditions shall be exempt from subsection (a) of this section.

(Code 1982, § 12-50; Ord. No. 10-05, § 3, 7-12-05; Ord. No. 18-05, § 1, 1-10-06; Ord. No. [03-2018](#), § 1, 2-13-18)

Sec. 42-199. - Hours for construction work.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Construction work means work of a physical nature requiring a permit in accordance with the provisions of this Code and/or violates the conditions of section 42-198 and/or violates the conditions of this section, and/or causes excessive noise as defined by section 42-228.

- (b) *Limited.* Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving, when all construction work is restricted or prohibited. Construction work is permissible on Saturdays from May through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature during which all of the noise and machinery prohibitions identified in section 42-198 are applicable; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restriction due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending on October 31, except Sundays and legal holidays, when all construction work is prohibited.
- (c) *Exceptions.*

- (1) It shall be within the discretion of the town council when in its opinion the operation of any of the prohibited machinery or appliances mentioned in subsection 42-198(a) shall not be overly offensive to the residents or inhabitants of the town in the vicinity of the equipment's operation to grant an exception to this section.
- (2) The operation of equipment relating to essential services of the town and equipment operating during emergency conditions shall be exempted from subsection (a).
- (3) At the discretion of the director of planning, zoning and building, or his representative, emergency work for nontown related essential services may be authorized at any time during the year.
- (4) Interior work not resulting in noise tending to disturb people in the vicinity thereof, shall be allowed during the hours of 9:00 a.m. and 5:00 p.m. on Saturdays during the period commencing on the Monday preceding Thanksgiving and ending on April 30.
- (5) The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein.

(Code 1982, § 12-51; Ord. No. 12-99, § 1, 11-9-99; Ord. No. 3-00, § 1, 4-11-00; Ord. No. 23-00, § 1, 10-10-00; Ord. No. 22-01, § 1, 11-13-01; Ord. No. 26-02, § 1, 11-12-02; Ord. No. 17-03, § 1, 10-14-03; Ord. No. 23-04, § 1, 2-15-05; Ord. No. 10-05, § 4, 7-12-05; Ord. No. 18-05, § 2, 1-10-06; Ord. No. 18-10, § 1, 7-13-10; Ord. No. 1-2013, § 1, 4-9-13; Ord. No. 03-2018, § 1, 2-13-18)

Cross reference— Buildings and building regulations, ch. 18.

Editor's note— Ord. No. 17-03, § 5, adopted Oct. 14, 2003 provided that the amendment to section 42-199 contained in § 1 of said ordinance shall sunset on May 1, 2004, whereupon section 42-199 as it existed prior to adoption of said ordinance shall remain in full force and effect.

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Consent - Other

Agenda Title

Approval of Selection Committee Members for Audit Services

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Memorandum Dated January 31, 2020, from Jane Le Clainche, Director of Finance**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 11, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Director of Finance

Re: Approval of the Selection Committee Members for Audit Services

Date: January 31, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the Auditor Selection Committee Members identified below.

GENERAL INFORMATION

The current contract for audit services which was awarded in 2015 to Nolen Holt and Miner, P.A., will expire after the conclusion of the FY19 audit. Staff will be issuing an RFP for audit services with the contract award expected in July for the FY20 – FY24 audits.

Auditor Selection Guidelines are established by the State of Florida, and should be comprised of members with a basic understanding of government financial reporting, auditing, and internal control. The selection committee should not contain members of the Town Finance Department or Town staff. The Finance Director should act only in an advisory role, and not vote in the selection of the auditor.

The rules require that one member of the Town Council must serve and chair the committee. We recommend Town Council President and Chairman of the Finance and Taxation Committee, Danielle H. Moore, serve in this capacity and we recommend the following individuals who have been contacted and are willing to serve on this committee:

Mr. Richard Rampell, CPA, Principal at MBAF, and Resident

Ms. Carla Cove, Retired Banking Executive and Resident

Mr. Mark Parks, CPA, MBA, CPPT and Chief Financial Officer at the City of West Palm Beach

Mr. Michael Ventura, CGFO, Deputy Town Manager/Finance Director Town of Jupiter Island

The selection committee will meet to review the RFP and the proposals, interview the finalists and make a recommendation for a contract award to the Town Council. There will be the need for three meetings which are expected to occur between April and June 2020.

PURCHASING CONCURRENCE

Purchasing has reviewed and is in concurrence with the recommendation to comply with state requirements for solicitations related to Audit Services.

jl

Cc: Dean Mealy, Purchasing Manager

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Board/Commission Annual Report

Agenda Title

Annual Report of the Investment Advisory Committee

Presenter

Chris Storkerson, Chair

ATTACHMENTS:

- ▣ **Memorandum dated January 31, 2020, from Christopher Storkerson, Chairman,**
- ▣ **One Cent Surtax Report**
- ▣ **December Investment Report**
- ▣ **OPEB Trust Investments**
- ▣ **Cash Flow Report**
- ▣ **Meeting Schedule**



Town of Palm Beach Investment Advisory Committee

To: Mayor and Town Council

From: Mr. Christopher Storkerson, Chairman
Investment Advisory Committee

Date: January 31, 2020

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 blended return for the surplus investments including certificates of deposit for the year ending December 31, 2019 is 3.03% compared to the benchmark of 3.07% on a total balance of core investments of \$126,336,638.

PFM Asset Management

The Town's total investment with PFM represents approximately 15.52% of the total core portfolio. PFM 1-5 Year Actively Managed Portfolio one year return as of December 31, 2019 is 4.71%.

Florida League of Cities Bond Funds

The Florida League of Cities Investment Trust (FMIvT) has 30.5% of the Town investments; a total of \$38.5 million. \$26.5 million is with the Florida League of Cities Investment Trust 1 – 3 year and \$6 million is in 0-2 year bond fund and \$6 million is in the Intermediate Bond fund. In FY19, the IAC decided to move a portion of the investments from the 0-2 year bond fund back into the intermediate bond fund.

The FMIvT 1-3 year fund has returned 3.73%, the 0-2 year fund returned 2.85% and the intermediate fund returned 5.69% for the one year period ended December 31, 2019.

Certificate of Deposits

The Town has \$21.1 million in Certificate of Deposits representing 16.7% of the portfolio with a one year return of 2.48%. The current CD holdings have durations ranging from 12 months to 3 years, and the interest rates range from 2.07% to 2.78%.

Short Term Investments

The Town has approximately \$47.1 million in short term investments in the FL PALM (18.4%), a Bank United Money Market account (11.1%) and a TD Bank NOW account (7.8%) for a total of 37.3% of the portfolio. The one-year return of FEITF as of December 31, 2019 is 2.37%.

Bond proceeds from the 2013 Revenue Bonds in the amount of approximately \$1.4 million have been invested in the FL PALM investments. Underground utility bond proceeds total \$38.6 million and are also invested in the FL PALM money market investments.

Attached is the Monthly Investment report with return information through December 31, 2019.

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, 2019, are shown below:

Asset Class	Actual Allocation	Target Allocation
Domestic Equity	43.93%	45%
International Equity	17.54%	15%
Non-Traditional Assets	8.73%	10%
Fixed Income	20.24%	20%
Real Estate	6.42%	10%
Liquid Capital	3.14%	0%

Attached is a summary of the investments in the Health Insurance (OPEB) Trust and the quarterly returns as of December 31, 2019. For the one-year period ending December 31, 2019 the fund returned 20.66%. The fiscal year ended September 30, 2019 return was 3.17%. In FY19, the Investment Advisory Committee recommended and the Town Council approved a change in the actuarial assumption from 6.5% to 6%. The funding status as of September 30, 2019 is 102.45%.

The market value of the portfolio as of December 31, 2019 was \$35,291,484. AndCo Consulting oversees the investments for this trust. The current money managers and investment benchmarks for the trust are shown on the following page:

Manager

Fidelity Total Market Index
 Vanguard S&P MC 400
 American Funds Europacific Growth Fund
 Dodge & Cox International Stock Fund
 Forester Offshore, Ltd.
 Crescent Direct Lending Levered Fund II
 Vanguard Total Bond Market Index Fund
 Met West Total Return Bond Fund
 PIMCO Diversified Income Bond Fund
 Intercontinental US REIF
 Principal Enhanced Property Fund
 Government STIF 15

Investment Benchmark

Wilshire 5000 Index
 S&P MidCap 400 Index
 MSCI AC World ex USA Net Index
 MSCI EAFE Net Index
 HFRI Fund-of-Funds Strategic Index
 HFRI Fund-of-Funds Strategic Index
 Barclays US Aggregate Index
 Barclays US Aggregate Index
 Bloomberg Barclays Global Credit
 NCREIF Fund Index
 NCREIF Fund Index
 Citigroup Treasury Bill 3 Month Index

Cash Flow

A historical cash flow report was presented to the Committee at their January 31, 2020, meeting. This report provided detailed information for all surplus fund cash balances and also provided cash flow estimates for the OPEB Trust for FY20 and a forecast through FY30. A copy of the report is attached.

General Information

The current members of the Investment Advisory Committee include:

Name:	Term Expires
Chris Storkerson, Chairman	May 2021
Kathleen Anderson	May 2020
David McDonald	May 2020
Alan Scheuer	May 2021
Andrew Frazier	May 2020

During the past 12 months the committee has held 3 meetings.

The next meeting of the Committee is scheduled for Friday, May 15, 2020 at 2:30pm. AndCo Consulting and PFM Asset Management will be in attendance to discuss the performance through March 31, 2020. A 2020 meeting schedule is attached to this report.

1% Sales Tax Quarterly Report

PRESENTATION TO INVESTMENT ADVISORY COMMITTEE

JANUARY 31, 2020



Receipts

Amount Received	
Total for FY2017	\$350,846.68
Total for FY2018	\$576,791.86
Total for FY2019	\$623,175.79
November 2019	\$41,840.52
December 2019	\$45,425.72
Total FYTD2020	\$87,266.24
Total Received Since 2017	\$1,638,080.57

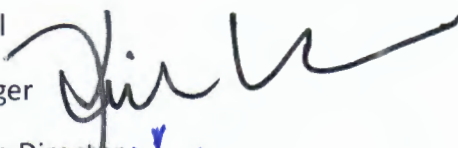
Disbursements

- ▶ 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.



TOWN OF PALM BEACH

Finance Department

To: Mayor and Town Council
Via: Kirk Blouin, Town Manager 
From: Jane Le Clainche, Finance Director 
Date: January 27, 2020
Subject: Monthly Investment Report – December 2019

Attached you will find the Town's Investment Report for December 2019.

The fiscal year-to-date investment return earned on the Town's excess and bond funds (excluding OPEB, the Health Insurance Trust Fund and the Town's Retirement System) of approximately \$166,354,800 is \$884,694.

The schedule on page 8 reports the performance results for the OPEB for December 2019. Retirement results lag and therefore quarter end results for December will be presented in the January 2019 Investment Report.

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

JL\aw

Cc: Investment Advisory Committee

Town of Palm Beach

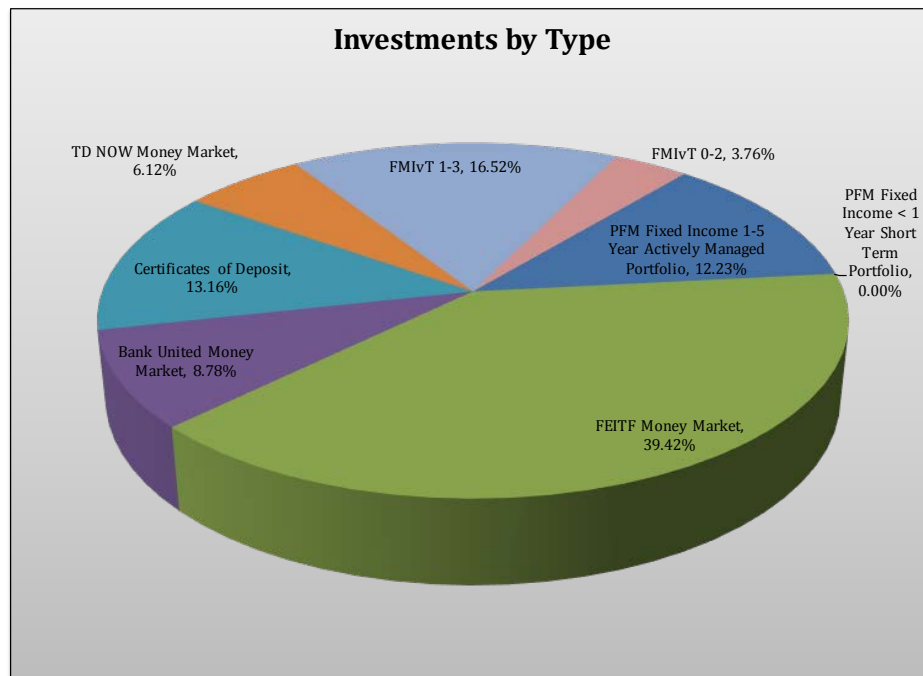
Investment Portfolio Performance



December 2019

Portfolio Return by Investment

Investment	December Balance	Return December-19	2020 Fiscal YTD (3 mo.)	2019 Fiscal YTD (3 mo.)	2019 Fiscal (12 mos.)
Core Investments					
PFM Fixed Income 1-5 Year Actively Managed Portfolio	\$ 19,610,580	\$ 33,654	\$ 140,814	\$ 83,000	\$ 1,009,740
PFM Fixed Income < 1 Year Short Term Portfolio	-	-	17,147	4,881	336,699
FL PALM/TD Custody Money Market	23,184,382	35,230	117,904	49,037	557,446
Bank United Money Market	14,078,280	19,554	60,362	12,088	99,637
TD Bank NOW Account	9,809,239	11,650	37,542	22,714	161,300
Certificates of Deposit	21,099,701	43,604	130,813	89,542	735,910
FMIvT 0-2	6,032,018	9,211	31,796	41,342	271,718
FMIvT 1-3	26,482,458	48,259	128,836	108,162	1,021,660
FMIvT Intermediate	6,039,979	(281)	9,709	0	115,150
Total Core Investments	\$ 126,336,638	\$ 200,881	\$ 674,924	\$ 410,766	\$ 4,309,260
ACIP Bond Funds					
Certificates of Deposit	\$ -	\$ -	\$ -	\$ 21,017	\$ 52,997
FL PALM/TD Custody Money Market	1,393,994	2,712	12,443	8,534	79,122
Total ACIP Bond Funds	1,393,994	2,712	12,443	29,551	132,119
GO Bond Funds (Undergrounding)					
FL PALM/TD Custody Money Market	\$ 38,624,151	\$ 60,628	\$ 197,328	134,745	977,064
Total GO Bond Funds	38,624,151	60,628	197,328	134,745	977,064
Total Bond Funds	\$ 40,018,145	\$ 63,339	\$ 209,770	\$ 164,296	\$ 1,109,183
Total	\$ 166,354,783	\$ 264,220	\$ 884,694	\$ 575,062	\$ 5,418,443



Portfolio Total Return vs. Benchmark

Core Investments	Monthly December-19	2019 Fiscal YTD (3 mo.)	2018 Fiscal YTD (3 mo.)	1 Year	3 Years	5 Years
Long Term Core Investments Total Return Performance (Discretionary)						
PFM Fixed Income 1-5 Year Actively Managed Portfolio	0.17%	0.44%	1.39%	4.71%	2.39%	N/A
Merrill Lynch 1-5 Year U.S. Treasury/Agency Index	0.14%	0.20%	1.71%	4.19%	2.12%	N/A
Certificates of Deposit (a)	0.22%	0.65%	0.48%	2.48%	1.95%	N/A
Merrill Lynch 1 Year Treasury Index	0.18%	0.56%	0.76%	2.93%	1.79%	N/A
FMIvT 0-2	0.17%	0.59%	0.78%	2.85%	1.98%	1.47%
ICE BofA ML 1 Yr Treasury Note	0.19%	0.59%	0.79%	2.93%	1.78%	1.25%
FMIvT 1-3	0.20%	0.51%	1.04%	3.73%	2.15%	1.61%
BOA Merrill Lynch 1-3 Year Govt Index	0.22%	0.51%	1.30%	3.55%	1.85%	1.40%
FMIvT Intermediate High Yield	0.01%	0.24%	NA	5.69%	3.05%	2.40%
Barclays Int G/C ex BAA+ABS+MBS	0.12%	0.36%	NA	6.11%	3.04%	2.41%
Town's Long Term Core Investments Total Return Performance	0.18%	0.52%	0.85%	3.03%	1.92%	1.57%
Total Return Blended Benchmark Performance (b)	0.18%	0.49%	1.08%	3.07%	1.69%	1.28%
(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 August 2018	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	N/A	N/A	N/A	2.41%	N/A	N/A
Cost S&P GIP Government 30 Day Index (c)	2.11%	2.11%	N/A	2.44%	N/A	N/A
(c) Short Term Benchmark changed to the Standard & Poor's LGIP30D represents Government Investment Pools Index.						

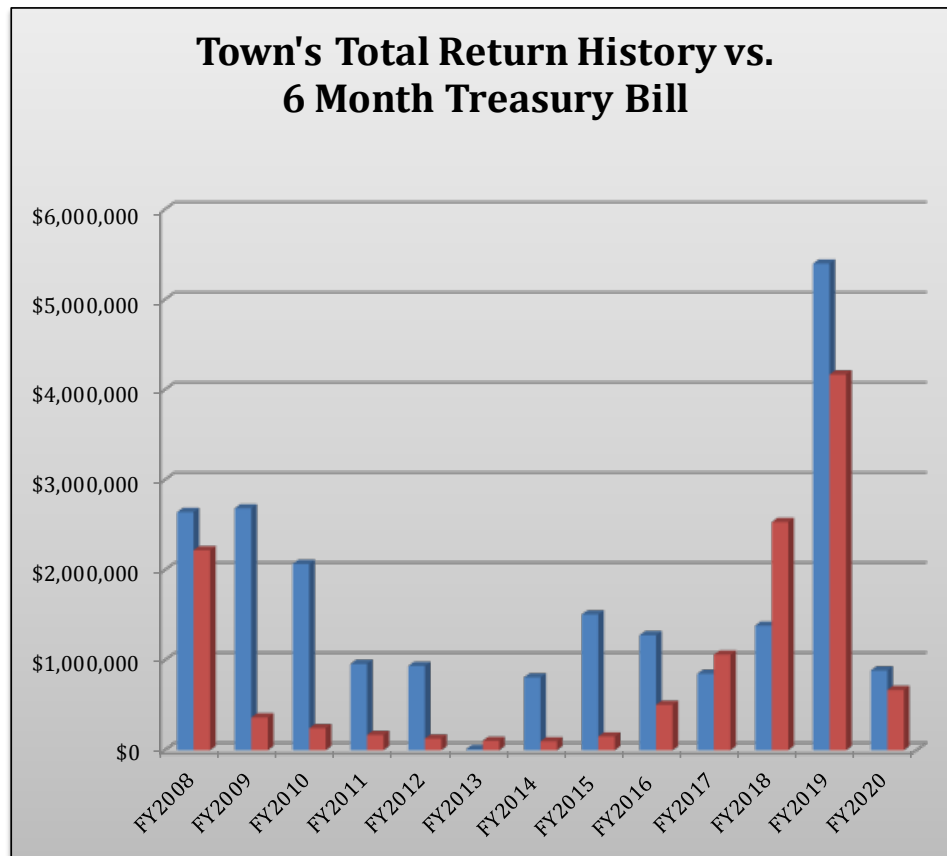
Money Market Fund Total Return Performance	Monthly December-19	2019 Fiscal YTD (3 mo.)	2018 Fiscal YTD (3 mo.)	1 Year	3 Years	5 Years
Florida Education Investment Trust	1.51%	N/A	N/A	2.37%	N/A	N/A
iMoneyNet Money Market Fund Index	1.51%	N/A	N/A	2.06%	N/A	N/A

Money Market Fund Total Return Performance	Monthly December-19	2018 Fiscal YTD (3 mo.)
Blended rate including both short and long term investments, excluding 2013 bond funds	0.16%	0.47%

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

Total Investment Return History

Fiscal Year	Estimated		
	Town's Total Return	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	884,694	667,983	216,711
Total	\$ 20,520,486	\$ 11,747,231	\$ 8,773,255

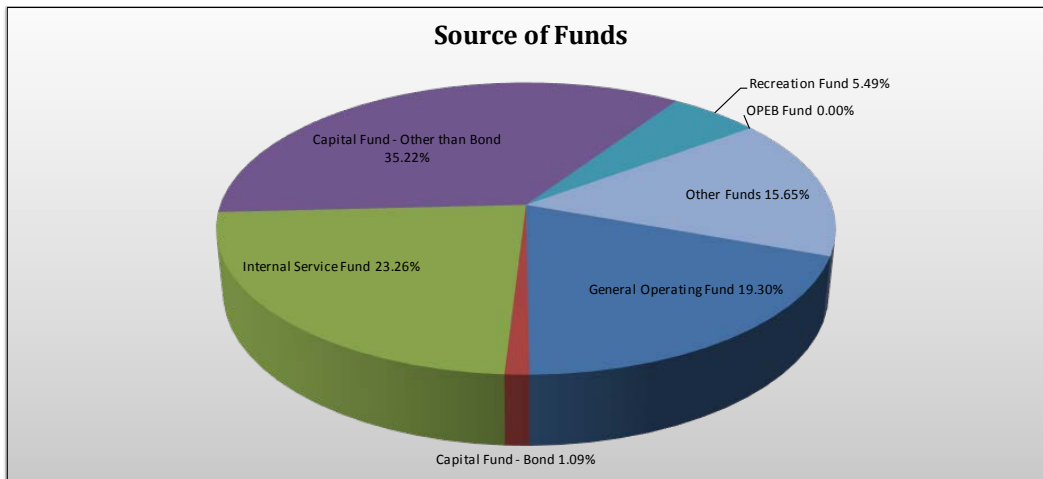


Town's FY2020 Monthly Investment Return vs. 6 Month Treasury Bill

Period	Investment Balance	Town's Monthly Total Return	6 Month T-Bill Rate	Estimated Return - 6 Month T-Bill	Difference
Oct-19	\$ 167,430,185	\$ 442,960	1.57%	219,054	\$ 223,906
Nov-19	167,206,641	177,514	1.63%	227,122	(49,608)
Dec-19	166,354,783	264,220	1.60%	221,806	42,414
Jan-20				-	-
Feb-20				-	-
Mar-20				-	-
Apr-20				-	-
May-20				-	-
Jun-20				-	-
Jul-20				-	-
Aug-20				-	-
Sep-20				-	-
Total		\$ 884,694		\$ 667,983	\$ 216,711

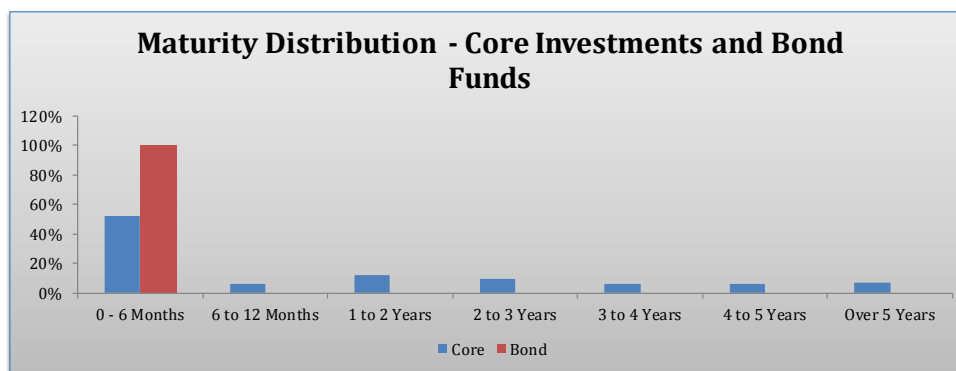
Portfolio Composition by Source of Funds

Investment	General Operating	Capital	Internal Service	Enterprise Funds	OPEB	Other Funds	Total
Non-Bond Funds							
PFM Fixed Income:							
1-5 Year	1,838,432	10,238,580	7,533,568	-	-	-	19,610,580
PFM Fixed Income:							
< One Year	-	-	-	-	-	-	-
Money Market	13,317,503	15,668,158	7,160,987	2,746,746	-	8,178,506	47,071,901
Certificates of Deposit	9,293,265	-	-	-	-	11,806,437	21,099,701
FMIvT Fixed Income:							
0-2 Year	30,845	2,985,158	2,348,888	667,127	-	-	6,032,018
FMIvT Fixed Income:							
1-3 Year	135,416	13,105,788	10,312,355	2,928,899	-	-	26,482,458
FMIvT Fixed Income:							
Intermediate	30,886	2,989,099	2,351,987	668,007	-	-	6,039,979
Sub Total Non Bond Funds	24,646,347	44,986,784	29,707,785	7,010,779	-	19,984,943	126,336,637
Bond Funds							
PFM Fixed Income	-	-	-	-	-	-	-
Certificates of Deposit	-	-	-	-	-	-	-
Money Market	-	1,393,994	-	-	-	38,624,151	40,018,145
Sub Total Bond Funds	-	1,393,994	-	-	-	38,624,151	40,018,145
Total	24,646,347	46,380,778	29,707,785	7,010,779	-	58,609,094	166,354,782



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	\$0	\$47,071,901	\$171,280	\$244,054	\$245,084	\$21,099,701	\$68,832,021
6 to 12 Months	360,835	-	1,727,347	1,496,076	116,812	-	8,671,884
1 to 2 Years	5,281,129	-	2,163,425	7,751,563	429,644	-	15,625,761
2 to 3 Years	5,483,118	-	1,083,421	5,635,131	674,053	-	12,875,723
3 to 4 Years	3,941,727	-	419,188	2,605,392	832,740	-	7,799,047
4 to 5 Years	4,351,588	-	59,524	2,933,933	787,455	-	8,132,500
Over 5 Years	192,184	-	407,833	5,816,309	2,954,190	-	9,370,516
Total Core Investments	\$19,610,581	\$47,071,901	\$6,032,018	\$26,482,458	\$6,039,979	\$21,099,701	\$126,336,639
Bond Funds							
0 - 6 Months	\$0	\$40,018,145	\$0	\$0		\$0	\$40,018,145
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	\$40,018,145	\$0	\$0		\$0	\$40,018,145

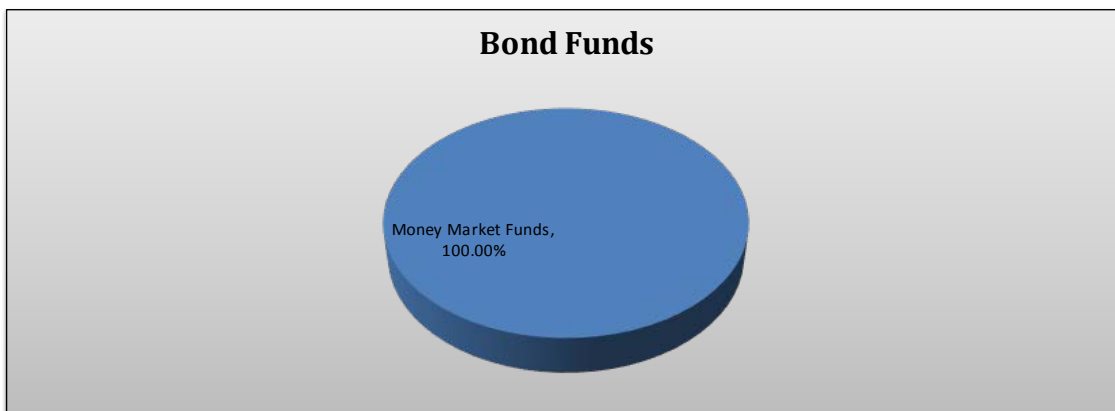
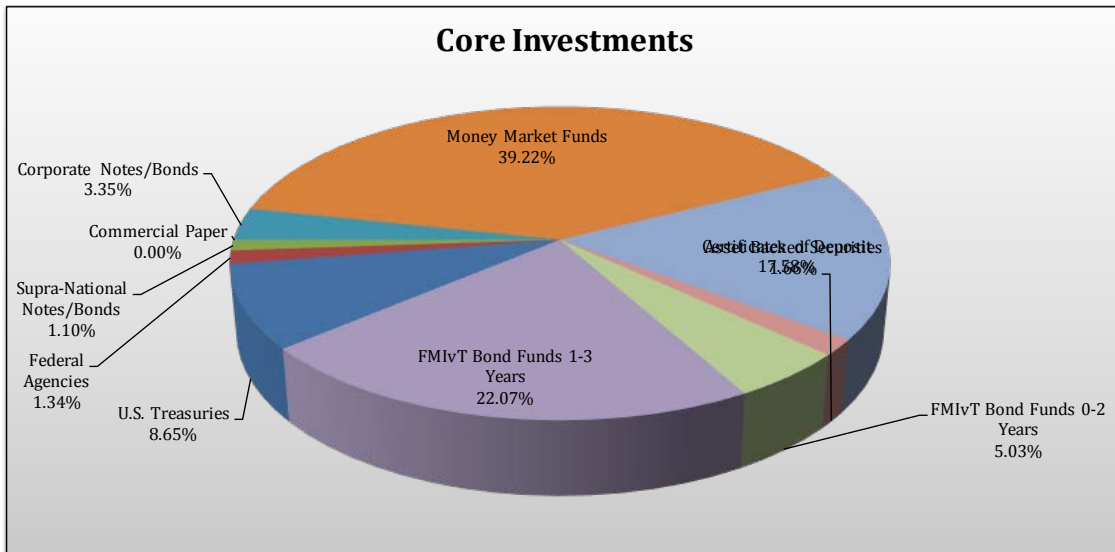


Core Investments - Weighted Average Duration Calculation				
Investment	Market Value	% of Portfolio	Duration (Yrs)	Weighted Avg. Duration (Yrs)
PFM Fixed Income 1-5 Year	\$ 19,610,580	15.53%	2.56	0.40
PFM Fixed Income < 1 Year	\$ -	0.00%	0.00	0.00
FEITF/TD/Bank United Money Market	\$ 47,071,901	37.28%	0.17	0.06
Bank United Certificate of Deposit	\$ -	0.00%	0.00	0.00
Capital Bank Certificates of Deposit	\$ 4,195,731	3.32%	0.48	0.02
Centennial Bank Certificate of Deposit	\$ 16,816,762	13.32%	0.21	0.03
FMIvT 0-2	\$ 6,032,018	4.78%	0.77	0.04
FMIvT 1-3	\$ 26,482,458	20.98%	1.66	0.35
FMIvT Intermediate	\$ 6,039,979	4.78%	3.38	0.16
Total	\$ 126,249,430	100.00%		1.05

Portfolio Composition by Security Type

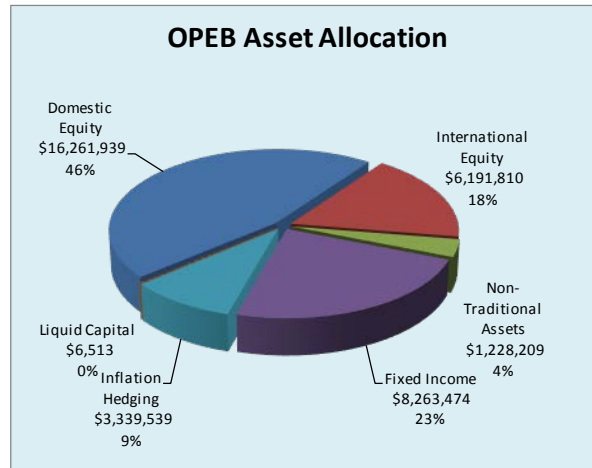
Security Type	Value	Distribution
Core Investments		
U.S. Treasuries	\$ 10,386,474	8.22%
Federal Agencies	1,613,677	1.28%
Supra-National Agency Notes/Bonds	1,316,692	1.04%
Commercial Paper	-	0.00%
Corporate Notes/Bonds	4,023,176	3.18%
Municipal Notes/Bonds	283,815	0.22%
Asset Backed Security/Collateralized Mortgage Obligation	1,986,746	1.57%
Money Market Funds	47,071,901	37.26%
Certificates of Deposit	21,099,701	16.70%
Florida Municipal Investment Trust Bond Funds 0-2 Years	6,032,018	4.77%
Florida Municipal Investment Trust Bond Funds 1-3 Years	26,482,458	20.96%
Florida Municipal Investment Trust Intermediate Bond Funds	6,039,979	4.78%
Total Core Investments	\$ 126,336,638	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	40,018,145	100.00%
Total Bond Funds	\$ 40,018,145	100.00%



Health Insurance Trust (OPEB) Performance
as of December 31, 2019
Market Value - \$35,291,484

	1 mo	QTD	Fiscal YTD	Calendar YTD	1 Yr	3 Yrs	5 Yrs	Return Since May 2007
Total Fund	2.39	5.89	5.89	20.66	20.66	8.22	5.30	4.21
Target Index	2.09	5.60	5.60	20.35	20.35	9.40	6.49	NA



Town of Palm Beach
Certificate of Deposit Schedule
12/31/2019

	Date	Maturity		
Amount	Purchased	Date	Term	Yield
Capital Bank				
\$ 4,000,000	6/23/2017	6/23/2020	3 yr.	2.07%
4,000,000	Sub Total Capital Bank			
Centennial Bank				
\$ 6,000,000	1/15/2019	1/15/2020	12 mo.	2.78%
5,500,000	1/15/2019	4/15/2020	15 mo.	2.78%
5,000,000	4/23/2019	4/23/2020	12 mo.	2.53%
16,500,000	Sub Total Centennial Bank			
\$ 20,500,000	Total Certificates of Deposit			



FMIVT 0-2 Year High Quality Bond Fund
Holdings as of 12/31/19

Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	from Investment Manager				Moody's Rating	S&P Rating	Fitch Rating
										YTM	DUR	WAL	RATING			
02004WAB7	1,826,952.82	ALLYA 2019-1 A2 2.	2.850	03/15/2022	1,826,914.64	100.27	1,831,811.42	4,896.78	1.13%	2.02	0.35	0.35	Aaa	N.R.	AAA	AAA
02007JAC1	939,000.00	ALLYA 2018-3 A3 3.	3.000	01/17/2023	947,913.17	100.78	946,285.23	(1,627.94)	0.58%	1.98	0.76	0.77	Aaa	AAA	AAA	NR
02007PAD5	1,750,000.00	ALLYA 2017-1 A4 1.	1.990	11/15/2021	1,734,072.27	100.01	1,750,222.60	16,150.33	1.08%	1.97	0.66	0.67	Aaa	N.R.	AAA	AAA
02007YAD6	575,000.00	ALLYA 2017-5 A4 2.	2.220	10/17/2022	576,774.41	100.23	576,337.80	(436.61)	0.35%	1.99	1.21	1.24	Aaa	AAA	AAA	NR
02587AAJ3	820,000.00	AMXCA 17-1 A 1.93	1.930	09/15/2022	808,468.75	100.00	819,962.77	11,494.02	0.50%	2.10	0.16	0.16	Aaa	N.R.	AAA	AAA
03066KAC4	2,365,734.07	AMCAR 19-2 A2A 2.4	2.430	09/19/2022	2,365,532.04	100.21	2,370,663.55	5,131.51	1.46%	2.08	0.55	0.56	Aaa	N.R.	AAA	AAA
12594BAE2	1,500,000.00	CNH 16-A A4 1.79 9	1.790	09/15/2021	1,479,140.63	99.93	1,498,932.00	19,791.37	0.92%	2.16	0.20	0.20	Aaa	N.R.	AAA	AAA
12596EAB0	1,178,613.62	CNH 18-B A2 2.93 1	2.930	12/15/2021	1,178,553.75	100.21	1,181,085.41	2,531.66	0.73%	2.10	0.28	0.28	Aaa	N.R.	AAA	NR
12596JAB9	2,202,260.35	CNH 19-A A2 2.96 5	2.960	05/16/2022	2,202,080.43	100.45	2,211,215.18	9,134.75	1.36%	2.06	0.49	0.49	Aaa	N.R.	AAA	NR
12652VAB3	717,420.98	CNH 18-A A2 2.78 8	2.780	08/16/2021	717,406.70	100.05	717,774.24	367.54	0.44%	2.02	0.11	0.11	NR	AAA	AAA	AAA
14312QAC0	619,763.44	CARMX 16-4 A3 1.40	1.400	08/15/2021	610,370.15	99.84	618,758.62	8,388.47	0.38%	2.10	0.29	0.29	Aaa	N.R.	AAA	AAA
14313FAB5	324,127.57	CARMX 18-3 A2A 2.8	2.880	10/15/2021	324,099.11	100.19	324,756.54	657.43	0.20%	2.02	0.25	0.26	NR	AAA	AAA	AAA
14314AAB5	52,632.68	CARMX 18-1 A2A 2.2	2.230	05/17/2021	52,629.15	100.00	52,633.51	4.36	0.03%	2.18	0.07	0.07	NR	AAA	AAA	AAA
14314JAD2	2,850,000.00	CARMX 17-1 A4 2.27	2.270	09/15/2022	2,856,791.01	100.27	2,857,655.95	864.94	1.76%	2.04	1.13	1.16	Aaa	N.R.	AAA	AAA
14315EAB6	1,940,314.86	CARMX 18-4 A2A 3.1	3.110	02/15/2022	1,940,298.17	100.39	1,947,975.03	7,676.86	1.20%	2.03	0.39	0.40	NR	AAA	AAA	AAA
26209AAB7	2,500,000.00	DRIVE 2019-4 2.32	2.320	07/15/2022	2,499,932.25	100.10	2,502,594.00	2,661.75	1.54%	2.18	0.49	0.49	Aaa	AAA	AAA	AAA
26209WAD5	2,185,000.00	DRIVE 2019-3 A3 2.	2.490	06/15/2023	2,197,632.03	100.46	2,195,137.09	(2,494.94)	1.35%	2.12	1.06	1.09	Aaa	AAA	AAA	NR
31283K6N3	328,736.75	FHLMC P (G1-1777	5.000	10/01/2020	339,882.98	103.35	339,746.14	(136.84)	0.21%	2.14	0.35	0.34	Aaa	AAA	AAA	AAA
3128M1AA7	3,221.78	FHLMC G (G1-1901	5.500	12/01/2020	3,301.32	100.29	3,231.06	(70.26)	0.00%	2.14	0.43	0.44	Aaa	AAA	AAA	AAA
3128M1BC2	1,781.16	FHLMC G (G1-1935	5.500	06/01/2020	1,824.02	100.03	1,781.68	(42.34)	0.00%	2.14	0.15	0.16	Aaa	AAA	AAA	AAA
3128MEYV7	59,037.36	FHLMC PC GOLD 4.50	4.500	09/01/2026	60,919.18	103.28	60,972.01	52.83	0.04%	2.14	1.40	1.46	Aaa	AA+	AAA	AAA
3128MEYV5	65,127.81	FHLMC PC GOLD 5.00	5.000	06/01/2026	67,529.40	103.42	67,358.44	(170.96)	0.04%	2.14	0.81	0.82	Aaa	AA+	AAA	AAA
31307A4P4	1,650,714.38	FHLMC # J2-2630	2.000	03/01/2023	1,645,555.90	99.04	1,634,834.51	(10,721.39)	1.00%	2.75	1.17	1.21	Aaa	AA+	AAA	AAA
3136A1FD2	342,560.96	FNMA 2011-98 AE 2.	2.500	09/25/2023	342,614.48	100.03	342,673.25	58.77	0.21%	1.94	0.43	0.44	Aaa	AA+	AAA	AAA
3136A3UG4	104,809.71	FNMA 2012-1 AE 1.7	1.750	12/25/2021	104,220.15	99.83	104,630.13	409.98	0.06%	1.93	0.25	0.26	Aaa	AA+	AAA	AAA
3136A3WG2	392,833.90	FNMA 2012-7 HK 2.0	2.000	02/25/2022	392,158.72	99.61	391,320.86	(837.86)	0.24%	2.31	0.77	0.78	Aaa	AA+	AAA	AAA
3136A4S42	850,861.73	FNMA 2012-32 AD 1.	1.500	04/25/2022	845,543.84	99.38	845,608.85	65.01	0.52%	2.07	0.86	0.87	Aaa	AA+	AAA	AAA
3136A8XK1	18,783.79	FNMA 2012-94 E 3.0	3.000	06/25/2022	19,135.99	99.90	18,765.79	(370.20)	0.01%	1.83	0.14	0.14	Aaa	AA+	AAA	AAA
3136AL7B1	842,707.73	FNMA 2014-91 PB 3.	3.000	02/25/2038	846,394.58	100.50	846,919.92	525.34	0.52%	1.74	0.61	0.62	Aaa	AA+	AAA	AAA
3136APD58	140,947.23	FNMA 2015-55 JA 2.	2.000	07/25/2025	140,660.93	100.08	141,054.24	393.31	0.09%	1.76	1.14	1.16	Aaa	AA+	AAA	AAA
3137A2B26	4,137,953.80	FHMS K009 A2 3.81	3.808	08/25/2020	4,179,333.33	100.51	4,159,175.71	(20,157.62)	2.56%	2.39	0.57	0.58	Aaa	AA+	AAA	AAA
3137A63Z3	300,783.79	FHLMC 37/92 DF FLT	2.140	11/15/2040	301,676.74	99.98	300,710.31	(966.43)	0.18%	2.18	0.10	1.51	Aaa	AA+	AAA	AAA
3137A8PN2	472,820.88	FHMS K012 A1 3.427	3.427	10/25/2020	483,530.70	100.09	473,246.84	(10,283.86)	0.29%	2.37	0.30	0.31	Aaa	AA+	AAA	AAA
3137AABT7	744,981.55	FHLMC 38/64 AJ 3.5	3.500	06/15/2039	748,706.46	100.59	749,392.66	686.20	0.46%	2.04	0.44	0.45	Aaa	AA+	AAA	AAA
3137AAKK4	1.35	FHLMC 38/76 GA 1.0	1.000	06/15/2026	1.36	99.86	1.35	(0.01)	0.00%	2.05	0.23	0.23	Aaa	AA+	AAA	AAA
3137AEYK5	789,083.02	FHLMC 39/51 A 3.0 8	3.000	08/15/2021	789,576.20	100.44	792,520.34	2,944.14	0.40%	1.91	0.56	0.57	Aaa	AA+	AAA	AAA
3137AHKY3	626,882.10	FHLMC 39/59 LA 2.5	2.500	11/15/2025	630,041.00	100.12	627,645.52	(2,395.48)	0.39%	1.92	0.37	0.37	Aaa	AA+	AAA	AAA
3137AHU97	1,285,012.37	FHLMC 39/51 FD FLT	2.040	07/15/2026	1,288,626.47	100.22	1,287,869.72	(756.75)	0.79%	1.90	0.10	1.49	Aaa	AA+	AAA	AAA

FMIVT 0-2 Year High Quality Bond Fund
Holdings as of 12/31/19

Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	from Investment Manager				Moody's Rating	S&P Rating	Fitch Rating
										YTM	DUR	WAL				
02004WAB7	1,826,952.82	ALLYA 2019-1 A2 2.	2.850	03/15/2022	1,826,914.64	100.27	1,831,811.42	4,896.78	1.13%	2.02	0.35	0.35		Aaa	N.R.	AAA
3137B5KM4	2,456,822.26	FHMS K035 A1 2.615	2.615	06/25/2023	2,475,920.22	100.95	2,480,138.49	4,218.27	1.52%	1.83	1.42	1.46		Aaa	AA+	AAA
3137B6ZM6	3,594,852.92	FHMS K714 A2 3.034	3.034	10/25/2020	3,612,827.19	100.42	3,610,080.00	(2,747.19)	2.22%	1.91	0.59	0.60		Aaa	AA+	AAA
3137B8K89	720,005.75	FHLMC 4317 MT 2.0	2.000	01/15/2023	720,005.75	99.90	719,252.34	(753.41)	0.44%	1.98	1.07	1.10		Aaa	AA+	AAA
3137B9BG9	230,250.40	FHLMC 4318 CB 1.75	1.750	03/15/2022	230,646.14	99.67	229,492.99	(1,153.15)	0.14%	2.28	0.51	0.52		Aaa	AA+	AAA
3137BEB86	3,123.88	FHLMC 4383 JC 2.0	2.000	05/15/2023	3,149.87	99.79	3,117.42	(32.45)	0.00%	2.61	0.23	0.23		Aaa	AA+	AAA
3137BPWG0	2,190,828.00	FHMS KJ05 A2 2.158	2.158	10/25/2021	2,196,305.07	100.21	2,195,378.35	(926.72)	1.35%	1.89	1.19	1.22		Aaa	AA+	AAA
3137FJXN4	457,282.41	FHMS KI03 A FLT 2/	2.035	02/25/2023	457,282.41	99.94	456,996.06	(286.35)	0.28%	2.09	0.10	1.13		Aaa	AA+	AAA
3137FNBX7	1,685,778.50	FHLMC 4908 BK UPDA	3.000	09/15/2027	1,695,787.81	100.52	1,694,485.21	(1,302.60)	1.04%	1.95	0.69	0.70		Aaa	AA+	AAA
31394F3N3	624,228.00	FNMA 2005-92 UF FL	2.142	10/25/2025	625,983.64	100.30	626,112.98	129.34	0.38%	1.94	0.10	1.83		Aaa	AA+	AAA
31394RCC1	31,015.60	FHLMC 2750 FD FLT	2.090	06/15/2023	31,078.60	100.04	31,026.51	(52.09)	0.02%	1.93	0.10	0.33		Aaa	AA+	AAA
31394UY97	117,152.35	FNMA 2005-104 NF F	2.092	03/25/2035	117,426.93	100.04	117,195.37	(231.56)	0.07%	1.97	0.10	0.54		Aaa	AA+	AAA
31395NTC1	29,064.10	FNMA 2006-60 FD FL	2.222	04/25/2035	29,073.18	100.09	29,090.77	17.59	0.02%	1.92	0.10	0.49		Aaa	AA+	AAA
31397R7H3	48,835.50	FHLMC 3418 FB FLT	2.040	04/15/2020	48,873.65	99.97	48,819.35	(54.30)	0.03%	2.29	0.10	0.18		Aaa	AA+	AAA
31397SAF1	156,251.25	FNMA 2011-16 FB FL	1.942	03/25/2031	156,080.35	99.95	156,177.12	96.77	0.10%	1.96	0.10	0.97		Aaa	AA+	AAA
31397SAY0	1,604.64	FNMA 2011-23 AB 2.	2.750	06/25/2020	1,628.46	100.06	1,605.63	(22.83)	0.00%	1.75	0.18	0.18		Aaa	AA+	AAA
31397SPD0	2,821.34	FNMA 2011-25 AH 2.	2.750	06/25/2021	2,886.58	100.12	2,824.84	(61.74)	0.00%	1.96	0.45	0.46		Aaa	AA+	AAA
34531EAE6	1,000,000.00	FORDO 2017-A A4 1.	1.920	04/15/2022	999,531.25	99.95	999,519.80	(11.45)	0.61%	2.00	0.70	0.71		Aaa	AA+	AAA
34531JAD7	1,530,000.00	FORDL 2018-A A3 2.	2.930	06/15/2021	1,525,338.29	100.22	1,533,325.15	7,986.86	0.94%	2.13	0.31	0.31		Aaa	AAA	AAA
34532FAB8	2,122,927.82	FORDL 2019-A A2A 2	2.840	09/15/2021	2,122,767.97	100.29	2,129,103.84	6,335.87	1.31%	2.09	0.41	0.42		Aaa	AAA	AAA
36256UAD0	1,675,000.00	GMCAR 19-1 A3 2.98	2.980	12/20/2024	1,674,737.03	100.88	1,689,772.16	15,035.13	1.04%	2.12	0.95	0.97		Aaa	AAA	AAA
38376GB33	118,552.59	GNMA 2011-6 BA 3.5	3.500	10/16/2044	118,515.54	99.92	118,453.97	(61.57)	0.07%	2.89	0.09	0.09		Aaa	AA+	AAA
38378CQV2	110,118.12	GNMA 2012-7 MG 2.0	2.000	02/20/2038	110,186.94	99.96	110,071.19	(115.75)	0.07%	1.90	0.19	0.19		Aaa	AA+	AAA
38378NEV5	1,461,471.82	GNMA 2013-162 AD 1	1.750	05/16/2039	1,453,251.04	99.36	1,452,160.78	(1,090.26)	0.89%	2.40	0.86	0.88		Aaa	AA+	AAA
38381XJ56	2,611,145.04	GNMA 2019-85 KL 2.	2.500	08/20/2026	2,612,369.02	100.22	2,616,878.59	4,509.57	1.61%	2.10	1.00	1.02		Aaa	AA+	AAA
43813FAD5	1,600,000.00	HAROT 2017-4 A4 2.	2.210	03/21/2024	1,605,750.00	100.37	1,605,844.32	94.32	0.99%	1.99	1.27	1.30		Aaa	N.R.	AAA
44933AWAB1	3,060,402.95	HAROT 2019-1 A3 2.	2.750	05/01/2020	3,060,205.86	100.39	3,072,290.47	12,084.61	1.88%	1.95	0.49	0.50		NR	AAA	AAA
476780AB5	1,420,197.24	HART 2018-B A2 3.0	3.040	05/01/2020	1,420,080.93	100.27	1,424,099.23	4,018.30	0.89%	2.11	0.31	0.32		Aaa	AAA	NR
478787AD5	1,555,000.00	JDOT 19-B A2 2.28	2.280	05/16/2022	1,554,994.09	100.22	1,558,363.00	3,368.91	0.96%	1.99	0.76	0.77		Aaa	N.R.	AAA
58769QAB7	2,425,000.00	MBALT 2019-B A2 2.	2.010	12/15/2021	2,424,872.45	100.06	2,426,527.51	1,655.06	1.49%	1.97	0.74	0.76		NR	AAA	AAA
58772TAC4	1,765,000.00	MBALT 2019-A A3 3.	3.100	11/15/2021	1,764,948.29	100.90	1,780,960.37	16,012.08	1.09%	2.13	0.81	0.83		Aaa	AAA	NR
65478LAB5	2,475,000.00	NALT 2019-B A2A 2.	2.270	10/15/2021	2,474,783.44	100.18	2,479,527.02	4,743.58	1.52%	2.01	0.70	0.72		Aaa	AAA	NR
65479KAB6	2,176,880.05	NAROT 19-A A2A 2.8	2.820	01/15/2022	2,176,752.70	100.34	2,184,208.73	7,456.03	1.34%	1.98	0.45	0.46		Aaa	N.R.	AAA
80286HAB5	1,055,000.00	SDART 2019-3 A2A 2	2.280	02/15/2022	1,054,941.66	100.05	1,055,576.87	635.21	0.65%	2.14	0.48	0.49		Aaa	AAA	NR
89190BAE8	1,180,000.00	TAOT 17-B A4 2.05	2.050	09/15/2022	1,180,046.09	100.09	1,181,020.58	974.49	0.73%	1.98	1.08	1.10		Aaa	AAA	NR
89237RAE8	630,000.00	TAOT 17-C A4 1.98	1.980	12/15/2022	630,615.23	100.07	630,442.70	(172.53)	0.39%	1.94	1.33	1.36		Aaa	AAA	NR
89239AAB9	2,153,441.17	TAOT 19-A A2A 2.83	2.830	10/15/2021	2,153,245.64	100.35	2,160,979.08	7,733.44	1.33%	1.98	0.44	0.45		Aaa	AAA	NR
912828222	18,000,000.00	US TREASURY 1.625	1.625	10/15/2020	17,936,070.93	99.99	17,997,840.00	61,764.07	11.06%	1.64	0.78	0.79		Aaa	AA+	AAA
9128283G3	20,000,000.00	US TREASURY 1.75 1	1.750	11/15/2020	19,964,915.75	100.09	20,017,200.00	52,289.25	12.30%	1.65	0.86	0.87		Aaa	AA+	AAA
912828P87	29,000,000.00	US TREASURY 1.125	1.125	02/28/2021	28,792,792.46	99.41	28,830,060.00	37,267.54	17.72%	1.63	1.15	1.16		Aaa	AA+	AAA
92868LAD3	1,212,000.00	VALET 2018-1 A3.3.	3.020	11/21/2022	1,225,871.72	101.15	1,225,944.54	72.82	0.75%	1.98	1.10	1.13		NR	AAA	AAA
92869BAB8	1,629,171.28	VALET 2018-2 A2A 3	3.050	08/20/2021	1,629,012.76	100.28	1,633,733.77	4,721.01	1.00%	2.16	0.25	0.25		Aaa	AAA	NR
98162CAB7	1,384,654.71	WOLS 2018-B A2A 2.	2.960	06/15/2021	1,384,644.74	100.33	1,389,271.01	4,626.27	0.85%	2.08	0.41	0.42		Aaa	N.R.	AAA
98162EAC1	758,271.59	WOART 17-A A3 1.93	1.930	09/15/2022	749,592.93	99.96	757,934.16	8,341.23	0.47%	2.02	0.59	0.60		NR	AAA	AAA

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FMIVT 1-3 Year High Quality Bond Fund
Holdings as of 12/31/19

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Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market		% of Total from Investment Manager		Moody's Rating	S&P Rating	Fitch Rating		
							Value	Gain/Loss	Market	YTM				DUR	WAL
02004WAC5	5,275,000.00	ALLYA 2019-1 A3 2.	2.910	03/15/2022	5,274,362.78	101.23	5,340,144.67	65,781.89	2.75%	1.97	1.38	1.42	Aaa	N.R.	AAA
03065FAD4	174,655.29	AMCAR 17-1 A3 1.87	1.870	08/18/2021	172,976.96	99.99	174,630.24	1,653.28	0.09%	2.36	0.08	0.08	NR	AAA	AAA
03066KAE0	3,800,000.00	AMCAR 19-2 A3 2.28	2.280	01/18/2024	3,799,681.18	100.46	3,817,341.30	17,660.12	1.96%	1.99	1.61	1.66	Aaa	N.R.	AAA
12596JAC7	4,475,000.00	CNH 19-A A3 3.01 4	3.010	04/15/2024	4,474,016.84	101.76	4,553,675.87	79,659.03	2.34%	1.98	1.70	1.76	Aaa	AAA	NR
14314AAB5	65,208.60	CARMX 18-1 A2A 2.2	2.230	05/17/2021	64,923.31	100.00	65,209.62	286.31	0.03%	2.18	0.07	0.07	NR	AAA	AAA
14315NAC4	5,000,000.00	CARMX 19-1 A3 3.05	3.050	03/15/2024	4,999,434.50	101.66	5,082,807.50	83,373.00	2.61%	1.99	1.67	1.72	NR	AAA	AAA
14315PAD7	1,585,000.00	CARMX 19-3 A3 2.18	2.180	08/15/2024	1,584,787.13	100.24	1,588,870.09	4,082.96	0.82%	2.07	2.28	2.37	NR	AAA	AAA
26208MAD8	1,106,936.94	DRIVE 2018-5 A3 3.	3.340	10/15/2022	1,107,412.58	100.19	1,109,048.42	1,635.84	0.57%	2.16	0.19	0.20	Aaa	AAA	NR
3128MDEE9	836,165.19	FHLMC # G1-4433	2.500	05/01/2027	845,310.75	101.38	847,746.08	2,435.33	0.44%	1.91	2.47	2.59	Aaa	AA+	AA+
3128MDM83	1,545,310.93	FHLMC # G1-4683	2.500	02/01/2028	1,563,661.50	101.40	1,566,868.02	3,206.52	0.81%	1.95	2.70	2.85	Aaa	AA+	AA+
3128MDNB5	948,730.18	FHLMC # G1-4686	2.000	03/01/2028	948,137.22	99.64	945,286.29	(2,850.93)	0.49%	2.10	2.76	2.92	Aaa	AA+	AA+
3128ME4V0	1,148,992.84	FHLMC # G1-6036	2.500	01/01/2030	1,166,048.21	101.39	1,165,009.80	(1,038.41)	0.60%	1.94	2.65	2.80	Aaa	AA+	AA+
3128MEW98	354,025.58	FHLMC G (G1-5872	5.000	06/01/2026	377,479.77	103.35	365,881.90	(11,597.87)	0.19%	2.14	1.02	1.04	Aaa	AA+	AA+
3128MFJ82	975,141.61	FHLMC # G1-6387	2.500	10/01/2031	981,693.34	101.39	988,735.08	7,041.74	0.51%	1.95	2.68	2.84	Aaa	AA+	AA+
3128MMQK2	788,730.61	FHLMC # G1-8457	2.000	02/01/2028	788,237.65	99.64	785,867.52	(2,370.13)	0.40%	2.10	2.76	2.92	Aaa	AA+	AA+
31294UA29	1,591,069.00	FHLMC # E0-9025	2.500	03/01/2028	1,606,482.48	101.39	1,613,248.50	6,766.02	0.83%	1.95	2.68	2.83	Aaa	AA+	AA+
31307BY79	681,878.93	FHLMC # J2-3434	2.000	04/01/2028	681,452.75	99.64	679,403.71	(2,049.04)	0.35%	2.10	2.78	2.94	Aaa	AA+	AA+
31307CKR8	1,075,691.70	FHLMC # J2-3904	2.000	05/01/2028	1,068,632.48	99.64	1,071,786.94	3,154.46	0.55%	2.10	2.82	2.99	Aaa	AA+	AA+
31307CKS6	342,405.56	FG #J23 (J2-3905	2.000	05/01/2023	343,796.58	100.11	342,771.93	(1,024.65)	0.18%	1.82	1.23	1.26	Aaa	AA+	AA+
31307CJ71	299,925.38	FG #J24 (J2-4206	2.000	06/01/2023	301,143.83	100.12	300,279.29	(864.54)	0.15%	1.83	1.29	1.33	Aaa	AA+	AA+
31307CYH5	157,685.71	FG #J24 (J2-4312	2.000	06/01/2023	158,326.31	98.98	156,069.43	(2,256.88)	0.08%	2.72	1.32	1.37	Aaa	AA+	AA+
3132AD4B1	2,822,909.92	FHLMC # ZT-1718	2.000	07/01/2030	2,815,852.64	99.53	2,809,726.93	(6,125.71)	1.45%	2.12	2.84	3.01	Aaa	AA+	AA+
3136A1WB3	460,006.00	FNMA 2011-114 LA 2	2.500	06/25/2039	466,331.08	100.97	464,469.81	(1,861.27)	0.24%	1.88	1.85	1.93	Aaa	AA+	AA+
3136A25V9	374,988.23	FNMA 2011-141 CA 2	2.000	12/25/2025	375,984.29	99.84	374,385.21	(1,599.08)	0.19%	1.98	1.05	1.07	Aaa	AA+	AA+
3136A32R1	707,974.76	FNMA 2012-3 KG 2.0	2.000	09/25/2026	691,575.19	99.93	707,490.36	15,915.17	0.36%	1.97	1.64	1.69	Aaa	AA+	AA+
3136A3UG4	163,674.32	FNMA REMIC TRUST 2	1.750	12/25/2021	166,598.50	99.83	163,393.88	(3,204.62)	0.08%	1.93	0.25	0.26	Aaa	AA+	AA+
3136AABJ2	358,705.47	FNMA 2012-135 BC 1	1.500	12/25/2027	352,652.31	98.41	353,018.09	365.78	0.18%	2.13	2.45	2.56	Aaa	AA+	AA+
3136AD6N4	710,179.05	FNMA 2013-48 BE 1.	1.500	05/25/2028	702,522.43	98.68	700,840.12	(1,682.31)	0.36%	2.24	1.67	1.73	Aaa	AA+	AA+
3136AJD37	1,170,394.72	FNMA 2014-26 VD 2.	2.000	04/25/2044	1,164,908.49	100.16	1,172,248.16	7,339.67	0.60%	1.90	2.49	2.61	Aaa	AA+	AA+
3136AJDR4	636,349.27	FNMA 2014-M2 ASV2	2.777	06/25/2021	635,454.40	100.18	637,465.68	2,011.28	0.33%	2.38	0.92	0.94	Aaa	AA+	AA+
3136APDS8	342,971.51	FNMA 2015-55 JA.2	2.000	07/25/2025	346,720.37	100.08	343,231.89	(3,488.48)	0.18%	1.76	1.14	1.16	Aaa	AA+	AA+
3137AB6Z7	1,477,024.72	FHMS K010 A2 4.333	4.333	10/25/2020	1,520,758.50	101.13	1,493,642.13	(27,116.37)	0.77%	2.25	0.70	0.72	Aaa	AA+	AA+
3137A6L67	581,649.23	FHLMC 3814 B 3.0 2	3.000	02/15/2026	589,646.90	101.79	592,086.52	2,439.62	0.30%	2.09	2.08	2.18	Aaa	AA+	AA+
3137AAAV0	2,500,000.00	FHMS K013 A2 3.97	3.974	01/25/2021	2,576,074.23	101.49	2,537,282.25	(38,791.98)	1.30%	2.18	1.00	1.03	Aaa	AA+	AA+
3137AC3G2	540,011.11	FHLMC 3875 GJ 2.5	2.500	06/15/2026	537,437.62	100.87	544,725.89	7,288.27	0.28%	1.86	1.55	1.60	Aaa	AA+	AA+
3137AEHG3	223,082.14	FHLMC 3909 KA 2.0	2.000	07/15/2021	222,245.58	100.04	223,181.34	935.76	0.11%	1.75	0.64	0.65	Aaa	AA+	AA+
3137AFXP2	119,718.10	FHLMC 3941 BE 2.0	2.000	03/15/2026	118,838.92	99.89	119,591.67	752.75	0.06%	1.99	1.17	1.20	Aaa	AA+	AA+
3137AGAW0	718,261.64	FHLMC 3945 A 3.0 3	3.000	03/15/2026	722,526.32	101.02	725,606.44	3,080.12	0.37%	1.98	1.18	1.22	Aaa	AA+	AA+
3137AHDW5	460,204.88	FHLMC 3956 AB 3.5	3.500	11/15/2026	473,435.77	103.58	476,687.07	3,251.30	0.25%	1.87	2.26	2.37	Aaa	AA+	AA+
3137AHHCS	302,806.72	FHLMC 3959 PN 2.0	2.000	01/15/2026	303,823.96	100.10	303,112.92	(711.04)	0.16%	1.78	1.04	1.06	Aaa	AA+	AA+
3137AHHH3	570,430.14	FHLMC 3959 PQ 2.5	2.500	01/15/2026	578,897.46	100.66	574,173.87	(4,723.59)	0.30%	2.00	1.04	1.06	Aaa	AA+	AA+
3137AUMN6	834,531.33	FHLMC 4102 LC 3.0	3.000	01/15/2040	847,603.48	101.40	846,249.74	(1,353.74)	0.44%	2.19	1.86	1.95	Aaa	AA+	AA+

FMMVT 1-3 Year High Quality Bond Fund
Holdings as of 12/31/19

Asset ID	Units	Asset Description	Interest		Maturity		Market		% of Total from Investment Manager		Moody's RATING	S&P RATING	Fitch RATING			
			Rate		Date		Cost	Price	Value	Gain/Loss				Market	YTM	DUR
3137AUPD5	1,562,971.11	FHMS K021 A1 1.603	1.603		01/25/2022	1,554,427.06	99.58	1,556,341.14	1,914.08	0.80%	1.90	1.07	1.09	Aaa	AA+	AAA
3137AUZH5	1,973,810.24	FHLMC 4122 LB 2.0	2.000		10/01/2027	1,970,109.34	99.90	1,971,859.33	1,749.99	1.01%	2.02	2.61	2.74	Aaa	AA+	AAA
3137AW4L6	1,101,581.87	FHLMC 4137 JB 1.5	1.500		10/15/2027	1,083,681.17	98.37	1,083,620.47	(60.70)	0.56%	2.16	2.45	2.57	Aaa	AA+	AAA
3137AWK46	501,068.40	FHLMC 4136 MC 1.5	1.500		11/15/2027	488,541.69	98.44	493,263.46	4,721.77	0.25%	2.13	2.46	2.58	Aaa	AA+	AAA
3137AWVC6	901,337.04	FHLMC 4145 UE 2.0	2.000		12/15/2027	896,126.18	99.83	899,825.14	3,698.96	0.46%	2.05	2.63	2.77	Aaa	AA+	AAA
3137B16K3	615,159.11	FHLMC 4177 M 3.0 3	3.000		03/15/2028	615,447.47	101.98	627,320.13	11,872.66	0.32%	1.96	2.00	2.09	Aaa	AA+	AAA
3137B2HMS	1,102,681.93	FHMS K028 A1 2.182	2.182		11/25/2022	1,111,382.78	100.24	1,105,324.84	(6,057.94)	0.57%	1.86	1.18	1.21	Aaa	AA+	AAA
3137B6ZM6	3,692,011.10	FHMS K714 A2 3.034	3.034		10/25/2020	3,727,382.75	100.42	3,707,649.72	(19,733.03)	1.91%	1.91	0.59	0.60	Aaa	AA+	AAA
3137B84S3	896,783.81	FHLMC 4305 CT 2.0	2.000		02/15/2029	895,102.34	100.21	898,672.89	3,570.55	0.46%	1.81	1.59	1.64	Aaa	AA+	AAA
3137BFDQ1	2,328,071.43	FHMS K717 A2 2.991	2.991		09/25/2021	2,325,434.17	101.22	2,356,564.23	31,130.06	1.21%	2.07	1.54	1.59	Aaa	AA+	AAA
3137GA2H9	21,656.92	FHLMC 3730 GE 2.5	2.500		08/15/2020	22,354.00	99.97	21,651.27	(702.73)	0.01%	2.14	0.29	0.29	Aaa	AA+	AAA
3137GAAA5	146,381.64	FHLMC 3726 KH 2.25	2.250		04/15/2025	147,685.35	100.14	146,584.89	(1,100.46)	0.08%	1.89	0.78	0.79	Aaa	AA+	AAA
31381PY69	854,950.52	FNMA #4(467033	4.260		01/01/2021	880,064.69	101.23	865,466.41	(14,598.28)	0.45%	2.88	1.06	1.09	Aaa	AA+	AAA
3138MRMU2	873,487.64	FNMA #4(AQ9370	2.000		01/01/2028	874,988.95	99.58	869,845.20	(5,143.75)	0.45%	2.10	2.74	2.90	Aaa	AA+	AAA
3138MRP47	502,427.82	FNMA #4(AQ9442	2.000		12/01/2027	501,799.79	99.58	500,332.70	(1,467.09)	0.26%	2.10	2.80	2.96	Aaa	AA+	AAA
3138W9AF7	1,863,363.15	FNMA #4(AS0005	2.500		07/01/2028	1,875,300.32	101.34	1,888,332.22	13,031.90	0.97%	1.99	2.91	3.08	Aaa	AA+	AAA
31393CZEE	679,663.50	FNMA 2003-46 LD 3.	3.500		06/25/2023	702,602.14	101.84	692,142.60	(10,459.54)	0.36%	1.84	1.29	1.33	Aaa	AA+	AAA
31394F3K3	187,268.40	FNMA 2005-92 UF FL	2.142		10/25/2025	187,934.08	100.30	187,833.89	(100.19)	0.10%	1.94	0.10	1.83	Aaa	AA+	AAA
31396QJUF	498,154.12	FHLMC 3143 B 5.5 4	5.500		04/15/2026	525,241.25	106.66	531,337.36	6,096.11	0.27%	1.90	1.67	1.74	Aaa	AA+	AAA
31396QKJ7	5,190.65	FNMA 2009-52 AJ 4.	4.000		07/25/2024	5,520.74	101.31	5,258.57	(262.17)	0.00%	2.48	1.10	1.14	Aaa	AA+	AAA
31397A5S8	12,237.74	FHLMC 3209 EG 4.5	4.500		08/15/2020	13,096.29	100.14	12,254.38	(841.91)	0.01%	2.79	0.23	0.23	Aaa	AA+	AAA
31397BBAB	637,072.00	FHLMC 3221 FB FLT	2.020		03/15/2036	637,420.42	100.04	637,327.91	(92.51)	0.33%	2.02	0.10	1.71	Aaa	AA+	AAA
31397FV90	10.35	FHLMC REMIC SERIES	4.500		03/15/2022	11.26	100.05	10.35	(0.91)	0.00%	2.43	0.15	0.16	Aaa	AA+	AAA
31397SAV0	1,279.70	FNMA 2011-16 GE 2.	2.750		06/25/2020	1,309.46	100.06	1,280.49	(28.97)	0.00%	1.75	0.18	0.18	Aaa	AA+	AAA
31398JPY3	1,989,935.68	FHLMC 3577 B 4.0 9	4.000		09/15/2024	2,031,910.89	102.71	2,043,958.06	12,047.17	1.05%	2.23	1.64	1.72	Aaa	AA+	AAA
31398QHB6	584,402.21	FHMS K007 A2 4.224	4.224		03/25/2020	612,937.48	99.96	584,177.74	(28,759.74)	0.30%	2.64	0.17	0.18	Aaa	AA+	AAA
3140J56K0	13,058.79	FNMA #B(45832 6.0 4	6.000		04/01/2021	14,266.73	101.21	13,217.32	(1,049.41)	0.01%	2.14	0.47	0.48	Aaa	AA+	AAA
3140J56K0	1,909,343.97	FNMA #B(BM1773	2.500		03/01/2029	1,939,177.47	101.34	1,934,910.09	(4,267.38)	1.00%	1.96	2.75	2.91	Aaa	AA+	AAA
3140J73K9	2,990,403.14	FNMA #B(BM3501	3.000		04/01/2032	3,059,088.96	103.12	3,083,823.33	24,734.37	1.59%	2.09	2.70	2.85	Aaa	AA+	AAA
3140X42Q8	3,671,198.32	FNMA #E(FM1682	2.500		03/01/2029	3,715,367.42	101.34	3,720,465.80	5,098.38	1.91%	1.96	2.74	2.89	Aaa	AA+	AAA
31418AU22	176,003.54	FNMA #M(MA1500	2.000		07/01/2023	176,718.55	100.06	176,116.18	(602.37)	0.09%	1.83	1.31	1.35	Aaa	AA+	AAA
31418CFK5	1,635,253.77	FNMA #M(MA2869	2.500		01/01/2027	1,648,795.71	100.91	1,650,085.52	1,289.81	0.85%	2.06	2.41	2.54	Aaa	AA+	AAA
31679RAD7	989,246.09	FITAT 2017-1 A3 1.	1.800		02/15/2022	989,220.67	99.91	988,342.71	(877.96)	0.51%	2.03	0.44	0.45	Aaa	AA+	AAA
34528FAD0	3,519,983.47	FORDO 2018-A A3 3.	3.030		11/15/2022	3,519,414.29	100.82	3,548,891.69	29,477.40	1.83%	1.97	0.80	0.82	NR	AAA	AAA
38376FEF0	268,855.20	GNMA 2009-88 OE 3.	3.000		09/16/2039	274,988.46	101.39	272,583.79	(2,404.67)	0.14%	1.83	1.35	1.39	Aaa	AA+	AAA
38377J729	166,370.41	GNMA 2010-117 JA 2	2.500		03/20/2040	171,865.43	100.15	166,613.78	(5,251.65)	0.09%	1.79	0.31	0.32	Aaa	AA+	AAA
43814RAD8	300,000.00	HAROT 2016-4 AA 1.	1.360		01/18/2023	294,937.50	99.85	299,561.07	4,623.57	0.15%	2.10	0.24	0.24	NR	AAA	AAA
43814WAC9	2,875,000.00	HAROT 2019-1 A3 2.	2.830		03/20/2023	2,874,922.95	101.53	2,919,082.37	44,159.42	1.50%	1.95	1.63	1.69	NR	AAA	AAA
43814WAD7	1,200,000.00	HAROT 2019-1 AA 2.	2.900		06/18/2024	1,199,701.32	102.26	1,227,147.84	27,446.52	0.63%	2.03	2.39	2.49	NR	AAA	AAA
65478HAD0	1,958,212.41	NAROT 17-C A3 2.12	2.120		04/18/2022	1,957,881.28	100.10	1,960,211.55	2,330.27	1.01%	1.95	0.59	0.60	Aaa	AA+	AAA
65479KAD2	4,890,000.00	NAROT 19-A A3 2.90	2.900		10/15/2023	4,889,259.17	101.56	4,966,340.72	77,081.55	2.55%	1.96	1.65	1.70	Aaa	AA+	AAA
89239AAD5	4,890,000.00	TAOT 19-A A3 2.91	2.910		10/15/2021	4,889,109.04	101.48	4,962,415.52	73,306.48	2.55%	2.02	1.62	1.68	Aaa	AA+	AAA
9128284G2	18,500,000.00	US TREASURY 2.375	2.375		04/15/2021	18,526,585.34	100.96	18,678,525.00	151,939.66	9.61%	1.62	1.26	1.29	Aaa	AA+	AAA
9128284W7	10,750,000.00	US TREASURY 2.75 8	2.750		08/15/2021	10,731,559.46	101.82	10,946,080.00	214,520.54	5.63%	1.61	1.57	1.62	Aaa	AA+	AAA
9128285J8	5,000,000.00	US TREASURY 2.5 1/	2.500		01/15/2022	5,112,907.35	101.81	5,090,450.00	(22,457.35)	2.62%	1.60	1.96	2.04	Aaa	AA+	AAA
9128286C9	7,000,000.00	US TREASURY 2.5 2/	2.500		02/15/2022	7,124,437.53	101.90	7,132,860.00	8,422.47	3.67%	1.59	2.05	2.13	Aaa	AA+	AAA
912828M98	5,750,000.00	US TREASURY 1.625	1.625		11/30/2020	5,629,354.12	99.98	5,748,677.50	119,323.38	2.96%	1.65	0.90	0.92	Aaa	AA+	AAA

FMIVT 1-3 Year High Quality Bond Fund
Holdings as of 12/31/19

													222				
													Interest				
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192,697,686.66	Total Portfolio				192,774,750.90		194,428,618.29	1,653,867.39	100.00%	1.86	1.66	1.72			Portfolio NAV	194,928,196.03	# Shares	10,077,713.02	NAV per Share	19.342503
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FMIVT Intermediate High Quality Bond Fund
Holdings as of 12/31/19

Asset ID	Units	Asset Description	Interest		Maturity Date	Cost	Price	Market		Unrealized		% of Total from Investment Manager				Moody's Rating	S&P Rating	Fitch Rating
			Rate	Rate				Value	Value	Gain/Loss	Market	YTM	DUR	WAL				
02007EAF5	1,900,000.00	ALL YA 2017-3 AA 2.	2.010		03/15/2022	1,900,148.45	100.02	1,900,434.34	285.89	1.22%	2.00	0.71	0.72		Aaa	AAA	NR	
02007LAD4	661,608.17	ALL YA 2016-3 AA 1.	1.720		04/15/2021	660,471.03	99.98	661,482.07	1,011.04	0.42%	2.20	0.10	0.10		Aaa	AAA	NR	
02007MAE0	1,735,765.29	ALL YA 2018-1 A3 2.	2.350		06/15/2022	1,735,564.63	100.21	1,739,458.82	3,894.19	1.11%	2.06	0.51	0.52		NR	AAA	AAA	
03065VAF4	1,872,339.76	AMCAR 16-1 C 2.89	2.890		01/10/2022	1,870,291.89	100.16	1,875,250.87	4,958.98	1.20%	2.09	0.24	0.24		Aaa	AAA	NR	
03066FAE1	2,077,146.83	AMCAR 17-4 A3 2.04	2.040		07/18/2022	2,074,685.63	100.01	2,077,349.56	2,663.93	1.33%	2.12	0.39	0.39		Aaa	AAA	NR	
03066GAB5	1,239,189.18	AMCAR 19-1 A2A 2.9	2.930		06/20/2022	1,244,223.39	100.34	1,243,402.67	(820.72)	0.80%	2.10	0.42	0.43		NR	AAA	AAA	
03066KAC4	1,797,957.90	AMCAR 19-2 A2A 2.4	2.430		09/19/2022	1,797,804.35	100.21	1,801,704.30	3,899.95	1.15%	2.08	0.55	0.56		Aaa	N.R.	AAA	
03066KAE0	1,115,000.00	AMCAR 19-2 A3 2.28	2.280		01/18/2024	1,114,906.45	100.46	1,120,088.30	5,181.85	0.72%	1.99	1.61	1.66		Aaa	N.R.	AAA	
12596JAD5	1,515,000.00	CNH 19-A A4 3.34 1	3.220		01/15/2026	1,514,546.11	103.53	1,568,493.13	53,947.02	1.01%	2.04	2.90	3.07		NR	AAA	NR	
14313FAB5	498,657.82	CARMX 18-3 A2A 2.8	2.880		10/15/2021	498,614.04	100.19	499,625.47	1,011.43	0.32%	2.02	0.25	0.26		NR	AAA	NR	
14313YAD0	910,000.17	CARMX 16-1 A4 1.88	1.880		06/15/2021	909,075.95	99.97	909,717.89	641.94	0.58%	2.05	0.29	0.29		Aaa	AAA	NR	
14314EAC5	302,586.54	CARMX 16-3 A3 1.39	1.390		05/17/2021	302,541.33	99.92	302,355.30	(186.03)	0.19%	2.08	0.15	0.15		NR	AAA	NR	
14315EAB6	916,259.80	CARMX 18-4 A2A 3.1	3.110		02/15/2022	916,251.92	100.39	919,877.10	3,625.18	0.59%	2.03	0.39	0.40		NR	AAA	NR	
14315NAD2	3,705,000.00	CARMX 19-1 A4 3.26	3.260		08/15/2024	3,704,899.97	102.97	3,815,145.20	110,245.23	2.45%	2.06	2.75	2.91		NR	AAA	NR	
26208RAB1	1,326,170.42	DRIVE 2019-2 A2A 2	2.930		03/15/2022	1,328,653.20	100.11	1,327,587.57	(1,065.63)	0.85%	2.06	0.15	0.16		Aaa	AAA	NR	
26209WAB9	2,230,018.02	DRIVE 2019-3 A2A 2	2.630		09/15/2022	2,229,919.01	100.16	2,233,477.45	3,558.44	1.43%	2.15	0.33	0.34		Aaa	AAA	NR	
31283GFD4	1.73	FHLMC P/G0-0164	10.000		06/01/2021	1.89	100.52	1.74	(0.15)	0.00%	2.72	0.34	0.36		Aaa	AA+	AAA	
3128LXB25	141,774.20	FHLMC P/G0-1857	5.000		10/01/2033	140,290.00	110.37	156,470.51	16,180.51	0.10%	2.66	3.74	4.12		Aaa	AA+	AAA	
3128M9Z21	4,855,181.28	FHLMC G/G0-7661	3.000		08/01/2043	4,712,195.59	103.04	5,002,778.79	290,583.20	3.21%	2.44	5.53	6.35		Aaa	AA+	AAA	
3128MCNF8	213,246.31	FHLMC GOLD #G13790	4.500		04/01/2025	222,819.61	104.62	223,089.76	270.15	0.14%	2.14	1.76	1.84		Aaa	AA+	AAA	
3128MCXY6	45,812.78	FHLMC GOLD #G14095	4.500		08/01/2025	48,103.42	103.74	47,525.26	(578.16)	0.03%	2.14	1.63	1.71		Aaa	AA+	AAA	
3128MEEV9	356,231.16	FHLMC #/G1-5348	2.500		05/01/2025	361,296.32	100.96	359,633.17	(1,663.15)	0.23%	1.94	1.87	1.95		Aaa	AA+	AAA	
3128MJT67	1,223,090.10	FHLMC G/G0-8572	3.500		02/01/2044	1,246,214.15	105.10	1,285,418.77	39,204.62	0.82%	2.62	4.57	5.17		Aaa	AA+	AAA	
3128MJUF5	841,049.36	FHLMC G/G0-8581	3.500		04/01/2044	863,258.32	104.97	882,857.92	19,599.60	0.57%	2.62	4.42	4.98		Aaa	AA+	AAA	
3128MJVH0	3,518,810.28	FHLMC G/G0-8615	3.500		11/01/2044	3,646,916.97	104.65	3,682,540.52	35,623.55	2.36%	2.62	4.25	4.78		Aaa	AA+	AAA	
31292GBB1	208.86	FHLMC P/C0-0034	10.000		03/01/2021	229.46	100.78	209.44	(20.02)	0.00%	2.72	0.34	0.36		Aaa	AA+	AAA	
31307BY95	760,167.09	FG #J23/J2-3436	2.500		04/01/2028	787,129.27	101.72	773,279.97	(13,849.30)	0.50%	1.82	2.64	2.78		Aaa	AA+	AAA	
31335BRF5	1,026,073.97	FHLMC G/G6-1386	3.500		06/01/2048	1,034,771.55	103.60	1,062,992.11	28,220.56	0.68%	2.62	3.99	4.51		Aaa	AA+	AAA	
3136A0FK8	119,684.06	FNMA 2011-M4 A2.3.	3.726		06/25/2021	125,948.77	101.74	121,760.91	(4,187.86)	0.08%	2.25	1.36	1.40		Aaa	AA+	AAA	
3136AH2E9	782,033.77	FNMA 2014-M1 A2.3.	3.188		07/25/2023	767,392.53	102.98	805,376.30	37,983.77	0.52%	2.19	3.12	3.31		Aaa	AA+	AAA	
3136APD58	49,918.78	FNMA 2015-55 JA.2.	2.000		07/25/2025	50,215.17	100.08	49,956.68	(258.49)	0.03%	1.76	1.14	1.16		Aaa	AA+	AAA	
3136G0DU2	250,000.00	FEDERAL NATL MTG A	2.000		04/30/2020	250,000.00	100.13	250,327.50	327.50	0.16%	1.60	0.33	0.33		Aaa	AA+	AAA	
31371C6H7	721.32	FNMA PO/248472	6.500		12/01/2023	696.56	110.99	800.62	104.06	0.00%	2.72	1.58	1.61		Aaa	AA+	AAA	
31371EU52	920.78	FNMA PO/250004	6.500		04/01/2024	889.09	110.99	1,022.01	132.92	0.00%	2.72	1.67	1.71		Aaa	AA+	AAA	
31372F3H2	941.24	FNMA PO/271800	6.500		02/01/2024	908.86	110.99	1,044.72	135.86	0.00%	2.72	1.65	1.68		Aaa	AA+	AAA	
31372F6A4	2,612.14	FNMA PO/271865	6.500		02/01/2024	2,522.28	110.99	2,899.32	377.04	0.00%	2.72	1.61	1.64		Aaa	AA+	AAA	
31372PY78	1,096.00	FNMA PO/278934	6.500		04/01/2024	1,058.28	110.99	1,216.49	158.21	0.00%	2.72	1.60	1.63		Aaa	AA+	AAA	
3137A8PP7	2,970,000.00	FHMS K012 A2.4.1.8	4.185		12/25/2020	3,289,275.00	101.59	3,017,155.58	(272,119.42)	1.93%	2.16	0.94	0.97		Aaa	AA+	AAA	

FMMVT Intermediate High Quality Bond Fund
Holdings as of 12/31/19

Asset ID	Units	Asset Description	Interest		Maturity		Market		Unrealized				% of Total from Investment Manager				Moody's RATING	S&P RATING	Fitch RATING
			Rate		Date		Cost	Price	Value	Gain/Loss	Market	YTM	DUR	WAL					
3137B1UG5	6,000,000.00	FHLMC REMIC SERIES	2.637		01/25/2023		6,119,976.00	101.69	6,101,623.80	(18,352.20)	3.91%	1.98	2.82	2.95	Aaa	AA+	AAA		
3137BLMZ8	4,100,000.00	FHMS K049 A2 3.01	3.010		08/25/2025		4,222,889.30	104.14	4,269,666.20	46,776.90	2.74%	2.16	5.04	5.50	Aaa	AA+	AAA		
3137BPVM8	613,912.82	FHMS K152 A1 2.83	2.830		05/25/2030		639,524.49	103.03	632,511.31	(7,013.18)	0.41%	2.32	6.23	7.00	Aaa	AA+	AAA		
3137F1G44	3,250,000.00	FHMS K065 A2 3.243	3.243		04/25/2027		3,347,396.00	106.05	3,446,494.35	99,098.35	2.21%	2.29	6.44	7.26	Aaa	AA+	AAA		
3137FEARE0	4,175,000.00	FHMS K727 A2 2.946	2.946		07/25/2024		4,300,141.45	103.05	4,302,226.03	2,084.58	2.76%	2.17	4.13	4.44	Aaa	AAA	AAA		
3137FPHJ7	3,434,505.91	FHMS K098 A1 2.046	2.046		04/25/2029		3,451,523.89	98.61	3,386,623.40	(64,900.49)	2.17%	2.25	5.87	6.39	Aaa	AAA	AAA		
31392JGM5	116,766.37	FED NATL MTG ASSN	3.500		03/25/2033		114,696.61	102.67	119,879.77	5,183.16	0.08%	2.13	2.09	2.20	Aaa	AA+	AAA		
31394AWY8	101,653.50	FNMA 2004-60 LB 5.	5.000		04/25/2034		109,658.71	102.32	104,015.49	(5,643.22)	0.07%	2.02	0.93	0.96	Aaa	AA+	AAA		
31394EDP0	78,916.89	FNMA 2005-58 MA 5.	5.500		07/25/2035		86,808.58	109.75	86,612.77	(195.81)	0.06%	1.89	2.79	2.98	Aaa	AA+	AAA		
31395NVZ7	754,636.72	FNMA 2006-56 FA FL	2.750		11/25/2035		754,872.54	100.09	755,297.10	424.56	0.48%	1.94	0.10	1.21	Aaa	AA+	AAA		
31402DC73	110,533.05	FNMA #725594 5.5 7	5.500		07/01/2034		120,938.70	112.48	124,333.10	3,394.40	0.08%	2.53	3.91	4.34	Aaa	AA+	AAA		
31402RF95	130,139.73	FNMA POI 735592	5.000		05/01/2034		126,682.89	110.21	143,428.30	16,745.41	0.09%	2.66	3.85	4.25	Aaa	AA+	AAA		
3140GYJX8	4,236,722.00	FNMA #B(BH9277	3.500		02/01/2048		4,175,488.14	103.87	4,400,640.77	225,152.63	2.82%	2.62	4.61	5.28	Aaa	AA+	AAA		
3140HBH50	236,957.79	FNMA #B(BJ9251	3.500		06/01/2048		238,790.51	103.52	245,291.60	6,501.09	0.16%	2.62	3.50	3.88	Aaa	AA+	AAA		
3140J8U43	1,167,510.42	FNMA #B(BM4202	3.500		12/01/2029		1,197,245.45	104.02	1,214,397.64	17,152.19	0.78%	2.17	2.97	3.17	Aaa	AA+	AAA		
3140X4DE3	1,437,453.16	FNMA #F(FM1000	3.000		04/01/2047		1,456,544.33	102.17	1,468,631.52	12,087.19	0.94%	2.58	5.54	6.42	Aaa	AA+	AAA		
3140X4HG4	2,246,900.35	FNMA #F(FM1130	3.000		10/01/2044		2,306,232.56	102.99	2,314,037.73	7,805.17	1.48%	2.43	5.50	6.30	Aaa	AA+	AAA		
31410GBT9	796,487.73	FNMA #888450 5.5 8	5.500		08/01/2035		878,252.17	111.57	888,641.36	10,389.19	0.57%	2.53	3.70	4.10	Aaa	AA+	AAA		
31416M6U3	32,848.17	FNMA #A(AA4482	4.000		04/01/2039		34,326.34	107.20	35,214.22	887.88	0.02%	2.64	4.76	5.39	Aaa	AA+	AAA		
31418AJM1	553,791.52	FNMA #M(MA1167	2.500		09/01/2027		576,029.71	101.34	561,195.71	(14,834.00)	0.36%	1.92	2.57	2.71	Aaa	AA+	AAA		
31418CAF8	2,497,229.28	FNMA #M(MA3521	4.000		11/01/2048		2,551,075.79	104.02	2,597,592.92	46,517.13	1.67%	2.64	2.66	2.88	Aaa	AA+	AAA		
31418CYM0	547,631.23	FNMA #M(MA3415	4.000		07/01/2048		559,525.10	104.25	570,889.13	11,364.03	0.37%	2.64	2.78	3.02	Aaa	AA+	AAA		
31418DJJ2	2,334,558.24	FNMA #M(MA3864	2.500		12/01/2034		2,354,256.08	100.92	2,355,966.14	1,710.06	1.51%	2.28	4.66	5.14	Aaa	AA+	AAA		
31418DKJ0	2,700,000.00	FNMA #M(MA3896	2.500		01/01/2035		2,724,890.63	100.92	2,724,759.00	(131.63)	1.75%	2.28	4.63	5.10	Aaa	AA+	AAA		
31419AGK7	85,294.55	FNMA #AE0201 5.5 8	5.500		08/01/2037		93,717.39	112.56	96,004.99	2,287.60	0.06%	2.53	3.89	4.32	Aaa	AA+	AAA		
34531LAB6	802,300.60	FORDL 2018-B A2A 2	2.930		04/15/2021		802,291.78	100.08	802,940.76	648.98	0.51%	2.12	0.19	0.19	Aaa	N.R.	AAA		
36203E7B8	545.25	GNMA POI 347490X	7.000		09/15/2023		539.31	100.80	549.58	10.27	0.00%	2.72	1.10	1.19	Aaa	AA+	AAA		
36203LRW4	408.39	GNMA POI 352501X	7.000		09/15/2023		403.94	100.84	411.84	7.90	0.00%	2.72	1.32	1.44	Aaa	AA+	AAA		
36203R4F3	102.71	GNMA POI 357322X	7.000		09/15/2023		101.59	104.17	106.99	5.40	0.00%	2.72	1.37	1.46	Aaa	AA+	AAA		
36203XWY8	546.23	GNMA POI 362563X	7.000		08/15/2023		540.28	100.18	547.24	6.96	0.00%	2.72	1.43	1.59	Aaa	AA+	AAA		
36204D4S5	2,741.18	GNMA POI 367233X	7.000		09/15/2023		2,711.31	104.17	2,855.40	144.09	0.00%	2.72	1.32	1.41	Aaa	AA+	AAA		
36205Y3V6	5,929.03	GNMA POI 405015X	9.000		03/15/2025		6,350.85	100.33	5,948.54	(402.31)	0.00%	2.72	1.91	2.28	Aaa	AA+	AAA		
36206CHJ1	548.36	GNMA POI 407133X	9.000		01/15/2025		584.84	100.33	550.15	(34.69)	0.00%	2.72	1.67	1.95	Aaa	AA+	AAA		
36206FHJ4	24,204.75	GNMA POI 409833X	9.000		04/15/2025		25,462.17	101.30	24,520.38	(941.79)	0.02%	2.72	1.78	2.08	Aaa	AA+	AAA		
36224QVE3	1,776.00	GNMA POI 335513X	7.000		12/15/2022		1,756.65	100.84	1,790.92	34.27	0.00%	2.72	1.20	1.31	Aaa	AA+	AAA		
38014BAD1	436,925.04	GMALT 2018-1 A3.2.	2.610		01/20/2021		437,590.67	100.12	437,434.36	(156.31)	0.28%	1.99	0.17	0.17	Aaa	AAA	NR		
38377ES62	362,216.19	GNMA 2010-60 PF FL	2.215		04/20/2039		363,631.10	100.19	362,898.79	(732.31)	0.23%	1.97	0.10	0.89	Aaa	AA+	AAA		
58769QAB7	700,000.00	MBALT 2019-B A2.2.	2.010		12/15/2021		699,963.18	100.06	700,440.93	477.75	0.45%	1.97	0.74	0.76	NR	AAA	AAA		
80284RAH6	688,327.83	SDART 2016-3 C 2.4	2.460		03/15/2022		686,741.45	100.09	688,942.44	2,200.99	0.44%	2.09	0.31	0.31	Aaa	N.R.	AAA		
80285CAH4	585,198.24	SDART 2016-2 C 2.6	2.660		11/15/2021		585,175.38	100.04	585,446.31	270.93	0.38%	2.24	0.15	0.15	Aaa	N.R.	AAA		
80286HAB5	1,300,000.00	SDART 2019-3 A2A 2	2.280		02/15/2022		1,299,928.11	100.05	1,300,710.84	782.73	0.83%	2.14	0.48	0.49	Aaa	AAA	NR		
89231AAE1	1,000,000.00	TAOT 18-C A4 3.15	3.130		02/15/2024		999,756.80	102.65	1,026,505.90	26,749.10	0.66%	1.97	2.20	2.30	Aaa	AAA	NR		
912796RY7	3,000,000.00	US TREASURY BILL 1	0.000		01/30/2020		2,995,303.51	99.84	2,995,303.51	0.00	1.92%	1.38	0.08	0.08	Aaa	AA+	AAA		
9128282R0	3,000,000.00	US TREASURY 2.25 8	2.250		08/15/2027		2,896,711.22	102.86	3,085,680.00	188,968.78	1.98%	1.85	6.94	7.62	Aaa	AA+	AAA		

FMlVT Intermediate High Quality Bond Fund
Holdings as of 12/31/19

Asset ID	Units	Asset Description	Interest		Maturity		Market		Unrealized		% of Total from Investment Manager				Moody's RATING	S&P RATING	Fitch RATING
			Rate		Date		Cost	Price	Value	Gain/Loss	Market	YTM	DUR	WAL			
9128283W8	3,000,000.00	US TREASURY 2.75 2	2.750		02/15/2028		2,971,568.93	106.61	3,198,390.00	226,821.07	2.05%	1.87	7.23	8.13	Aaa	AA+	AAA
9128284V9	3,035,000.00	US TREASURY 2.875	2.875		08/15/2028		2,985,574.84	107.85	3,273,308.20	287,733.36	2.10%	1.88	7.59	8.62	Aaa	AA+	AAA
912828B66	7,850,000.00	US TREASURY 2.75 2	2.750		02/15/2024		7,873,749.01	104.31	8,188,256.50	314,507.49	5.25%	1.66	3.86	4.13	Aaa	AA+	AAA
912828P46	3,000,000.00	US TREASURY 1.625	1.625		02/15/2026		2,944,347.94	99.12	2,973,630.00	29,282.06	1.91%	1.78	5.77	6.13	Aaa	AA+	AAA
912828P87	2,000,000.00	US TREASURY 1.125	1.125		02/28/2021		1,985,787.94	99.41	1,988,280.00	2,492.06	1.27%	1.63	1.15	1.16	Aaa	AA+	AAA
912828Q37	650,000.00	US TREASURY 1.25 3	1.250		03/31/2021		625,093.98	99.54	647,029.50	21,935.52	0.41%	1.62	1.23	1.25	Aaa	AA+	AAA
912828R28	3,000,000.00	US TREASURY 1.625	1.625		04/30/2023		3,002,472.94	99.99	2,999,760.00	(2,712.94)	1.92%	1.63	3.22	3.33	Aaa	AA+	AAA
912828S92	3,700,000.00	US TREASURY 1.25 7	1.250		07/31/2023		3,506,901.02	98.66	3,650,420.00	143,518.98	2.34%	1.64	3.47	3.58	Aaa	AA+	AAA
912828TV6	300,000.00	US TREASURY 1.625	1.625		11/15/2022		294,212.14	100.07	300,222.00	6,009.86	0.19%	1.60	2.79	2.87	Aaa	AA+	AAA
912828U24	2,350,000.00	US TREASURY 2.0 11	2.000		11/15/2026		2,254,887.78	101.16	2,377,260.00	122,372.22	1.52%	1.82	6.39	6.87	Aaa	AA+	AAA
912828U57	5,450,000.00	US TREASURY 2.125	2.125		11/30/2023		5,388,224.96	101.78	5,547,064.50	158,839.54	3.56%	1.65	3.74	3.92	Aaa	AA+	AAA
912828U65	3,430,000.00	US TREASURY 1.75 1	1.750		11/30/2021		3,395,283.02	100.31	3,440,598.70	45,315.68	2.21%	1.59	1.87	1.92	Aaa	AA+	AAA
912828XB1	8,000,000.00	US TREASURY 2.125	2.125		05/15/2025		7,814,510.23	102.06	8,165,040.00	350,529.77	5.23%	1.72	5.05	5.37	Aaa	AA+	AAA
981464FJ4	2,525,000.00	WFNMT 2016-A A 2.0	2.030		04/15/2025		2,524,252.85	99.90	2,522,534.08	(1,718.77)	1.62%	2.12	1.45	1.49	NR	AAA	AA+
98162XAD7	1,850,000.00	WOLS 2019-A A4 3.0	3.010		07/15/2024		1,849,773.01	101.67	1,880,880.57	31,107.56	1.21%	2.08	1.76	1.82	Aaa	N.R.	AA+
98162YAE3	2,600,000.00	WOART 19-A A4 3.22	3.220		06/16/2025		2,599,406.16	102.97	2,677,253.28	77,847.12	1.72%	2.19	2.85	3.02	Aaa	AAA	AAA
98163BAB8	2,400,000.00	WOSAT 19-A A2A 2.0	2.060		08/15/2023		2,399,942.88	99.98	2,399,446.08	(496.80)	1.54%	2.10	0.96	0.99	NR	AAA	AA+
	149,753,494.34						150,117,747.57		152,922,740.77	2,804,993.20	98.02%	2.04	3.45	3.76			
VP4560000	3,084,685.93	WF ADV GOVT MM FD-	0.000				3,084,685.93	1.00	3,084,685.93	0.00	1.98%	1.55	0.00	0.00	Aaa-mf	AAAm	

Portfolio NAV
Shares 156,371,783.24
NAV per Share 6,239,369.00
25.062115

152,838,180.27

153,202,433.50

156,007,426.70 2,804,993.20 100.00% 2.03 3.38 3.68



Managed Account Detail of Securities Held

For the Month Ending **December 31, 2019**

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 03/31/2014 2.250% 03/31/2021	912828C57	AA+	Aaa	10/03/16	10/05/16	225,162.11	1.17	1,229.20	217,874.73	216,637.66
US TREASURY NOTES	DTD 03/31/2016 1.250% 03/31/2021	912828O37	AA+	Aaa	09/01/16	09/02/16	260,375.78	1.22	825.82	260,104.53	258,811.80
US TREASURY NOTES	DTD 06/02/2014 2.000% 05/31/2021	912828WN6	AA+	Aaa	01/03/17	01/05/17	412,194.14	1.87	716.94	410,724.76	412,258.28
US TREASURY NOTES	DTD 07/31/2014 2.250% 07/31/2021	912828WY2	AA+	Aaa	11/22/16	11/23/16	500,412.50	1.78	4,613.72	493,611.24	494,938.22
US TREASURY NOTES	DTD 09/02/2014 2.000% 08/31/2021	912828D72	AA+	Aaa	12/01/16	12/05/16	726,925.78	1.94	4,899.73	725,699.10	729,786.45
UNITED STATES TREASURY NOTES	DTD 10/31/2019 1.500% 10/31/2021	912828YP9	AA+	Aaa	11/01/19	11/05/19	299,835.94	1.53	766.48	299,848.78	299,589.80
US TREASURY NOTES	DTD 10/31/2014 2.000% 10/31/2021	912828F96	AA+	Aaa	08/30/17	08/31/17	354,990.23	1.64	1,192.31	352,234.64	352,611.53
US TREASURY NOTES	DTD 12/31/2014 2.125% 12/31/2021	912828G87	AA+	Aaa	06/26/17	06/28/17	407,031.25	1.72	23.35	403,183.91	404,203.20
US TREASURY NOTES	DTD 01/31/2017 1.875% 01/31/2022	912828V72	AA+	Aaa	08/01/17	08/04/17	250,791.01	1.80	1,961.62	250,374.76	251,464.75
US TREASURY N/B NOTES	DTD 06/01/2015 1.875% 05/31/2022	912828XD7	AA+	Aaa	06/03/19	06/05/19	500,351.56	1.85	819.67	500,285.94	503,437.50
UNITED STATES TREASURY NOTES	DTD 07/15/2019 1.750% 07/15/2022	9128287C8	AA+	Aaa	08/01/19	08/05/19	299,460.94	1.81	2,425.27	299,534.37	301,160.10
US TREASURY N/B NOTES	DTD 08/31/2015 1.875% 08/31/2022	912828L24	AA+	Aaa	12/01/17	12/05/17	396,312.50	2.08	2,534.34	397,885.60	402,937.60
US TREASURY NOTES	DTD 10/02/2017 1.875% 09/30/2022	9128282W9	AA+	Aaa	01/02/18	01/04/18	491,914.06	2.24	2,382.17	495,213.67	503,808.50
US TREASURY NOTES	DTD 11/15/2012 1.625% 11/15/2022	912828TY6	AA+	Aaa	07/02/19	07/03/19	597,656.25	1.74	1,258.93	597,996.78	600,445.20



Managed Account Detail of Securities Held

For the Month Ending December 31, 2019

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	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 11/30/2015 2.000% 11/30/2022	912828M80	450,000.00	AA+	Aaa	08/01/18	08/03/18	434,373.05	2.86	786.89	439,274.11	455,080.05
US TREASURY NOTES	DTD 12/31/2015 2.125% 12/31/2022	912828N30	575,000.00	AA+	Aaa	09/05/18	09/06/18	559,951.17	2.77	33.57	564,366.27	583,759.55
US TREASURY NOTES	DTD 02/29/2016 1.500% 02/28/2023	912828P79	470,000.00	AA+	Aaa	07/02/18	07/05/18	444,572.26	2.75	2,382.28	452,385.54	468,365.81
US TREASURY NOTES	DTD 03/31/2016 1.500% 03/31/2023	912828Q29	200,000.00	AA+	Aaa	09/03/19	09/05/19	201,007.81	1.35	762.30	200,919.16	199,273.40
US TREASURY NOTES	DTD 05/15/2013 1.750% 05/15/2023	912828VB3	750,000.00	AA+	Aaa	12/04/18	12/06/18	716,542.97	2.83	1,694.71	724,241.78	752,900.25
US TREASURY NOTES	DTD 06/30/2016 1.375% 06/30/2023	912828S35	200,000.00	AA+	Aaa	12/10/18	12/11/18	188,460.94	2.73	7.55	191,014.39	198,257.80
US TREASURY NOTES	DTD 10/31/2016 1.625% 10/31/2023	912828T91	800,000.00	AA+	Aaa	01/07/19	01/10/19	767,906.25	2.52	2,214.29	774,119.12	799,281.60
US TREASURY NOTES	DTD 01/03/2017 2.250% 12/31/2023	912828V23	260,000.00	AA+	Aaa	01/29/19	01/31/19	256,313.28	2.56	16.07	256,968.97	265,920.88
UNITED STATES TREASURY NOTES	DTD 02/28/2019 2.375% 02/29/2024	9128286G0	240,000.00	AA+	Aaa	03/01/19	03/05/19	237,909.38	2.56	1,926.10	238,237.62	246,843.84
US TREASURY N/B NOTES	DTD 05/01/2017 2.000% 04/30/2024	912828X70	225,000.00	AA+	Aaa	05/01/19	05/03/19	222,152.35	2.27	766.48	222,512.42	228,084.98
UNITED STATES TREASURY NOTES	DTD 10/31/2019 1.500% 10/31/2024	912828YM6	150,000.00	AA+	Aaa	11/01/19	11/05/19	149,865.23	1.52	383.24	149,869.36	148,752.00
US TREASURY NOTES	DTD 11/17/2014 2.250% 11/15/2024	912828G38	300,000.00	AA+	Aaa	12/02/19	12/04/19	307,921.88	1.69	871.57	307,803.54	307,863.30
Security Type Sub-Total			10,320,000.00					10,210,390.62	2.12	37,494.60	10,226,285.09	10,386,474.07
Supra-National Agency Bond / Note												
INTER-AMERICAN DEVELOPMENT BANK	DTD 11/08/2013 2.125% 11/09/2020	4581X0CD8	360,000.00	AAA	Aaa	10/02/17	10/10/17	363,336.88	1.81	1,105.00	360,945.59	361,200.96



Managed Account Detail of Securities Held

For the Month Ending December 31, 2019

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	
Supra-National Agency Bond / Note										
AFRICAN DEVELOPMENT BANK NOTE	00828ECZ0	AAA	Aaa	03/14/18	03/22/18	449,536.50	2.66	3,248.44	449,806.41	455,105.25
DTD 03/22/2018 2.625% 03/22/2021										
ASIAN DEVELOPMENT BANK NOTE	045167EA7	AAA	Aaa	05/31/17	06/08/17	498,885.00	1.81	559.03	499,590.49	500,386.00
DTD 06/08/2017 1.750% 06/08/2021										
Security Type Sub-Total	1,310,000.00				1,311,758.38	2.10	4,912.47	1,310,342.49	1,316,692.21	
Municipal Bond / Note										
SAN DIEGO CCD, CA TXBL GO BONDS	797272ON4	AAA	Aaa	09/18/19	10/16/19	40,000.00	2.00	166.33	40,000.00	40,015.60
DTD 10/16/2019 1.996% 08/01/2023										
HOUSTON, TX TXBL GO BONDS	4423315T7	AA	Aa3	08/23/19	09/10/19	230,000.00	1.95	1,382.88	230,000.00	228,815.50
DTD 09/10/2019 1.950% 03/01/2024										
SAN DIEGO CCD, CA TXBL GO BONDS	797272OP9	AAA	Aaa	09/18/19	10/16/19	15,000.00	2.05	63.94	15,000.00	14,983.25
DTD 10/16/2019 2.046% 08/01/2024										
Security Type Sub-Total	285,000.00				285,000.00	1.96	1,613.15	285,000.00	283,815.05	
Federal Agency Mortgage-Backed Security										
FN CA4328	31400BY28	AA+	Aaa	11/15/19	11/19/19	191,304.09	2.24	464.68	191,224.66	191,434.42
DTD 09/01/2019 3.000% 10/25/2034										
Security Type Sub-Total	185,873.11				191,304.09	2.24	464.68	191,224.66	191,434.42	
Federal Agency Bond / Note										
FNMA BENCHMARK NOTE	3135G0K69	AA+	Aaa	06/27/16	06/29/16	477,375.00	1.14	907.12	475,672.74	472,760.38
DTD 05/16/2016 1.250% 05/06/2021										
FNMA NOTES	3135G0N82	AA+	Aaa	08/17/16	08/19/16	89,692.11	1.32	418.75	89,897.43	89,524.53
DTD 08/19/2016 1.250% 08/17/2021										
FNMA NOTES	3135G0N82	AA+	Aaa	08/17/16	08/19/16	308,744.50	1.33	1,442.36	309,581.67	308,362.27
DTD 08/19/2016 1.250% 08/17/2021										



Managed Account Detail of Securities Held

For the Month Ending December 31, 2019

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
Federal Agency Bond / Note											
FANNIE MAE NOTES	3135G0V34	255,000.00	AA+	Aaa	02/07/19	02/08/19	254,051.40	2.58	2,585.42	254,212.90	262,888.94
DTD 02/08/2019 2.500% 02/05/2024											
FHLB BONDS	3130AFW94	280,000.00	AA+	Aaa	02/14/19	02/15/19	279,008.80	2.58	2,683.33	279,173.86	288,706.60
DTD 02/15/2019 2.500% 02/13/2024											
Security Type Sub-Total		1,410,000.00		1,408,871.81		1.75		8,036.98		1,408,538.60	
1,422,242.72											
Corporate Note											
IBM CREDIT CORP NOTE	44932HAB9	200,000.00	A	A2	09/05/17	09/08/17	199,586.00	1.86	1,610.00	199,867.26	199,878.89
DTD 09/08/2017 1.800% 01/20/2021											
MORGAN STANLEY CORP NOTES	61746BEA0	140,000.00	BBB+	A3	11/01/17	11/03/17	140,291.20	2.44	680.56	140,112.74	141,061.62
DTD 04/21/2016 2.500% 04/21/2021											
AMERICAN EXPRESS CREDIT (CALLABLE) NOTES	0258M0EB1	110,000.00	A-	A2	05/05/16	05/10/16	110,601.70	2.13	385.00	110,161.20	110,530.29
DTD 05/05/2016 2.250% 05/05/2021											
BRANCH BANKING & TRUST (CALLABLE) NOTE	05531FAV5	90,000.00	A-	A3	05/11/16	05/16/16	89,881.20	2.08	261.38	89,966.45	90,189.63
DTD 05/10/2016 2.050% 05/10/2021											
STATE STREET CORP NOTES	857477AV5	50,000.00	A	A1	05/19/16	05/24/16	49,811.00	2.03	113.75	49,945.68	50,103.65
DTD 05/19/2016 1.950% 05/19/2021											
APPLE INC CORP NOTES	037833AV6	220,000.00	AA+	Aa1	04/03/17	04/06/17	217,954.00	2.35	1,865.72	219,083.23	221,867.36
DTD 02/09/2015 2.150% 02/09/2022											
UNITED PARCEL SERVICE (CALLABLE) NOTES	911312BC9	150,000.00	A	A2	06/06/17	06/09/17	151,638.00	2.12	440.63	150,795.35	151,680.15
DTD 05/16/2017 2.350% 05/16/2022											
WELLS FARGO & COMPANY CORP NOTE	95000U2B8	100,000.00	A-	A2	07/17/17	07/24/17	99,912.00	2.64	1,159.38	99,953.44	101,494.40
DTD 07/24/2017 2.625% 07/22/2022											
PACCAR FINANCIAL CORP	69371RN77	140,000.00	A+	A1	08/07/17	08/10/17	139,907.60	2.31	1,261.17	139,950.48	141,421.56
DTD 08/10/2017 2.300% 08/10/2022											



Managed Account Detail of Securities Held

For the Month Ending December 31, 2019

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note												
PROCTER & GAMBLE CO/THE CORP NOTES	DTD 08/11/2017 2.150% 08/11/2022	742718EU9	120,000.00	AA-	Aa3	08/09/17	08/11/17	119,824.80	2.18	1,003.33	119,906.16	121,384.20
TOYOTA MOTOR CREDIT CORP NOTES	DTD 09/08/2017 2.150% 09/08/2022	89236TEC5	200,000.00	AA-	Aa3	09/05/17	09/08/17	199,594.00	2.19	1,349.72	199,776.44	201,557.20
JOHN DEERE CAPITAL CORP NOTE	DTD 09/08/2017 2.150% 09/08/2022	24422ETV1	200,000.00	A	A2	09/05/17	09/08/17	199,594.00	2.19	1,349.72	199,776.44	201,694.60
VISA INC (CALLABLE) NOTE	DTD 09/11/2017 2.150% 09/15/2022	92826CAG7	130,000.00	AA-	Aa3	09/06/17	09/11/17	129,607.40	2.21	822.97	129,782.62	131,479.29
3M COMPANY CORP NOTES	DTD 10/02/2017 2.250% 03/15/2023	88579VAX9	125,000.00	AA-	A1	01/09/19	01/11/19	120,682.50	3.14	828.13	121,640.58	126,054.38
HERSHEY COMPANY	DTD 05/10/2018 3.375% 05/15/2023	427866AZ1	180,000.00	A	A1	05/03/18	05/10/18	179,924.40	3.38	776.25	179,947.31	188,485.42
PNC BANK NA CORP NOTES	DTD 01/23/2019 3.500% 01/23/2024	693475AN7	90,000.00	A-	A3	10/23/19	10/25/19	95,067.90	2.11	1,382.50	94,859.51	94,788.80
3M COMPANY	DTD 09/14/2018 3.250% 02/14/2024	88579YBB6	80,000.00	AA-	A1	02/12/19	02/22/19	80,937.60	2.99	989.44	80,785.88	83,732.00
BANK OF AMERICA CORP NOTE	DTD 03/05/2018 3.550% 03/05/2024	06051GHF9	180,000.00	A-	A2	03/06/19	03/08/19	180,919.80	3.44	2,059.00	180,780.51	186,813.90
MERCK & CO INC	DTD 03/07/2019 2.900% 03/07/2024	58933YAU9	95,000.00	AA	A1	03/05/19	03/07/19	94,732.10	2.96	872.42	94,773.25	98,828.79
PFIZER INC CORP NOTES	DTD 03/11/2019 2.950% 03/15/2024	717081ES8	180,000.00	AA-	A1	03/04/19	03/11/19	179,908.20	2.96	1,563.50	179,921.72	186,947.28
MASTERCARD INC CORP NOTES	DTD 03/31/2014 3.375% 04/01/2024	57636OAB0	90,000.00	A+	A1	04/02/19	04/04/19	92,827.80	2.70	759.38	92,430.88	95,508.63
US BANCORP	DTD 07/29/2019 2.400% 07/30/2024	91159HHX1	215,000.00	A+	A1	07/24/19	07/29/19	214,789.30	2.42	2,178.67	214,806.20	217,992.80
PACCAR FINANCIAL CORP NOTES	DTD 08/15/2019 2.150% 08/15/2024	69371RO25	90,000.00	A+	A1	08/08/19	08/15/19	89,801.10	2.20	731.00	89,815.40	89,920.44



Managed Account Detail of Securities Held

For the Month Ending December 31, 2019

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note												
EXXON MOBIL CORPORATION	DTD 08/16/2019 2.019% 08/16/2024	30231GBC5	220,000.00	AA+	Aaa	08/13/19	08/16/19	220,000.00	2.02	1,665.68	220,000.00	220,796.62
WALT DISNEY COMPANY/THE	DTD 09/06/2019 1.750% 08/30/2024	254687FK7	185,000.00	A	A2	09/03/19	09/06/19	184,245.20	1.84	1,034.20	184,291.48	183,596.22
UNITED PARCEL SERVICE	DTD 08/16/2019 2.200% 09/01/2024	911312BT2	20,000.00	A	A2	08/13/19	08/16/19	19,982.80	2.22	165.00	19,984.08	20,114.30
COCA-COLA CO/THE	DTD 09/06/2019 1.750% 09/06/2024	191216CL2	90,000.00	A+	A1	09/04/19	09/06/19	89,837.10	1.79	503.13	89,847.10	89,383.68
BANK OF NY MELLON CORP	DTD 10/24/2019 2.100% 10/24/2024	06406RAL1	90,000.00	A	A1	10/17/19	10/24/19	89,842.50	2.14	351.75	89,848.09	90,117.45
CATERPILLAR FINL SERVICE	DTD 11/08/2019 2.150% 11/08/2024	1491303B3	185,000.00	A	A3	11/04/19	11/08/19	184,826.10	2.17	585.58	184,830.97	185,753.89
Security Type Sub-Total			3,965,000.00			3,966,527.30			2.40	28,748.96	3,967,640.45	4,023,175.85
Asset-Backed Security												
HAROT 2017-4 A3	DTD 11/29/2017 2.050% 11/21/2021	43813FAC7	100,160.76	NR	Aaa	11/22/17	11/29/17	100,146.65	2.06	57.04	100,153.83	100,217.25
TAOT 2017-D A3	DTD 11/15/2017 1.930% 01/15/2022	89238KAD4	146,790.80	AAA	Aaa	11/07/17	11/15/17	146,777.26	2.26	125.91	146,783.99	146,769.38
HAROT 2018-1 A3	DTD 02/28/2018 2.640% 02/15/2022	43814UAC3	121,931.03	AAA	Aaa	02/22/18	02/28/18	121,915.27	2.65	143.07	121,922.33	122,439.13
NAROT 2018-A A3	DTD 02/28/2018 2.650% 05/15/2022	65478DAD9	78,582.98	AAA	Aaa	02/21/18	02/28/18	78,574.00	2.66	92.55	78,577.79	78,920.21
TAOT 2018-A A3	DTD 01/31/2018 2.350% 05/16/2022	89238BAD4	75,275.73	AAA	Aaa	01/23/18	01/31/18	75,274.86	2.35	78.62	75,275.26	75,472.52
HONDA AUTO RECEIVABLES OWNER TRUST	DTD 08/28/2018 2.950% 08/21/2022	43815HAC1	175,000.00	NR	Aaa	08/21/18	08/28/18	174,975.99	2.96	143.40	174,983.80	176,763.60
TOYOTA ABS 2018-C A3	DTD 08/22/2018 3.020% 12/15/2022	89231AAD3	185,000.00	AAA	Aaa	08/14/18	08/22/18	184,967.09	3.03	248.31	184,977.07	187,739.20



Managed Account Detail of Securities Held

For the Month Ending December 31, 2019

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											
MBART 2018-1 A3	DTD 07/25/2018 3.030% 01/15/2023	58772RAD6	AAA	Aaa	07/17/18	07/25/18	109,995.78	3.03	148.13	109,997.12	111,082.75
CCCT 2018-A1 A1	DTD 01/31/2018 2.490% 01/20/2023	17305EGK5	NR	Aaa	08/21/18	08/23/18	385,688.67	2.97	4,342.98	386,802.74	392,685.74
GMCAR 2018-3 A3	DTD 07/18/2018 3.020% 05/16/2023	36255JAD6	AAA	NR	07/11/18	07/18/18	79,981.34	3.03	100.67	79,986.76	80,981.61
COMET 2019-A2 A2	DTD 09/05/2019 1.720% 08/15/2024	14041NFU0	AAA	NR	08/28/19	09/05/19	374,905.58	1.73	286.67	374,912.09	373,848.08
DCENT 2019-A3 A	DTD 10/31/2019 1.890% 10/15/2024	254683CM5	NR	Aaa	10/24/19	10/31/19	139,969.93	1.90	117.60	139,970.70	139,825.53
Security Type Sub-Total		1,977,741.30					1,973,172.42	2.52	5,884.95	1,974,343.48	1,986,745.80
Managed Account Sub-Total		19,453,614.41					19,347,024.62	2.19	87,155.79	19,363,374.77	19,610,580.22
Securities Sub-Total		\$19,453,614.41					\$19,347,024.62	2.19%	\$87,155.79	\$19,363,374.77	\$19,610,580.22
Accrued Interest											\$87,155.79
Total Investments											\$19,697,736.01

Asset Allocation & Performance
Total Fund
As of December 31, 2019

Asset Allocation & Performance [Gross of Fees] - Trailing Returns												
	Allocation			Performance(%)								
	Market Value \$	%		MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception	Inception Date
Total Fund	35,291,484	100.0		2.39 (16)	5.89 (27)	5.89 (27)	20.66 (37)	20.66 (37)	8.22 (78)	5.30 (92)	4.21 (98)	05/01/2007
Total Fund Policy				2.09 (39)	5.60 (41)	5.60 (41)	20.35 (38)	20.35 (38)	9.40 (53)	6.49 (69)	N/A	
60% R3000/ 40% BB Agg.				1.97 (60)	5.60 (41)	5.60 (41)	21.07 (32)	21.07 (32)	10.56 (16)	7.80 (12)	6.76 (24)	
All Public Plans-Total Fund Median				2.02	5.32	5.32	19.81	19.81	9.46	7.09	6.13	
Domestic Equity	16,261,939	46.1		2.85 (39)	8.33 (44)	8.33 (44)	29.33 (39)	29.33 (39)	12.51 (42)	9.84 (37)	6.54 (60)	06/01/2007
Russell 3000 Index				2.89 (37)	9.10 (31)	9.10 (31)	31.02 (29)	31.02 (29)	14.57 (30)	11.24 (23)	8.31 (29)	
IM U.S. Equity (MF) Median				2.60	7.91	7.91	27.35	27.35	11.00	8.69	7.08	
Vanguard S&P MC 400 (VSPMX)		16.5		2.80 (27)	7.05 (48)	7.05 (48)	26.13 (77)	26.13 (77)	N/A	N/A	7.28 (70)	11/01/2017
S&P MidCap 400 Index				2.81 (27)	7.06 (48)	7.06 (48)	26.20 (77)	26.20 (77)	9.26 (66)	9.03 (50)	7.34 (69)	
IM U.S. Mid Cap Equity (MF) Median				2.06	6.99	6.99	30.29	30.29	11.52	8.98	9.55	
Fidelity Total Market Index Fund (FSKAX)		29.6		2.88 (30)	9.05 (28)	9.05 (28)	30.92 (24)	30.92 (24)	14.53 (20)	11.20 (9)	8.39 (17)	06/01/2007
Wilshire 5000 Total Market Index (full-cap) Index				2.85 (32)	8.88 (33)	8.88 (33)	30.24 (32)	30.24 (32)	14.28 (25)	10.97 (14)	8.33 (17)	
IM U.S. Multi-Cap Core Equity (MF) Median				2.63	8.07	8.07	28.19	28.19	12.73	9.25	6.93	
International Equity	6,191,810	17.5		4.66 (41)	10.36 (38)	10.36 (38)	24.94 (33)	24.94 (33)	9.85 (51)	4.05 (76)	2.75 (43)	06/01/2007
Total International Equity Policy				4.36 (46)	8.99 (61)	8.99 (61)	22.13 (49)	22.13 (49)	9.90 (50)	5.86 (43)	2.06 (58)	
IM International Equity (MF) Median				4.22	9.60	9.60	21.99	21.99	9.86	5.48	2.43	
Dodge & Cox Intl Stock Fund (DODFX)		9.2		5.00 (10)	10.61 (8)	10.61 (8)	22.78 (45)	22.78 (45)	7.67 (63)	3.68 (70)	2.58 (29)	06/01/2007
MSCI EAFE (Net) Index				3.25 (75)	8.17 (67)	8.17 (67)	22.01 (52)	22.01 (52)	9.56 (41)	5.67 (15)	1.99 (43)	
IM International Large Cap Core Equity (MF) Median				3.73	9.05	9.05	22.06	22.06	8.47	4.11	1.84	
American Funds Europacific Growth R6 (RERGX)		8.4		4.30 (27)	10.09 (23)	10.09 (23)	27.40 (41)	27.40 (41)	N/A	N/A	6.83 (46)	07/01/2018
MSCI AC World ex USA (Net)				4.33 (24)	8.92 (53)	8.92 (53)	21.51 (94)	21.51 (94)	9.87 (74)	5.51 (68)	5.49 (77)	
IM International Large Cap Growth Equity (MF) Median				3.79	9.00	9.00	27.05	27.05	11.87	6.14	6.70	
Total Non-Traditional Assets	1,228,209	3.5		0.00	0.00	0.00	13.14	13.14	5.83	3.07	3.48	07/01/2007
Forester Offshore A2, Ltd.		0.7		0.00	0.00	0.00	12.36	12.36	4.73	2.56	4.20	07/01/2007
Crescent Direct Lending Levered Fund II		2.8		0.00	0.00	0.00	7.97	7.97	N/A	N/A	9.33	03/01/2018

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Current period valuation is not yet available for Crescent Direct Lending and Intercontinental RE, and a stale value was used in this report.
Returns for periods greater than one year are annualized. Returns are expressed as percentages. Mutual fund and ETF investments are reported net of fees.
Prior to 10/31/2017, returns for Vanguard ST Intl. are not included in Total FI composite, as this fund was included in the Real Assets composite.



Asset Allocation & Performance
Total Fund
As of December 31, 2019

	Allocation			Performance(%)								Inception Date
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception		
Total Fixed Income	8,263,474	23.4	0.06 (86)	0.46 (65)	0.46 (65)	9.80 (19)	9.80 (19)	3.96 (54)	2.83 (36)	3.14 (73)	06/01/2007	
Fixed Income Composite Index			-0.04 (89)	0.22 (70)	0.22 (70)	8.70 (35)	8.70 (35)	3.67 (63)	2.71 (39)	N/A		
IM Global Fixed Income (MF) Median			0.70	0.68	0.68	8.12	8.12	4.04	2.46	3.74		
Vanguard Total Bond Index Adm (VBTLX)	469,953	1.3	-0.14 (70)	0.03 (71)	0.03 (71)	8.69 (54)	8.69 (54)	4.00 (42)	N/A	2.51 (58)	09/01/2016	
Bimbg. Barc. U.S. Aggregate Index			-0.07 (56)	0.18 (51)	0.18 (51)	8.72 (52)	8.72 (52)	4.03 (39)	3.05 (36)	2.67 (46)		
IM U.S. Broad Market Core Fixed Income (MF) Median			-0.05	0.18	0.18	8.75	8.75	3.88	2.89	2.59		
Met West Total Return Bond Fund (MMWTIX)	6,111,128	17.3	-0.13 (68)	0.18 (50)	0.18 (50)	9.09 (39)	9.09 (39)	N/A	N/A	4.57 (14)	12/01/2017	
Bimbg. Barc. U.S. Aggregate Index			-0.07 (56)	0.18 (51)	0.18 (51)	8.72 (52)	8.72 (52)	4.03 (39)	3.05 (36)	4.33 (26)		
IM U.S. Broad Market Core Fixed Income (MF) Median			-0.05	0.18	0.18	8.75	8.75	3.88	2.89	4.06		
PIMCO Div Inc Bond Fund (PDIX)	1,682,394	4.8	0.82 (43)	1.67 (14)	1.67 (14)	12.78 (6)	12.78 (6)	N/A	N/A	5.70 (1)	12/01/2017	
Bimbg. Barc. Global Credit (Hedged)			0.49 (59)	0.93 (32)	0.93 (32)	12.08 (7)	12.08 (7)	5.59 (9)	4.75 (1)	5.46 (2)		
IM Global Fixed Income (MF) Median			0.70	0.68	0.68	8.12	8.12	4.04	2.46	3.11		
Total Real Estate	3,339,539	9.5	2.86 (N/A)	2.86 (8)	2.86 (8)	8.44 (26)	8.44 (26)	N/A	N/A	8.92 (27)	04/01/2018	
NCREIF Fund Index-Open End Diversified Core (EW)			1.53 (N/A)	1.53 (45)	1.53 (45)	6.08 (76)	6.08 (76)	7.37 (68)	9.27 (56)	6.90 (74)		
IM U.S. Private Real Estate (SA+CF) Median			N/A	1.51	1.51	6.66	6.66	8.02	9.30	7.55		
Intercontinental U.S. REIF	2,267,534	6.4	2.87 (N/A)	2.87 (8)	2.87 (8)	9.09 (21)	9.09 (21)	N/A	N/A	9.25 (25)	04/01/2018	
NCREIF Fund Index-Open End Diversified Core (EW)			1.53 (N/A)	1.53 (45)	1.53 (45)	6.08 (76)	6.08 (76)	7.37 (68)	9.27 (56)	6.90 (74)		
IM U.S. Private Real Estate (SA+CF) Median			N/A	1.51	1.51	6.66	6.66	8.02	9.30	7.55		
Principal Enhanced Property Fund	1,072,005	3.0	2.84 (N/A)	2.84 (8)	2.84 (8)	7.09 (43)	7.09 (43)	N/A	N/A	7.19 (34)	10/01/2018	
NCREIF Fund Index-Open End Diversified Core (EW)			1.53 (N/A)	1.53 (45)	1.53 (45)	6.08 (76)	6.08 (76)	7.37 (68)	9.27 (56)	6.19 (80)		
IM U.S. Private Real Estate (SA+CF) Median			N/A	1.51	1.51	6.66	6.66	8.02	9.30	6.76		
Total Liquid Capital	6,513	0.0										
Cash	6,513	0.0										

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Current period valuation is not yet available for Crescent Direct Lending and Intercontinental RE, and a stale value was used in this report.
Returns for periods greater than one year are annualized. Returns are expressed as percentages. Mutual fund and ETF investments are reported net of fees.
Prior to 10/31/2017, returns for Vanguard ST Intl. are not included in Total FI composite, as this fund was included in the Real Assets composite.

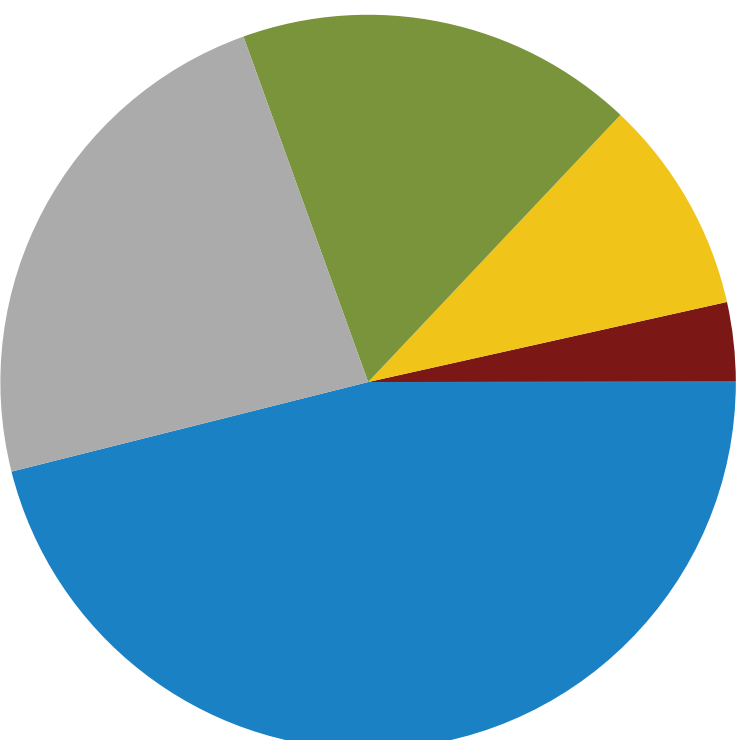
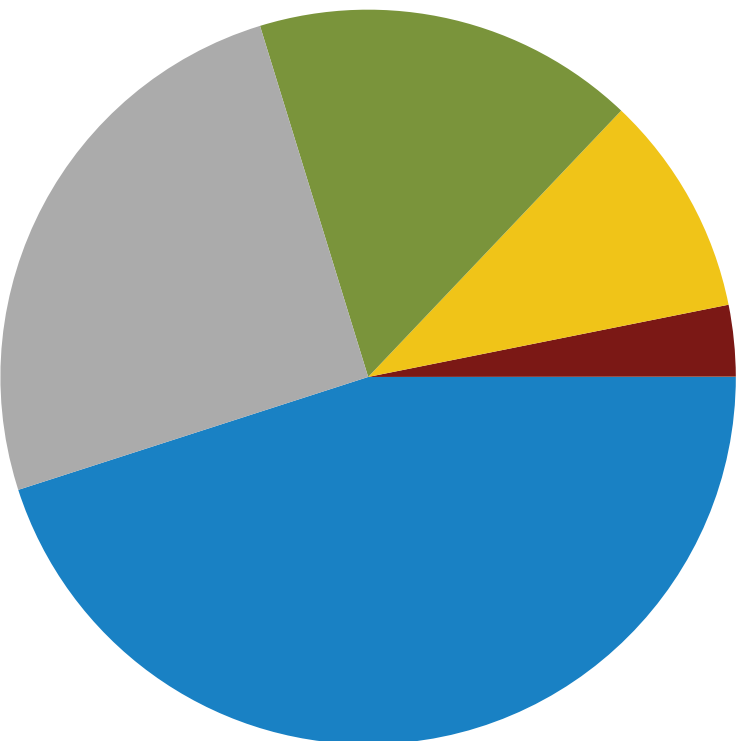


Asset Allocation by Asset Class
Total Fund
As of December 31, 2019

September 30, 2019 : \$33,337,565

December 31, 2019 : \$35,291,484

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Allocation

Allocation	Market Value (\$)
Domestic Equity	15,012,154
Total Fixed Income	8,408,441
International Equity	5,610,393
Total Real Estate	3,255,901
Total Non-Traditional Assets	1,044,658
Total Liquid Capital	6,018

Allocation

Allocation	Market Value (\$)	Allocation (%)
Domestic Equity	16,261,939	46.08
Total Fixed Income	8,263,474	23.41
International Equity	6,191,810	17.54
Total Real Estate	3,339,539	9.46
Total Non-Traditional Assets	1,228,209	3.48
Total Liquid Capital	6,513	0.02

Asset Allocation & Performance
Total Fund
As of December 31, 2019

Asset Allocation & Performance [Gross of Fees] - Trailing Returns												
	Allocation			Performance(%)								
	Market Value \$	%		MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception	Inception Date
Total Fund	35,291,484	100.0		2.39 (16)	5.89 (27)	5.89 (27)	20.66 (37)	20.66 (37)	8.22 (78)	5.30 (92)	4.21 (98)	05/01/2007
Total Fund Policy				2.09 (39)	5.60 (41)	5.60 (41)	20.35 (38)	20.35 (38)	9.40 (53)	6.49 (69)	N/A	
60% R3000/ 40% BB Agg.				1.97 (60)	5.60 (41)	5.60 (41)	21.07 (32)	21.07 (32)	10.56 (16)	7.80 (12)	6.76 (24)	
All Public Plans-Total Fund Median				2.02	5.32	5.32	19.81	19.81	9.46	7.09	6.13	
Domestic Equity	16,261,939	46.1		2.85 (39)	8.33 (44)	8.33 (44)	29.33 (39)	29.33 (39)	12.51 (42)	9.84 (37)	6.54 (60)	06/01/2007
Russell 3000 Index				2.89 (37)	9.10 (31)	9.10 (31)	31.02 (29)	31.02 (29)	14.57 (30)	11.24 (23)	8.31 (29)	
IM U.S. Equity (MF) Median				2.60	7.91	7.91	27.35	27.35	11.00	8.69	7.08	
Vanguard S&P MC 400 (VSPMX)		16.5		2.80 (27)	7.05 (48)	7.05 (48)	26.13 (77)	26.13 (77)	N/A	N/A	7.28 (70)	11/01/2017
S&P MidCap 400 Index				2.81 (27)	7.06 (48)	7.06 (48)	26.20 (77)	26.20 (77)	9.26 (66)	9.03 (50)	7.34 (69)	
IM U.S. Mid Cap Equity (MF) Median				2.06	6.99	6.99	30.29	30.29	11.52	8.98	9.55	
Fidelity Total Market Index Fund (FSKAX)		29.6		2.88 (30)	9.05 (28)	9.05 (28)	30.92 (24)	30.92 (24)	14.53 (20)	11.20 (9)	8.39 (17)	06/01/2007
Wilshire 5000 Total Market Index (full-cap) Index				2.85 (32)	8.88 (33)	8.88 (33)	30.24 (32)	30.24 (32)	14.28 (25)	10.97 (14)	8.33 (17)	
IM U.S. Multi-Cap Core Equity (MF) Median				2.63	8.07	8.07	28.19	28.19	12.73	9.25	6.93	
International Equity	6,191,810	17.5		4.66 (41)	10.36 (38)	10.36 (38)	24.94 (33)	24.94 (33)	9.85 (51)	4.05 (76)	2.75 (43)	06/01/2007
Total International Equity Policy				4.36 (46)	8.99 (61)	8.99 (61)	22.13 (49)	22.13 (49)	9.90 (50)	5.86 (43)	2.06 (58)	
IM International Equity (MF) Median				4.22	9.60	9.60	21.99	21.99	9.86	5.48	2.43	
Dodge & Cox Intl Stock Fund (DODFX)		9.2		5.00 (10)	10.61 (8)	10.61 (8)	22.78 (45)	22.78 (45)	7.67 (63)	3.68 (70)	2.58 (29)	06/01/2007
MSCI EAFE (Net) Index				3.25 (75)	8.17 (67)	8.17 (67)	22.01 (52)	22.01 (52)	9.56 (41)	5.67 (15)	1.99 (43)	
IM International Large Cap Core Equity (MF) Median				3.73	9.05	9.05	22.06	22.06	8.47	4.11	1.84	
American Funds Europacific Growth R6 (RERGX)		8.4		4.30 (27)	10.09 (23)	10.09 (23)	27.40 (41)	27.40 (41)	N/A	N/A	6.83 (46)	07/01/2018
MSCI AC World ex USA (Net)				4.33 (24)	8.92 (53)	8.92 (53)	21.51 (94)	21.51 (94)	9.87 (74)	5.51 (68)	5.49 (77)	
IM International Large Cap Growth Equity (MF) Median				3.79	9.00	9.00	27.05	27.05	11.87	6.14	6.70	
Total Non-Traditional Assets	1,228,209	3.5		0.00	0.00	0.00	13.14	13.14	5.83	3.07	3.48	07/01/2007
Forester Offshore A2, Ltd.		0.7		0.00	0.00	0.00	12.36	12.36	4.73	2.56	4.20	07/01/2007
Crescent Direct Lending Levered Fund II		2.8		0.00	0.00	0.00	7.97	7.97	N/A	N/A	9.33	03/01/2018

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Current period valuation is not yet available for Crescent Direct Lending and Intercontinental RE, and a stale value was used in this report.
Returns for periods greater than one year are annualized. Returns are expressed as percentages. Mutual fund and ETF investments are reported net of fees.
Prior to 10/31/2017, returns for Vanguard ST Intl. are not included in Total FI composite, as this fund was included in the Real Assets composite.



Asset Allocation & Performance
Total Fund
As of December 31, 2019

	Allocation			Performance(%)								Inception Date
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception		
Total Fixed Income	8,263,474	23.4	0.06 (86)	0.46 (65)	0.46 (65)	9.80 (19)	9.80 (19)	3.96 (54)	2.83 (36)	3.14 (73)	06/01/2007	
Fixed Income Composite Index			-0.04 (89)	0.22 (70)	0.22 (70)	8.70 (35)	8.70 (35)	3.67 (63)	2.71 (39)	N/A		
IM Global Fixed Income (MF) Median			0.70	0.68	0.68	8.12	8.12	4.04	2.46	3.74		
Vanguard Total Bond Index Adm (VBTLX)	469,953	1.3	-0.14 (70)	0.03 (71)	0.03 (71)	8.69 (54)	8.69 (54)	4.00 (42)	N/A	2.51 (58)	09/01/2016	
Bimbg. Barc. U.S. Aggregate Index			-0.07 (56)	0.18 (51)	0.18 (51)	8.72 (52)	8.72 (52)	4.03 (39)	3.05 (36)	2.67 (46)		
IM U.S. Broad Market Core Fixed Income (MF) Median			-0.05	0.18	0.18	8.75	8.75	3.88	2.89	2.59		
Met West Total Return Bond Fund (MMWTIX)	6,111,128	17.3	-0.13 (68)	0.18 (50)	0.18 (50)	9.09 (39)	9.09 (39)	N/A	N/A	4.57 (14)	12/01/2017	
Bimbg. Barc. U.S. Aggregate Index			-0.07 (56)	0.18 (51)	0.18 (51)	8.72 (52)	8.72 (52)	4.03 (39)	3.05 (36)	4.33 (26)		
IM U.S. Broad Market Core Fixed Income (MF) Median			-0.05	0.18	0.18	8.75	8.75	3.88	2.89	4.06		
PIMCO Div Inc Bond Fund (PDILX)	1,682,394	4.8	0.82 (43)	1.67 (14)	1.67 (14)	12.78 (6)	12.78 (6)	N/A	N/A	5.70 (1)	12/01/2017	
Bimbg. Barc. Global Credit (Hedged)			0.49 (59)	0.93 (32)	0.93 (32)	12.08 (7)	12.08 (7)	5.59 (9)	4.75 (1)	5.46 (2)		
IM Global Fixed Income (MF) Median			0.70	0.68	0.68	8.12	8.12	4.04	2.46	3.11		
Total Real Estate	3,339,539	9.5	2.86 (N/A)	2.86 (8)	2.86 (8)	8.44 (26)	8.44 (26)	N/A	N/A	8.92 (27)	04/01/2018	
NCREIF Fund Index-Open End Diversified Core (EW)			1.53 (N/A)	1.53 (45)	1.53 (45)	6.08 (76)	6.08 (76)	7.37 (68)	9.27 (56)	6.90 (74)		
IM U.S. Private Real Estate (SA+CF) Median			N/A	1.51	1.51	6.66	6.66	8.02	9.30	7.55		
Intercontinental U.S. REIF	2,267,534	6.4	2.87 (N/A)	2.87 (8)	2.87 (8)	9.09 (21)	9.09 (21)	N/A	N/A	9.25 (25)	04/01/2018	
NCREIF Fund Index-Open End Diversified Core (EW)			1.53 (N/A)	1.53 (45)	1.53 (45)	6.08 (76)	6.08 (76)	7.37 (68)	9.27 (56)	6.90 (74)		
IM U.S. Private Real Estate (SA+CF) Median			N/A	1.51	1.51	6.66	6.66	8.02	9.30	7.55		
Principal Enhanced Property Fund	1,072,005	3.0	2.84 (N/A)	2.84 (8)	2.84 (8)	7.09 (43)	7.09 (43)	N/A	N/A	7.19 (34)	10/01/2018	
NCREIF Fund Index-Open End Diversified Core (EW)			1.53 (N/A)	1.53 (45)	1.53 (45)	6.08 (76)	6.08 (76)	7.37 (68)	9.27 (56)	6.19 (80)		
IM U.S. Private Real Estate (SA+CF) Median			N/A	1.51	1.51	6.66	6.66	8.02	9.30	6.76		
Total Liquid Capital	6,513	0.0										
Cash	6,513	0.0										

TC REG MTG Feb. 11, 2020

TC REG MTG Feb. 11, 2020

Current period valuation is not yet available for Crescent Direct Lending and Intercontinental RE, and a stale value was used in this report.
Returns for periods greater than one year are annualized. Returns are expressed as percentages. Mutual fund and ETF investments are reported net of fees.
Prior to 10/31/2017, returns for Vanguard ST Intl. are not included in Total FI composite, as this fund was included in the Real Assets composite.

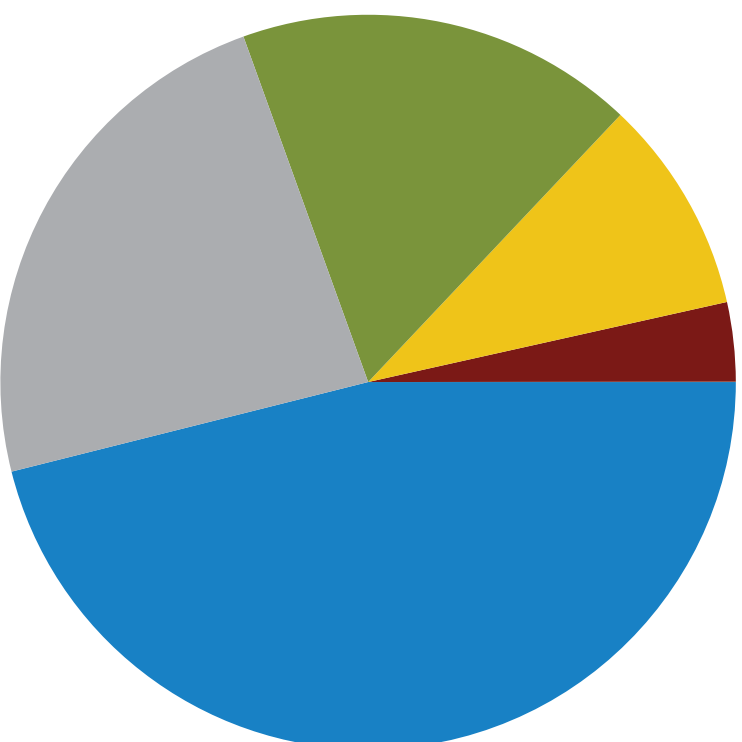
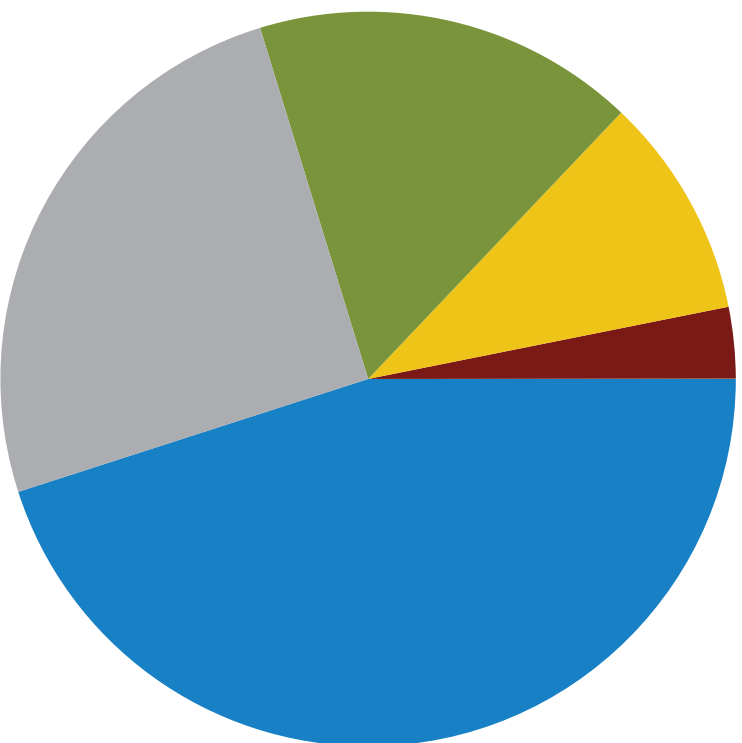


Asset Allocation by Asset Class
Total Fund
As of December 31, 2019

September 30, 2019 : \$33,337,565

December 31, 2019 : \$35,291,484

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TC REG MTG Feb. 11, 2020

Allocation

Allocation	Market Value (\$)
Domestic Equity	15,012,154
Total Fixed Income	8,408,441
International Equity	5,610,393
Total Real Estate	3,255,901
Total Non-Traditional Assets	1,044,658
Total Liquid Capital	6,018

Allocation

Allocation	Market Value (\$)	Allocation (%)
Domestic Equity	16,261,939	46.08
Total Fixed Income	8,263,474	23.41
International Equity	6,191,810	17.54
Total Real Estate	3,339,539	9.46
Total Non-Traditional Assets	1,228,209	3.48
Total Liquid Capital	6,513	0.02



Cash Flow Report

PRESENTATION TO INVESTMENT ADVISORY COMMITTEE

Jane Le Clainche, Finance Director
TOWN OF PALM BEACH | JANUARY 31, 2020

To: Investment Advisory Committee
From: Jane Le Clainche, Finance Director
Date: January 31, 2020
Re: Cash Flow Report

At the Investment Advisory Committee meeting held on November 15, 2019, a request was made by Mr. Alan Scheuer for information on cash flow for the Town's funds. This report contains information on historic cash flows for the Town's Surplus Funds, and a cash flow projection for the OPEB Trust.

The Town's surplus funds are made up of the following Town of Palm Beach Funds:

The **General Fund** is used to account for most of the day-to-day operations of the Town, which are financed from property taxes, fees, licenses, permits, fines, intergovernmental and other general revenue. These revenues finance the administration, planning, zoning and building, fire-rescue, police and public works operations. It also includes transfers to the capital, coastal risk insurance OPEB trust, debt service and underground utility funds.

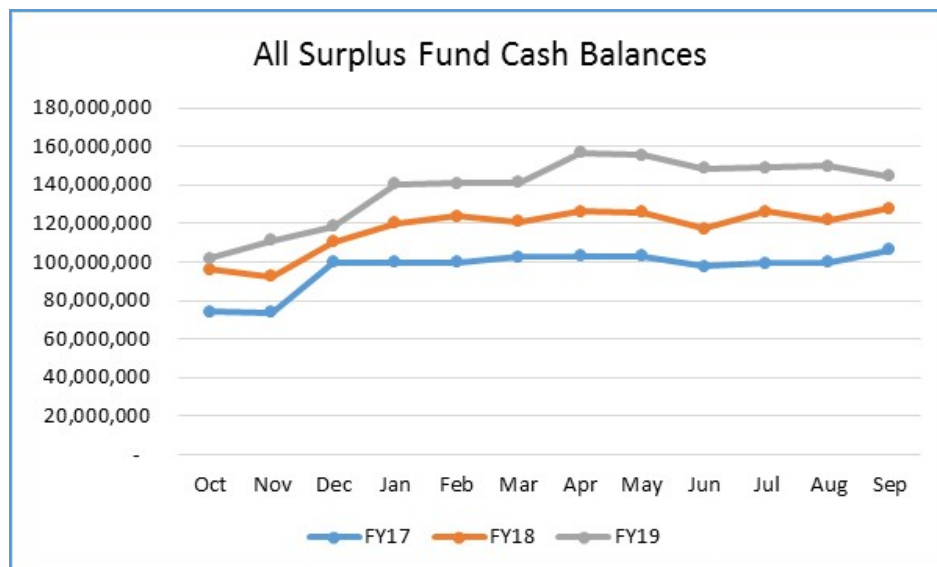
The **Capital Funds** account for all resources used for the acquisition and/or construction of capital infrastructure by the Town except those financed by the Enterprise and Internal Service Funds. These funds include the Capital Improvement Fund, the Coastal Fund, the Worth Avenue Improvement Fund, and the 2013 Accelerated Capital Fund.

The **Internal Service Funds** are used to account for Risk Management, Self Insurance Fund, the Health Insurance, Self-Insurance Fund, and the Equipment Replacement Fund.

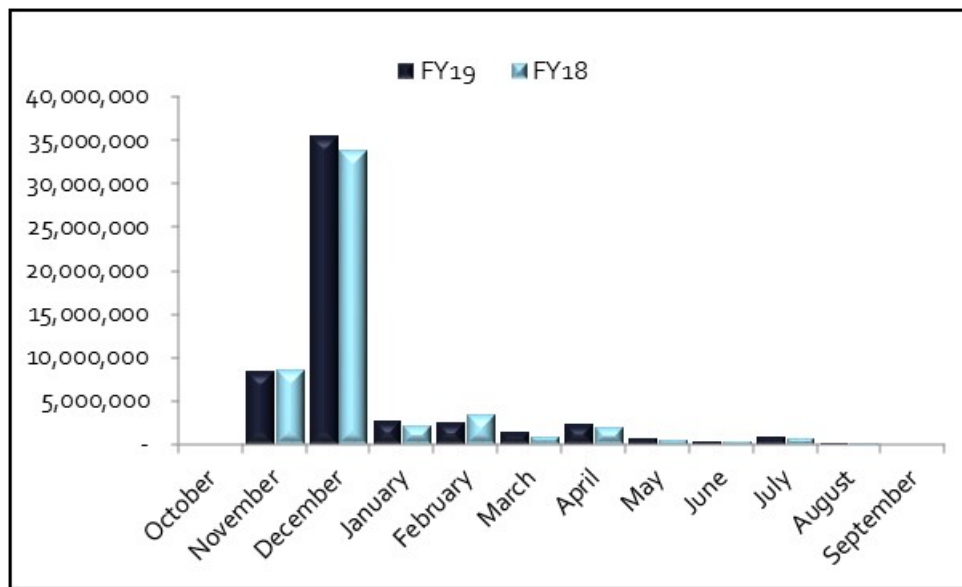
Enterprise Funds are used to account for the operations of the Marina Enterprise Fund and the Par 3 Golf Course Enterprise Fund.

Other Funds include the Town-wide Underground Utility Project Fund.

I prepared tables detailing the monthly surplus funds cash flow for the above funds for the years FY17 – FY19. The details can be found in the appendix of this report. The chart below summarizes the surplus fund balances by month for each year.



Each fiscal year, the cash balances start off low and then increase throughout the year then begin to decline During September - October. The reason for this trend is the timing of the receipt of ad valorem property taxes. The chart below shows the timing of the ad valorem receipts for FY18 and FY19.



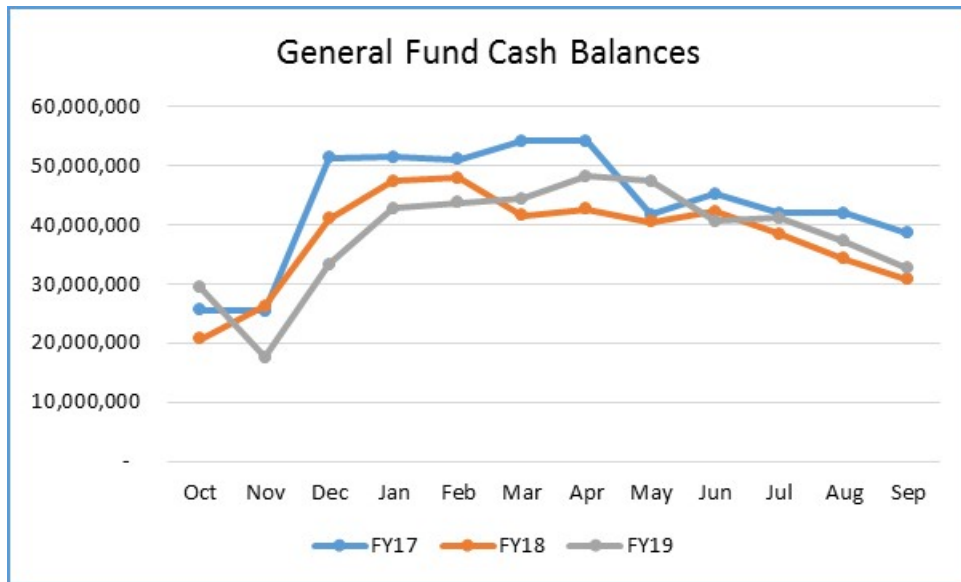
Most of the funds are received in during November and December. The property tax bills go out in early November and a majority of property owners and mortgage companies pay their taxes in these two months to take advantage of the discount. The Town's General Fund budget for ad valorem property taxes for FY20 is \$55,979,439 representing 66.3% of total revenues.

You will also notice that the cash balances have been growing since FY17. This is due to a few factors. The Town's General Fund unassigned reserve has increased since FY17 from \$17.7 million to \$25.4 million, due to higher than expected revenue collections for permits and cost cutting measures, which have resulted in year-end surpluses. In addition, the coastal protection fund and the capital improvement fund, have been building reserves in order to have funding available for future capital and coastal projects.

Separate charts for each fund type have been prepared to show the cash flow throughout the year for each fund type.

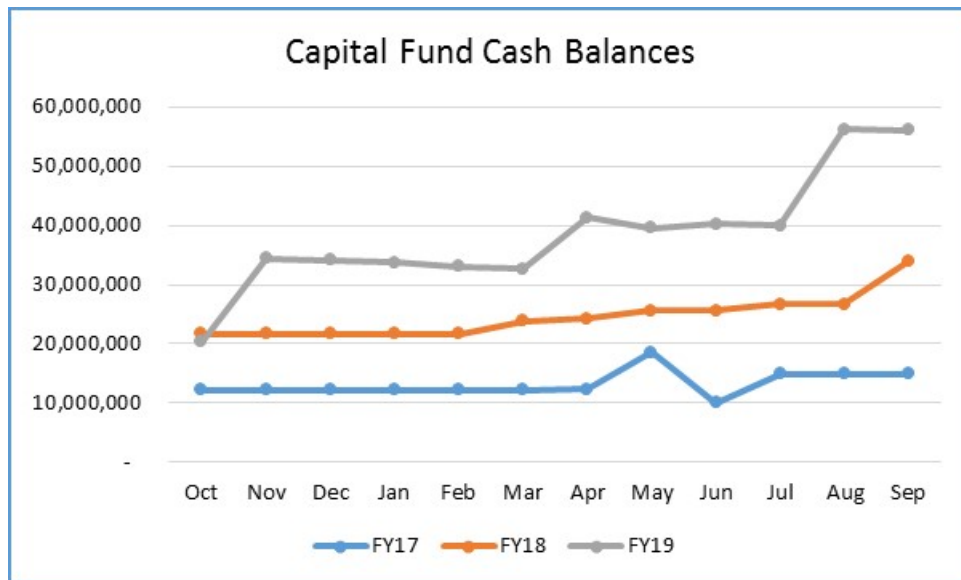
General Fund

As indicated earlier, property taxes are received early in the fiscal year, then are spent down over the remaining course of the year. The chart on the following page shows a fairly consistent trend each of the last 3 years. The decline in FY19 between October and November is due to the payment of the entire contribution to the Retirement fund. We recently began to pay the entire contribution in October to receive an actuarial credit for having the funds invested for the entire year. A portion of these funds can be, and are invested in longer term securities like CDs, the FMIvT investment funds and the PFM 1-5 year fund. The balance is in liquid money market accounts and the short term FMIvT fund.



Capital Funds

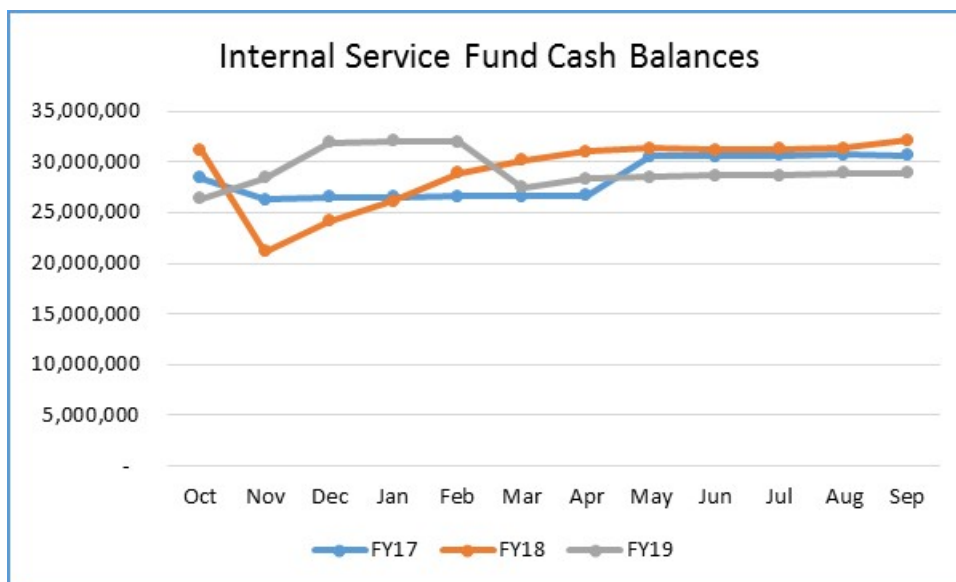
As indicated earlier, the Capital Fund reserves have increased in order to build up reserved for future projects. In FY20 we will be constructing coastal projects and will be spending some of these reserves. The coastal fund reserve is expected to decline by \$5.6 million. The payments to the contractor will cause a steeper decline initially until grant funds are released for reimbursement. The capital fund cash balance may decline by \$3.7 million for a total reduction of \$9.3 million in reserves for these funds. The coastal fund projects occur every 4 years so the fund reserves will increase over the next 4 years until another coastal project is completed. The Capital Fund will have a net decrease each year over the next 4 years as infrastructure projects are completed. These funds should maintain balances of approximately \$30 million until FY24 when the next coastal project is completed.



The ending September FY19 balance included reserves for the construction of the new Mandel Recreation Center that was completed in November. The funds will all be expended in FY20.

Internal Service Funds

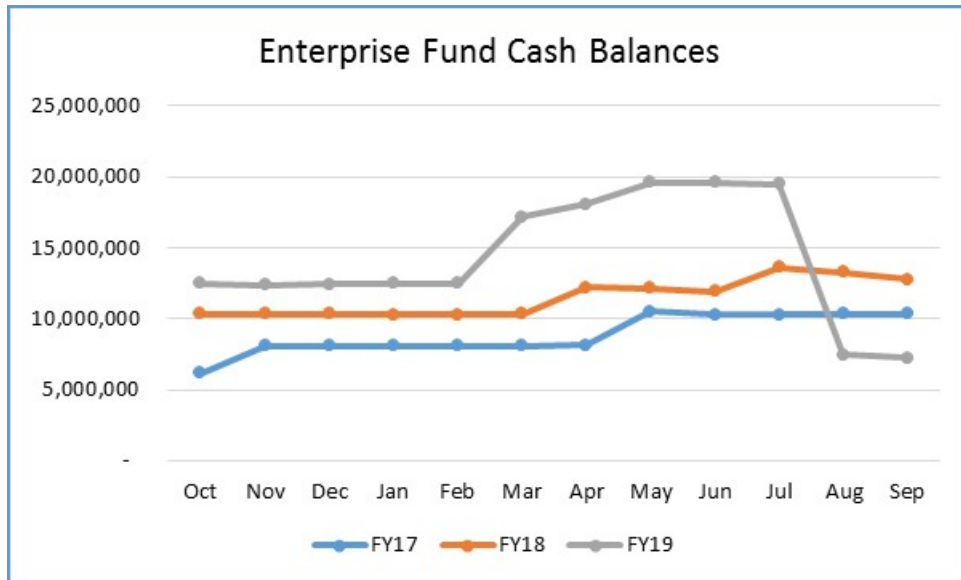
Internal Service Funds include our risk and health insurance reserves as well as our equipment replacement fund. The risk and health insurance reserves are maintained to guard against any deficiencies in the Town's insurance programs. These reserves have increased over the years and excess reserves of \$4.6 million in these funds were used in FY18 for the Town's portion of the construction of the Recreation Center.



The Equipment Replacement fund is intended to fund the replacement cost of existing equipment, vehicles and computers when they reach the end of their useful life. The reserve is funded annually using replacement cost depreciation as the calculation for the transfer. The reserves of this fund total \$15,834,189 at the end of FY19. Based on the FY20 budget for replacement equipment, these reserves are expected to increase by approximately \$1.2 million. A portion of the Internal service reserves are invested in longer term investments due to the stability of these reserves.

Enterprise Funds

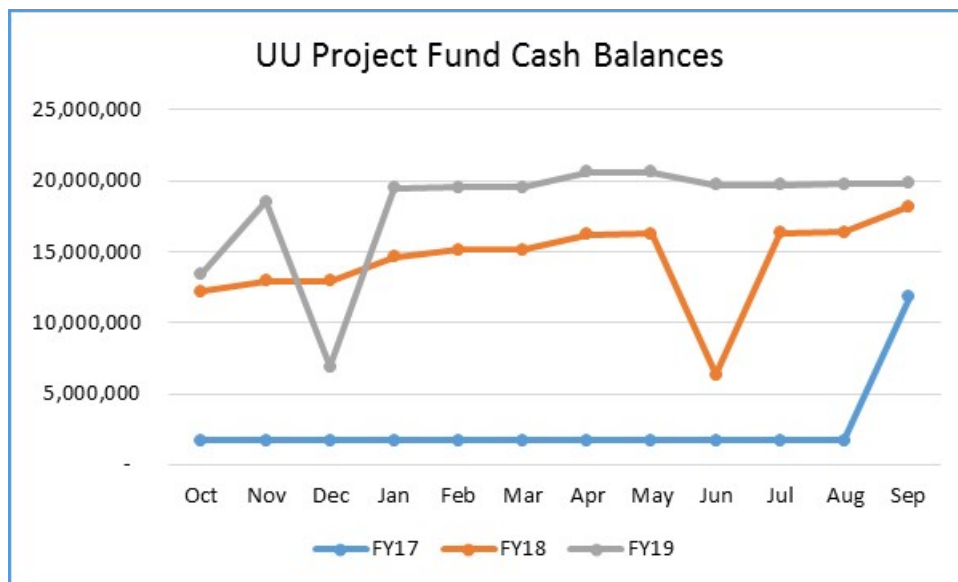
The Enterprise Funds comprise the reserves of the Marina and Par 3 Golf Course. The Marina is expected to close this spring for demolition and reconstruction and open in the fall of 2021. A bank loan and reserves from the marina fund will be used to finance the estimated \$36 million construction project. The Par 3 Golf Course reserves total \$905,140. The trend for these funds are shown on the following page. Most of these reserves will be depleted over the next 2 years until the Marina re-opens. The Marina is expected to generate significantly more revenue with the new mega-yacht configuration and over time, these reserves will increase.



The Enterprise Fund included Recreation activities prior to FY19. These activities were transferred to the General Fund and the Marina and Par 3 Golf Course were split into separate funds. The steep decline in reserve funds in FY19 represent the reallocation of the Recreation Center construction reserves to the Capital Improvement Fund.

Underground Utility Project Fund

The Underground Utility Project is a phased construction project that is expected to last until 2026. Most of the funds represented in the chart below are the result of prepaid assessments and assessments. The bond proceeds from the GO bond issued for this project are separately invested and not shown below. The bond proceeds and the cash reserves will be drawn down over time. The bond proceeds will be used first, then the cash balances below will be used for project expenses.



Surplus Funds Outlook

Due to the nature of the surplus funds, and the limits on the types of investments, longer term investments for most funds, must be fairly liquid. In the past, we used longer term CDs to achieve higher returns than could have been achieved in the low interest rate environment we experienced for many years. When interest rates began to rise last year, the longer term bond funds experienced market losses and we moved a portion of these funds into shorter term, higher yielding investments. Now that rates seem to have stabilized, there may be opportunities to move some reserves to longer term (3-5 year) investments as discussed at the last meeting.

The internal service fund reserves and a portion of the coastal and General Fund reserves could be extended. Currently the following investment funds have longer term (over 1 year) investment balances:

<i>Investment Fund</i>	<i>Balance @ 11/30/2020</i>	<i>% of Total Funds</i>
<i>PFM 1-5 year Fixed Income Fund</i>	\$19,640,499	15.58%
<i>FMIvT 1 – 3 year Fund</i>	\$26,434,199	20.96%
<i>FMIvT Intermediate Fund</i>	\$6,040,260	4.79%
<i>Total longer term investments</i>	<i>\$52,114,958</i>	<i>41.33%</i>

Even though these are longer term investments, the balances are also liquid within a 15 – 30 day period. The current Certificate of Deposit investments have a term of less than one year. Due to the liquidity of these longer term funds, if we need to utilize the cash for a project or an unexpected expense, we can draw upon these funds in a fairly short period of time without penalty.

Town of Palm Beach OPEB Trust

The OPEB (Other Post Employment Benefits) Trust accounts for Retiree Health Care Expenses. GASB has required these expenses be accounted for like retirement benefits with actuarial forecasts and investments set aside in a trust to pay future benefits. As of September 30, 2018, the OPEB trust was 107.4% funded based on an investment return assumption of 6%.

The trust is funded through a Town contribution and retiree contributions for health care. These funds are used to pay retiree health benefits and administration expenses.

The estimated cash flow for the OPEB Trust for FY20 is shown below. FY20 will be the first year since inception in 2007 that a transfer from investments will be needed to fund expenses. Over time the employer transfer has decreased due to the improved funded status of the plan. Now that the fund is over 100% funded, the employer contribution is lower than it had been in the past. This fund will now require transfers from the investments each year to fund expenses. In FY20, we will need to transfer \$1,500,000

Period Ending	Total FY2020	FQ1	FQ2	FQ3	FQ4
Checking Account Balance as of October 1, 2019	(702)	(702)	121,411	211,084	300,757
Estimated Receipts					
Employer Transfer	423,014	423,014	-	-	-
Other Receipts	109,426	109,426			
Transfer from Investments	1,500,000		500,000	500,000	500,000
Estimated Employee Contributions	1,400,000	350,000	350,000	350,000	350,000
Total Estimated Receipts	3,432,440	882,440	850,000	850,000	850,000
Estimated Expenditures					
Estimated Health Benefits	(2,833,600)	(708,400)	(708,400)	(708,400)	(708,400)
Estimated Expenses	(207,708)	(51,927)	(51,927)	(51,927)	(51,927)
Total Estimated Expenditures	(3,041,308)	(760,327)	(760,327)	(760,327)	(760,327)
Estimated Quarter Ending Cash Balance available	390,430	121,411	211,084	300,757	390,430

from investments over the next 3 quarters.

The actuary has provided a forecast of employer contributions and health benefit payments and investment balances for the next 10 years. Internally, we have prepared the forecast for retiree contributions and administrative expenses over the next 10 years to produce a 10 year cash flow projection that is shown on the following page. In each year there will be transfers from the investment accounts of the trust to fund the expenses of the plan.

	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
Checking Account Balance as of October 1, 2019	(702)	390,430	247,476	103,428	35,836	43,460	13,239	42,350	26,992	52,754	13,896
Estimated Receipts											
Employer Transfer	423,014	397,769	379,474	364,124	339,730	316,624	293,632	260,067	227,463	180,840	153,369
Estimated Retiree Contributions	1,400,000	1,491,000	1,584,188	1,681,140	1,782,008	1,886,612	1,995,092	2,107,216	2,222,903	2,344,940	2,485,636
Transfer from Investments	1,500,000	1,200,000	1,300,000	1,500,000	1,700,000	1,800,000	2,000,000	2,100,000	2,300,000	2,400,000	2,700,000
Excess Health Insurance Reimbursement	109,426										
Total Estimated Receipts	3,432,440	3,088,769	3,281,957	3,560,614	3,846,132	4,026,342	4,311,716	4,500,848	4,782,970	4,972,403	5,366,476
Estimated Expenditures											
Estimated Health Insurance Benefits	(2,833,600)	(3,017,784)	(3,206,396)	(3,402,627)	(3,606,785)	(3,818,503)	(4,038,067)	(4,265,006)	(4,499,155)	(4,746,158)	(5,030,927)
Estimated Expenses	(207,708)	(213,939)	(219,609)	(225,579)	(231,723)	(238,060)	(244,538)	(251,200)	(258,053)	(265,103)	(273,056)
Total Estimated Expenditures	(3,041,308)	(3,231,723)	(3,426,005)	(3,628,206)	(3,838,508)	(4,056,563)	(4,282,605)	(4,516,206)	(4,757,208)	(5,011,261)	(5,303,984)
Estimated Cash Balance available on September 30, 2020	390,430	247,476	103,428	35,836	43,460	13,239	42,350	26,992	52,754	13,896	76,389
Estimated Amount of Transfer from Investment Accounts	1,500,000	1,200,000	1,300,000	1,500,000	1,700,000	1,800,000	2,000,000	2,100,000	2,300,000	2,400,000	2,700,000
Investment Balances Per Actuary	35,254,474	36,569,756	37,889,944	39,311,190	40,745,527	42,160,958	43,541,348	44,894,140	46,158,728	47,296,537	48,328,265

Appendix Cash Flow Tables

FY17

Surplus Funds - Cash Balances by Month FY17							
Month/Year	General Fund	Capital Funds	Internal Service Funds	Enterprise Funds	Other Funds	Ending Period Balance	Investment Earnings
Oct-16	25,657,125	12,248,882	28,395,794	6,151,323	1,700,318	74,153,442	(36,121)
Nov-16	25,482,248	12,229,577	26,317,535	8,075,721	1,699,956	73,805,037	(345,034)
Dec-16	51,368,637	12,190,737	26,494,452	8,075,246	1,693,970	99,823,042	48,997
Jan-17	51,440,728	12,217,351	26,532,679	8,084,002	1,697,722	99,972,482	121,725
Feb-17	51,100,776	12,236,455	26,576,306	8,097,418	1,699,971	99,710,926	136,921
Mar-17	54,137,964	12,240,892	26,584,723	8,099,829	1,700,646	102,764,054	60,334
Apr-17	54,210,540	12,264,000	26,647,410	8,120,455	1,703,156	102,945,561	192,915
May-17	41,766,827	18,544,771	30,580,366	10,519,130	1,705,437	103,116,531	172,177
Jun-17	45,215,070	9,965,852	30,565,161	10,299,523	1,705,841	97,751,447	5,682
Jul-17	41,934,798	14,868,215	30,627,207	10,317,536	1,709,966	99,457,722	182,036
Aug-17	42,027,108	14,901,245	30,713,996	10,346,671	1,713,379	99,702,399	241,995
Sep-17	38,542,221	14,884,493	30,666,180	10,332,065	11,819,036	106,243,995	(98,526)
Total							683,101

FY18

Surplus Funds - Cash Balances by Month FY18							
Month/Year	General Fund	Capital Funds	Internal Service Funds	Enterprise Funds	Other Funds	Ending Period Balance	Investment Earnings
Oct-17	20,759,884	21,728,526	31,181,904	10,334,228	12,182,247	96,186,789	53,301
Nov-17	26,259,469	21,704,933	21,162,859	10,323,180	12,959,354	92,409,795	(44,282)
Dec-17	41,054,814	21,705,866	24,172,394	10,328,613	12,971,989	110,233,676	86,499
Jan-18	47,377,095	21,650,903	26,150,856	10,295,888	14,649,317	120,124,059	(151,467)
Feb-18	47,970,230	21,628,728	28,931,887	10,281,493	15,140,656	123,952,994	(28,474)
Mar-18	41,639,737	23,808,267	30,181,344	10,324,336	15,150,835	121,104,519	210,302
Apr-18	42,730,148	24,193,374	31,044,554	12,186,734	16,197,439	126,352,249	45,484
May-18	40,512,784	25,655,113	31,367,054	12,155,805	16,285,621	125,976,377	295,184
Jun-18	42,233,998	25,594,948	31,161,030	11,948,598	6,327,919	117,266,493	100,218
Jul-18	38,453,758	26,637,063	31,285,375	13,631,435	16,340,867	126,348,498	206,693
Aug-18	34,242,590	26,687,541	31,378,486	13,270,244	16,392,252	121,971,113	291,702
Sep-18	30,773,685	34,044,420	32,168,797	12,762,144	18,173,275	127,922,321	51,494
Total							1,116,654

FY19

Surplus Funds - Cash Balances by Month FY19							
Month/Year	General Fund	Capital Funds	Internal Service Funds	Enterprise Funds	Other Funds	Ending Period Balance	Investment Earnings
Oct-18	29,432,414	20,324,445	26,343,284	12,495,027	13,468,557	102,063,727	155,498
Nov-18	17,588,585	34,344,018	28,458,876	12,388,406	18,546,192	111,326,077	255,267
Dec-18	33,310,493	34,088,486	31,869,032	12,421,378	6,889,752	118,579,141	361,419
Jan-19	42,768,722	33,758,161	32,060,382	12,478,142	19,489,955	140,555,362	455,056
Feb-19	43,720,265	33,116,275	31,960,492	12,504,532	19,531,182	140,832,746	282,426
Mar-19	44,494,943	32,621,084	27,504,137	17,158,794	19,573,887	141,352,845	515,404
Apr-19	48,164,090	41,382,111	28,358,481	18,071,245	20,605,556	156,581,483	288,508
May-19	47,357,646	39,553,337	28,521,768	19,588,413	20,650,258	155,671,422	589,255
Jun-19	40,612,827	40,211,774	28,653,997	19,610,812	19,702,506	148,791,916	495,792
Jul-19	41,130,493	39,939,100	28,659,632	19,474,031	19,744,493	148,947,749	157,713
Aug-19	37,265,608	56,219,164	28,933,628	7,451,439	19,783,576	149,653,415	701,429
Sep-19	32,626,109	56,052,027	28,902,566	7,257,312	19,825,179	144,663,193	51,494
Total							4,309,261

**Town of Palm Beach
Reserve Balances
Fiscal Years 2015 – Est. 2019**

Fund	2015	2016	2017	2018	2019 Est
General Fund	\$ 22,267,051	\$ 21,615,082	\$ 17,716,419	\$ 23,063,128	\$ 25,421,429
Compensated Absence (GF)	\$ 3,168,789	\$ 3,061,180	\$ 3,210,518	\$ 3,129,714	\$ 3,000,000
Equipment Replacement Fund	\$ 13,304,714	\$ 14,918,663	\$ 15,889,600	\$ 16,390,299	\$ 15,944,457
Recreation Enterprise Fund	\$ 179,645	\$ 169,291	\$ 777,250	\$ -	\$ -
Recreation ERF	\$ 584,638	\$ 583,475	\$ 651,225	\$ 638,842	\$ -
Dock Replacement	\$ 2,880,038	\$ 3,356,781	\$ 3,801,256	\$ 2,587,882	\$ 3,647,882
Par 3 M&I Reserve	\$ 351,246	\$ 388,132	\$ 442,910	\$ -	\$ -
Tennis M&I reserve	\$ 46,320	\$ 53,852	\$ 61,142	\$ 71,610	\$ -
Par 3 Clubhouse M&I	\$ 147,602	\$ 327,485	\$ 287,426	\$ 872,468	\$ 905,140
Donation Fund	\$ 564,368	\$ 1,180,331	\$ 3,018,697	\$ 1,666,199	\$ 961,080
Debt Service	\$ 1,567,384	\$ 955,441	\$ 1,569,976	\$ 1,566,248	\$ 1,378,748
Capital Improvement	\$ 5,898,531	\$ 5,506,265	\$ 6,639,003	\$ 7,376,553	\$ 11,911,863
Coastal Protection Fund	\$ 24,072,085	\$ 13,810,648	\$ 19,661,966	\$ 27,916,610	\$ 35,972,025
2013 ACIP Fund	\$ 34,967,926	\$ 20,196,064	\$ 12,095,772	\$ 7,286,574	\$ 2,396,574
Health Fund	\$ 5,740,869	\$ 6,507,339	\$ 6,904,823	\$ 5,441,578	\$ 6,159,625
Risk Fund	\$ 8,071,236	\$ 8,458,781	\$ 7,578,199	\$ 4,807,846	\$ 4,516,996
Health - OPEB Trust	\$ 26,629,096	\$ 28,401,183	\$ 31,275,719	\$ 32,682,812	\$ 33,388,247
Pension Funds	\$190,764,490	\$ 194,010,680	\$ 209,822,728	\$ 219,743,891	\$ 226,859,639
Total	\$341,206,028	\$ 323,500,673	\$ 341,404,629	\$ 355,242,254	\$ 372,463,705

Investment Advisory Committee Schedule 2020

Meeting Date:		Presentations/Business:	
Friday, January 31, 2020 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 15, 2020 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 21, 2020 2:30 P.M. Town Council Chambers		OPEB Trust Investment Consultant PFM Asset Management	
Monday, November 16, 2020 2:30 P.M. Town Council Chambers (Fiscal Year End Presentations)		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 11, 2020

Section of Agenda

Committee Reports

Agenda Title

Report of the Ordinances, Rules and Standards Committee Meeting Held on January 9, 2020

Presenter

Julie Araskog, Chair

ATTACHMENTS:

- ▣ **Memorandum Dated February 3, 2020 From Jay Boodheshwar, Deputy Town Manager**
- ▣ **Ordinance, Rules & Standards Committee Report**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 11, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Report of the Ordinances, Rules and Standards Committee Meeting Held on
January 9, 2020

Date: February 3, 2020

STAFF RECOMMENDATION

Staff recommends Town Council adopt the attached report of the January 9, 2020, ORS Committee meeting, review the information below and provide feedback as appropriate.

GENERAL INFORMATION

The attached report of the January 9, 2020, ORS Committee meeting, include a summary of the discussions on the following items:

1. Proposed Modification to Chapter 106, Article VII, to Establish Town Council Approval Criteria for Walks and Runs on Public Property
2. Proposed Modification to Section 66-311 – Prohibited Plants, to Prohibit the Planting of Non-Native Ficus
3. Proposed Modification to Section 66-236 – Application Procedure for Vegetation Removal Permit, to Require Town Approval for Removing Landscape Buffers

Proposed Modification to Chapter 106, Article VII, to Establish Town Council Approval Criteria for Walks and Runs on Public Property

It was the consensus of the ORS Committee that staff will make changes to Chapter 106, Article VII, as discussed during the meeting and prepare an Ordinance for review by the Town Council at the February 11, 2020, meeting. Below are the proposed additions in underline format for Mayor and Council input prior to finalizing an Ordinance for first reading.

Sec. 106-256. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Special event means any meeting, activity, walk/run, or gathering of a group of persons having a common purpose, design or goal, upon any public street, sidewalk, alley, park, beach or other public place or building, which special event substantially inhibits the usual flow of pedestrian or vehicular travel or which occupies any public area or building, which results in preempted use by the general public or which deviates from the established use. Nothing in this article shall preclude the use of such areas by the town for governmental purposes.

Sec. 106-283. - Standards for issuance.

The town manager shall issue a special event permit, when from consideration of the application and from such other information as may otherwise be obtained, he/she finds that:

- (1) No other applicant has obtained a permit for the date requested.
- (2) The special event applicant has agreed in writing to abide by all provisions set forth in this article.
- (3) All required information is set forth in the application and is in accordance with all provisions set forth in this article.
- (4) The concentration of persons and vehicles at assembly points of the special event will not interfere with the proper fire and police protection of or ambulance services to areas contiguous to such assembly areas.
- (5) The conduct of such special event will not interfere with the movement of police and fire rescue vehicles and equipment en route to a fire or the movement of emergency medical services equipment en route to an emergency.
- (6) The special event is not being held for the purpose of advertising any product, goods or event, and shall not be held for private profit or fund raising, unless the applicant is a 501 (c) 3 non-profit, in which a charitable solicitation permit would also be required.
- (7) The conduct of the special event will not substantially interrupt the safe and orderly movement of pedestrian or vehicular traffic contiguous to the place of the special event.
- (8) The conduct of the special event will not result in damage to town-owned property or constitute a hazard to the safety of other persons within the immediate vicinity of the event.
- (9) No event is scheduled elsewhere in the town where the town's resources required for that event are so great that the deployment of resources for the proposed assembly would have an immediate and adverse effect upon the welfare and safety of persons and property.
- (10) An original certificate of insurance was supplied to the town naming the town as additional insured on a policy of liability insurance in an amount not less than \$1,000,000.00 or an amount higher based upon the particular special event proposed.

Applications for the use of Phipps Plaza Park shall receive town council approval prior to the issuance of a special events permit. Said requirement shall automatically expire after three years from the adoption of Ordinance 29-2019.

Applications for special events that involve leaving the primary event location (public or private properties) to utilize public sidewalks, streets and/or bike paths shall receive town council approval prior to the issuance of a special event permit and shall be subject to section 106-289.

Sec. 106-289. — Walks and Runs

Applications for activities or events that involve leaving the primary event location on public or private properties that will utilize public sidewalks, streets and/or bike paths, and other right-of-way areas for the purpose of organized walks or runs of any distance, shall receive Town Council approval prior to the issuance of a special event permit.

The following procedure and criteria for approving a walk/run event shall be as follows:

- a) Applications for walk/run events shall be submitted as required in section 106-282.
- b) The Town Manager or his/her designee will submit a staff report, the special event application and supporting documentation to the Town Council for its consideration and final approval.
- c) Approval of a walk/run event application shall be subject to the following requirements:
 - 1. Adequacy of the location of the start and finish line as well as the walk/run route, relative to public safety and impact to the residents; and
 - 2. The date(s) and start time(s) of the event, and/or whether or not it will conflict with a town sponsored event or another event in close proximity of the proposed event, and will not adversely impact adjacent residential areas.
 - 3. The maximum number of events held in the requested route area is no more than three per year calendar year and no more than one event every other month.
 - 4. The maximum number of person permitted by the Town to participate in a walk/run event (including but not limited to spectators, vendors, volunteers, and staff) is 400.
 - 5. Set-up prior to Council approved walk/run event shall not begin prior to 8:00am without Council approval.
 - 6. No amplified music or speaking shall be permitted prior to 9:00am without Council approval.
 - 7. No walk/run events shall be held on a Sunday.

Proposed Modification to Section 66-311 – Prohibited Plants, to Prohibit the Planting of Non-Native Ficus

It was the consensus of the ORS Committee to direct staff to make revisions to Section 66-311 to include Ficus Nitida as a prohibited plant and bring a draft Ordinance to Town Council on February 11, 2020 for revision. Below are the proposed additions in underline format for Mayor and Council input prior to finalizing an Ordinance for first reading.

Sec. 66-311. - Prohibited plants.

- (d) *Prohibition of ficus benjamina* and ficus nitida. Due to extreme susceptibility of the invasive white fly pest and the consequent enforcement issues to require owners to treat or remove infested ficus

benjamina and ficus nitida, no new planting of ficus benjamina or ficus nitida shall be allowed. The planting of appropriate native vegetation in a hedge or hedgerow is encouraged.

Proposed Modification to Section 66-236 – Application Procedure for Vegetation Removal Permit, to Require Town Approval for Removing Landscape Buffers

It was the consensus of the ORS Committee to direct staff to revise Section 66-236 and bring it back to the ORS Committee for additional review. Staff is in the process of making said revisions for further review by ORS at a future meeting.

ARCOM Review

Regarding potential code changes to require approval for removal of landscape buffers, ORS Chair, Julie Araskog, has requested that input be sought from ARCOM on what has been discussed to date prior to bringing it back to ORS. Chair Araskog has also requested that ARCOM first review and opine on the following items previously referred to ORS, prior to the Committee's review of potential code changes. Council approval of said request is recommended.

1. Discussion Regarding Saturday Quiet Work, As Permitted by Ordinance No. 03-2018
2. Consideration for ORS Committee to Study Regulations Pertaining to the Use of Synthetic Turf

Attachment

cc: John C. Randolph, Town Attorney
Department Directors



TOWN OF PALM BEACH

Ordinances, Rules and Standards Committee

REPORT OF THE ORDINANCE, RULES AND STANDARDS MEETING HELD ON THURSDAY, JANUARY 9, 2020

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules and Standards Committee (ORS) meeting was called to order on Thursday, January 9, 2020, at 9:30 a.m. in the Town Council Chambers. On roll call, all committee members were found to be present.

II. PLEDGE OF ALLEGIANCE

Chair Araskog led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

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

IV. COMMUNICATIONS FROM CITIZENS - None.

V. REGULAR AGENDA

A. Old Business

1. Proposed Modification to Chapter 106, Article VII, to Establish Town Council Approval Criteria for Walks/Runs Events on Public Property
Jay Boodheshwar, Deputy Town Manager

Chair Araskog made comments regarding Town residents' quality of life and the burden walks/runs put on our residents who are construction weary and traffic fatigued. She discussed the Council's goals for the modifications to Chapter 106, Article VII and stated that it is her opinion that these modifications must be specific and detailed to give the Council the ability to protect our residents from disruptions to their quality of life and quiet enjoyment of their property or other safety issues.

Jay Boodheshwar, Deputy Town Manager, provided a brief background on the Special Events Ordinance with regards to Walk/Run events and clarified the objective of bringing this item before the Committee was to develop some criteria

1 for Council to reference when considering applications for new walk/run events. He
2 presented a review of the proposed modifications by staff to Chapter 106, Article VII
3 of the Town Code. The goal was to find a middle ground by reducing the
4 modifications presented at the October 24th, 2019, ORS meeting and to eliminate
5 redundancies.

6
7 Chair Araskog stressed the importance of having criteria that will allow the Council
8 to approve or disapprove of an event. She commented that if the criteria is too broad
9 or too narrow, the Council would not have the criteria necessary to approve or
10 disapprove an event. Chair Araskog opined that something in the middle would
11 probably be best and discussed changes to specific sections that she thought would
12 be appropriate to give the Council clarity and passed out her recommendations for
13 changes.

14
15 Chair Araskog and Deputy Town Manager Boodheshwar suggested changing
16 number one to add “as well as the walk/run route.” It was agreed that number two
17 would stay the same and that the new material would be discussed.

18
19 **It was the consensus of the ORS Committee that the following quote be added to item number**
20 **one of the existing criteria, “as well as the walk/run route.”**

21
22 **It was the consensus of the ORS Committee that no change will be needed to item number two**
23 **of the criteria.**

24
25 Extensive discussion ensued regarding capping the amount of participants, limiting
26 the number of times the same route can be used, and establishing a maximum number
27 of events per year on the same route and other criteria. Committee Member Crampton
28 agreed that quiet enjoyment of resident property was very important as our brand is
29 a sought after commodity.

30
31 Discussion regarding how many events per year ensued. Chair Araskog stated she
32 would like all of the Council to weigh in on what they think the appropriate number
33 should be, but when asked to make a recommendation she stated that her preference
34 would be three in season, which would include the Turkey Trot and the Walk of
35 Hope.

- 36
37 1. Deputy Town Manager Boodheshwar recommended that there also be the
38 limitation of one event per month so the events do not occur in the same
39 month creating a tough situation for the residents every weekend. Chair
40 Araskog recommended one every two months. In response to a question from
41 Committee Member Crampton, Chair Araskog clarified that this was three if
42 using the same or a similar route. This would not pertain to other areas; each
43 area would have a maximum of three in season and not to exceed every other
44 month.

1 **It was a consensus of the ORS Committee that three walk/run events occur in season and must**
2 **be every other month if in the same route area, with the Walk of Hope and the Turkey Trot**
3 **being included in that number for that specific route.**
4
5

6 Chair Araskog stated her opinion that additional criteria could prove important to
7 allow the Council to give relief to an area that has had disruption to their quiet
8 enjoyment of their property due to heavy construction in the area or other
9 maintenance issues. Deputy Town Manager Jay Boodheshwar stated the Council and
10 the Staff currently have the authority in Special Events Ordinance to deny an event
11 based upon disruption of the community.
12

13 Chair Araskog proposed adding a cap to the number for other walks/runs, but felt it
14 was random at this point to pick a number. She thought 300 to 350 should be the
15 maximum. Committee Member Crampton was more inclined to 500. Deputy Town
16 Manager Boodheshwar in reply to Chair Araskog's question advised that the total
17 number of participants in the Turkey Trot was about 1300. Mr. Crampton was fine
18 with a number based on the Walk of Hope, which is about 500, that he said was a
19 feel good and charitable organization that he could approve. Deputy Town Manager
20 Boodheshwar stated that in lieu of the larger events in that route area, limiting the
21 third walk/run to a smaller participant number would be fine. Chair Araskog stated
22 her concern that in one route area there were 1300 in November, In February, there
23 would be 500-800 people and that it is appropriate to have a much smaller number
24 of participants for the third walk/run.
25

26 The Committee agreed that 350 people would be the maximum allowed. Deputy
27 Town Manager Jay Boodheshwar informed the Committee that the two
28 grandfathered events would **not** have the cap of 350, unless the Council chose to
29 require this maximum number of participants.
30

31 Chair Araskog also asked that the Ordinance provide a cap on the maximum amount
32 to include volunteers and organization members so as not to have an adverse effect
33 on parking. It was recommended by Deputy Town Manager Boodheshwar that we
34 pick 400 instead of 350 people in number 5 to include vendors, volunteers, walk/run
35 participants, spectators, and workers from the organization sponsoring the walk/run
36 event. He recommended we add the words "and all others" to include all participants,
37 volunteers and the like. The Committee agreed.
38

39 **It was the consensus of the Committee that 400 people should be the maximum participants**
40 **allowed, including all volunteers, and the two grandfathered events would not have the cap of**
41 **400 participants, unless the Council chose to change this requirement.**
42

43 Chair Araskog requested that the ordinance add that the event will not begin setup or
44 clean up before 8 o'clock in the morning if near any residential living unless
45 approved by Town Council. Committee Member Crampton agreed. Deputy Town
46 Manager Boodheshwar gave his opinion that the best time to have such events is
47 earlier in the morning to get the walk/race in and out before residents start their day.

1 Chair Araskog preferred that start times for setup be brought to Town Council and
2 not just be staff approved to give residents the ability to weigh in on whether the time
3 is too early and was detrimental to their quality of life, safety etc. Deputy Town
4 Manager Boodheshwar pointed out that this is already coming to Council, but Chair
5 Araskog wanted this to be added to the criteria to give the Council a reason to say no
6 that is clearly stated and to have resident participation. She explained she is looking
7 for extra layers of protection and specificity. It was decided to add “and will not
8 adversely affect the adjacent residential neighborhoods” to an existing clause.
9

10 **It was the consensus of the ORS Committee to make the addition of the following quote to the**
11 **existing criteria, “and will not adversely affect the adjacent residential neighborhoods.”**
12

13 Discussion ensued on the maximum time for the event, which is already addressed
14 in the Special Event Ordinance.
15

16 Discussion ensued about sections in the originally proposed changes at the last ORS
17 meeting that Deputy Town Manager Boodheshwar found were redundant. The
18 Committee approved the removal of such redundancies in number 5, 6, 9 and others.
19

20 **It was the consensus of the ORS Committee to remove the redundancies in the criteria that**
21 **were discussed.**
22

23 On the proposed number 10, Chair Araskog recommended staff provide a copy of
24 the noise ordinance to each applicant and that they be reminded that they must abide
25 by all noise ordinances.
26

27 Chair Araskog requested no events on Sundays as this is the only day that
28 construction and landscape work are not allowed. She stated that this is important
29 when considering our resident frustration with the overwhelming construction and
30 traffic issues during the week and even on Saturdays. It was pointed out that Kathleen
31 Dominguez had included this in her version of the proposed ordinance discussed in
32 October 24, 2019, ORS meeting.
33

34 **It was the consensus of the ORS Committee to not allow events to take place on Sundays.**
35

36 Chair Araskog asked that criteria be written to provide Council with a mechanism to
37 not allow amplified music or amplified speaking before 9 a.m. An example was a
38 warm up that occurred in one of the walk/runs that had a 7 a.m. warm up with music
39 and amplified discussions. A resident of the towers came with a noise reader and was
40 furious about being awakened on a Sunday to amplified music and talking. Chair
41 Araskog asked that this be brought to Council for their comments.
42

43 **It was the consensus of the ORS Committee to recommend to Council for discussion that**
44 **criteria be provided to not allow amplified music or talking before 9 a.m.**
45

46 Committee Member Crampton when asked stated that he was fine with Chair
47 Araskog’s recommendations.

1
2 Chair Araskog asked if Council could advise on the different areas where she thought
3 they needed guidance and more input before this went into ordinance form, but it
4 was pointed out that it could be changed on the first reading at the February meeting.

5 **It was the consensus of the ORS Committee to recommend Council have further discussion on**
6 **several criteria that was not decided upon.**
7

8 **It was the consensus of the ORS Committee to approve the changes as discussed, not as the**
9 **document provided by Chair Araskog. Additionally, staff was directed to prepare an**
10 **Ordinance for review by the Town Council at the February 11, 2020, meeting.**
11

12
13 B. New Business

- 14
15 1. Proposed Modification to Section 66-236 – Application Procedure for
16 Vegetation Removal Permit, to Require Town Approval for Removing
17 Landscape Buffers

18 *Wayne Bergman, Assistant Director of Planning, Zoning & Building*
19

20 Committee Member Crampton requested background information regarding the
21 presentation. His concern was regarding the property rights and requiring owners to
22 keep hedges on their own property to afford privacy to a neighbor.
23

24 Wayne Bergman, Assistant Director of Planning, Zoning & Building, provided a
25 brief background on why the proposed modifications to Section 66-236 are being
26 brought before the Committee and asked for direction from the Committee to have
27 staff review and consider the section in depth. Mr. Bergman discussed instances in
28 the Town where a property owner has removed a privacy hedge. It is a rare
29 occurrence, but there have been enough coming forward that staff believed it merited
30 a discussion to see if there was direction to fill the void.
31

32 Committee Member Crampton requested more specific examples to understand the
33 problems. Mr. Bergman stated he was happy to bring the examples forward and
34 clarified that the instances involved landscape plans that had been approved by the
35 LPC or ARCOM and that in these instances, part of the approved package was to put
36 the perimeter buffering in certain places. He stated that as soon as the Certificate of
37 Occupancy was issued, or shortly thereafter, owners decided to remove the
38 landscaping and to replace it or not replace it. Mr. Bergman explained those were the
39 types of situations he is talking about.
40

41 Committee Member Crampton stated that his examples are a different issue of not
42 following the ARCOM approved plans. Chair Araskog explained that in the ARCOM
43 Ordinance there were criteria involving protecting neighbor's privacy and that
44 ARCOM often requires certain hedging and landscape materials to protect the
45 neighbors from windows or other aspects of the architecture that could remove the
46 neighbor's privacy in their yards or homes.
47

Chair Araskog recommended that this be brought to Town Council for a decision on if there should be some mechanism to prevent hedge or landscape removal when it is implemented by ARCOM or LPC to protect the privacy of the neighbors or to hide garages, cars, or mechanical equipment from the public and neighbors. Chair Araskog expressed the importance of this particular issue as people have complained about the fact that they took the time to attend the LPC or ARCOM quasi-judicial hearing to request privacy protection and ARCOM worked extensively on the plans to protect their privacy and all agreed on the plans and then all of a sudden the privacy landscape/ hedging that was agreed upon is gone six months later. Chair Araskog stated that she has seen this occur and believes it is not fair that there is not currently any regulation requiring the landscape plans be followed once installed.

Committee Member Crampton asked why this is not a code issue. Chair Araskog explained that this is not a code issue because there is nothing in the current code pertaining to limiting the removal of ARCOM or LPC approved landscaping. Chair Araskog thanked Mr. Bergman for bringing this to the attention of the Council and the ORS Committee.

Chair Araskog stressed the extensive work put in by ARCOM on the landscape plans. Committee Member Crampton agreed that this was important if it was agreed to and issued a permit based by an ARCOM finding and they remove it that is a different issue to him. The Committee agreed an ordinance should be drafted to protect this. Chair Araskog used an example of a woman who attended several meetings to be certain a hedge would be used to protect her privacy from a larger building being built next door and then they changed it to trees, which did not give her the privacy she was promised at the ARCOM Meetings.

Chair Araskog also talked about possible unintended consequences if someone wanted to remove a ficus benjamina hedge or both neighbors have agreed to remove the landscape barrier, they probably should not have to go to LPC or ARCOM.

Chair Araskog stated that she thought Mr. Bergman's idea is great and asked that he come back with an Ordinance that holds the property owner to the plans unless they go to ARCOM or LPC for the changes if it affects privacy, mechanical equipment and garages or other potential blights on the neighborhood. If this was the intent, then code should require that it go to ARCOM or LPC unless both neighbors agree. The Committee asked Mr. Bergman to come back with an ordinance that takes the issues discussed into consideration.

It was the consensus of the ORS Committee to direct staff to make revisions to Section 66-236 and bring it back to ORS Committee for additional review.

2. Proposed Modification to Section 66-311 – Prohibited Plants, to Prohibit the Planting of Non-Native Ficus
Jay Boodheshwar, Deputy Town Manager

1 Chair Araskog made comments in regard to Ficus Nitida and ARCOM, especially
2 John David Corey, changing Nitida to another species. She discussed other types of
3 non-native ficus that attract White Fly and require all the chemicals that are being
4 currently sprayed. She mentioned Kathy Bleznak who spoke recently to Town
5 Council regarding a time extension request. Resident Bleznak had put in a Ficus
6 Nitida hedge to eliminate the heavy spraying the Ficus Benjamina required and
7 thought she would not run the risk of having White Fly. Her neighbor did not spray
8 for White Fly and it infested his Ficus Benjamina. Then moved to her property,
9 infested her Ficus Nitida and then was required to use harmful chemicals on her Ficus
10 Nitida.

11
12 Chair Araskog stated there are two important factors: white fly and spraying
13 chemicals, both of which were factors as to why the Council decided to enact a
14 prohibition on Ficus Benjamina. This addition is meant to capture all ficus that
15 attracts white fly. She discussed that at one point some Council Members believed
16 Nitida was a good replacement for Ficus Benjamina, but that Ficus Nitida is equally
17 susceptible to White Fly in nearby areas or from infested Ficus Benjamina. She
18 pointed out that the White Fly will move from infested Ficus Benjamina to the Ficus
19 Nitida. Chair Araskog discussed instances at ARCOM where members asked Ficus
20 Nitida to be replaced because of this issue. Chair Araskog discussed the fact that the
21 spraying required to prevent White Fly is the strongest in our Town and that
22 therefore, it was recommended by Bobbie Lindsay and her that maybe only native
23 ficus be allowed.

24
25 Deputy Town Manager Boodheshwar provided a brief background on the changes
26 last year to Section 66-311 dealing with prohibited plants and detailed that the
27 Council had imposed a prohibition on any new planting of Ficus Benjamina. He
28 reiterated Chair Araskog's point in stating that what they were seeing around town,
29 and what they expect to keep seeing, is a movement from the White Fly's favorite
30 dish, Ficus Benjamina, to its second favorite dish, Ficus Nitida. Based on the
31 conversation at Council and the facts mentioned above, he recommended that the
32 next step of banning the planting of any non-native ficus would probably be the cure
33 for the White Fly jumping to their next favorite dish. He then reviewed proposed
34 revisions to the language in the code.

35
36 Discussion ensued regarding Bobbie Lindsay's knowledge of all non-native ficus
37 and the potential for white fly to be attracted to them. Deputy Town Manager
38 Boodheshwar stated that there was potential for all non-native ficus to attract White
39 Fly as per his understanding.

40
41 Chair Araskog approved of his language adding non-native instead of Ficus
42 Benjamina, but stated that she was fine to just have Ficus Nitida versus all ficus. The
43 Committee agreed to have Bobbie Lindsay opine at Council on non- native ficus in
44 the Council Meeting to assist in understanding if all non-native ficus should be
45 prohibited. Committee Member Crampton expressed his concern that we were being
46 too broad without the knowledge or research necessary to an all-out ban of ficus.
47 Chair Araskog agreed with Committee Member Crampton. Deputy Town Manager

Boodheshwar found that in the country there are 850 ficus species and perhaps more research is needed to realize which are used in Florida that attract white fly. The Committee agreed.

It was the consensus of the ORS Committee to recommend to Council more discussion regarding prohibition of all non-native ficus species.

It was the consensus of the ORS Committee to direct staff to make revisions to Section 66-311 to include Ficus Nitida as a prohibited plant and bring a draft Ordinance to Town Council on February 11, 2020 for revision.

VI. ANY OTHER MATTERS - None

VII. ADJOURNMENT

With no further business to discuss, the Ordinance, Rules and Standards Committee Meeting of Thursday, January 9, 2020, adjourned at 10:29 a.m.

APPROVED:

Julie Araskog, Committee Chair

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Public Hearings

Agenda Title

Public Hearing Concerning the Issuance By the Town of Palm Beach, Florida of Not Exceeding \$31,000,000 Public Improvement Revenue Bond, Series 2020 and Related Plan of Financing

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Legal Ad Published on February 2, 2020**

NOTICE OF PUBLIC HEARING CONCERNING THE ISSUANCE BY THE TOWN OF PALM BEACH, FLORIDA OF NOT EXCEEDING \$31,000,000 PUBLIC IMPROVEMENT REVENUE BOND, SERIES 2020 AND RELATED PLAN OF FINANCING

Notice is hereby given that on **February 11, 2020 on or about 9:30 a.m.**, or as soon as the same may be heard, the Town of Palm Beach, Florida (the “Town”) will conduct a public hearing at:

Town Hall Council Chambers
360 South County Road, 2nd Floor
Palm Beach, Florida 33480

in order to give interested persons an opportunity to be heard on the proposed issuance of its Town of Palm Beach Public Improvement Revenue Bond, Series 2020 (the “Bond”) in the principal amount of not to exceed \$31,000,000 and the related plan of financing for the purpose of financing all or a portion of certain improvements outlined below to the Town Marina and related costs of issuance (collectively, the “Project”) The Project is located at 500 Australian Avenue, Palm Beach, Florida 33480 on the Intracoastal Waterway bounded by Royal Palm Way to the North, Lake Drive to the East and Worth Avenue to the South and includes the demolition of three fixed concrete docks and three existing buildings, dredging, construction and installation of new floating concrete docks totaling approximately 85,575 square feet, construction and upgrading the upland utility system and the installation of utilities at each slip, Wi-Fi and security camera system, construction of three new buildings with two located over water requiring the installation of a concrete pile and pad, the lowering of the elevation of the existing bulkhead cap and installation of a new cantilevered bulkhead installed seaward of the existing bulkhead, the resurfacing of three parking lots, landscaping and revisions to the irrigation system and all facilities functionally related and subordinate thereto. The Project is owned by the Town. The Town expects to lease portions of the Project from time to time to nongovernmental persons who may use the leased property in a trade or business but those nongovernmental persons have not yet been identified.

The Bond shall not be or constitute an indebtedness of the Town, Palm Beach County, Florida, the State of Florida or any political subdivision thereof within the meaning of any constitutional, statutory or other limitation of indebtedness, but shall be a revenue bond payable from legally available non-ad valorem revenues of the Town that the Town covenants to budget and appropriate in each fiscal year to pay debt service on the Bond.

At such meeting, persons will be given an opportunity to express their view both orally and through written statements which are submitted to the Town at the public hearing. For the convenience of interested persons descriptive materials will be available for inspection between the hours of 9:00 a.m. and 5:00 p.m. in the Town’s Office of the Director of Finance located on the Second Floor of Town Hall, 360 South County Road,

Palm Beach, Florida 33480. For further information contact Jane Le Clainche, Director of Finance (561) 835-4724.

Should any person decide to appeal any decision made by the Town in connection with this hearing, he or she will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made, which record must include testimony and evidence upon which the appeals may be based.

This Notice is published pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, and United States Treasury Regulation Section 1-147(f)-1(d)(4)(i) [TD 9845].

TOWN OF PALM BEACH, FLORIDA

By: Jane Le Clainche, Director of Finance.

PUBLISH: THE PALM BEACH POST – February 2, 2020.

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town Marina Project

TIME CERTAIN: 10:30 A.M.

a. Project Update

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

b. Business Plan Update

Carolyn Stone, Director of Business Development and Operations

c. RESOLUTION NO. 08-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida (The "Town"), Approving the Form and Authorizing the Execution and Delivery of a Loan Agreement; Authorizing and Approving the Issuance of a Bond by the Town in Connection with Said Loan Agreement Relative to the Financing of All or a Portion of the Town's Marina Project; And Paying Costs of Issuance of the Bond; Approving the Issuance of the Bond and Related Plan of Financing Within the Meaning of Section 147 (f) of the Internal Revenue Code of 1986, as Amended and Related U.S. Treasury Regulations; Authorizing the Proper Officials of the Town to do all Other Things Deemed Necessary or Advisable in Connection with the Loan Agreement and Said Bond; and Providing for an Effective Date.

Jane Le Clainche, Director of Finance

Presenter

ATTACHMENTS:

- ▣ **a. Memorandum Dated February 3, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **b. Memorandum Dated January 31, 2020, from Carolyn Stone, Director of Business Development and Operations**
- ▣ **b. Marina Study Update**
- ▣ **b. Marina Proforma**

- ▣ **c. Memorandum Dated January 31, 2020, from Jane Le Clainche,
Director of Finance**
- ▣ **c. Resolution No. 08-2020**
- ▣ **c. Loan Agreement**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 11, 2020

TO: Mayor and Town Council
VIA: Kirk W. Blouin, Town Manager
FROM: H. Paul Brazil, P. E., Director of Public Works
RE: Town Marina Project Update
DATE: February 3, 2020

STAFF RECOMMENDATION

Town staff recommends that the Town Council review the summary provided regarding the status of the contractor selection process, which is provided for information purposes only.

Staff also recommends that the Town Council review the update on the process for reviewing conceptual alternatives developed for the parking associated with the Town Marina, as well as improvements to Lake Drive Park.

Staff also recommends that the Town Council review preliminary plans for community engagement/communication prior to the commencement of construction, as well as throughout the duration of the project.

GENERAL INFORMATION

Contractor Selection Process (Currently Under the Cone of Silence):

The proposal phase is currently in progress. Six (6) proposals were received by December 20, 2019 submittal date in response to RFP 2019-35. The Town engaged the services of Turrell, Hall and Associates, Inc. to assist in the overall review of the proposals, and to serve as a non-voting member of the Selection Committee. The proposals have been reviewed by the Selection Committee who met on January 22, 2020 to rank the proposals and determine which of those contractors would be invited for oral interviews/presentations on January 29, 2020. After the initial rankings by the Selection Committee, purchasing requested that each Selection Committee Member provide any questions or clarifications that would assist for subsequent oral interviews/presentations. These questions were directed to each of the two (2) short listed firms to be included as part of the responsiveness of the Selection Committee.

The Selection Committee ranked the six (6) proposals and short listed two (2) firms for oral interviews/presentations.

Based upon the previous approval of the Town Council, the Town Manager (along with the Purchasing Manager and other Town staff) was authorized to enter into negotiations with the top-ranked contractor. That negotiation is underway, and the resulting recommendation for a construction contract award will be made at a future Town Council meeting (March 10, 2020). **This procurement is still under the Cone of Silence per the Town's purchasing guidelines as well as County Statute.**

Conceptual Parking Alternatives:

Town staff will be receiving the conceptual alternatives for parking revisions from the consultant by mid-February. Those concepts will be distributed prior to the public meeting that is tentatively scheduled for February 24, 2020 at 10:00am in the Town Council Chambers to obtain community feedback on those conceptual alternatives. Presentation of the community feedback, along with the concepts (and the associated cost estimates), will be provided to the Town Council at the March 10, 2020 meeting. The selection of a preferred parking alternative by the Town Council at the April 14, 2020 meeting is anticipated, and will be followed by receipt of a cost proposal from the consultant for the final engineering design of that alternative, and to develop bid documents. During that design development, Town Council will be consulted regarding specific details to be incorporated such as the fencing, gates, security and access systems, etc. Those details and plans will be presented for Town Council approval at the May 12, 2020 meeting, and for referral to the Architectural Commission (ARCOM) for their consideration at their June 24, 2020 meeting. Upon final Town Council approval of the project, the construction timeline and cost to accomplish the approved alternative will be coordinated with the Town Marina Project work to be performed by the selected contractor.

Community Engagement/Communication:

As Town Council is aware, staff intends to deploy a variety of methods for engaging with and keeping the community informed, prior to, and throughout the duration of construction. More details will be provided in the months ahead once the contractor is selected, but some of the ways we will engage with the community include, but are not limited to:

1. Host a pre-construction community information meeting.
2. Develop a project website to include up-to-date schedule information and photos.
3. Provide a dedicated email address and phone number for questions and/or concerns.
4. Host periodic community update meetings.

cc: Jay Boodheshwar, Deputy Town Manager
Carolyn Stone, Director of Business Development & Operations
Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E. Senior Project Engineer
Dean Mealy, Purchasing Manager
Mike Horn, Town Dockmaster
Rob Weber, Coastal Program Manager

TOWN OF PALM BEACH

Information for Town Council Meeting on February 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Carolyn S. Stone, Director of Business Development and Operations

RE: Marina Business Plan Update

DATE: 31 January 2020

STAFF RECOMMENDATION

Staff recommends Town Council review the information below and attached report for informational purposes and provide direction as necessary.

GENERAL INFORMATION

In anticipation of the financing and construction award approvals, staff engaged consulting services from US Marina Group (USMG), a division of Marine Business Advisors, LLC, to complete a peer review of the 2018 Baird Marina Business Plan, as well as a review of the staff developed pro forma.

The USMG engagement evaluated and provided input on the following:

- The overall marina layout and master plan.
- The pro forma revenues and expenses as previously prepared by Baird and also the pro forma developed by Town staff.
- The proposed staffing model.
- The proposed marketing strategies.

Overall, USMG's findings support that of the Baird Master Plan. The project is warranted based on the need to rehabilitate the docks due to their age. The market will support a new marina of the proposed scope and scale. The complete report is included in the agenda back up.

The report does present a more conservative and probable revenue scenario. USMG's findings support increased revenue but does not concur with the five year net revenue projection as indicated in the Baird Business Plan. The primary reasons for the net income discrepancy is the use of a high per foot/per day rate, which was annualized and likely not achievable. The same rate was used for winter and summer, which will not occur. Also, annual leases were projected at 90% by year three. Marinas with larger vessels have significantly fewer annual leases. Predicting a high annual occupancy rate skews the revenue significantly. Please see the attached written report

and spreadsheet for a detailed analysis.

Notwithstanding the more conservative numbers provided in the attached report, staff strongly recommends moving forward with the marina project as planned. The docks have outlived their useful life and replacement is necessary. There is market demand for larger vessels for Palm Beach and this project will generate much more net revenue than the current town docks and enhance the beauty of Palm Beach for years to come.

CC: Jay Boodheshwar, Deputy Town Manager
Jane Le Clainche, Finance Director
Mike Horn, Dock Master



TO: Dean Mealy, II CPPO
Town Purchasing Manager
CC: Duke Basha, Carolyn Stone

From: US Marina Group (USMG), a division of Marine Business Advisors, LLC

Re: Town of Palm Beach Marina Study Update

January 30, 2020

Analysis of Proposed Marina Operation Plan

Overall Summary:

Due to our background and experience in the marina space, USMG was engaged to perform an operational analysis of the proposed renovation of the Town of Palm Beach Marina. We were asked to complete the following:

- 1- Review the overall marina layout and master plan
- 2- Review the projected proforma revenues and expenses
- 3- Review the staff plan
- 4- Provide guidance on a marketing plan

USMG is very familiar with the marina and the area. We have seen many of the documents, including the DEP and Army Corps Permits as well as the Baird Study and the Town's updated financial projections. We have made various site visits and inspections of the Marina property and have also had discussions with personnel from the town. USMG has also been able to review some records of past revenues and expenses provided by the Town related to the Marina operations.

1. **Review overall master plan document for rebuilt marina, including assessment of layout and design. Review marina operational plan, including evaluation of functional flow of proposed facilities, access, and amenities. Includes site visits of existing facility as needed.**

Existing Marina Facilities

The Marina operates as a typical rental marina of public docks, publicly operated by the Town of Palm Beach on State Land Lease. There are currently 84 slips made up of 3 Piers. Slips are currently fixed structures and is set up to accommodate boats from approximately 50' up to 130' with 2 T-Docks for 172' and 262'.

The marina structures are dated, and the overall facilities are tired. There is inadequate power supply for many of today's bigger yachts, there is inadequate parking, the marina office is undersized, and the wi-fi is undersized to name just a few issues.

In the past, the majority of customers had Palm Beach residency. Today, according to the marina manager, less than 40% of the customers have Palm Beach residency.

At this time, the primary attraction to docking at the marina are 3 things:

- a. Location of being in Palm Beach
- b. Lower rates than currently being charged in other area marinas
- c. Limited supply of boat slips of the current sizes available in the area, despite renovations to many of the area marinas.

The marina has always maintained a reasonable waiting list of boats looking for long-term space, however, the majority of the boats (and slips) are under 130'

The current slip size mix is as follows:

1 x Police Boat slip

14 x 50' slips

15 x 60' slips

16 x 80' slips

8 x 100' slips

17 x 110' slips

5 x 120' slips

5 x 130' slips

2 x 172' side to slips (t-dock)

1 x 262' side to slip (t-dock)

TOTAL = 81 slips + 3 side to = 84/ 7305 lineal feet ***Average Length 87'*******

Brazilian—30 slips + 1 tdock= 31

Australian—30 slips + 1 tdock = 31

Peruvian—21 slips + 1 tdock = 22

******* (45 slips 80' and under, 35 slips 100' to 130', 3 slips 172' and over)*******

Proposed Marina Facilities

The proposed and DEP approved renovated marina (Alternative 3 with slight updates) will remain at 84 slips made up of 3 Piers, however, it is unclear about the use and slip count incorporating the approved 4th Pier.

The new marina will be floating concrete docks, which is far more desirable than today's fixed docks. The new marina will primarily be set up to accommodate boats from approximately 90' up to 290' with only 3 slips between 65' to 75'. This is a major shift to larger boat sizes

When complete, the primary attraction to docking at the renovated marina will be 3 things:

- a. Location of being in Palm Beach, close to Palm Beach inlet with deep water access
- b. Ability to handle many larger yachts
- c. New floating docks with new sufficient power

The approved new slip size mix will be as follows:

1 x Police Boat

1 x 60' slip

1 x 65' slip

1 x 75' slip

31 x 90' slips

1 x 105' slip

2 x 110' slips

1 x 120' slip

8 x 125' slips

13 x 130' slips

1 x 145' slip

12 x 150' slips

6 x 200' slips

1 x 120' side to slip

1 x 212' side to slip

1 x 214' side to slip

1 x 224' side to slip

1 x 294' side to slip

Total = 79 slips + 5 side to = 84 slips/ 10,856 lineal feet*****Average Length 129'*****

Brazilian—26 slips + 2 side to = 28 slips

Australian—26 slips + 1 T-dock = 28 slips

Peruvian—26 slips + 2 side to = 28 slips

******* (34 slips 90' and under, 39 slips 105' – 150', 10 slips over 200'*******

PLUS 500' Palm Way

The new marina will be a large shift in terms of average size of boats (from 87' up to 129') and numbers of larger boat slips as per above tables show. There will, however, be challenges and a cultural shift.

The primary challenges for the new marina will be 6 things:

- a. Competition for more large yacht customers will increase from current situation
- b. Larger Yachts move more globally and are less likely to commit to annual contracts
- c. Larger Yachts have larger crews and more service vendors so parking will be challenged
- d. Larger Yachts have more towable tenders that will need dock space—Palm Way?
- e. Focused sales efforts will be required to attract the Larger Yacht customer base
- f. Staff size must increase to service this larger base of larger yachts
- g. Billing Systems must become more professional
- h. More amenities must be readily available (fitness center, meeting space, wi-fi, etc)

Observations of New Marina configuration

- a. Fairways: The fairways will remain at 1.5 times the slips size. With more sophisticated boats, ability to maneuver does not always require 1.5 times fairways, so many slips will be able to accommodate boats 10% - 15% greater than the slip size. (Many of the 90' slips will be able to handle up to 100')
- b. Distance between piers is larger than necessary, but acceptable:
64' between slips, 92' between 200' slips on Peruvian
72' between 130' slips, 76' between 150' slips on Australian
56' between 90' slips, 92' wide between 200' slips on Brazilian
This leaves room for tenders "on the hip" for 200' slips
- c. Pilings: No pilings are proposed between slips as currently exists.
90' slips would benefit from those pilings as those boats are more likely to benefit from "dolphin" pilings.
- d. Main dock golf cart access: Proper Golf Cart use down all main docks is essential for the marina to offer proper services. It was noted that this practice is not currently allowed except in certain situations. 1 new cart should be acquired for each dock as part of capital equipment.
- e. Palm Way Dock:
This dock is permitted but it is unclear as to what is allowed on this dock as the slip count of 84 is used up on the main piers. (Not counting tenders that may go "on the hip"). This dock is ideal as a tender dock and all efforts should be made to use this for that purpose. Revenues can be achieved for that use as well. The currents and location deem it not desirable for other purposes.

f. Parking:

Increased parking supply is essential and will be a large factor. Parking for additional crew, additional service vendors, larger private parties, etc. all increase demands on parking with more and larger yachts

g. Power:

We did not see the power layout but were told by the marina manager how power would be set up for each slip with the majority being all 3/phase with both 480/200 and 400amps plus 208/100amp power. Based on what we were told, this is an excellent layout and should be sufficient for all boats that have 60HZ power; however, all smaller slips (less than 80' and Palm Way dock if used as a tender dock), will suffice with single phase 208v/ 50-100amp.

It should be noted though, that there are some large European built yachts that operate on 50HZ power and, unless they have a power conversion system on board, they would not be able to use land-based power supplies regardless and they would operate on generator power.

h. Fuel:

There will not be any access for landside fuel trucks as currently restricted. If a water-based fuel barge were to offer services to boats docked at the marina, would the town allow that? The marina could generate revenue from that, depending on how it is structured.

i. Dock Boxes:

Many boats prefer to have dock boxes at their slip. With a new marina, it is acceptable to regulate the size and look of those dock boxes and require customers to buy them or lease them directly from the marina. This is an opportunity for additional revenue and to control the look of the marina walkways. An alternative option is to disallow any dock boxes at all to maintain clean and unobstructed docks.

2. **Review Pro-forma revenue and expense projections, as internally prepared by Town. Review revenue projections based on proposed slip mix, occupancy projections, rate projections, area competition and. Review expense projections based on expected operating expenses.**

Marina Rates

USMG made a review of existing rates and proposed rates. We reviewed TOPB proposed rates in Year 1 as well as proposed Baird rates, as well as our own recommendation of rates.

Regardless of the final specific rates selected, the proposed rate increases will be closer to area market rates; however, the increases in average size combined with the increased rates will have an impact on the ability to attract the same level of yachts, particularly larger yachts on annual contracts.

Typical marina staff will have some flexibility over published rates and will use that flexibility “as needed” to secure business.

RATES ALL SHOWN AS PER FOOT PER DAY/ RANGES BASED ON BOAT SIZE:

DAILY WINTER CURRENT: \$3.70 - \$5.25
DAILY WINTER PROPOSED PER USMG: \$4.00 - \$6.00
DAILY WINTER PROPOSED PER TOPB: \$4.26 - \$5.83
DAILY WINTER PROPOSED PER BAIRD: \$3.95 - \$5.95

SEASONAL WINTER CURRENT: \$2.55 - \$4.25
SEASONAL WINTER PROPOSED PER USMG: \$3.00 - \$5.00
SEASONAL WINTER PROPOSED PER TOPB: \$2.57 - \$4.43
SEASONAL WINTER PROPOSED PER BAIRD: \$3.35 - \$5.50

DAILY SUMMER CURRENT: \$1.80 - \$3.10
DAILY SUMMER PROPOSED PER USMG: \$1.75 - \$3.50
DAILY SUMMER PROPOSED PER TOPB: \$2.18 - \$2.98
DAILY SUMMER PROPOSED PER BAIRD: \$3.59 - \$5.95

SEASONAL SUMMER CURRENT: \$1.58 - \$2.39
SEASONAL SUMMER PROPOSED PER USMG: \$1.75 - \$3.50
SEASONAL SUMMER PROPOSED PER TOPB: \$1.84 - \$2.14
SEASONAL SUMMER PROPOSED PER BAIRD: \$3.35 - \$5.50

ANNUAL CURRENT: \$1.26 - \$1.80
ANNUAL PROPOSED PER USMG: \$1.75 - \$3.50
ANNUAL PROPOSED PER TOPB: \$1.46 - \$3.03
ANNUAL PROPOSED PER BAIRD: \$3.25 - \$5.25

Utility charges:

Currently, utility fees are incorporated into the rate for the first 100amp single phase. This has resulted in even a lower actual rate for dockage than what is proposed. With new metered electric at each dock, seasonal and annual customers can now pay based on the metered fee plus dockage fees. Transient and short-term customers should be charged a flat daily rate.

In both cases, however, utility fees should be a revenue opportunity to capture not just electric, but also water, sewer, trash and wi-fi. (Example: if the metered rate cost is \$.15/KW Hour, a charge of \$.20/KW Hour can be passed on to recover the additional fees and services provided).

Pro-Forma of Slip Revenues

Due to the nature and size variation of the new slip mix, USMG prepared a pro-forma of expected slip revenues that could be reasonably achieved over the next 5 years by looking at individual slips rather evaluating a blanket evaluation of overall occupancy. Only after completing that exercise did we then compare against the TOPB Proforma and Baird Study of expected slip revenues.

The USMG spreadsheet is attached as part of this report and is completed with formulas that can be easily adjusted to evaluate different scenarios and different rates and occupancy levels. USMG used the format as provided by TOPB.

Baird Study/Marina Management Services: In the opinion of USMG, the projected revenues from this study are greatly overstated on several fronts

1. The proposed rates are projected to be the same in winter and summer. This will NOT occur.
2. They used 96 slips in the slip counts. The final count is 83
3. They project annual contracts to reach 90% by year 3. We believe this to be far too aggressive for reasons as stated throughout this report.

Expenses

On the expense side, we have also reviewed the Town projected expenses and have prepared our own version of expected direct and overhead costs, using the format as used by TOPB. Obviously, the Town has a history of expenses associated with the marina. While the renovated marina will have adjustments, many of the expenses will remain. The primary increase in expenses will occur in electric consumption, water usage, staff expense and marketing (see details in spreadsheet), as well as some additional incremental overhead. Conversely, with a brand-new marina, maintenance expense will decrease for a period of time.

3. Review marina staff plan, including evaluation of proposed full and part time staff, qualification requirements of staff, functions of staff.

Proper staff is obviously critical to the success of a marina. The larger yachts expect attentive and knowledgeable staff. With 3 piers plus Palm Way and a new configuration with larger yachts, the current staff level will need to increase.

Given the type of operation that will result, it is the opinion of USMG that, the new marina should operate with a dockmaster, an assistant dockmaster and 3 dock attendants (1 F/T, 2 ¾ time).

This staff must have knowledge in handling large yachts and crews as well as basic knowledge about 3-phase power and power hookup skills.

In addition, sales skills and industry connections are critical for the primary dockmaster and assistant dockmaster. The dockmaster may be asked to be away more often promoting the marina should that be the chosen direction for this position. Therefore, additional staffing support becomes more relevant.

Attached is a draft of a potential staffing schedule:

WEEKLY ASSIGNMENT SCHEDULE								
ASSIGNMENT	MON	TUE	WED	THU	FRI	Sat	Sun	Total hours
Dockmaster	x	x	x	x	x	off	off	40 salary
Assistant Dockmaster	off	off	x	x	x	x	x	40 salary
Dockhand	off	x	x	x	x	x	off	40 hourly
Dockhand	x	x	off	off	off	off	x	24 hourly +
Dockhand	x	off	off	off	off	x	x	24 hourly +

+ additional hours and days as needed for holidays, vacations, sales time for dockmaster, etc.

4. Advise on marketing plan for marina, including identifying primary events, shows, sponsorships, publications, branding, and potential PR and marketing firms to properly promote this new mega yacht Marina.

The Town has not had any active marketing of the marina for many years other than a web site and some scattered ads. With a new reconfigured marina where the average size of boats is increased dramatically to “superyacht” category, sales and marketing is more important than ever before.

The waiting list that has existed is a very good indicator of the ongoing demand, however, the increased size of boats the marina will now cater to and the new rates that the marina will charge will likely reduce that ongoing waiting list.

Sales will need external support and the competitive landscape will extend beyond the Palm Beach area and will not just include marinas such as Rybovich and Palm Harbor. The market competition for marinas will include all of South Florida and Caribbean, while the inventory of yachts to market to will extend across the globe.

With the new marina scheduled to open at the end of 2021, the intensified marketing does not really need to gear up until 1 year from now. Nonetheless, some “teaser” marketing should begin once the project starts.

Primary Marketing should include the following minimum support until the marina is stabilized:

- Participation in Boat Shows including Palm Beach, Ft. Lauderdale, Miami and Monaco
- Sponsorship of events such as Antigua charter show, Superyacht Summit, and various Superyacht Brokerage events throughout the year
- Advertising (digitally or in print) in publications such as Boat International, Yachts International, Superyacht Times, Dockwalk and Triton
- Membership in various trade organizations such as Marine Industry Association of South Florida and Palm Beach, US Superyacht Association, Superyacht brokerage associations
- Press releases to consumer and trade publications such as Int’l Boating Industry, Marina World, Marina Dockage, Soundings Trade
- Giveaways Hats and t-shirts and promotional giveaways

NOTE: This is just a sampling and not intended to be a comprehensive list at this point

Branding: The marina’s brand should also be re-vamped. The marina uses the name “Town Docks”, “Town of Palm Beach Docks”, and “Palm Beach Docks”. With 3 docks each with their own identity and “culture”, there are numerous ways and methods to rebrand. Certainly “Palm Beach” should be included under whatever method is adopted. “Town Docks” may be misunderstood by some and does not project the identity that a superyacht marina should convey.

Website: The website for the marina is sufficient but is also dated and a bit “governmental” in its presence. Once re-opened, the marina must have a new and revamped website to provide a consistent message and image with the other branding and marketing that will be adopted.

Sales Force: In addition to regular marketing requirements as outlined above, personal relationships and “being out there” in the industry is a very important and critical piece of the marketing program. Captains of larger yachts have as much influence as owners when it comes to choosing their marina and building the relationship with both groups is very important. Whether this is the dockmaster or other persons affiliated with the marina can be discussed, but all marinas need a “face” or two.

On-line “Reservation”: Systems exist in the industry that can be added to assist the sales cycle.

Budget: The annual marketing budget as presented by Baird and TOPB are low. It is the opinion of USMG that the marketing budget for a superyacht marina of this size should be between \$200,000 - \$300,000 with an inflated amount for advance marketing. This amount can decrease over time as annual occupancy increases, but it should be assumed that it will not drop below \$150,000.

Marketing Companies: Several companies are capable of providing the services required for marketing the marina. Some are local, or based in South Florida, or based around the country. USMG would like to have further conversations with the Town before recommending any specific companies.

Overall Summary:

The renovation of the marina is long overdue. The markets have changed, the boats have changed, and the opportunities have changed. The benefits to Palm Beach are significant and, if properly operated, staffed, marketed and managed, should allow for tremendous overall benefits for many years to come.



Marina Fund
Revenue/Expense Forecast
AS UPDATED BY USMG--V1

FORECAST--AS UPDATED BY USMG-V1 01/30/2020										
	FY19	FY22	FY23	FY24	FY25	FY26				
Marina Income		Year 1	Year 2	Year 3	Year 4	Year 5	Assumptions per USMG			
Annual/Seasonal Lease Revenue	3,225,326	5,389,423	6,422,391	8,032,722	8,391,192	9,109,485	based on USMG projections			
Transient Rental	688,738	1,002,235	1,181,701	1,437,812	1,563,924	1,683,798	based on USMG projections			
Sub-Total Dockage revenues	3,914,065	6,391,658	7,604,092	9,470,534	9,955,116	10,793,283	EXCLUDES PALM WAY REVENUES			
Tender revenue		36,000	36,000	36,000	36,000	36,000	20 tenders @ \$300/month@ 6 months ave			
Utility Hook Up Fee		-	-	-	-	-	N/A: Incorporated into utility fees			
Maintenance and Improvement Fee	8,953						N/A?			
Utility Reimbursement	191,579	621,000	687,700	756,700	819,950	885,500	assumes 15% above cost			
Investment Income	468,573	25,333	50,667	76,000	101,333	126,667	2% of future dock replacement fund reserves			
Miscellaneous Revenue	1,369	6,500	7,000	7,500	8,000	8,500	dock boxes/flags/ hats/shirts			
TOTAL REVENUE PER USMG PROJECTIONS	4,584,538	7,080,491	8,385,459	10,346,733	10,920,399	11,849,949	INCLUDES CONTRACTS/TRANSIENTS			
Total Occupancy Expectation		62.1%	72.5%	83.8%	88.9%	93.7%				
Total Revenues (TOPB PROJECTIONS)		7,897,071	8,469,756	9,137,410	9,562,261	10,454,369	AS PROVIDED TO USMG			
Total Revenues (BAIRD PROJECTIONS)		10,394,469	14,176,512	17,434,274	18,195,249	19,182,115	AS PROVIDED IN REPORT			
Marina Expenses										
Salaries and Wages	225,000	285,000	299,250	314,213	329,923	346,419	based on 5 FTE			
Employee Benefits	97,561	199,000	208,950	219,398	230,367	241,886				
Contractual Costs (per below)*	683,755	1,456,787	1,570,413	1,733,380	1,804,033	1,908,396				
Other Expenses		51,400	59,400	64,400	65,650	66,963				
Total Marina Expenses	1,006,316	1,992,187	2,138,013	2,331,390	2,429,974	2,563,664				
Net Income from Operations PER USMG	3,578,222	5,088,304	6,247,446	8,015,344	8,490,425	9,286,285				
Debt Service/Transfers/Contingency							NO CHANGES BY USMG			
Capital Expense - Wifi	37,735									
Debt Service		2,035,246	2,033,578	2,031,194	2,033,032	2,034,035	\$31 Million over 20 years at 2.39%			
Depreciation Reserve	1,063,735	1,266,666	1,266,666	1,266,666	1,266,666	1,266,666	\$38 million /30 years			
Contingency		102,179	109,871	119,789	124,781	131,531	5% of Expenses			
Transfer to General Fund	1,282,160	-	-	-	-	-	Net revenue from FY22- FY26 TOTALS			
Net Income per USMG	1,194,592	1,684,213	2,837,331	4,597,695	5,065,946	5,854,053	20,039,238			
Net Income per TOPB (AS PROVIDED TO USMG)		N/A	2,755,204	3,120,651	3,508,060	3,917,206	17,689,770			
Net Income per Baird Master Plan		N/A	2,374,293	5,641,603	8,392,524	9,055,404	35,027,514			

*Contractual Costs--updated by USMG

Electric	367,124	500,000	550,000	600,000	650,000	700,000	Marina Power going form 240v to 480V for larger slips
Water	27,212	40,000	48,000	58,000	63,000	70,000	Crewed boat wash down much more frequently
Leases	126,877	383,499	456,246	568,232	597,307	647,597	6% of revenue less utilities cost
Bank Service Charge	38,777	113,288	134,167	165,548	174,726	189,599	1.6% of revenues due to increase number of tranactions
Security	64,971	120,000	132,000	141,600	144,000	151,200	
Marketing	6,700	300,000	250,000	200,000	175,000	150,000	
Total Major	631,661	1,456,787	1,570,413	1,733,380	1,804,033	1,908,396	
% of Total	0.92	100%	100%	100%	100%	100%	

Other Deductions (PER USMG)										
Golf cart/vehicle expense		5,000	5,000	5,000	5,000	5,000	2 golf carts			
Trash/Waste removal		10,000	10,000	10,000	10,000	10,000				
Maintenance		12,000	20,000	25,000	26,250	27,563	building, docks, parking lot			
Computer/Technology/Software		6,000	6,000	6,000	6,000	6,000	\$500/month for basic marina system			
Tools/Supplies		3,600	3,600	3,600	3,600	3,600				
Travel/entertainment		5,000	5,000	5,000	5,000	5,000	attend customer and industry events			
Office supplies		3,600	3,600	3,600	3,600	3,600				
Uniforms		1,200	1,200	1,200	1,200	1,200				
Misc Expenses		5,000	5,000	5,000	5,000	5,000				
TOTAL ADDITIONAL USMG DEDUCTIONS	11,629	51,400	59,400	64,400	65,650	66,963				

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 11, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Director of Finance

Re: Resolution for the Loan with CenterState Bank N.A. for the Marina Project
Resolution No. 08-2020

Date: January 31, 2020

STAFF RECOMMENDATION

Staff requests Town Council approval of Resolution No. 08-2020, which would allow for the execution and delivery of a loan agreement with CenterState Bank, N. A. for the Marina Project.

GENERAL INFORMATION

The Town issued an RFP on December 16, 2019, to financial institutions for a fixed rate, non-bank qualified term loan at the lowest overall cost. The Town received nine (9) proposals and CenterState provided the best rate and terms for the Town for a 20 year loan. The rate is a 20-year tax-exempt rate of 2.39% for the term of the loan. The proposal allows the ability to prepay the loan with a 1% premium during the first 4 years and at par thereafter.

Resolution No. 08-2020 authorizes a loan of \$31,000,000 with CenterState Bank, N.A. to be used by the Town to finance the cost of the Marina Project and to pay the costs of issuance of the Bond. The Resolution delegates authority to the Mayor or Town Manager to award the Bonds and execute the Loan Agreement. Additionally, the Resolution approves the issuance of the Bond and related plan of financing by the Town pursuant to Section 147(f) of the Code and applicable U.S. Treasury Regulations. In this regard, the Town Council should consider adoption of Resolution No. 08-2020 after holding the TEFRA hearing.

The Town's Financial Advisor, Mr. Jay Glover with PFM, will be in attendance to make a brief presentation regarding the financing. Also in attendance to answer any questions the Town Council may have will be, Richard Miller, bond counsel with Locke Lord, LLC.

TOWN ATTORNEY REVIEW

The Town's Bond Counsel, Locke Lord LLP, prepared the attached Resolution.

FUNDING/FISCAL IMPACT

The loan payments for the first year will be interest only and will be paid for with Marina Reserves. Thereafter, the Marina is expected to generate revenues in excess of the operating and debt service costs. Annual debt service costs will be approximately \$2,035,000.

Attachments

jl

cc: John C. Randolph, Town Attorney
Richard Miller, Locke Lord, LLP
Jay Glover, PFM
Carolyn Stone, Director of Business Development & Operations

RESOLUTION NO. 08-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA (THE “TOWN”), APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT; AUTHORIZING AND APPROVING THE ISSUANCE OF A BOND BY THE TOWN IN CONNECTION WITH SAID LOAN AGREEMENT RELATIVE TO THE FINANCING OF ALL OR A PORTION OF THE TOWN’S MARINA PROJECT AND PAYING COSTS OF ISSUANCE OF THE BOND; APPROVING THE ISSUANCE OF THE BOND AND RELATED PLAN OF FINANCING WITHIN THE MEANING OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED AND RELATED U.S. TREASURY REGULATIONS; AUTHORIZING THE PROPER OFFICIALS OF THE TOWN TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE LOAN AGREEMENT AND SAID BOND; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida (the “Town”), pursuant to the provisions of the Florida Constitution; the Town Charter of the Town as amended and supplemented; Chapter 166, Florida Statutes, as amended and supplemented; and other applicable provisions of law (collectively, “Act”) is authorized to borrow money, contract loans and issue bonds, notes or other obligations or evidences of indebtedness of any type or character to finance or refinance the undertaking of any capital or other project for purposes permitted under Florida law; and

WHEREAS, the Town Council of the Town (the “Town Council”) deems it to be in the best interest of the Town to make certain improvements to the Town Marina (the “Marina Project”) as more fully described in Exhibit B to the herein defined Loan Agreement; and

WHEREAS, the Town previously circulated its Request for Proposals No. 2020-06 dated December 16, 2019 seeking proposals from financial institutions to provide a fixed rate, non-bank qualified term loan to finance all or a portion of the Marina Project; and

WHEREAS, CenterState Bank, N.A. (the “Financial Institution”) has agreed to make a loan to the Town in an amount of not exceeding \$31,000,000 to be used by the Town to finance all or a portion of the cost of the Marina Project and paying costs of issuance of the Bond, as described below; and

WHEREAS, the Financial Institution’s commitment to provide a loan to the Town is conditioned upon the Town agreeing to secure its obligations under the Bond (as defined herein) with a pledge of Pledged Revenues (as defined herein) to pay principal of, redemption premium, if any, and interest on the Bond issued under the Loan Agreement; and

WHEREAS, the Town deems it to be in its best interest to enter into a loan agreement with the Financial Institution, the form of which is attached hereto as Exhibit A (the "Loan Agreement"), for the purpose of setting forth the terms and provisions by which the Financial Institution will permit the Town to borrow not exceeding \$31,000,000 in aggregate principal amount; and

WHEREAS, the form of the Bond, the terms and the rights, security and remedies of the holder of the Bond shall be as prescribed in the Loan Agreement; and

WHEREAS, in accordance with applicable U.S. Treasury Regulations a public meeting (the "TEFRA public hearing") was held to give the public an opportunity to express their views with respect to the proposed issuance of the Bond and related plan of financing upon published notice to that effect; and

WHEREAS, notice of the TEFRA public hearing was published in *The Palm Beach Post* on February 2, 2020 and the Town has this day held the TEFRA public hearing in accordance with applicable U.S. Treasury Regulations and the Internal Revenue Code of 1986, as amended (the "Code").

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

SECTION 1. Definitions. Any term not otherwise defined in this Resolution shall have the meaning ascribed to such term in the Loan Agreement.

SECTION 2. Authority for this Resolution. This Resolution is adopted pursuant to the provisions of the Act.

SECTION 3. Resolution Constitutes Contract. In consideration of the acceptance of the Bond authorized to be issued hereunder and under the Loan Agreement by those who shall hold the same from time to time, this Resolution shall be deemed to be and shall constitute a contract between the Town and such Bondholder and the covenants and agreements herein set forth to be performed by said Town shall be for the equal benefit, protection and security of the Bondholder.

SECTION 4. The Loan Agreement. The Loan Agreement, in substantially the form submitted to this meeting, be and the same is hereby approved. The Mayor or the Town Council President is hereby authorized and directed to execute, and the Acting Town Clerk, or any Deputy Town Clerk to attest, the Loan Agreement and to deliver the same to the Financial Institution substantially in the form presented to this meeting, but with such changes, insertions and omissions (upon advice of the Town Attorney and Bond Counsel) as shall be approved by the Mayor or Town Council President (such approval to be conclusively evidenced by the execution and delivery thereof), and the Acting Town Clerk, or any Deputy Town Clerk is hereby authorized and directed to affix and attest the seal of the Town thereto. Additionally, the execution and delivery of the Loan Agreement shall be subject to delivery by the Financial Institution of a truth-in-bonding statement and disclosure statement as required by Section 218.385 of the Florida Statutes.

SECTION 5. Authorization of the Bond. Subject and pursuant to the provisions of this Resolution and the Loan Agreement, an obligation of the Town, to be known as “Town of Palm Beach, Florida Public Improvement Revenue Bond, Series 2020” (with such other designation as the Town shall deem appropriate at the time of execution and delivery thereof, the “Bond”) is hereby authorized to be issued in aggregate principal amount of not exceeding THIRTY-ONE MILLION DOLLARS (\$31,000,000) for the purpose of financing all or a portion of the cost of the Marina Project and paying costs of issuance.

SECTION 6. Description of the Bond. The text of the Bond shall be substantially in the form attached as Exhibit A to the Loan Agreement, with such omissions, insertions and variations as may be necessary and desirable. The Bond shall be in typewritten form and shall be dated the date of its delivery and bear interest from its date at the rate or rates set forth in the Bond.

All payments of principal of and interest on the Bond shall be payable in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public and private debts and shall be made to the Bondholder thereof by check mailed to the Bondholder at the address designated in writing by the Bondholder for purposes of payment or by bank wire or bank transfer as such Bondholder may specify in writing to the Town or otherwise as the Town and such Bondholder may agree.

SECTION 7. Execution of the Bond. The Bond shall be executed in the name of the Town by the manual or facsimile signature of the Mayor (or in the absence of the Mayor, the Town Council President) and the official seal shall be affixed thereto, or imprinted or reproduced thereon, and attested by the manual or facsimile signature of the Acting Town Clerk (or in the absence of the Acting Town Clerk, any Deputy Town Clerk). In case any one or more of the officers, who shall have signed or sealed the Bond, shall cease to be such officer of the Town, as the case may be, before the Bond so signed and sealed shall have been actually delivered, such Bond may nevertheless be delivered as herein provided and may be issued as if the person who signed or sealed such Bond had not ceased to hold such office. Any Bond may be signed and sealed on behalf of the Town by such person who at the actual time of the execution of such Bond shall hold the proper office, although at the date the Bond shall actually be delivered, such person may not have held such office or may not have been so authorized.

SECTION 8. Application of Bond Proceeds. Proceeds of the Bond shall be used for purposes of financing all or a portion of the cost of the Marina Project and paying costs of issuance.

SECTION 9. Approval of the Issuance of the Bond and Related Plan of Financing. The issuance of the Bond and related plan of financing by the Town are hereby approved pursuant to Section 147(f) of the Code and applicable U.S. Treasury Regulations.

SECTION 10. Tax Covenant. In order to maintain the exclusion from gross income for purposes of Federal income taxation of interest on the Bond, the Town shall comply with each requirement of the Code necessary to maintain the exclusion of interest on the Bond from gross income for Federal income tax purposes. In furtherance of the covenant contained in the preceding sentence, the Town agrees to continually comply with the provisions of the Tax

Certificate to be executed by the Town, at the time the Bond is issued, as such certificate may be amended from time to time, as a source of guidance for achieving compliance with the Code (herein referred to as the “Tax Certificate”).

The Town shall make any and all payments required to be made to the United States Department of the Treasury in connection with the Bond pursuant to Section 148(f) of the Code.

Notwithstanding any other provision of this Resolution to the contrary, so long as necessary in order to maintain the exclusion from gross income of interest on the Bond for Federal income tax purposes, the covenants contained in this Section shall survive the payment of the Bond and the interest thereon, including any payment or defeasance thereof.

The Town shall not use or permit the use of any of the proceeds of the Bond, or any other funds of the Town, directly or indirectly, to acquire any securities, obligations or other investment property, and shall not take or permit to be taken any other action or actions, which would cause any Bond to be an “arbitrage bond” as defined in Section 148 of the Code.

The foregoing notwithstanding, the Town makes no representation as to the federal income tax status of interest on the Bond for any period that the Bond is held by a “substantial user” of the facilities financed or refinanced by the Bond or by a related person within the meaning of Section 147(a) of the Code. It is understood that interest on the Bond is a specific preference item for purposes of the federal alternative minimum tax imposed on individuals.

SECTION 11. Town’s Pledge of Pledged Revenues For the Repayment of the Bond. In consideration of making a loan, the Financial Institution has requested that the Town pledge the Pledged Revenues to pay the principal of, redemption premium, if any, and interest on the Bond. The Town hereby pledges the Pledged Revenues, in amounts sufficient to pay the principal of, redemption premium, if any, and interest on the Bond, as the same become due.

For the purposes hereof:

“Non-Ad Valorem Revenues” shall mean shall mean all legally available revenues of the Town derived from any source whatever other than ad valorem taxation on real and personal property, which are legally available for payment by the Town of debt service on the Series 2020 Bond, after payment of the principal of and interest on any other obligations of the Town hereafter issued which have a prior pledge on any source of the Non-Ad Valorem Revenues, but including appropriable fund balances within all funds over which the Town Council of the Town has full and complete discretion to appropriate the resources therein and which are legally available for payment of debt service by the Town.

“Pledged Revenues” shall mean: (a) the Town Moneys, (b) the proceeds of the Bond pending the application thereof, including investment earnings thereon, and (c) any other additional moneys the Town may elect by subsequent proceedings of the Town to encumber for the payment of the principal of, redemption premium, if any, and interest on the Bond.

“Town Moneys” shall mean the moneys budgeted and appropriated by the Town and set aside in the General Fund for purposes of paying debt service on the Bond from Non-Ad Valorem Revenues for the purposes of repayment of the Bond, pursuant to Section 12 hereof.

SUCH PLEDGE OF THE PLEDGED REVENUES IN CONNECTION WITH THE BOND SHALL NOT BE OR CONSTITUTE AN INDEBTEDNESS OF THE TOWN OR THE STATE OF FLORIDA, WITHIN THE MEANING OF ANY CONSTITUTIONAL, STATUTORY OR CHARTER LIMITATIONS OF INDEBTEDNESS, BUT SHALL BE PAYABLE SOLELY IN THE MANNER AND TO THE EXTENT SET FORTH IN THIS RESOLUTION AND THE LOAN AGREEMENT. NO HOLDER OF A BOND SHALL EVER HAVE THE RIGHT TO COMPEL THE EXERCISE OF THE AD VALOREM TAXING POWER OF THE TOWN OR PALM BEACH COUNTY, FLORIDA, OR TAXATION IN ANY FORM ON ANY PROPERTY THEREIN TO PAY THE BOND OR THE INTEREST THEREON.

SECTION 12. Covenant To Budget And Appropriate. The Town covenants and agrees to appropriate in its annual budget, by amendment, if necessary, from Non-Ad Valorem Revenues, amounts sufficient to pay the principal of, redemption price, if applicable, and interest on the Bond when due, whether at maturity or by mandatory sinking fund redemption and all other amounts owing under the Loan Agreement, all in accordance with the provisions of this Resolution and the Loan Agreement. Such covenant and agreement on the part of the Town to budget and appropriate such amounts of Non-Ad Valorem Revenues shall be cumulative to the extent not paid, and shall continue until such Non-Ad Valorem Revenues or other legally available funds in amounts sufficient to make all such required payments shall have been budgeted, appropriated and actually paid. Notwithstanding the foregoing covenant of the Town, the Town does not covenant to maintain any services or programs, now provided or maintained by the Town, which generate Non-Ad Valorem Revenues.

SECTION 13. Modification or Amendment. No modification or amendment of this Resolution or of any resolution amendatory thereof or supplemental thereto, may be made without the consent in writing of the Financial Institution.

SECTION 14. Additional Authorization. That the Mayor, the Acting Town Clerk, and any other proper official of the Town, be and each of them is hereby authorized and directed to execute and deliver any and all documents and instruments, and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Resolution and the Loan Agreement.

SECTION 15. Remedies of Bondholder. Should the Town default in its obligations created by this Resolution, the Bond or the Loan Agreement the Financial Institution, may, in addition to any remedy set forth in this Resolution, the Bond or the Loan Agreement, either at law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State of Florida, or granted and contained in this Resolution, the Bond or the Loan Agreement, and may enforce and compel the performance of all duties required by this Resolution, the Bond, the Loan Agreement, or by any applicable statutes to be performed by the Town or by any officer thereof.

SECTION 16. Severability of Invalid Provisions. If any one or more of the covenants, agreements or provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants,

agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions, and shall in no way affect the validity of any of the other provisions of this Resolution.

SECTION 17. Negotiated Sale Authorized. Pursuant to Section 218.385 of the Florida Statutes, as amended, the Town hereby determines that the offering of the Bond pursuant to a negotiated sale to the Financial Institution as contemplated by the Loan Agreement rather than a public sale by competitive bid is in the best interests of the Town in light of the complex nature of the security for the Bond and rapidly changing market conditions in the financial markets.

SECTION 18. Effective Date. This Resolution shall take effect upon its passage in the manner provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of February, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

Exhibit A
Loan Agreement

LOAN AGREEMENT

BETWEEN

TOWN OF PALM BEACH, FLORIDA

AND

CENTERSTATE BANK, N.A.

Dated: March __, 2020

This **LOAN AGREEMENT** (the “Agreement”) is made and entered into on March_, 2020, by and between the Town of Palm Beach, Florida, a municipal corporation in the State of Florida, and its successors and assigns (the “Town”), and CenterState Bank, N.A. a national banking association and its successors and assigns (the “Financial Institution”);

WITNESSETH:

WHEREAS, the Town of Palm Beach, Florida (the “Town”), pursuant to the provisions of the Florida Constitution; the Town Charter of the Town as amended and supplemented; Chapter 166, Florida Statutes, as amended and supplemented; and other applicable provisions of law (collectively, the “Act”) is authorized to borrow money, contract loans and issue bonds, notes or other obligations or evidences of indebtedness of any type or character to finance or refinance the undertaking of any capital or other project for purposes permitted under Florida law; and

WHEREAS, the Town has determined there is a need to make certain improvements to the Town’s Marina as more fully described in Exhibit B hereto (collectively, the “Project”); and

WHEREAS, the Financial Institution has agreed to make a loan to the Town in the amount of \$31,000,000 to be used by the Town to pay all or a portion of the cost of the Project and costs of issuance of the Series 2020 Bond, as described below,

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

That the parties hereto, intending to be legally bound hereby and in consideration of the mutual covenants hereinafter contained, DO HEREBY AGREE as follows:

ARTICLE I

DEFINITION OF TERMS

SECTION 1.01. Definitions. The terms defined in this Article I shall, for all purposes of this Agreement, have the meanings in this Article I specified, unless the context clearly otherwise requires.

“Act” shall mean the Florida Constitution, Chapter 166 of the Florida Statutes, as amended and supplemented and the Charter of the Town, as amended and supplemented, and other applicable provisions of the law.

“Agreement” shall mean this Loan Agreement, dated March ___, 2020, between the Town and the Financial Institution and any and all modifications, alterations, amendment and supplements hereto made in accordance with the provisions hereof.

“Bond Counsel” shall mean Locke Lord LLP.

“Bondholder” shall mean the Financial Institution or any subsequent holder of the Series 2020 Bond.

“Bond Resolution” shall mean Resolution No. ___-2020, adopted by the Town Council of the Town on February 11, 2020, which among other things authorized the issuance of the Series 2020 Bond pursuant to this Agreement to finance the cost of the Project and costs of issuance.

“Clerk” shall mean the Acting Town Clerk, including any deputy clerk.

“Code” shall mean the Internal Revenue Code of 1986, the applicable Treasury Regulations promulgated thereunder and any administrative or individual interpretations of the same published in a form on which the Town may rely as a matter of law.

“Default Rate” shall mean the Interest Rate, plus 3.00% per annum.

“Financial Institution” shall mean CenterState Bank, N.A. and its successors and assigns.

“Interest Payment Date” shall mean each January 1 and July 1, commencing on July 1, 2020.

“Interest Rate” shall mean 2.39% per annum, subject to adjustment upon a Determination of Taxability in the manner and to the extent described the Series 2020 Bond.

“Loan” shall mean the outstanding \$31,000,000 principal amount of the Series 2020 Bond issued hereunder.

“Maturity Date” shall mean January 1, 2040.

“Non-Ad Valorem Revenues” shall mean all legally available revenues of the Town derived from any source whatever other than ad valorem taxation on real and personal property, which are legally available for payment by the Town of debt service on the Series 2020 Bond, after payment of the principal of and interest on any other obligations of the Town hereafter issued which have a prior pledge on any source of the Non-Ad Valorem Revenues, but including appropriable fund balances within all funds over which the Town Council of the Town has full and complete discretion to appropriate the resources therein and which are legally available for payment of debt service by the Town.

“Payment Date” shall mean with respect to principal of and interest on the Series 2020 Bond, each Interest Payment Date, Principal Payment Date, the Maturity Date, or any date the principal of the Series 2020 Bond is optionally prepaid in whole or in part.

“Pledged Revenues” shall mean (a) the Town Moneys, (b) the proceeds of the Series 2020 Bond pending the application thereof, including investment earnings thereon and (c) any other additional moneys the Town may elect by subsequent proceedings of the Town to encumber for the payment of the principal of, redemption premium, if any, and interest on the Series 2020 Bond.

“Principal Payment Date” shall mean each January 1, commencing on January 1, 2022 to and including the Maturity Date.

“Project” shall mean the acquisition, construction and equipping of certain improvements to the Town’s Marina as described in Exhibit B hereto.

“Series 2020 Bond” shall mean the Town’s Public Improvement Revenue Bond, Series 2020.

“Town” shall mean the Town of Palm Beach, Florida, a municipal corporation in the State of Florida.

“Town Moneys” shall mean the moneys budgeted and appropriated by the Town and set aside in the General Fund pursuant to Section 2.04 hereof for purposes of paying debt service on the Series 2020 Bond, from Non-Ad Valorem Revenues pursuant to the Town’s covenant to budget and appropriate such Non-Ad Valorem Revenues.

SECTION 1.02. Interpretation. Unless the context clearly requires otherwise, words of masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa. Any capitalized terms used in this Agreement not herein defined shall have the meanings ascribed to such terms in the Bond Resolution.

This Agreement and all the terms and provisions hereof shall be construed to effectuate the purpose set forth herein and to sustain the validity hereof.

SECTION 1.03. Titles and Headings. The titles and headings of the articles and sections of this Agreement have been inserted for convenience of reference only and are not be considered a part hereof, shall not in any way modify or restrict any of the terms and provisions hereof, and shall

not be considered or given any effect in construing this Agreement or any provision hereof or in ascertaining intent, if any question of intent should arise.

(End of Article I)

ARTICLE II

REPRESENTATIONS, WARRANTIES, AND COVENANTS

SECTION 2.01. Representations by the Town. The Town represents and warrants that:

(1) The Town is a municipal corporation in the State of Florida validly existing under the laws of the State of Florida (the “State”), including the Act. Pursuant to the Bond Resolution, the Town has authorized the issuance of the Series 2020 Bond and the execution and delivery of this Agreement, and the performance by the Town of all of its obligations hereunder and under the Series 2020 Bond, and the Town has the power and authority to execute and deliver this Agreement. This Agreement and the Series 2020 Bond have been duly executed and delivered by the Town and each constitutes the legal, valid and binding obligation of the Town, enforceable against the Town in accordance with their respective terms, subject to bankruptcy laws and other laws affecting creditor’s rights and the exercise of judicial discretion.

(2) The Town has complied with all of the provisions of the constitution and laws of the State, including the Act, and has full power and authority to enter into and consummate all transactions contemplated by this Agreement or under the Series 2020 Bond, and to perform all of its obligations hereunder and the transactions contemplated hereby do not conflict with the terms of any statute, order, rule, regulation, judgment, decree, agreement, instrument or commitment to which the Town is a party or by which the Town is bound.

(3) There are no actions, suits or proceedings pending or, to the knowledge of the Town, threatened against or affecting the Town or involving the validity or enforceability of this Agreement, the Bond Resolution or the Series 2020 Bond, or the authority of the Town to impose and collect its Non-Ad Valorem Revenues, at law or in equity, or before or by any governmental authority, except actions, suits and proceedings that are fully covered by insurance or that, if adversely determined, would not materially impair the ability of the Town to perform the Town’s obligations under this Agreement or under the Series 2020 Bond or which would have a material adverse effect on the Town (financial or otherwise).

(4) The financial information furnished to Financial Institution in connection with this Agreement is complete and accurate, and Town has no known undisclosed direct or contingent liability.

(5) The Town has not incurred any debts, liabilities, or obligations and has not committed itself to incur any debts, liabilities, or obligations other than those disclosed in writing to Financial Institution in connection with the Loan hereunder or shown on the financial statements submitted to Financial Institution.

(6) The Town will furnish to Financial Institution within 270 days after the close of each Fiscal Year an annual audited financial statement of the Town certified by an independent certified public accountant.

(7) The Town shall provide the Financial Institution with its annual budget within sixty (60) days of its adoption upon request of the Financial Institution, and the Town shall provide the Financial Institution with the right to inspect or receive copies of other financial reports, information, accounts, statements, documents upon reasonable prior notice.

SECTION 2.02. General Representations, Warranties and Covenants of the Financial Institution. The Financial Institution hereby represents, warrants and agrees that it is a national banking association authorized to execute and deliver this Agreement and to perform its obligations hereunder, and such execution and delivery will not constitute a violation of its charter, articles of association or bylaws. Pursuant to the terms and provisions of this Agreement, the Financial Institution agrees to loan to the Town up to \$31,000,000 for the purpose of financing all or a portion of the Project and paying related costs of issuance.

SECTION 2.03. Tax Covenant. In order to maintain the exclusion from gross income for purposes of Federal income taxation of interest on the Series 2020 Bond, the Town shall comply with each necessary requirement of and not permit any omission under the Code to maintain the exclusion of interest on the Series 2020 Bond from gross income for Federal income tax purposes. In furtherance of the covenant contained in the preceding sentence, the Town agrees to continually comply with the provisions of the Tax Certificate, to be executed by the Town, at the time the Series 2020 Bond is issued, as such certificate may be amended from time to time, as a source of guidance for achieving compliance with the Code (herein referred to as the “Tax Certificate”).

The Town shall make any and all payments required to be made to the United States Department of the Treasury in connection with the Series 2020 Bond pursuant to Section 148(f) of the Code.

Notwithstanding any other provision of the Bond Resolution to the contrary, so long as necessary in order to maintain the exclusion from gross income of interest on the Series 2020 Bond for Federal income tax purposes, the covenants contained in this Section shall survive the payment of the Series 2020 Bond and the interest thereon, including any payment or defeasance thereof.

The Town shall not use or permit the use of any of the proceeds of the Series 2020 Bond, or any other funds of the Town, directly or indirectly, to acquire any securities, obligations or other investment property, and shall not take or permit to be taken any other action or actions, which would cause any Series 2020 Bond to be an “arbitrage bond” as defined in Section 148 of the Code.

The foregoing notwithstanding, the Town makes no representation as to the federal income tax status of interest on the Series 2020 Bond for any period that the Series 2020 Bond is held by a “substantial user” of the facilities financed or refinanced by the Series 2020 Bond or by a related person within the meaning of Section 147(a) of the Code. It is understood that interest on the Series 2020 Bond is a specific preference item for purposes of the federal alternative minimum tax imposed on individuals.

SECTION 2.04. Covenant to Budget and Appropriate. The Town covenants and agrees to appropriate in its annual budget, by amendment, if necessary, from Non-Ad Valorem Revenues, amounts sufficient to pay the principal of, redemption price, if applicable, and interest on the Series 2020 Bond when due and all other amounts owing under this Agreement, all in

accordance with the provisions of this Agreement. Such covenant and agreement on the part of the Town to budget and appropriate such amounts of Non-Ad Valorem Revenues shall be cumulative to the extent not paid, and shall continue until such Non-Ad Valorem Revenues or other legally available funds in amounts sufficient to make all such required payments shall have been budgeted, appropriated and actually paid. Notwithstanding the foregoing covenant of the Town, the Town does not covenant to maintain any services or programs, now provided or maintained by the Town, which generate Non-Ad Valorem Revenues.

The Town agrees that its covenant and agreement to budget and appropriate Non-Ad Valorem Revenues shall be deemed entered into for the benefit of the Bondholder and this obligation may be enforced by a court of competent jurisdiction. However, such covenant to budget and appropriate does not create any lien upon or pledge of such Non-Ad Valorem Revenues, nor does it preclude the Town from pledging in the future its Non-Ad Valorem Revenues, nor does it require the Town to levy and collect any particular Non-Ad Valorem Revenues, nor does it give the Bondholder a prior claim on the Non-Ad Valorem Revenues as opposed to claims of general creditors of such Town. However, the covenant to budget and appropriate for the purposes and in the manner stated herein shall have the effect of making available for the payment of the Series 2020 Bond, in the manner described herein, Non-Ad Valorem Revenues, and placing on the Town a positive duty to appropriate and budget, by amendment, if necessary, amounts sufficient to meet its obligations hereunder; subject, however, in all respects to the restrictions of Section 166.241(3), Florida Statutes, which provides, in part, that the governing body of each municipality make appropriations for each fiscal year which, in any one year, shall not exceed the amount to be received from taxation or other revenue sources; and subject, further, to the payment of services and programs which are for essential public purposes affecting the health, welfare and safety of the inhabitants of the Town or which are legally mandated by applicable law. Further, the Town agrees to abide by its covenant described in Section 2.05 herein.

SECTION 2.05. Additional Debt Secured by a Covenant to Budget and Appropriate from Non-Ad Valorem Revenues. The Town covenants that in each fiscal year while the Series 2020 Bond is outstanding, the total Non-Self-Supporting Debt Service (as defined below) due in any fiscal year of the Town will not exceed 50% of Non-Ad Valorem Revenues of the Town. In addition, the Town covenants and agrees that it will not incur any indebtedness payable from or supported by a pledge of the Non-Ad Valorem Revenues unless the Town can show that following the incurrence of such additional indebtedness, (i) the total amount of Non-Ad Valorem Revenues (based on the most recent fiscal year) will be greater than 2.00 times the then Maximum Debt Service, and (ii) the total amount of Non-Ad Valorem Revenues in each fiscal year in which the Series 2020 Bond is outstanding (based on reasonable projections of the Town) will be greater than 2.00 times the Non-Self-Supporting Debt in each such fiscal year.

For purposes of determining compliance with the foregoing test, the term “Non-Ad Valorem Revenues” means all legally available revenues of the Town derived from any source whatever, other than ad valorem taxation on real and personal property, which are legally available for payment by the Town of Non-Self-Supporting Debt, excluding Project Grant Moneys (as defined below), non-ad valorem special assessments which are exclusively pledged to the payment of obligations secured by the special assessments (“Special Assessment Obligations”), and Direct Payments, regardless of whether a particular source of Non-Ad Valorem Revenues has been

pledged to any specific Non-Self-Supporting Debt or may not otherwise be available to pay debt service on any specific Non-Self-Supporting Debt. It should be noted that pursuant to applicable Florida law certain components of Non-Ad Valorem Revenues may not be legally available to pay debt service on the Series 2020 Bond.

“Direct Payments” means any direct payments, grants or other subsidies received from the federal government or the State of Florida relative to debt service on debt obligations.

“Project Grant Moneys” means any federal, State of Florida, county or other grant moneys relating to the capital projects financed by the Series 2020 Bond that are legally available to pay principal and/or interest on the Series 2020 Bond, but does not include Direct Payments.

“Non-Self-Supporting Debt” means debt service on debt obligations of the Town other than debt obligations relating to an enterprise fund or general obligation bonds of the Town or Special Assessment Obligations. In addition, for purposes of the foregoing (i) “Non-Self-Supporting Debt Service” means the debt service on Non-Self-Supporting Debt, and (ii) “Maximum Debt Service” means, at any time, the maximum amount required in the then current or any future fiscal year to pay (a) all Non-Self-Supporting Debt, and (b) the proposed indebtedness of the Town (i) which will be payable from Non-Ad Valorem Revenues or (ii) for which the Non-Ad Valorem Revenues will be pledged.

The foregoing notwithstanding, in the event any debt obligations are additionally secured by non-ad valorem special assessments, debt service on such debt obligations shall be calculated net of the amount of non-ad valorem special assessments collected during the prior fiscal year provided that at least 90% of the non-ad valorem special assessments imposed in the prior fiscal year are collected, and in such event such non-ad valorem special assessments are not included in the calculation of Non-Ad Valorem Revenues. If less than 90% of the non-ad valorem special assessments imposed in the prior fiscal year are collected, the debt service on the debt obligations additionally secured by non-ad valorem special assessments will be included as Non-Self-Supporting Debt Service, but the Town will be permitted to treat the non-ad valorem special assessments that were collected as Non-Ad Valorem Revenues for purposes of the foregoing tests.

In the case of debt obligations bearing interest at a variable rate (“Variable Rate Bonds”), interest on such Variable Rate Bonds shall be assumed to be the greater of (A) one hundred ten percent (110%) of the average interest rate on such Variable Rate Bonds during the twenty-four (24) months ending with the month preceding the date of calculation or such shorter period that such Variable Rate Bonds shall have been outstanding; and (B) the actual rate of interest on such Variable Rate Bonds on the date of calculation; provided that if a series of Variable Rate Bonds had not been outstanding prior to the date of calculation, the amount set forth in clause (A) above shall be calculated as though such Variable Rate Bonds had been outstanding for the twenty-four (24) month period by using (i) one hundred ten percent (110%) of the average of the Securities and Financial Markets Association (SIFMA) Municipal Swap Index for the twenty-four (24) months ending with the month preceding the date of calculation, and (ii) if the Variable Rate Bonds are bonds the interest on which is includable in the gross income of the holders thereof for federal income tax purposes, the 1-month LIBOR interest rate.

SECTION 2.06. [Reserved].

SECTION 2.07. Payment Covenant. The Town covenants that it shall duly and punctually pay from Pledged Revenues the principal of the Series 2020 Bond, the interest thereon at the Interest Rate on the Payment Dates and any other amounts set forth under this Agreement or in the Series 2020 Bond in the place and in the manner provided herein and in the Series 2020 Bond according to the true intent and meaning thereof.

(End of Article II)

ARTICLE III
TOWN'S OBLIGATION, DESCRIPTION,
PAYMENT TERMS, OPTIONAL PREPAYMENT

SECTION 3.01. Series 2020 Bond Not to be Indebtedness of the Town or State. THE SERIES 2020 BOND, WHEN DELIVERED BY THE TOWN PURSUANT TO THE TERMS OF THIS AGREEMENT, SHALL NOT BE OR CONSTITUTE AN INDEBTEDNESS OF THE TOWN OR THE STATE OF FLORIDA, WITHIN THE MEANING OF ANY CONSTITUTIONAL, STATUTORY OR CHARTER LIMITATIONS OF INDEBTEDNESS, BUT SHALL BE PAYABLE SOLELY AS HEREIN PROVIDED. NO BONDHOLDER SHALL EVER HAVE THE RIGHT TO COMPEL THE EXERCISE OF THE AD VALOREM TAXING POWER OF THE TOWN OR PALM BEACH COUNTY, FLORIDA, OR TAXATION IN ANY FORM ON ANY PROPERTY THEREIN TO PAY THE SERIES 2020 BOND OR THE INTEREST THEREON.

The Series 2020 Bond is payable as to both principal, redemption premium, if any, and interest, from a lien on and pledge of Pledged Revenues. There are hereby pledged for the payment of the principal of, premium, if any, and interest on the Series 2020 Bond, the Pledged Revenues.

The covenant to appropriate Non-Ad Valorem Revenues is not a pledge by the Town of such Non-Ad Valorem Revenues until appropriated in the Town's budget as Town Moneys but is subject in all respects to the payment of obligations secured by a pledge of Non-Ad Valorem Revenues of the Town heretofore or hereafter entered into, including the payment of debt service on bonds or other debt obligations.

SECTION 3.02. Description and Payment Terms of the Series 2020 Bond.

(a) The Town shall, pursuant to authority granted under the Bond Resolution, issue and deliver the Series 2020 Bond to the Financial Institution as Bondholder. The Series 2020 Bond shall be designated as "Town of Palm Beach, Florida Public Improvement Revenue Bond, Series 2020" with such other designation as the Town deems appropriate and the outstanding principal amount of such Series 2020 Bond shall not exceed Thirty-One Million Dollars (\$31,000,000). The Series 2020 Bond shall be in the form attached hereto as Exhibit A.

(b) The Series 2020 Bond shall be dated its date of delivery and bear interest from its date at the rate set forth therein.

(c) The Series 2020 Bond shall be subject to prepayment in the manner set forth in the Series 2020 Bond.

(d) The Series 2020 Bond shall be initially registered in the name of the Financial Institution. For so long as the Series 2020 Bond remains unpaid, the Town will keep books and records for the registration and transfer of the Series 2020 Bond. The Series 2020 Bond shall be transferable only upon such registration books in any denominations equal to the principal amount thereof. The person or entity in whose name a Series 2020 Bond shall be registered shall be deemed the registered Bondholder and the absolute owner thereof for all purposes, and the payment of principal and interest on such Series 2020 Bond shall be made only to the

Bondholder. The Financial Institution or any subsequent Bondholder shall be entitled to transfer, sell or assign the Series 2020 Bond in amount equal to the outstanding principal amount thereof, so long as such sale or transfer is in accordance with all applicable federal and State securities rules, laws, and regulations.

(End of Article III)

ARTICLE IV

CONDITIONS FOR LOAN

The Financial Institution shall not be obligated to make the Loan under this Agreement unless at the date specified for the making thereof the Town delivers to the Financial Institution:

(a) A certificate of the Finance Director of the Town, dated as of the date of such Loan, to the effect that no Event of Default (as defined in Article V of this Agreement) or event which, with the passage of time or the giving of notice or both, would constitute an Event of Default shall have occurred.

(b) An Opinion of Bond Counsel regarding the due authorization, execution, delivery, validity and enforceability of the Agreement and the Series 2020 Bond and the due adoption of the Bond Resolution (enforceability of such instruments may be subject to standard bankruptcy exceptions and the like), the exclusion of interest on the Series 2020 Bond from gross income for Federal income tax purposes; provided, however, that no opinion will be expressed as to the federal income tax status of interest on the Series 2020 Bond for any period that the Series 2020 Bond is held by a “substantial user” of the facilities financed or refinanced by the Series 2020 Bond or by a related person within the meaning of Section 147(a) of the Code, interest on the Series 2020 Bond is a specific preference item for purposes of the federal individual alternative minimum taxes and the interest thereon are exempt from taxation under the existing laws of the State of Florida, except as to estate taxes imposed by Chapter 220, Florida Statutes, on interest, income or profits on debt obligations owned by corporations as defined therein; and

(c) An opinion of Bond Counsel that the Series 2020 Bond is not subject to the registration requirements under the Securities Act of 1933 and this Agreement is exempt from qualification under the Trust Indenture Act of 1939; and

(d) Fully executed Series 2020 Bond, dated the date of the Loan; and

(e) An executed Tax Certificate and Internal Revenue Service form 8038.

(f) On or before the execution of this Agreement, the Town shall have caused to be delivered to the Financial Institution the following items in form and substance acceptable to the Financial Institution:

(i) Opinion of Counsel to Town regarding the due authorization, execution, delivery, validity and enforceability of this Agreement and the Series 2020 Bond and the due adoption of the Bond Resolution (enforceability may be subject to standard bankruptcy exceptions and the like) together with such other opinions reasonably requested by the Financial Institution; and

(ii) A certified copy of the Bond Resolution of the Town approving the form of this Agreement, and authorizing the issuance of the Series 2020 Bond in the outstanding principal amount of not exceeding \$31,000,000 to finance the cost of all or a portion of Project and related costs of issuance; and

(iii) Such additional certificates, instruments and all other closing documents as the Financial Institution, or its Counsel or Bond Counsel, or Counsel to the Town, may deem necessary or appropriate.

(g) Upon satisfaction of the conditions set forth in paragraphs (a)-(f) above, the Town may borrow up to \$31,000,000 from the Financial Institution. The Town shall apply the proceeds to pay the costs of the Project which shall include but not limited to:

(i) the costs of architectural and engineering services related to the Project, including, without limitation, the costs of preparation of studies, surveys, reports, tests, plans and specifications;

(ii) the costs of legal, accounting, marketing and other special services related to the Project;

(iii) costs and fees incurred in connection with the issuance of the Series 2020 Bond subject to the requirements of the Code and the Tax Certificate;

(iv) fees and charges incurred in connection with applications to federal, state and local governmental agencies for any requisite approval or permits regarding the acquisition of the Project;

(v) costs incurred in connection with the acquisition of the Project, including any necessary rights-of-way, easements or other interests in real or personal property;

(vi) other costs and expenses relating to the Project which are included which are incurred for the purpose of providing for the "Project," and other facilities functionally related and subordinate thereto.

(End of Article IV)

ARTICLE V

EVENTS OF DEFAULT

An "Event of Default" shall be deemed to have occurred under this Agreement if:

- (a) Failure by the Town to pay the principal of and interest on the Series 2020 Bond when it becomes due and payable at maturity or upon redemption; or
- (b) Failure to pay such other amounts due hereunder or under the Series 2020 Bond other than in paragraph (a) and such failure shall continue for more than ten (10) days; or
- (c) Any representation or warranty of the Town contained in this Agreement or any certificate provide to the Bondholder in connection with the transactions contemplated hereunder shall prove to be untrue in any material respect when made; or
- (d) The Town shall default in the performance of or compliance with any material term or covenant contained in this Agreement and not otherwise addressed in this Article, which default or noncompliance shall continue and not be cured within (30) days after the earlier of (i) written notice thereof to the Town by the Bondholder or (ii) when notice was required to have been provided to the Bondholder pursuant to Section 6.05 hereof, or, in each case, such longer period as may be reasonably necessary to cure such default, as long as the Town initiates curative action that is approved by the Bondholder within such 30-day period and diligently prosecutes such action until the cure has been achieved but not to exceed 60 days (a maximum of 90 days to cure); or
- (e) A petition is filed against the Town under any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution or liquidation law of any jurisdiction, whether now or hereafter in effect, and an order for relief is entered or such petition is not dismissed within sixty (60) days of such filing; or
- (f) The Town files a petition in voluntary bankruptcy or seeking relief under any provision of any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution or liquidation law of any jurisdiction, whether now or hereafter in effect, or consents to the filing of any petition against it under such law; or
- (g) The Town admits insolvency or bankruptcy or its inability to pay its debts as they become due or is generally not paying its debts as such debts become due, or becomes insolvent or bankrupt or makes an assignment for the benefit of creditors, or a custodian (including without limitation a receiver, liquidator or trustee) of the Town or any of its property is appointed by court order or takes possession thereof and such order remains in effect or such possession continues for more than 60 days.

Upon the occurrence of an Event of Default the Financial Institution may pursue any available remedy at law or in equity or by statute, including any applicable law or statute of the United States of America or of the State, to enforce the payment of principal of and interest on the Series 2020 Bond then outstanding or the obligations of the Town thereunder.

Any amount due under this Agreement or the Series 2020 Bond not paid when due shall bear interest at the Default Rate. Additionally, failure to make the payments required by subparagraph (a) or (b) of this Article V within ten (10) days after the due date thereof may, at the option of the Financial Institution be subject to a five percent (5%) late payment fee based on the amount of the payment due.

Notwithstanding any provision in this Agreement to the contrary, in no event shall the interest contracted for, charged or received in connection with this Agreement or the Series 2020 Bond (including any other costs or considerations that constitute interest under the laws of the State of Florida which are contracted for, charged or received) exceed the maximum rate of nonusurious interest allowed under the State of Florida as presently in effect and to the extent an increase is allowable by such laws, but in no event shall any amount ever be paid or payable by the Town greater than the amount contracted for herein.

(End of Article V)

ARTICLE VI MISCELLANEOUS

SECTION 6.01. Amendments, Changes or Modifications to the Agreement. This Agreement shall not be amended, changed or modified without the prior written consent of the Financial Institution and the Town. The Town agrees to pay all of the Financial Institution's costs and reasonable attorney fees incurred in modifying and/or amending this Agreement at Town's request or behest and enforcing this Agreement.

SECTION 6.02. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same Agreement, and, in making proof of this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

SECTION 6.03. Severability. If any clause, provision or section of this Agreement shall be held illegal or invalid by any court, the invalidity of such provisions or sections shall not affect any other provisions or sections hereof, and this Agreement shall be construed and enforced to the end that the transactions contemplated hereby be effected and the obligations contemplated hereby be enforced, as if such illegal or invalid clause, provision or section had not been contained herein.

SECTION 6.04. Term of Agreement. This Agreement shall be in full force and effect from the date hereof and shall continue in effect as long as the Series 2020 Bond is outstanding or any amounts owing under this Agreement (except for provisions stated to survive the expiration of the terms hereof).

SECTION 6.05. Notice of Changes in Fact. Promptly after the Town becomes aware of the same, the Town will notify the Financial Institution of (i) any change in any material fact or circumstance represented or warranted by the Town in this Agreement or in connection with the issuance of the Series 2020 Bond, and (ii) any default or event which, with notice or lapse of time or both, could become an Event of Default or default under this Agreement, the Bond Resolution or the Series 2020 Bond specifying in each case the nature thereof and what action the Town has taken, is taking, and/or proposes to take with respect thereto.

SECTION 6.06. Notices. Any notices or other communications required or permitted hereunder shall be sufficiently given if delivered personally or sent registered or certified mail, postage prepaid, to the Town, Town of Palm Beach, Florida, 360 South County Road, Palm Beach, Florida, Attention: Director of Finance, and to the Financial Institution, CenterState Bank, N.A., 200 E. Las Olas Boulevard, Suite 1750, Fort Lauderdale, Florida 33301, Attention: Government Relationship Manager, or at such other address as shall be furnished in writing by any such party to the other, and shall be deemed to have been given as of the date so delivered or deposited in the United States mail.

SECTION 6.07. Payments Due on Sundays and Holidays. If any date on which a payment is to be made is a Saturday, Sunday, legal holiday or day on which banking institutions are authorized by law to remain closed in the jurisdiction in which the payment is to be made, then such payment, notice or other action shall be made on the next succeeding day not a Saturday, Sunday,

legal holiday or day on which such banking institutions are authorized by law to remain closed, and no interest shall accrue for the period after such nominal date.

SECTION 6.08. Applicable Law and Venue. The substantive laws of the State of Florida shall govern this Agreement. In this regard, the parties hereto agree not to object to the jurisdiction of the Fifteenth Judicial Circuit Court in and for Palm Beach County, Florida or the United States District Court for the Southern District of Florida over any action resulting from this Agreement, and not to object to venue of either of said courts.

SECTION 6.09. Waiver of Jury Trial. To the extent permitted by applicable law, each of the Town and the Financial Institution, knowingly, voluntarily and intentionally waives any right each may have to a trial by jury in respect of any litigation based on, or arising out of, under or in connection with this Agreement, the Series 2020 Bond or any agreement contemplated to be executed in connection with this Agreement, or any course of conduct, course of dealing, statements (whether verbal or written) or actions of any party with respect hereto. This provision is a material inducement to the Financial Institution to enter into this Agreement.

SECTION 6.10. Incorporation by Reference. All of the terms and obligations of the Series 2020 Bond, Bond Resolution and other applicable closing certificate and documents are hereby incorporated herein by reference as if said Bond Resolution was fully set forth in this Agreement.

SECTION 6.11. No Third Party Beneficiaries. The terms and provisions of this Agreement shall inure exclusively to the benefit of the Town, the Bondholder, their successors and assigns and no other person shall have any rights hereunder.

(End of Article VI)

[Remainder of page left blank intentionally]

[Signature page follows]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the Date of Execution set forth below.

TOWN OF PALM BEACH, FLORIDA

SEAL

By: _____
Mayor

Date of Execution: _____

ATTEST:

By: _____
Acting Town Clerk

CENTERSTATE BANK, N.A.

By: _____
Name:
Title:

EXHIBIT A
TO AGREEMENT

***THE TRANSFER AND ASSIGNMENT OF THIS BOND IS RESTRICTED PURSUANT TO
THE PROVISIONS OF SECTION 3.02(d) OF THE HEREIN DESCRIBED AGREEMENT***

No. R-1

UNITED STATES OF AMERICA
STATE OF FLORIDA
TOWN OF PALM BEACH
Public Improvement Revenue Bond
Series 2020

<u>Principal Sum</u>	<u>Date of Issuance</u>	<u>Maturity Date</u>	<u>Interest Rate</u>
\$31,000,000	_____, 2020	January 1, 2040	2.39% ¹

KNOW ALL MEN BY THESE PRESENTS, that the TOWN OF PALM BEACH, FLORIDA (the “Town”), for value received, hereby promises to pay, solely from the Pledged Revenues described in the within mentioned Bond Resolution, to the order of CenterState Bank, N.A. or its assigns (the “Payee”), at 200 East Las Olas Boulevard, Suite 1750, Fort Lauderdale, Florida 33301, or at such other place as the Payee may from time to time designate in writing, the Principal Sum stated above advanced pursuant to that certain Loan Agreement by and between Payee and the Town, dated March __, 2020 (the “Agreement”), together with interest on the principal balance outstanding at the Interest Rate stated above, so long as any amount under this Bond remains outstanding.

The principal hereof shall be paid in installments due on January 1, 2022 and on each January 1 thereafter in the amounts and years as set forth in the following table.

Due Date (January 1)	Principal Payment Due	Due Date (January 1)	Principal Payment Due

¹ Subject to adjustment as set forth herein.

On January 1, 2040, the Town will pay the Payee all remaining unpaid principal hereof and all accrued and unpaid interest thereon, including any other amounts due hereunder or under the Agreement.

The interest hereon shall be payable in arrears on each January 1 and July 1, commencing on July 1, 2020, and on the date on which the final payment of principal due hereon is paid. Interest hereon shall be computed on the basis of a 360-day year consisting of twelve 30-day months.

The principal hereof may be prepaid at any time and from time to time, in whole or in part, upon the Town providing the Payee with at least three business days' prior written notice setting for the date and amount of the prepayment, at the following prepayment prices, expressed as a percentage of the principal amount thereof to be prepaid, plus accrued interest:

**Period during which
Bond is prepaid
(Both dates inclusive)**

Prepayment Price

March __, 2020 to March __, 2024
March __, 2024 and thereafter

101%
100

Any amount due under this Bond not paid when due shall bear interest at the Default Rate.

Additionally, in the event that any principal of and/or interest on this Bond is not paid within ten (10) days after the due date thereof or failure to pay such other amounts due the Agreement or under this Bond and such failure shall continue for more than ten (10) days, such payment may at the option of the Payee be subject to a late fee of 5% based on the amount of the payment due.

Upon the occurrence of a Determination of Taxability of the Bond, the Town agrees to pay to the Payee a rate of interest from the effective date of such Determination of Taxability equal to the quotient of the current Interest Rate over 0.79%.

“Determination of Taxability” shall mean the circumstance of the interest on this Bond being includable for federal income tax purposes in the gross income of the Payee hereof, as a result of any action or inaction of the Town. A Determination of Taxability shall be evidenced by either (a) the issuance of an Internal Revenue Service Technical Advice Memorandum or Statutory Notice of Deficiency which holds that any interest payable hereon is includable in the gross income of the Payee; (b) the issuance of any public or private ruling or other lawful and final action of the Internal Revenue Service that any interest borne hereby is includable in the gross income of the Payee or (c) the rendering of a final decree or judgment of a court of competent jurisdiction that any interest hereon is includable in the gross income of the Payee; provided, no Determination of Taxability shall be deemed to occur unless the Town has been given, to the extent permitted by law, an opportunity to participate in and seek, at the Town’s own expense, a final administrative determination by the Internal Revenue Service or determination by a court of competent jurisdiction (from which no further right of appeal exists) as to the occurrence of such Determination of Taxability. A Determination of Taxability will be deemed to occur on the first date as of which the interest borne hereby is includable in the gross income of the Payee.

The foregoing notwithstanding, the Town makes no representation as to the federal income tax status of interest on the Bond for any period that the Bond is held by a “substantial user” of the facilities financed or refinanced by the Bond or by a related person within the meaning of Section 147(a) of the Code, and such event shall not be considered a Determination of Taxability. It is understood that interest on the Bond is a specific preference item for purposes of the federal alternative minimum tax imposed on individuals.

Principal and interest being payable in any coin or currency of the United States of America which, at the time of payment, is legal tender for the payment of public and private debts and shall be made to the Payee hereof by check mailed to the Payee at the address designated in writing by the Payee for purposes of payment or by bank wire or bank transfer as such Payee may specify in writing to the Town or otherwise as the Town and Payee may agree.

This Bond is authorized to be issued in the outstanding aggregate principal amount of \$31,000,000 under the authority of and in full compliance with the Constitution and statutes of the State of Florida, including, particularly, Chapter 166, Florida Statutes, as amended and supplemented, and other applicable provisions of law, and a resolution duly adopted by the Town on the 11th day of February, 2020, as such resolution may be amended and supplemented from time to time, and is subject to all terms and conditions of said resolution (the “Bond Resolution”). Any term used in this Bond and not otherwise defined shall have the meaning ascribed to such term in the Bond Resolution or the Agreement, as the case may be.

Notwithstanding any provision in this Bond to the contrary, in no event shall the interest contracted for, charged or received in connection with this Bond (including any other costs or considerations that constitute interest under the laws of the State of Florida which are contracted for, charged or received) exceed the maximum rate of nonusurious interest allowed under the State of Florida as presently in effect and to the extent an increase is allowable by such laws, but in no event shall any amount ever be paid or payable by the Town greater than the amount contracted for herein.

All payments made by the Town hereon shall apply first to other charges due the Payee, then to accrued interest and the balance thereof shall apply to the principal amount then due on this Bond.

THE BOND, WHEN DELIVERED BY THE TOWN PURSUANT TO THE TERMS OF THE AGREEMENT, SHALL NOT BE OR CONSTITUTE AN INDEBTEDNESS OF THE TOWN OR THE STATE OF FLORIDA, WITHIN THE MEANING OF ANY CONSTITUTIONAL, STATUTORY OR CHARTER LIMITATIONS OF INDEBTEDNESS, BUT SHALL BE PAYABLE SOLELY FROM PLEDGED REVENUES, AS PROVIDED IN THE AGREEMENT. NO BONDHOLDER SHALL EVER HAVE THE RIGHT TO COMPEL THE EXERCISE OF THE AD VALOREM TAXING POWER OF THE TOWN OR PALM BEACH COUNTY, FLORIDA, OR TAXATION IN ANY FORM ON ANY PROPERTY THEREIN TO PAY THE BOND OR THE INTEREST THEREON.

The Bond has all the qualities and incidents of a negotiable instrument under Article 8 of the Uniform Commercial Code, the State of Florida, Chapter 678, Florida Statutes. This Bond

may be transferred or exchanged by the Bondholder hereof, but only upon the registration books maintained by the Town and in the manner provided in the Agreement.

It is hereby certified, recited and declared that all acts, conditions and prerequisites required to exist, happen and be performed precedent to and in the execution, delivery and the issuance of this Bond do exist, have happened and have been performed in due time, form and manner as required by law, and that the issuance of this Bond is in full compliance with and does not exceed or violate any constitutional or statutory limitation. It is further certified that all of the representations, warranties, and covenants made and set forth in the Bond Resolution and the Agreement and in the ancillary and closing documents relevant to this Bond are remade and incorporated fully by reference herein.

The Town hereby waives presentment, demand, protest and notice of dishonor.

IN WITNESS WHEREOF, the Town has caused this Bond to be signed by the Mayor, either manually or with facsimile signature, and the seal of the Town to be affixed hereto or imprinted or reproduced hereon, and attested by the Clerk of the Town, either manually or with facsimile signature, and this Bond to be dated the Date of Issuance set forth above.

(SEAL)

TOWN OF PALM BEACH, FLORIDA

ATTEST:

By: _____
Acting Town Clerk

By: _____
Title: Mayor

FORM OF CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This Bond is delivered pursuant to the within mentioned Bond Resolution.

DIRECTOR OF FINANCE,
As Registrar

By: _____
Authorized Officer

ASSIGNMENT

FOR VALUE RECEIVED the undersigned sells, assigns and transfers unto

(please print or typewrite name, address and tax identification number of assignee)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

_____ Attorney to transfer
the within Bond on the books kept for registration thereof, with full power of substitution in the
premises.

EXHIBIT B

PROJECT

The Project includes the demolition of three fixed concrete docks and three existing buildings, dredging, construction and installation of new floating concrete docks totaling approximately 85,575 square feet, construction and upgrading the upland utility system and the installation of utilities at each slip, Wi-Fi and security camera system, construction of three new buildings with two located over water requiring the installation of a concrete pile and pad, the lowering of the elevation of the existing bulkhead cap and installation of a new cantilevered bulkhead installed seaward of the existing bulkhead, the resurfacing of three parking lots, landscaping and revisions to the irrigation system and all facilities functionally related and subordinate thereto.

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-wide Undergrounding Project:

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

Presenter

Steve Stern, Project Manager

ATTACHMENTS:

- ▣ **Project Summary and Status Report**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 11, 2020

To: Mayor & Town Council

Via: Kirk W. Blouin, Town Manager

From: Steven Stern, Underground Utilities Project Manager

Re: Utility Undergrounding Project Status Report

Date: January 30, 2020

I. Communications

A. Community Meetings:

- North Phases: Coffee with the Crew & Town Staff
The 1st Monday of each month.
Where: Palmo Way Park Area, east side near the Town Pump Station
When: February 3, 2020, 8AM (Next Meeting March 2, 2020)
- South Phases: Coffee with the Crew & Town Staff
New Schedule > The 2nd Monday of each month.
Where: South fire station, meeting room – A1A across from Ibis Isle.
When: March 9, 2020, 8AM
- Phase 5 South – Sea Street Undergrounding Review
Presentation and Q&A to provide undergrounding design information for Seaspray Avenue and Seaview Avenue.
Where: Morton & Barbara Mandel Recreation Center, 440 Seaview Avenue, “After School Room”
When: March 13th, 10AM

The Town calendar includes scheduled community meetings through end of 2020.

B. Significant Mail

- A letter sent to specific Phase 3 South property owners requesting support for remaining critical path easements.
- Letter sent advising specific Phase 4 North property owners of a potential Chicane, requesting a meeting and support for equipment placement.

II. Progress Summary:

A. Construction Progress:

Phase 1 South Construction:

From the southern Town limit north to Sloan's Curve.

- FPL contractor overhead system decommission activities are in progress.



Figure 1- Ibis Isle overhead system decom occurred in January 2020

Phase 2 North Construction:

From Esplanade Way to Ocean Terrace.

- Phase 2 North construction is 69% complete.
- ATT and Comcast activities are almost complete.
- Next major milestone is the activation of feeder and start of FPL overhead to underground conversions.

Phase 2 South Construction:

From Sloan's Curve to the intersection of S. Ocean Blvd & S. County Road

- Phase 2 South start of construction begins in the area of Via Agape/Park Monceau/Via Fontana/Sea Grape Circle. Soft Digs, Survey Work.

Phase 3 North Construction:

From Osceola Way to the north side of La Puerta Way

- Phase 3 North construction is 14% complete.
- The drilling crew continues to work in the area of Merrain Road, Kenlyn Road, Palmo Way and the adjacent north-south streets.

B. Design & Easement Progress:**Phase 3 South:**

From S. Ocean Blvd & S. County Road to the Alleyway south of Worth Ave.

- Design is 80% complete.
- Bid package availability remains incomplete due to outstanding easements.
- 77 of 97 easements (79%) are recorded or verbally approved.
- Challenging areas include critical path easements along S. County Road and immediately south of Worth Ave. A list of outstanding easements by address is provided within your backup materials.

Phase 4 North:

From south side of La Puerta Way to north side of List Road.

- Design is 69% complete.
- 39 of 63 easements (50%) are recorded or verbally approved.
- Easement acquisition is behind schedule.
- Master plan called for construction to begin May 2020.
- 10 Chicanes are planned and described within your backup materials. A listing of properties supported by transformers within each chicane is included.

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Phase 4 South:

From Peruvian Ave north to Royal Palm Way & the Town Docks.

- Design is 58% complete.
- 17 of 65 easements (20%) are recorded or verbally approved.
- Easement acquisition is behind schedule.
- Master plan called for construction to begin May 2020.

Phase 5 North:

From Country Club Road to Southland Road.

- Design is 33% complete and on schedule.
- Easement acquisition has not started.

Phase 5 South:

From South Lake Drive/Hibiscus Ave & Peruvian Ave/Royal Palm Way, properties between the Intracoastal waterway and the Atlantic Ocean & from Royal Palm Way to Seaspray Ave.

- Design is 33% complete and on schedule.
- Easement acquisition has not started.

Phase 6 North:

From Chateaux Drive & Kawama Lane to the south side of Plantation Road.

- Design is 14% complete and on schedule.
- Easement acquisition has not started.

Phase 6 South:

Seaspray Ave to the south of Royal Poinciana Way.

- Design is 13% complete and on schedule.
- Easement acquisition has not started.

Phase 7 North:

Palm Beach Country Club north to the south side of List Road.

- Not started.

Phase 7 South:

Atlantic Ave north to Via Los Incas & Sanford Ave

- Not started.

Phase 8:

Royal Poinciana Way north to Everglade Ave

- Not started.

III. Financial Summary

Other than receiving vendor pay applications for work performed in active phases of construction zones, there were no changes made since last month's report. The full underground utility project financial report is provided within your backup package with the summary page also shown immediately below.

Underground Utility Project Budget
Project Financial Summary
January 31, 2020

Page 1

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,797,329	\$ 12,560,570	98.1%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 5,603,367	43.4%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 6,031,565	\$ 2,003,103	33.2%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 1,335,096	\$ 735,054	55.1%
Phase 5 (\$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 1,599,805	\$ 406,742	25.4%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,886,346	\$ -	0.0%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ -	\$ -	
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ -	\$ -	
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 36,566,027	\$ 21,308,836	58.3%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 980,414	\$ 980,414	\$ 915,944	93.4%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 120,885,059	\$ 37,546,441	\$ 22,224,780	59.2%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 6,098,350	\$ 4,636,639	76.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 1,158,567	\$ 1,905,286	164.5%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 120,885,059	\$ 38,705,008	\$ 24,130,066	62.3%

Total Project Budget - Opinion of cost for construction	\$ 120,885,059
% Budgeted/Encumbered To Date Project Costs	31.06%
% Spent to Date - Project Costs	18.39%

Project Revenues Received

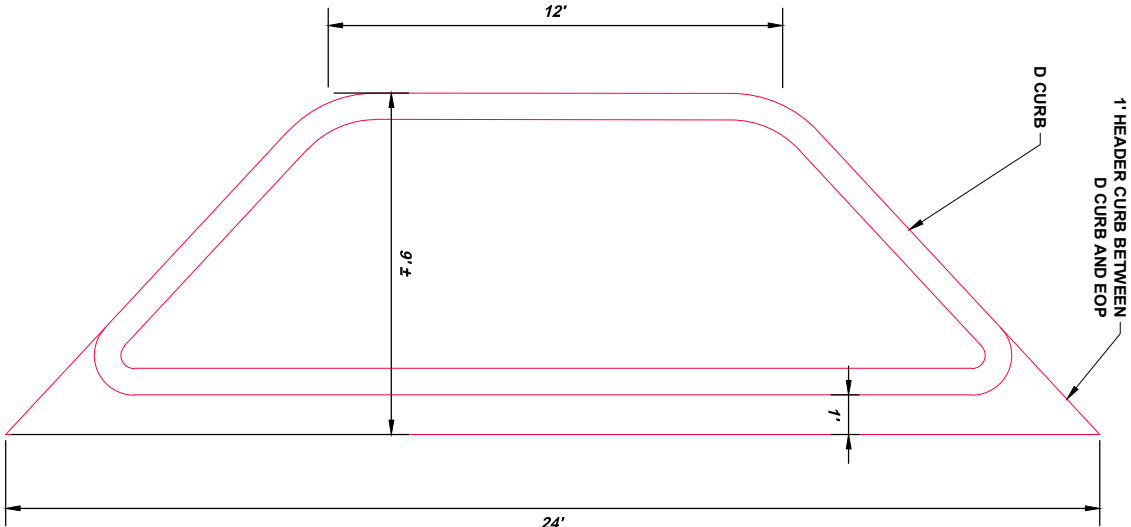
Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 11,950,733	0.0%
Assessment Revenue	\$ 13,380,000	\$ 12,176,922	91.0%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ 396,389	0.0%
Interest	\$ 512,000	\$ 1,747,989	341.4%
GO Bond Proceeds	\$ 60,500,000	\$ 60,489,897	100.0%
1 Cent Sales Tax	\$ 5,000,000	\$ 1,666,667	33.3%
FPL	\$ -	\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ -	0.0%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (001) General Fund - PM Salary	\$ 409,450	\$ 313,150	76.5%
Total Project Revenues	\$ 91,908,191	\$ 92,843,635	101.0%

Outstanding Easement Locations in Phase 3 South

Phase	Area	Owner	Address
3S	Golfview Alley	Colony Hotel	135/152/155 Hammon Ave
3S	Golfview Alley	Carl & Mary Panattoni	8 Golfview
3S	Golfview Alley	212 Worth Ave, LLC	212 Worth Ave
3S	Golfview Alley	Napoleon Palm Beach	218 Worth Ave
3S	Golfview Alley	Pondfield Worth	222 Worth Ave
3S	Golfview Alley	Palm V. Associates (Love)	224 Worth Ave
3S	Golfview Alley	Love 300	306 Worth Ave
3S	S. County Rd	Francoise & Jacques Cohen	137 El Vedado Road
3S	S. County Rd	Joseph Allen	200 El Vedado Road
3S	S. County Rd	Bill Collatos	750 South County Road
3S	S. County Rd	Terry R. Taylor	780 South County Road
3S	S. County Rd	Alicia & Timothy Mullen	760 South County Road
3S	S. County Rd	Cobey W. Rapaport	790/800 South County Road
3S	S. County Rd	Catherine & Phillp Korsant	115 Via La Selva
3S	S. County Rd	Mark Davis	141 Gulfstream Road
3S	Street	Jan Holdings, LLC	4 El Bravo Way
3S	Street	Michael D. Bickford	135 Gulfstream Road
3S	Street	Estates of Ryan Brant	111 El Brillo Way
3S	Street	Robert F. Agostinelli	196 Banyan Rd
3S	Street	Paul Okean	203 Via Vizcaya
3S	Street	Richard Kurtz	235 Banyan Rd
3S	Street	Dana & William Moody	240 Jungle
3S	Street	Prescott & Susan Low	242 Jungle
3S	Street	Abbey, LLC	241 Banyan Rd
3S	Street	Robert & Paula Butler	640 S. Ocean Blvd

Phase 4 North Chicane Plan

Note 1: Two transformers in Chicane.



PLOT DATE: Jan 20, 2020 - 2:45pm XREFS: 'c3d\UND4CS01_md01.dwg' IMAGES:

REVISION	DATE	BY
CADD FILE:	NO	DATE
ADJUST ALL SCALED		
DIMENSIONS ACCORDINGLY		

SEAL	FLORIDA C.A. NO. 48
SCOTT M. ROSSLOW	FLORIDA P.E. NO. 79365

DATE

5720 Corporate Way, West Palm Beach, Florida 33407 (661) 683-3113 www.MockRoos.com
MOCK•ROOS
CONSULTING ENGINEERS

FIELD: ---
DRAWN: SMR
DESIGN: SMR
APPR: SMR
SCALE: AS SHOWN

TOWN OF PALM BEACH	DATE: 2019
UNDERGROUNDING	P.A. NO. B5040.40
PHASE 4 NORTH	DWG. NO. 4668
EASEMENT EXHIBIT	SHEET: ---
PALM BEACH COUNTY, FL	

Address list served by utilities planned for 10 Chicanes in Phase 4 North

Chicane Number	Equipment No.	Street Number	Street	Owner
1	44	217	LIST ROAD	Jason & Nicole Guari
1	44	209	List Road	286 Orange Grove LLC
2	34	265	Orange Grove Road	David & Kathleen Moran
2	34	266	Orange Grove Road	Michael Steranka
2	34	274	ORANGE GROVE ROAD	Alexander H Griswold
2	35	251	Orange Grove Road	Ernest Gordon, LLC
2	35	262	ORANGE GROVE ROAD	262 ORANGE GROVE ROAD LLC: Kourkis
3	36	249	Orange Grove Road	Kathleen M. Cerasaro
3	36	241	ORANGE GROVE ROAD	Michael S. Lorber
3	36	248	Orange Grove Road	Marjorie A. Matthews
4	26	225	Monterey Road	Heather & Steven Wolf
4	26	220	Monterey Road	BROBERG BEVERLY D, BROBERG PETER S &
4	26	222	Monterey Road	Richard M. Hurtado
4	25	216	Monterey Rd	Budge and Candy (Henry and Leslie) Jamison
4	25	1080	N. OCEAN BLVD.	Donald & Sher Kasun
4	25	221	Monterey Rd	Linda A. Greenberg
5	30	282	Monterey Rd	Leigh & Pamela Dunston
5	30	281	Monterey Road	Anthony Cummings
5	30	274	MONTEREY ROAD	274 Monterey Rd LLC
6	19	285	Colonial Lane	Colonial 285, LLC, (Ariel Wainer)
6	19	270	Colonial Lane	Dean & Christine Goodman
6	19	279	Colonial Lane	John Scott Gillis, Trustee
7	22	223	COLONIAL LANE	Stephane Seguin
7	22	215	Colonial Lane	AFT2005, LLC, Nicholas Arsali
7	22	232	Colonial Lane	Zvenka Kleinfeld
8	23	230	COLONIAL LANE	Salvatore J. Impastato
8	23	205	Colonial Lane	Francis P. Conroy, Janice B. Conroy
8	23	216	Colonial Lane	Karen Egger
8	23	224	Colonial Lane	Tiffany Schauer
9	16	206	QUEENS LANE	Frazier Wellmeier Trust
9	16	201	Queens Lane	Jon Mauck, Liza Mauck
10	2	255	EL PUEBLO WAY	Donna & Allen Morris
10	2	250	El Pueblo Way	Ellen Benoit
10	2	260	El Pueblo Way	Gary B.& Kelly Jean Pohrer
10	2	263	El Pueblo Way	Robert Calhoun, Liza Pulitzer Calhoun
10	2	271	EL PUEBLO WAY	Nedda & Lawrence Pollack



Underground Utility Project Monthly Progress Report February 2020

Table of Contents

Dashboard – Phase 2, 3 Construction & Phase 2, 3, 4, 5, 6 Design

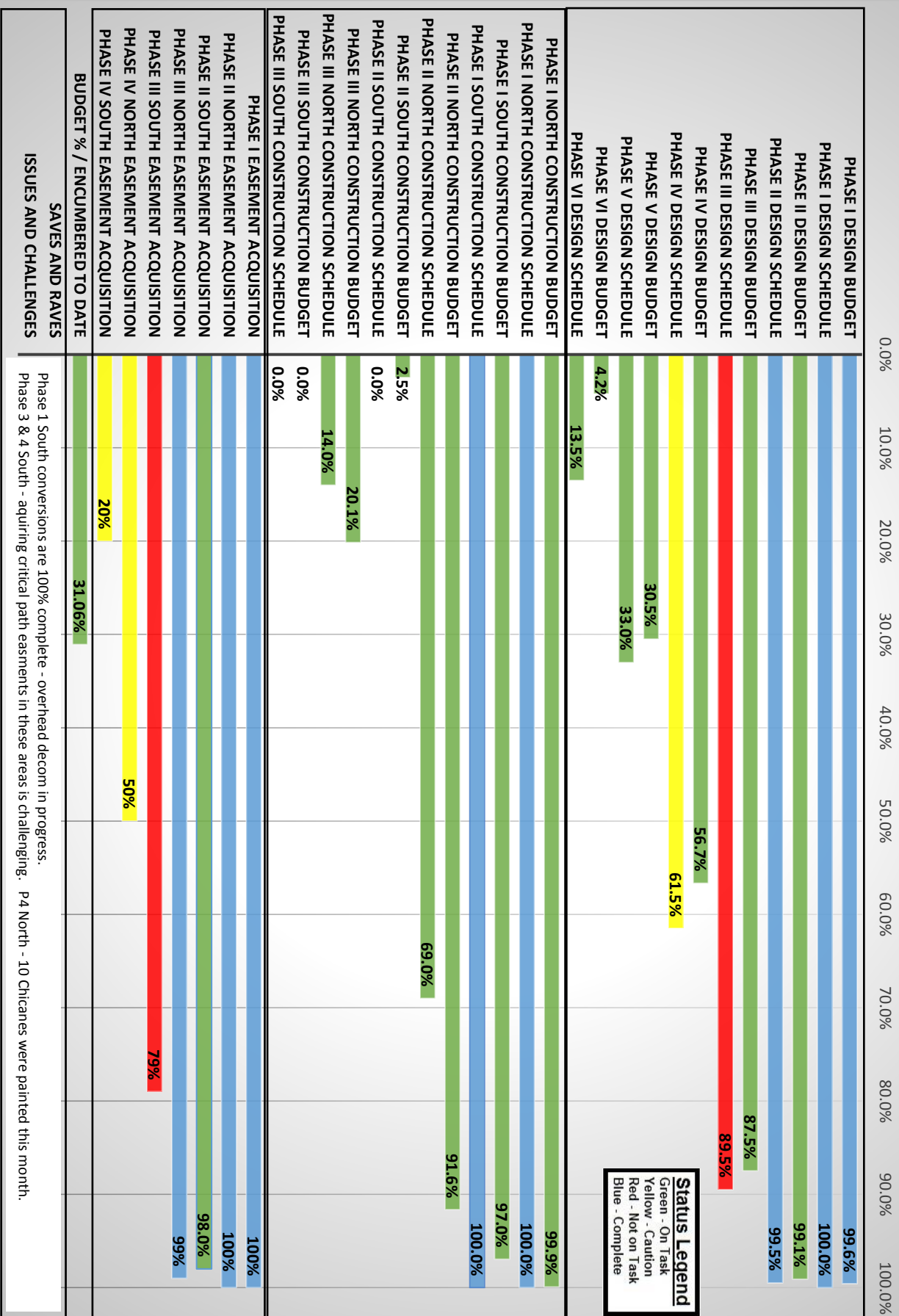
1. Townwide Undergrounding - Phasing & Sequencing Program Map
2. Kimley-Horn - Design
Progress Reports - Phase 2 - 6
Gantt Charts - Phase 2 - 6
3. Burkhardt Construction
Executive Summary & Schedule - Phase 2N, 2S & 3N
4. Project Financial Report
5. Interest Rate Forecast

Dashboard Notes:

Total Project Budget - Opinion of cost for construction: \$120,885,059

Prepared by the TMO & Finance Departments
January 30, 2020

Town of Palm Beach - Underground Utility Project Dashboard - Feb 2020







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1920 WEKIVA WAY SUITE 200,
WEST PALM BEACH, FL 33411
PHONE: 561-845-0665 FAX: 561-863-8175
WWW.KIMLEY-HORN.COM

TOWN OF PALM BEACH, FLORIDA

JANUARY 2017, REVISED JANUARY 2020

MASTER PLAN



OVERALL SEQUENCE MAP

TOWN-WIDE UNDERGROUNDING OF UTILITIES

Master Plan 2017

Phase Area	Design Start	Construction Start	End of Pole Removal / Restoration
Phase 1 N	Dec-16	Jun-17	Jun-19
Phase 1 S	Dec-16	Jun-17	Jun-19
Phase 2 N	Jun-17	Jul-18	Feb-20
Phase 2 S	Jun-17	May-19	Dec-20
Phase 3 N	Nov-17	May-19	Jan-21
Phase 3 S	Nov-17	May-19	Apr-21
Phase 4 N	Jun-18	May-20	Feb-22
Phase 4 S	Jun-18	May-20	Mar-22
Phase 5 N	May-19	May-21	Apr-23
Phase 5 S	May-19	May-21	May-23
Phase 6 N	May-20	May-22	Feb-24
Phase 6 S	May-20	May-22	Apr-24
Phase 7 N	May-21	May-23	Feb-25
Phase 7 S	May-21	May-23	Mar-25
Phase 8	May-22	May-24	Mar-26

Revised Jan 2020

Design Start	Construction Start	End of Pole Removal / Restoration
Dec-16	Jun-17	Jun-19
Dec-16	Jun-17	Jan-20
Jun-17	Jul-18	Jun-20
Jun-17	Jan-20	Dec-21
Nov-17	Nov-19	Oct-21
Nov-17	Sep-20 *	Sep-22
Jun-18	Dec-20 *	Dec-22
Jun-18	Dec-20 *	Dec-22
May-19	May-21	Apr-23
May-19	May-21	May-23
Nov-19	May-22	Feb-24
Nov-19	May-22	Apr-24
May-20	May-23	Feb-25
May-20	May-23	Mar-25
May-22	May-24	Mar-26

Actual
Estimated

* Construction start of Phase 3 South, Phase 4 North and Phase 4 South are highly dependent on successful easement acquisition and property owner cooperation.



Town-Wide Undergrounding - Phase 2 Design
KHA Project #044063202
December 2020 Progress Report
Period: December 20, 2019 to January 21, 2020

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 2 North Design is 100% complete
 - Phase 2 South Design is 99% complete
- Budget: Project is on budget as of December 15, 2019
 - Phase 2 North Design is at 99% of total task budget
 - Phase 2 South Design at 99% of total task budget
- Easement Status
 - Phase 2 North: 100% (38/38) easements approved
 - Phase 2 South: 98% (41/42) easements approved

B. Detailed Design Phase

- Continued coordination with FPL to finalize Network Design Plans for Phase 2 South.
- Continued resident coordination for easement acquisition in Phase 2 South.
- Progress towards completion of the Issued for Construction plan set in Phase 2 South.
- Conduct and attend Design Progress Meeting and develop/distribute Meeting Minutes
- Attendance at Progress Meeting with Town and Utility Owners
- Attendance at Subconsultant Coordination Meetings

II. Upcoming Activities (January 21, 2020 – February 21, 2020)

A. Detailed Design Phase

- Continue resident meetings/conference calls to discuss last easement in Phase 2 South.
- Progress Meeting Attendance.
- Phase 2 South construction phase services



Town-Wide Undergrounding - Phase 3 Undergrounding
KHA Project #044063215
January 2020 Progress Report
Period: December 20, 2019 to January 22, 2020

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 3 North Design is 99% complete
 - Phase 3 South Design is 80% complete *
- Budget: Project is on budget as of December 15, 2019
 - Phase 3 North Design is at 95% of total task budget
 - Phase 3 South Design at 85% of total task budget
- Easement Status
 - Phase 3 North: 100% (36/36) easements approved
 - Phase 3 South: 79% (77/97) easements approved

* Phase 3 South is currently behind schedule.

B. Detailed Design Phase

- o Continued Subconsultant/utility owner coordination
- o Continued Progress on development of Bid Plans for Phase 3 South.
- o Continued review and comment on FPL, ATT and Comcast Design Plans
- o Progress Meeting Attendance.
- o Progress on Phase 3 South Landscape plans.
- o Continued development of Phase 3 North and South easement exhibits and submittal to Town.
- o Site meetings with property owners to discuss easement requests in Phase 3 North and South.
- o Development of legal sketches and descriptions for Phases 3 North and South.

II. Upcoming Activities (January 23, 2020 – February 22, 2020)

A. Detailed Design Phase

- o Continued Subconsultant/utility owner coordination
- o Continued Progress on development of Bid Plans for Phase 3 South.
- o Continued Easement meetings with property owners – Phases 3 North and South
- o Continued coordination with FPL, AT&T and Comcast to complete the Phase 3 South design
- o Progress Meeting Attendance



Town-Wide Undergrounding - Phase 4 Undergrounding

KHA Project #044063219

January 2020 Progress Report

Period: December 20, 2019 to January 22, 2020

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 4 North Design is 69% complete*
 - Phase 4 South Design is 54% complete*
- Budget: Project is on budget as of December 15, 2019
 - Phase 4 North Design is at 68% of total task budget
 - Phase 4 South Design at 58% of total task budget
- Easement Status
 - Phase 4 North: 50% (39/63) easements approved
 - Phase 4 South: 20% (17/65) easements approved.

*Easement progress is causing the schedule to fall behind for both phase areas.

B. Detailed Design Phase

- o Subconsultant coordination related to Phase 4 Undergrounding
- o Continued coordination with utility owners to receive design information.
- o Continued development of Equipment Locations and Conduit Plans for Phase 4 North and South.
- o Performed field work to obtain information for equipment placement based on easement meetings with property owners.
- o Review of FPL, Comcast, and AT&T Conduit and Equipment Plans, coordination with FPL, Comcast, and AT&T regarding design modifications.
- o Development and delivery of easement exhibits to the Town for Phases 4 North and South.
- o Progress Meeting Attendance
- o UUTF Meeting attendance and preparation
- o Meeting with FPL
- o Site visits and meetings with property owners to discuss easement requests

II. Upcoming Activities (January 23, 2020 – February 22, 2020)

A. Detailed Design Phase

- o Continued coordination with utility owners to refine the design.
- o Review Comcast design for Phase 4 South.
- o Continued development and submittal of easement exhibits for Phases 4 North and South.
- o Continued development of Equipment Location and Conduit Plans for Phases 4 North and South.
- o Meetings with property owners to discuss easement requests.
- o Progress Meeting attendance.



Town-Wide Undergrounding - Phase 5 Undergrounding

KHA Project #044063229

January 2020 Progress Report

Period: December 26, 2019 to January 25, 2020

I. Scope Update

A. General

- **Schedule:** Project schedule progress is shown below
 - Phase 5 North Design is 33% complete
 - Phase 5 South Design is 33% complete
- **Budget:** Project is on budget as of January 15, 2020
 - Phase 5 North Design is at 27% of total task budget
 - Phase 5 South Design is at 24% of total task budget
- **Easement Status**
 - Phase 5: N/A, will provide status when this work begins

B. Detailed Design Phase

- Reviewed preliminary equipment locations
- Coordinated with utility companies, sub-consultants, and Town
- Reviewed easement spreadsheet and presented new formatting to Town
- Led design meeting with utility companies, sub-consultants, and Town
- Led coordination meetings with sub-consultants

II. Upcoming Activities (January 26, 2020 – February 25, 2020)

A. Detailed Design Phase

- Review preliminary equipment locations
- Coordinate with utility companies, sub-consultants, and Town
- Submit easement spreadsheet to Town
- Lead design meeting with utility companies, sub-consultants, and Town
- Lead coordination meetings with sub-consultants



Town-Wide Undergrounding - Phase 6 Undergrounding

KHA Project #044063247

January 2020 Progress Report

Period: December 26, 2019 to January 25, 2020

I. Scope Update

A. General

- **Schedule:** Project schedule progress is shown below
 - Phase 6 North Design is 14% complete
 - Phase 6 South Design is 13% complete
- **Budget:** Project is on budget as of January 15, 2020
 - Phase 6 North Design is at 9% of total task budget
 - Phase 6 South Design is at 10% of total task budget
- **Easement Status**
 - Phase 6: N/A, will provide status when this work begins

B. Detailed Design Phase

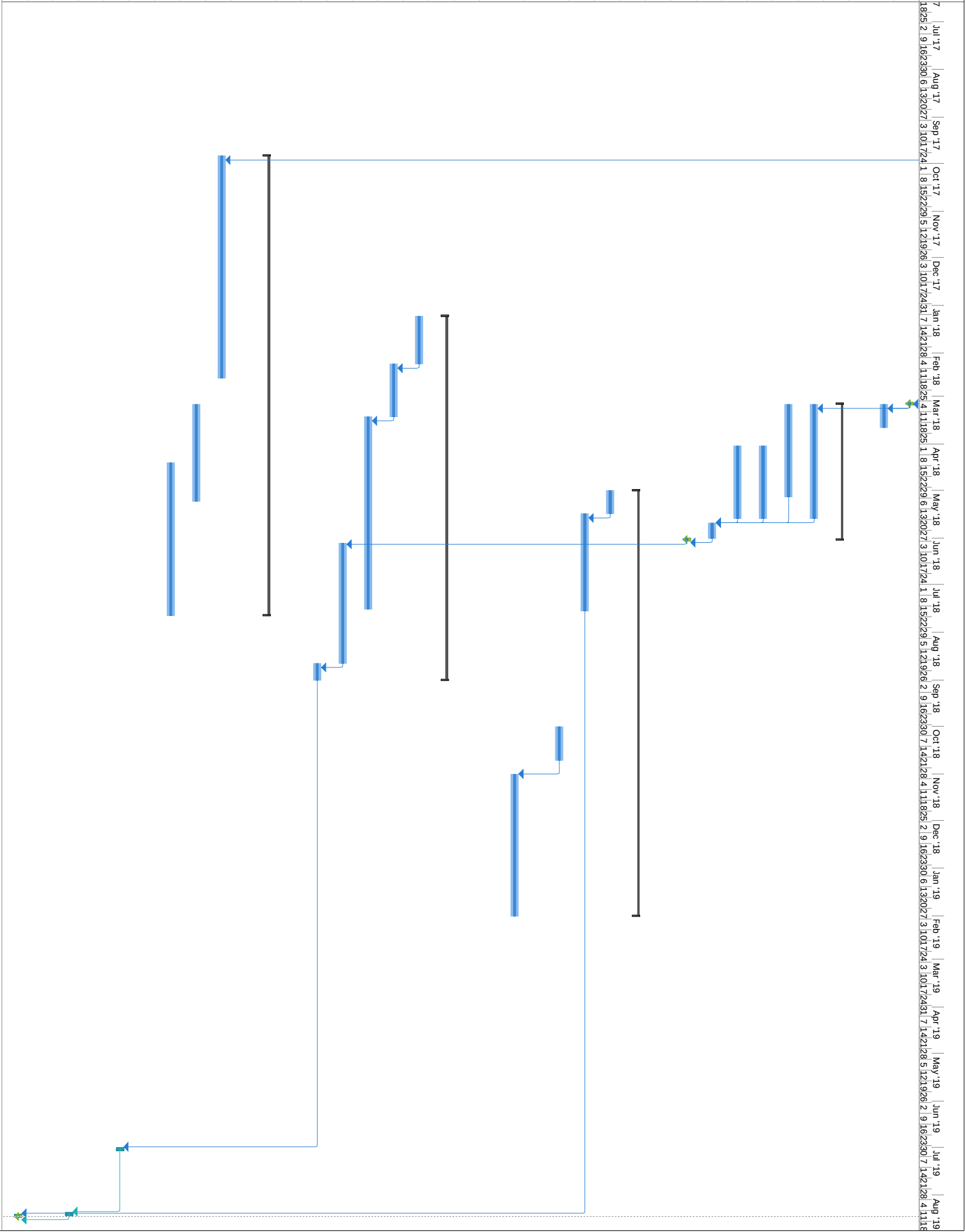
- Surveyed project sites
- Located electric meters
- Coordinated with utility companies, sub-consultants, and Town
- Researched existing easements
- Led coordination meetings with sub-consultants

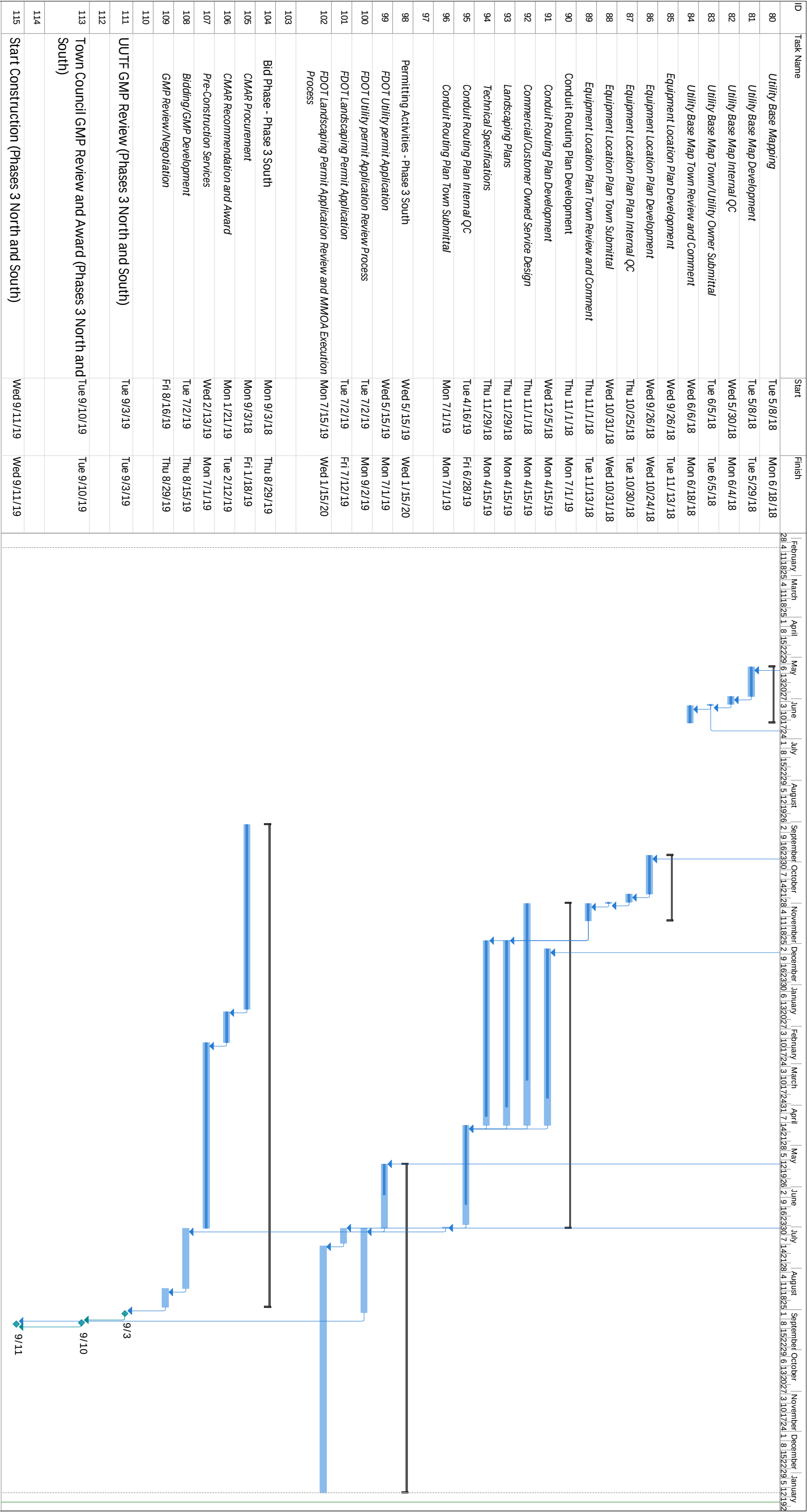
II. Upcoming Activities (January 26, 2020 – February 25, 2020)

A. Detailed Design Phase

- Survey project sites
- Develop utility base map
- Coordinate with utility companies, sub-consultants, and Town
- Lead coordination meetings with sub-consultants

ID	Task Name	Start	Finish
75	Equipment Location Plan Town Submittal	Mon 3/5/18	Mon 3/5/18
76	Equipment Location Plan Town Review and Comment	Tue 3/6/18	Tue 3/20/18
77	Conduit Routing Plan Development	Tue 3/6/18	Fri 6/1/18
78	Conduit Routing Plan Development	Tue 3/6/18	Fri 5/18/18
79	Commercial/Customer Owned Services Design	Tue 3/6/18	Fri 5/4/18
80	Landscaping Plans	Mon 4/2/18	Fri 5/18/18
81	Technical Specifications	Mon 4/2/18	Fri 5/18/18
82	Conduit Routing Plan Internal QC	Tue 5/22/18	Thu 5/31/18
83	Conduit Routing Plan Town Submittal	Fri 6/1/18	Fri 6/1/18
84			
85	Permitting Assistance - Phase 2 South	Tue 5/1/18	Thu 1/31/19
86	FDOT Utility Permit application	Tue 5/1/18	Tue 5/15/18
87	FDOT Permit Application Review Process	Wed 5/16/18	Tue 7/17/18
88	FDOT Landscape Permit and Construction Agreement/MMOA	Mon 10/1/18	Mon 10/22/18
89	FDOT Landscape Permit and Construction Agreement/MMOA Review Process	Thu 11/1/18	Thu 1/31/19
90			
91	Bid Phase - Phase 2 South	Mon 1/8/18	Fri 8/31/18
92	Advertisement for CMAR Procurement	Mon 1/8/18	Wed 2/7/18
93	CMAR Recommendation and Award	Thu 2/8/18	Tue 3/13/18
94	Pre-Construction Services	Wed 3/14/18	Mon 7/16/18
95	Bidding/GMP Development	Mon 6/4/18	Mon 8/20/18
96	GMP review and Negotiation	Tue 8/21/18	Fri 8/31/18
97	<New Task>		
98	Utility Design and BCE Development - Phase 2 South	Tue 9/26/17	Fri 7/20/18
99	FPL Design and Preliminary Conduit Routing	Tue 9/26/17	Fri 2/16/18
100	AT&T and Comcast Design	Tue 3/6/18	Mon 5/7/18
101	Utility Agreement and BCE Development	Fri 4/13/18	Fri 7/20/18
102			
103	UUTF Bid Award Review (Phase 2 South)	Tue 7/2/19	Tue 7/2/19
104			
105	Town Council Award (Phase 2 South)	Tue 8/13/19	Tue 8/13/19
106			
107	Start Construction (Phase 2 South)	Wed 8/14/19	Wed 8/14/19





Project: Phase 3 Detailed Desig

Date: Thu 1/23/20

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

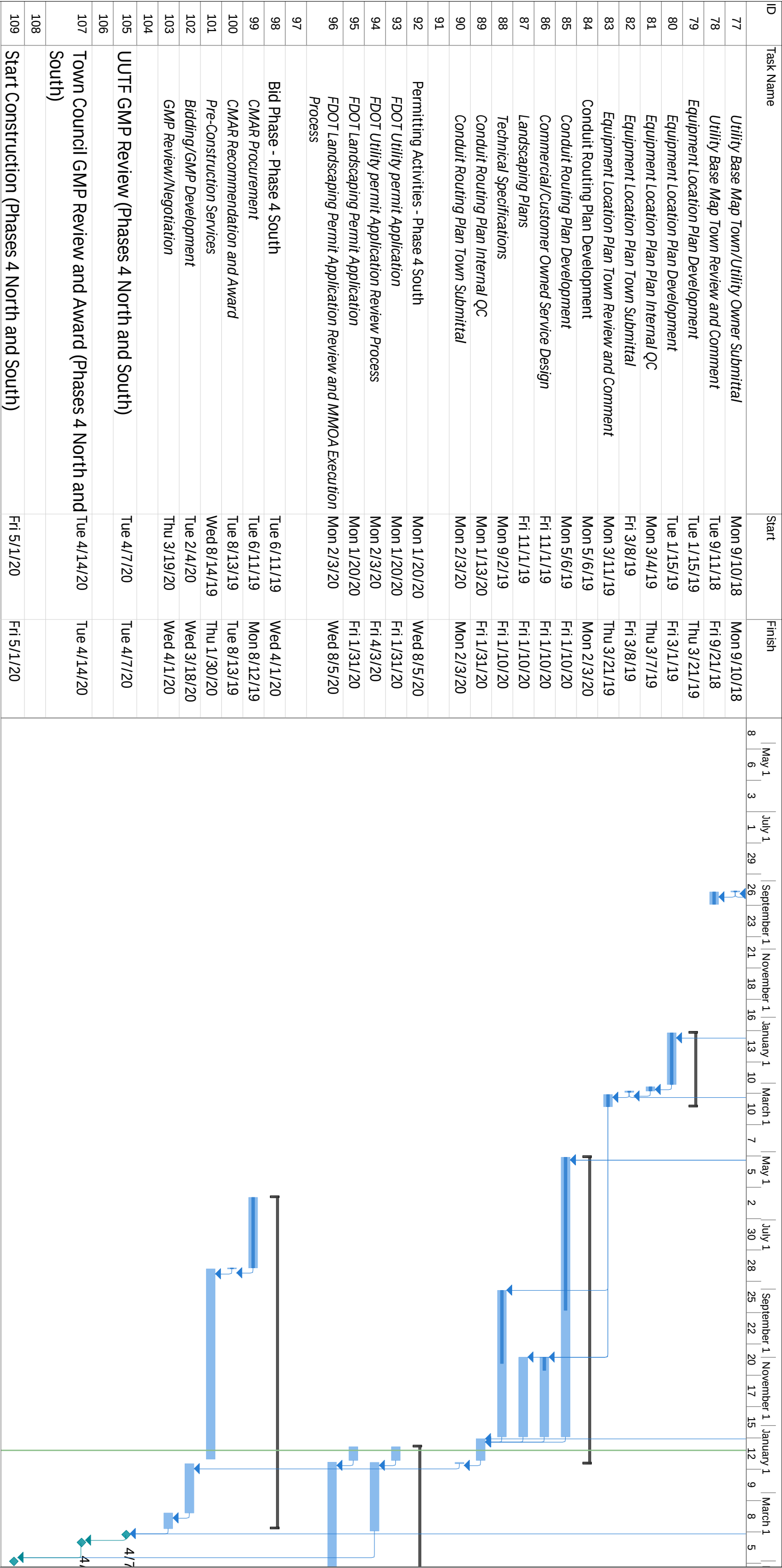
External Tasks

External Milestone

Deadline

Progress

Manual Progress



Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

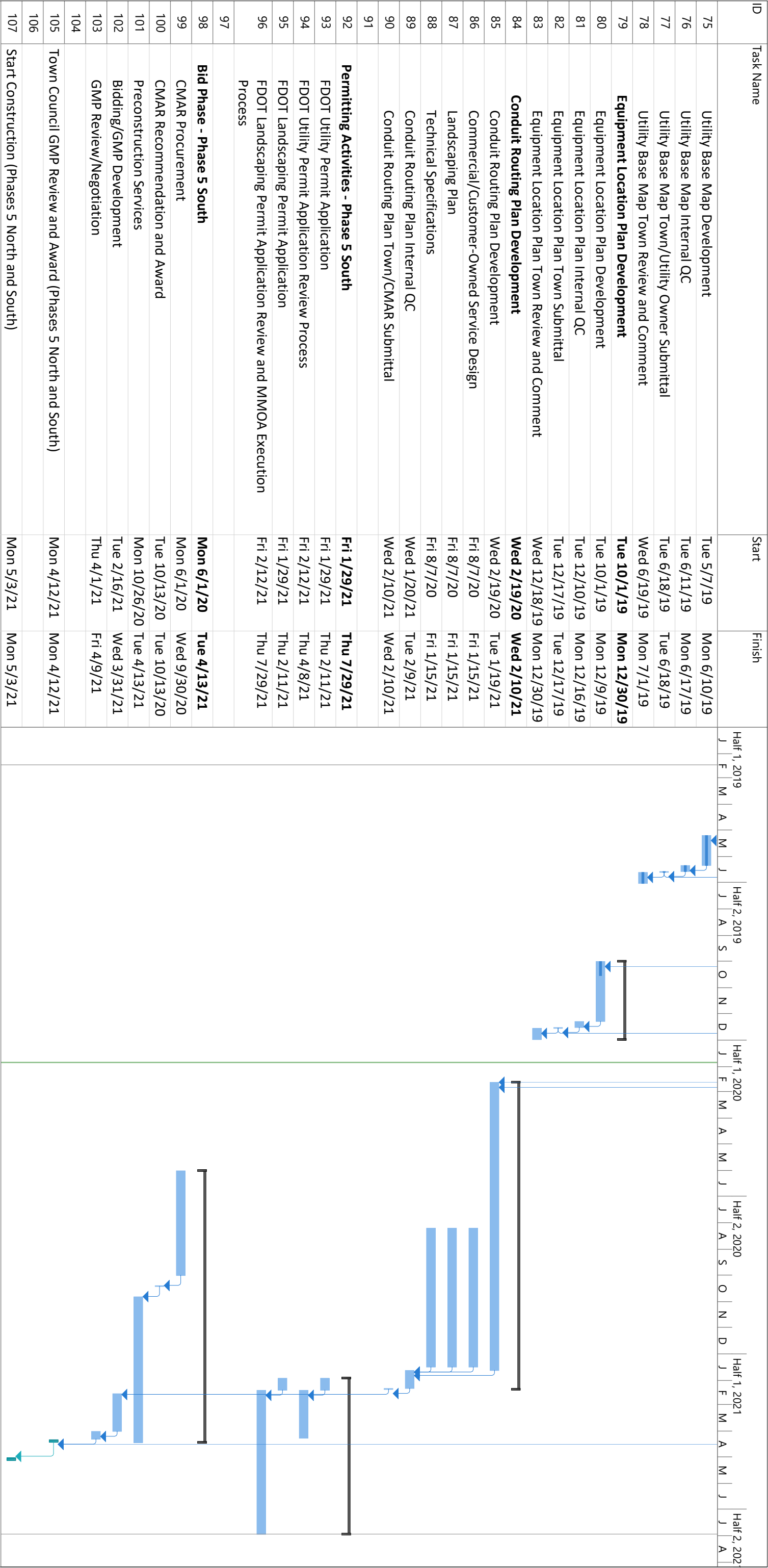
External Tasks

External Milestone

Deadline

Progress

Manual Progress



Project: 2019_0226_Schedule

Date: Mon 1/27/20

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

External Milestone

Deadline

Progress

Manual Progress

Vincent G. Burkhardt
President



Executive Summary

Vincent G. Burkhardt
President



Executive Summary
For
December 2019

Project Description

Townwide Overhead Utility Undergrounding
Phase 3 North
P.O. # 191061

Project Status:

During the beginning of December, one crews continued drilling along North Lake Way between Osceola Way down to Palmo Way. The second crew drilled along Merrain Road. As the crew finished up on North Lake Way between Osceola Way and Palmo Way they moved on to the access road to the pump station located between Palmo & Kenlyn.

The crew continued working in that area until the holiday break arrived. The area was cleaned, and all equipment was removed from the island by December 20, 2019. The job site was secured, and the project was shut down until January 6, 2020.

The project continues to stay within budget.

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 NORTH
PRELIMINARY SCHEDULE
RFQ No. 2018-03

ID	Task Name	% Comple	Duration	Start	Finish	3rd Quarter Jul Aug Sep 4th Quarter Oct Nov Dec 1st Quarter Jan Feb Mar 2nd Quarter Apr May Jun 3rd Quarter Jul Aug Sep 4th Quarter Oct Nov Dec 1st Quarter Jan Feb Mar											
1	Phase 2 NORTH	69%	399 days?	Tue 8/14/18	Fri 2/21/20												
2	Town Council Approval	100%	1 day	Tue 8/14/18	Tue 8/14/18												
3	Award Prime Contract	100%	13 days	Wed 8/15/18	Fri 8/31/18												
4	Permitting	100%	14 days	Wed 8/15/18	Mon 9/3/18												
5	Customer Owned Service Connection Permitting	100%	14 days	Wed 8/15/18	Mon 9/3/18												
6	Sub Contract Agreements	100%	14 days	Wed 8/15/18	Mon 9/3/18												
7	Material Procurement	100%	11 days	Mon 8/20/18	Mon 9/3/18												
8	Underground Conduit Installation, Primary/Secondary (FPL, ATT, Comcast)	100%	240 days	Mon 9/3/18	Fri 8/2/19												
9	Feeder Splice Box Installation	100%	140 days	Sun 12/30/18	Thu 7/11/19												
10	Set Transformers / Switch Cabinets (FPL)	100%	155 days	Sun 1/13/19	Thu 8/15/19												
11	Secondary Services / Wire	100%	235 days	Mon 11/5/18	Fri 9/27/19												
12	As-Built Submission / Review (FPL)	99%	220 days	Mon 2/11/19	Fri 12/13/19												
13	Pull Wire / Terminations Primary (FPL)	100%	145 days	Mon 2/18/19	Fri 9/6/19												
14	* ATT Rod Conduit, Pull Wire, Set Pedestals	85%	180 days	Mon 3/11/19	Fri 11/15/19												
15	*Comcast Pull Wire, Set Pedestals	95%	180 days	Mon 3/11/19	Fri 11/15/19												
16	Cut over / Overhead Removal (ATT/Comcast)	0%	150 days	Mon 6/3/19	Fri 12/27/19												
17	Energize Underground (FPL)	0%	140 days	Mon 4/8/19	Fri 10/18/19												
18	Secondary Service Switch Over (FPL)	0%	180 days	Fri 4/19/19	Thu 12/26/19												
19	** Demo Overhead / Remove Poles (FPL) / Final Restoration	0%	180 days	Mon 6/17/19	Fri 2/21/20												
20	*This Work Will Be Performed By ATT/COMCAST Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of	0%															
21	**This Work Must Be Performed By FPL Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%															
22	Storm Drainage	100%	30 days	Mon 8/12/19	Fri 9/20/19												

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 3 NORTH
PRELIMINARY SCHEDULE
RFQ No. 2018-03



ID	Task Name	% Complete	Duration	Start	Finish	Qtr 3, 2019 Jul Aug Qtr 4, 2019 Sep Oct Nov Dec Qtr 1, 2020 Jan Feb Mar Qtr 2, 2020 Apr May Jun Qtr 3, 2020 Jul Aug Sep Qtr 4, 2020 Oct Nov Dec Qtr 1, 2021 Jan Feb Mar Qtr 2, 2021 Apr May															
1	PHASE 3 NORTH	14%	444 days?	Wed 8/14/19	Mon 4/26/21																
2	Town Council Approval	100%	1 day	Wed 8/14/19	Wed 8/14/19																
3	Award Prime Contract	100%	13 days	Thu 8/15/19	Mon 9/2/19																
4	Permitting	98%	14 days	Thu 8/15/19	Tue 9/3/19																
5	Customer Owned Service Connection Permitting	100%	14 days	Thu 8/15/19	Tue 9/3/19																
6	Sub Contract Agreements	100%	14 days	Thu 8/15/19	Tue 9/3/19																
7	Material Procurement	85%	55 days	Tue 8/20/19	Sun 11/3/19																
8	Underground Conduit Installation, Primary/Secondary (FPL, ATT, Comcast)	20%	240 days	Mon 11/4/19	Fri 10/2/20																
9	As-Built Submission / Review (FPL)	0%	200 days	Fri 1/3/20	Thu 10/8/20																
10	Secondary Services / Wire	0%	100 days	Fri 5/8/20	Thu 9/24/20																
11	Feeder Splice Box Installation	0%	55 days	Fri 7/10/20	Thu 9/24/20																
12	Set Transformers / Switch Cabinets (FPL)	5%	55 days	Fri 7/10/20	Thu 9/24/20																
13	Pull Wire / Terminations Primary (FPL)	5%	85 days	Fri 8/14/20	Thu 12/10/20																
14	* ATT Rod Conduit, Pull Wire, Set Pedestals	0%	55 days	Fri 8/14/20	Thu 10/29/20																
15	* Comcast Pull Wire, Set Pedestals	0%	55 days	Fri 8/14/20	Thu 10/29/20																
16	Cut over / Overhead Removal (ATT/Comcast)	0%	20 days	Fri 11/6/20	Thu 12/3/20																
17	Energize Underground (FPL)	0%	20 days	Tue 12/15/20	Mon 1/11/21																
18	Secondary Service Switch Over (FPL)	0%	35 days	Tue 12/15/20	Mon 2/1/21																
19	** Demo Overhead / Remove Poles (FPL) / Final Restoration	0%	57 days	Fri 2/5/21	Mon 4/26/21																
20	*This Work Will Be Performed By ATT/COMCAST Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%																			
21	**This Work Must Be Performed By FPL Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%																			



**Underground Utility Project Budget
Project Financial Summary
January 31, 2020**

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,797,329	\$ 12,560,570	98.1%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 5,603,367	43.4%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 6,031,565	\$ 2,003,103	33.2%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 1,335,096	\$ 735,054	55.1%
Phase 5 (\$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 1,599,805	\$ 406,742	25.4%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,886,346	\$ -	0.0%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ -	\$ -	
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ -	\$ -	
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 36,566,027	\$ 21,308,836	58.3%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 980,414	\$ 980,414	\$ 915,944	93.4%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 120,885,059	\$ 37,546,441	\$ 22,224,780	59.2%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 6,098,350	\$ 4,636,639	76.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 1,158,567	\$ 1,905,286	164.5%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 120,885,059	\$ 38,705,008	\$ 24,130,066	62.3%

Total Project Budget - Opinion of cost for construction	\$ 120,885,059
% Budgeted/Encumbered To Date Project Costs	31.06%
% Spent to Date - Project Costs	18.39%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 11,950,733	0.0%
Assessment Revenue	\$ 13,380,000	\$ 12,176,922	91.0%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ 396,389	0.0%
Interest	\$ 512,000	\$ 1,747,989	341.4%
GO Bond Proceeds	\$ 60,500,000	\$ 60,499,897	100.0%
1 Cent Sales Tax	\$ 5,000,000	\$ 1,666,667	33.3%
FPL		\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ -	0.0%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (001) General Fund - PM Salary	\$ 409,450	\$ 313,150	76.5%
Total Project Revenues	\$ 91,908,191	\$ 92,843,635	101.0%

Underground Utility Project Budget
Phase 1 Project Costs
January 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Project Engineering					
Task 2.1 - Detailed Design North End	590,000		472,063	472,063	100.0%
Task 2.2 - Detailed Design South End	740,000		619,411	619,411	100.0%
Task 2.3 - Permitting Assistance			17,790	17,790	100.0%
Task 2.4 - Bid Phase Assistance			42,166	42,166	100.0%
Task 2.5 - Meetings - Design Phase			125,399	125,383	100.0%
Subtotal Design Phase	\$ 1,330,000	\$ 1,280,000	\$ 1,276,829	\$ 1,276,813	100.0%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,598,144	100.0%
Street Light Conversion			\$ 26,273	40,934	155.8%
Change Order for AT&T and Comcast Conduit			\$ 371,201	371,201	100.0%
Other Change orders			\$ 130,415	130,415	100.0%
Utility Design Costs			\$ 15,595	15,595	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	483,548	101.4%
Construction Engineering (KH)			\$ 230,532	205,818	89.3%
	\$ 4,210,000	\$ 4,930,000	\$ 4,868,657	\$ 4,865,374	99.9%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	4,267,153	95.9%
Change Order for AT&T and Comcast Conduit			\$ 125,147	125,147	100.0%
Other Approved Change Orders			\$ 12,749	12,749	100.0%
Utility Design Costs			\$ 33,013	33,013	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,362,028	99.1%
Construction Engineering (KH)			\$ 283,880	288,631	101.7%
	\$ 6,800,000	\$ 6,350,000	\$ 6,302,159	\$ 6,110,920	97.0%
Easement Recording Fees			\$ 347	740	
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					
Surveying			\$ 13,978		
Temp Service					
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,797,329	\$ 12,560,570	98.1%

Underground Utility Project Budget
Phase 2 Project Costs
January 31, 2020

	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	\$ 129,348	94.7%
Total Phase 2 Design	\$ 735,000	\$ 807,000	\$ 806,513	\$ 799,244	99.1%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 4,015,865	3,604,249	89.8%
Approved Change Orders			\$ -	-	
FPL Design Cost			\$ 11,759	1,350	11.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 496,307	100.0%
FPL - Additional Vista Switches				\$ 54,938	
Street Light Conversion			\$ 19,186	\$ 19,186	100.0%
Construction Engineering (KH)			\$ 248,121	\$ 210,055	84.7%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 4,831,238	\$ 4,427,637	91.6%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	-	
Burkhardt Construction			\$ 6,494,596		
Approved Change Orders			\$ -		
FPL Design Cost			\$ 13,330	14,200	106.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 200,000	\$ 123,948	
Street Light Conversion			\$ 20,000	\$ 19,268	
Construction Engineering (KH)	-		\$ 282,973	\$ 6,428	
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,055,899	\$ 173,426	2.5%
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	\$ 19,409	89.3%
Advertising				\$ 1,101	
Jones Foster - Legal			\$ 25,000	\$ 22,845	91.4%
Postage			\$ -	\$ 491	
Recording Costs			\$ 3,605	\$ 2,793	77.5%
Easement Abandonment			\$ 15,484	\$ -	0.0%
Total Easement Acquisition Costs	200,000	219,000	\$ 222,236	\$ 203,061	91.4%
Total Phase 2 Costs	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 5,603,367	43.4%

Underground Utility Project Budget
Phase 3 Project Costs
January 31, 2020

	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	\$ 413,374	85.0%
Task 1.3 Permitting Assistance			\$ 13,739		0.0%
Task 1.4 Bid Phase Assistance			\$ 36,834	\$ 18,417	50.0%
Task 1.5 Meetings			\$ 77,411	\$ 70,561	91.2%
Total Phase 3 Design	\$ 860,000	\$ 895,000	\$ 894,505	\$ 782,541	87.5%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000			
Preconstruction			\$ 24,580	\$ 24,580	100.0%
Construction - Burkhardt			\$ 4,042,171	\$ 439,345	10.9%
Approved Change Orders					
FPL Design Cost			\$ 12,850	\$ 1,350	10.5%
ATT Design Cost				\$ 5,000	
Comcast Design Cost				\$ 3,128	
FPL Construction			\$ 87,101	\$ 87,101	
Construction Engineering (KH)			\$ 236,976	\$ 40,400	17.0%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 243,470	\$ 243,470	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			\$ 74,900	\$ 74,900	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%
Total Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000	\$ 4,761,488	\$ 958,714	20.1%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 11,359	2,700	
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Construction Engineering (KH)					
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 11,359	\$ 10,828	0.0%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 246,874	90.3%
Legal Advertising				\$ 1,076	
<i>Surveys</i>					
Task Legal Sketch South			\$ 37,436		
Jones Foster - Legal			\$ 25,000		
Recording Costs				\$ 3,070	
Easement Abandonment			\$ 28,387	\$ -	
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 364,213	\$ 251,020	68.9%
Total Phase 3 Costs	\$ 10,910,000	\$ 15,400,000	\$ 6,031,565	\$ 2,003,103	33.2%

Underground Utility Project Budget
Phase 4 Project Costs
January 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000		\$ 312,317	224,868	72.0%
Task 1.2 Phase 4 South Design	\$ 413,000		\$ 451,284	261,745	58.0%
Task 1.3 Permitting Assistance			\$ 14,468	-	0.0%
Task 1.4 Bid Phase Assistance			\$ 37,899	-	0.0%
Task 1.6 Meetings			\$ 77,911	19,954	25.6%
Total Phase 4 Design	\$ 815,000	\$ 894,000	\$ 893,879	506,567	56.7%
Construction Costs					
Phase 4 North Construction	4,605,000	6,275,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 12,757		
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 12,757	8,128	0.0%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 13,160	1,350	
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 13,160	9,478	0.0%
Easement Acquisition/Abandonment	\$ 240,000	\$ 411,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 280,270	201,769	72.0%
Easement Assistance (KH) -- Switches			\$ 67,747	49	0.1%
<i>Surveys</i>					
Legal Sketch			\$ 38,230	8,225	21.5%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs				837	
Easement Abandonment			\$ 24,086		
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 415,300	210,881	50.8%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 1,335,096	735,054	55.1%

Underground Utility Project Budget
Phase 5 Project Costs
January 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	\$ 520,000		\$ 454,210	\$ 168,058	37.0%
Task 1.2 Phase 5 South Design	\$ 600,000		\$ 606,951	\$ 188,155	31.0%
Task 1.3 Permitting Assistance North					0.0%
Task 1.3 Permitting Assistance South			\$ 17,100		0.0%
Task 1.4 Bid Phase Assistance North			\$ 37,899		0.0%
Task 1.4 Bid Phase Assistance South					0.0%
Task 1.6 Meetings North			\$ 77,911	\$ 7,830	10.0%
Task 1.6 Meetings South					0.0%
Total Phase 5 Design	\$ 1,120,000	\$ 1,195,000	\$ 1,194,071	\$ 364,042	30.5%
Construction Costs					
Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
FPL Design Costs			\$ 16,223	17,573	108.3%
Construction Engineering (KH)					
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 16,223	\$ 17,573	0.0%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
FPL Design Costs			\$ 19,283	20,633	107.0%
Construction Engineering (KH)					
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 19,283	\$ 20,633	107.0%
Easement Acquisition/Abandonment	\$ 330,000	\$ 365,000			
<i>Kimley Horn Easement Assistance</i>					
<i>Easement Assistance</i>			\$ 218,600	\$ 4,132	1.9%
<i>Easement Assistance</i>			\$ 81,086	\$ 250	0.3%
<i>Surveys</i>					
<i>Legal Sketch</i>			\$ 41,080		
<i>Jones Foster - Legal</i>					
<i>Recording Costs</i>				\$ 111	
<i>Easement Abandonment</i>			\$ 29,462	\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 370,228	\$ 4,493	1.2%
Fema Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$14,090,000	\$11,694,645	\$ 1,599,805	\$ 406,742	25.4%

Underground Utility Project Budget
Phase 6 Project Costs
January 31, 2020

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	\$ 420,000		\$ 475,019	\$ 42,752	0.0%
Task 1.2 Phase 6 South Design	\$ 940,000		\$ 826,551	\$ 16,531	0.0%
Task 1.3 Permitting Assistance North					0.0%
Task 1.3 Permitting Assistance South			\$ 17,694		0.0%
Task 1.4 Bid Phase Assistance North			\$ 35,938		0.0%
Task 1.4 Bid Phase Assistance South					0.0%
Task 1.6 Meetings North			\$ 84,791	\$ 1,246	0.0%
Total Phase 6 Design	\$ 1,360,000	\$ 1,440,000	\$ 1,439,993	\$ 60,529	0.0%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost					
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ -	\$ -	0.0%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost					
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ -	\$ -	0.0%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 87	
<i>Surveys</i>					
Legal Sketch			\$ 58,415		
Jones Foster - Legal					
Recording Costs				\$ 105	
Easement Abandonment			\$ 36,344	\$ -	
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 446,353	\$ 191	0.0%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 1,886,346	\$ 60,720	3.2%

Underground Utility Project Budget
Other Project Costs
January 31, 2020

Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	\$ 88,021	\$ 88,021	100.0%
Tash 1.1a Data Collection for Future Communications	\$ 23,511	\$ 23,511	100.0%
Task 1.2 - Conceptual Design and Master Plan	\$ 161,756	\$ 161,756	100.0%
Task 1.3 - Project Sequencing and Phasing	\$ 31,244	\$ 31,244	100.0%
Task 1.4 - Assessment of Traffic Impacts	\$ 77,660	\$ 77,660	100.0%
Task 1.5 - Project Delivery Methods	\$ 17,448	\$ 17,448	100.0%
Task 1.6 - Master Plan Document	\$ 45,053	\$ 45,053	100.0%
Task 1.7 - Meetings Master Planning Phase	\$ 113,135	\$ 113,123	100.0%
Task 1.8 - Master Plan Second Half	\$ 40,067	\$ 40,067	100.0%
Subtotal Master Planning	\$ 597,895	\$ 597,883	100.0%
Comcast Preplanning - Master Plan		\$ 12,015	
Community Outreach	\$ 282,519	\$ 206,046	72.9%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 980,414	\$ 915,944	93.4%

Debt Service and Related Debt Issuance Costs

	Budget	Actual	% Expended
Commercial Paper Issuance Cost		\$ 195,366	
Commercial Paper Fees		\$ 52,252	
Commercial Paper Interest		\$ 243,096	
GO Bond Closing Costs		\$ 487,471	
GO Bond Debt Service	\$ 6,098,350	\$ 3,658,456	60.0%
Total Debt Service and Related Debt Issuance Costs	\$ 6,098,350	\$ 4,636,639	76.0%

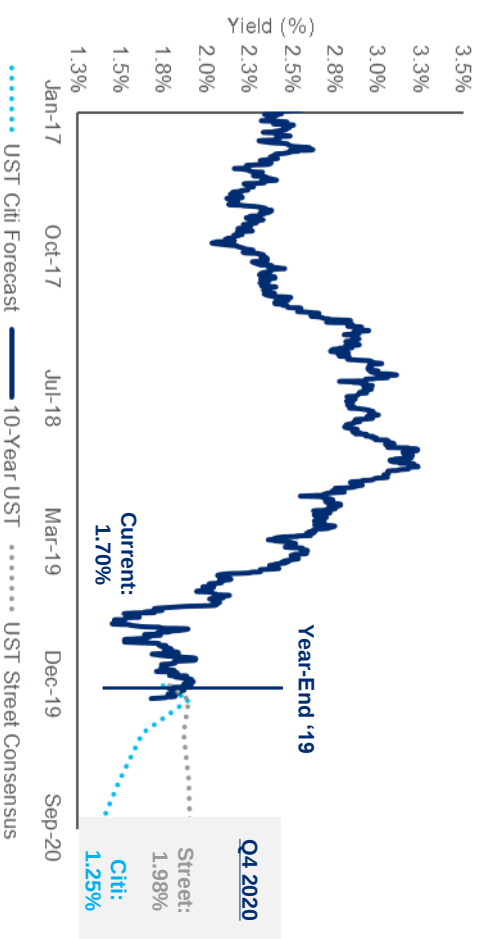
Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	\$ 25,231	\$ 24,430	96.8%
Project Construction	\$ 351,081	\$ 346,124	98.6%
Project Construction Engineering	\$ 11,607	\$ 12,849	110.7%
Utility Cost (FPL, Comcast, AT&T)	\$ 134,333	\$ 127,531	94.9%
Project Meeting Attendance	\$ 3,334	\$ 2,914	87.4%
Total Lake Worth Section	\$ 525,586	\$ 513,847	97.8%
Ibis Way PGD Improvements	\$ 14,583	\$ 14,583	100.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		\$ 183,701	
Kosberg v TPB Legal and Other Costs		\$ 520,075	
PBT Real Estate v TPB		\$ 159,344	
Gardner, Bist Bowden, Bush (Shef Wright)		\$ 24,799	
Temp Services - Easement acquisition	\$ 40,000	\$ 23,901	59.8%
Project Manager -Pay and benefits	\$ 454,398	\$ 358,091	78.8%
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	\$ 1,158,567	\$ 1,905,286	164.5%

U.S. Rate Forecasts

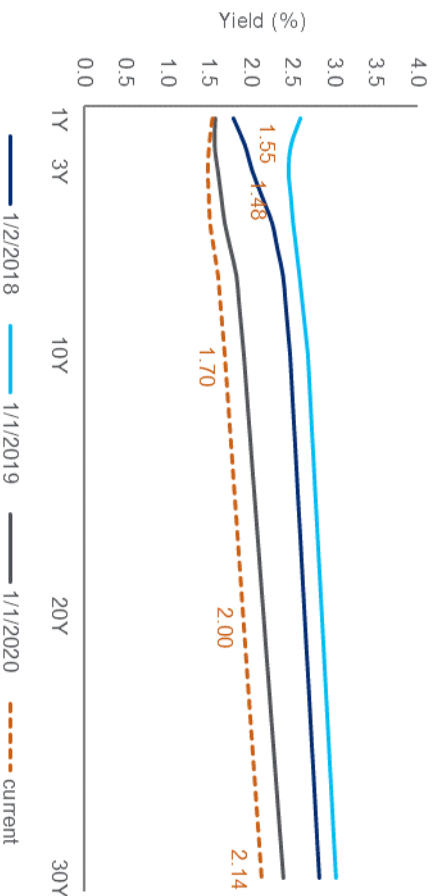
10-Year Treasury Yield Forecast

Citi is forecasting significantly lower 10-yr rates by year-end, diverging from Street consensus



US Treasury Yield Curve

The yield curve steepened the most in more than a year on a definitive U.S. / China phase one trade agreement at the end of 2019 but recently flattened on geopolitical tensions between the U.S. and Iran



Rate Forecasts

5-Year Treasury		Current	1Q20	2Q20	3Q20	4Q20	1Q21	2Q21
Citi's Forecast			1.33%	1.15%	0.98%	0.80%	0.80%	0.80%
Economists' Consensus		1.51%	1.69%	1.73%	1.73%	1.77%	1.79%	1.82%

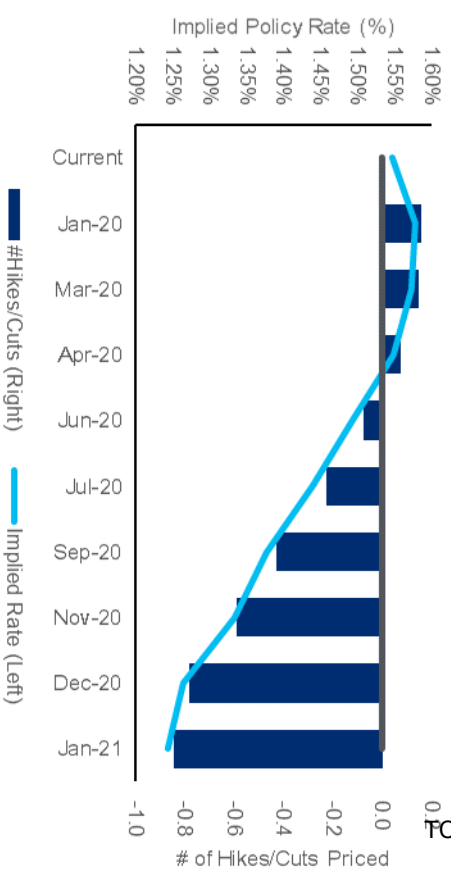
10-Year Treasury		Current	1Q20	2Q20	3Q20	4Q20	1Q21	2Q21
Citi's Forecast			1.63%	1.50%	1.38%	1.25%	1.25%	1.25%
Economists' Consensus		1.70%	1.86%	1.90%	1.91%	1.98%	2.00%	2.00%

30-Year Treasury		Current	1Q20	2Q20	3Q20	4Q20	1Q21	2Q21
Citi's Forecast			2.13%	2.00%	1.88%	1.75%	1.75%	1.75%
Economists' Consensus		2.14%	2.33%	2.34%	2.37%	2.45%	2.40%	2.48%

Fed Funds		Current	1Q20	2Q20	3Q20	4Q20	1Q21	2Q21
Citi's Forecast			1.75%	1.75%	1.75%	1.75%	1.75%	1.75%
Economists' Consensus		1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%

Expectations of Fed Change in Interest Rates (Market View)

The market is currently pricing in one rate cut for 2020



TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Regular Agenda - New Business

Agenda Title

Approval of Town Manager Performance Evaluation and FY20 Goals
THE BACK-UP WILL BE PROVIDED AT A LATER DATE

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Regular Agenda - New Business

Agenda Title

Appointment of Town Manager Pursuant to Section 4.02(b) of the Town Charter from February 12, 2020 through February 9, 2021

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Regular Agenda - New Business

Agenda Title

Consideration of scheduling an Attorney/Client Session immediately following the Town Council meeting on February 11, 2020, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida, to discuss the following matter: 100 Emerald Beach Way LC vs. Town of Palm Beach, Case No. 9:19-CV-80645-Rosenberg/Reinhart Attorney/Client Session Attendees: Mayor Gail L. Coniglio; Town Council President Danielle H. Moore; Town Council President Pro Tem Margaret A. Zeidman; Town Council Members Julie Araskog, Lewis S. W. Crampton, Bobbie Lindsay; Town Manager Kirk Blouin; Town Attorneys John C. Randolph and Joanne M. O'Connor, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters.

Presenter

John C. Randolph, Town Attorney

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Ordinances - Second Reading

Agenda Title

ORDINANCE NO. 04-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 10 Of The Town Code Of Ordinances, Animals, Article II, Dogs And Cats, At Section 10-43, Running At Large Prohibited; Further Amending Chapter 74 Of The Town Code Of Ordinances, Parks And Recreation, Article II, Beach And Aquatic Activities, Division 3, Regulation Of Use Of Public Beaches; At Sec. 74-191, Animals Prohibited, So As To Add An Exception To Permit Leashed Dogs On Public Beaches Between Sunset Avenue And Wells Road; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

▣ **Ordinance No. 04-2020**

ORDINANCE NO. 04-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10 OF THE TOWN CODE OF ORDINANCES, ANIMALS, ARTICLE II, DOGS AND CATS, AT SECTION 10-43, RUNNING AT LARGE PROHIBITED; FURTHER AMENDING CHAPTER 74 OF THE TOWN CODE OF ORDINANCES, PARKS AND RECREATION, ARTICLE II, BEACH AND AQUATIC ACTIVITIES, DIVISION 3, REGULATION OF USE OF PUBLIC BEACHES; AT SEC. 74-191, ANIMALS PROHIBITED, SO AS TO ADD AN EXCEPTION TO PERMIT LEASHED DOGS ON PUBLIC BEACHES BETWEEN SUNSET AVENUE AND WELLS ROAD; 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. Section 10-43 titled Running at large prohibited, is hereby amended to read as follows:

“Sec. 10-43. Running at large prohibited.

No dog shall run at large within the town or upon the property other than that of its owner unless the dog is running on property other than that of its owner with the express or implied consent of the owner of the property. An exception shall apply to allow dogs to run unleashed on the public beaches of the town, unless otherwise prohibited under section 74-191, where said dogs are clearly under the command of their owner or handler and where the dog is not creating a nuisance to other animals or persons using the public beach. Leashed dogs are permitted on public beaches between Sunset and Wells Road only. For purposes of this section, public beaches means that area abutting the Atlantic Ocean or Lake Worth consisting of predominately sand, whether below or above the high mean water mark.”

Section 2. Section 74-191 titled Animals prohibited, is hereby amended to read as follows:

"Sec. 74-191. Animals prohibited.

No person shall take any animal upon those certain public beaches within the town identified herein or in the surf adjacent to any such public beach within the town. Said beaches shall include the Phipps Park beach, the public beach from Royal Palm Way south to Gulfstream Road, the Clarke Avenue beach from Barton to Seaspray, and the beach from Sunset Avenue to Wells Road. An exception shall apply to allow leashed dogs on public beaches between Sunset and Wells Road only."

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 14th day of January, 2020, and for second and final reading on this 11th day of February, 2020.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis Crampton, Town Council Member

Patricia Gayle-Gordon
Acting Town Clerk

Bobbie Lindsay, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: February 11, 2020

Section of Agenda

Ordinances - First Reading

Agenda Title

ORDINANCE NO. 05-2020 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, 2019, and Providing an Effective Date.

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Memorandum Dated January 31, 2020, from Jane Le Clainche, Director of Finance**
- ▣ **Ordinance No. 05-2020**
- ▣ **Exhibit A**
- ▣ **Exhibit B**
- ▣ **Exhibit C**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 11, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Director of Finance

Re: Amendment to the Debt Service Fund, Coastal Management Fund, and Marina Enterprise Fund, FY20 Budgets
Ordinance No. 05-2020

Date: January 31, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Ordinance No. 05-2020, which amends the Debt Service Fund, Coastal Management Fund, and Marina Enterprise Fund, FY20 budgets.

GENERAL INFORMATION

The Town Council approved two recent bond refinancings for the 2010A and 2013 Bonds. The budget amendment appropriates the bond proceeds for closing costs and underwriter fees and the deposit of the funds for the refinancing escrow.

The loan for the marina project is on the agenda for approval. The budget amendment includes the proceeds of the loan, interest income on the loan proceeds, the first year debt service costs, closing costs for the loan, and the estimated costs for the Marina reconstruction project. These costs do not include the costs to reconfigure the parking lot. The parking lot options and costs will be presented at a later date. The contract award for the Marina project will be presented in March for approval. The Town is currently negotiating the final contract terms, the amount in the budget amendment is conservatively estimated with contingency and additional funds for utilities, mitigation, furnishing, fixtures and equipment. The Coastal Protection Fund is proposed to pay for the costs of the bulkhead reconstruction at the marina with funds that have been set aside over the years for bulkhead and seawall work throughout town. The budget amendment appropriates reserves for the reconstruction of the bulkhead at the marina.

FUNDING/FISCAL IMPACT

The Ordinance will amend the Debt Service Fund Budget (205) in the amount of \$53,501,991. The amendment appropriates \$3,600,000 from the reserves of the Coastal Fund (309) for the bulkhead reconstruction at the Marina. The Marina Fund (401) budget is amended in the amount of \$35,356,800 for project costs and for debt service including

closing costs for the loan in FY20. The funding for the project will be paid through the loan proceeds of \$31,000,000, the FIND Grant of \$325,000, interest on the loan proceeds of \$190,000, and reserves from the Marina Fund of \$4,166,800.

TOWN ATTORNEY REVIEW

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

Attachments

Jll

cc: H. Paul Brazil, P.E., Director of Public Works
Carolyn Stone, Director of Business Development and Operations
John C. Randolph, Town Attorney

ORDINANCE NO. 05-2020

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, 2019, 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, 2019; 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, 2020; and

WHEREAS, the budget amendment is necessary for the Debt Service Fund, for the costs and escrow deposits associated with the two bond refinancing issues; and

WHEREAS, the budget amendment is necessary for the Coastal Protection Fund and the Marina Fund for the costs associated with the Marina Reconstruction Project including the reconstruction of the bulkhead; 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 Debt Service Fund, Coastal Protection Fund, and Marina Enterprise Fund, for the fiscal year commencing October 1, 2019, is hereby amended and adopted pursuant to Exhibits "A", "B", and "C", 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 11th day of February, 2020, and for second and final reading on this 10th day of March, 2020.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S. W. Crampton, Town Council Member

Patricia Gayle-Gordon
Acting Town Clerk

Bobbie Lindsay, Town Council Member

Town of Palm Beach, Florida
2010A and 2013 Debt Service Fund Revenues and Expenditures (205)
Budget Amendment
October 1, 2019 through September 30, 2020

	Adopted Budget FY2020	Ordinance No. 05-2020 Amendment	Amended Budget FY2020
Revenues			
Investment Earnings	10,000		10,000
Transfer from General Fund	5,983,913		5,983,913
Transfer from Recreation Enterprise Fund	199,813		199,813
Transfer from Coastal Protection Fund	544,107		544,107
Bond Proceeds	-	53,390,000	53,390,000
Bond Premium	-	109,266	109,266
Total Revenues	6,737,833	53,499,266	60,237,099
Expenditures			
Debt Service Interest	4,460,332	-	4,460,332
Debt Service Principal	2,455,000		2,455,000
Bond Costs	10,000		10,000
Bond Closing Costs		699,701	699,701
Bond Deposit to Escrow		52,802,291	52,802,291
Total Expenditures	6,925,332	53,501,991	60,427,323
Revenues Over/(Under) Expenditures	(187,499)		(190,224)
Beginning Fund Equity	1,566,675		1,566,675
Ending Fund Equity	1,379,176		1,376,451

Town of Palm Beach, Florida
Comprehensive Coastal Management Project Fund (309)
Budget Amendment
October 1, 2019 through September 30, 2020

	Adopted Budget FY2020	Ordinance No. 05-2020 Amendment	Amended Budget FY2020
Revenues			
Investment Earnings	899,301		899,301
Grants/Local Revenue	24,903,657		24,903,657
Transfer from General Fund	6,520,211		6,520,211
Total Revenues	32,323,169	-	32,323,169
Expenditures			
Current Year Projects	33,038,000		33,038,000
Salaries and Wages	124,159		124,159
Employee Benefits	50,000		50,000
Contractual	7,500		7,500
Commodities	4,700		4,700
Capital Outlay	1,963		1,963
Bulkhead Project at Marina	-	3,600,000	3,600,000
Transfer to Debt Service Fund	544,107		544,107
Total Expenditures	33,770,429	3,600,000	37,370,429
Revenues Over/(Under) Expenditures	(1,447,260)	(3,600,000)	(5,047,260)
Beginning Fund Balance	23,299,648		23,299,648
Ending Fund Balance	21,852,388		18,252,388

Town of Palm Beach, Florida
Town Marina Enterprise Fund
Budget Amendment
October 1, 2019 through September 30, 2020

	Adopted Budget FY2020	Ordinance No. 05-2020 Amendment	Amended Budget FY2020
Revenues			
Charges For Services	2,317,362		2,317,362
Miscellaneous Revenue	15,850		15,850
Grant Revenue		325,000	325,000
Loan Proceeds		31,000,000	31,000,000
Interest Income		190,000	190,000
Total Revenues	2,333,212	31,190,000	33,848,212
Expenditures			
Salaries and Wages	242,373		242,373
Employee Benefits	116,915		116,915
Contractual	715,025	-	715,025
Commodities	9,875	-	9,875
Capital Projects	-	35,014,800	35,014,800
Depreciation	156,920		156,920
Debt Service		342,000	342,000
Contingency	54,209		54,209
Total Expenditures	1,295,317	35,356,800	36,652,117
Revenues Over/(Under) Expenditures	1,037,895	(4,166,800)	(2,803,905)
Beginning Fund Balance	7,047,777		7,047,777
Ending Fund Balance	8,085,672		4,243,872